LAWS
OF THE
STATE OF ILLINOIS
NINETY FOURTH
GENERAL ASSEMBLY

2006

PUBLIC ACT 94-727
THRU
PUBLIC ACT 94-1113
STATE OF ILLINOIS
OFFICE OF THE SECRETARY OF STATE

The Session Laws of Illinois are compiled, printed and distributed annually by the Secretary of State pursuant to Sections 10(f) and 10(g) of an Act entitled, "General Assembly Operation Act", effective September 6, 1990. (25 Illinois Compiled Statutes, 10/10(f) and 10/10(g))

The text of the documents contained in this publication is printed identical to the originals on file in the Office of the Secretary of State. No attempt has been made to correct misspelled words or errors in punctuation, if any.

JESSE WHITE
Secretary of State

(PRT3427248-445-05/07)

(Printed by authority of the General Assembly of the State of Illinois.)
<table>
<thead>
<tr>
<th>CONTENTS</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective Date Information</td>
<td>iv</td>
</tr>
<tr>
<td>Executive Orders</td>
<td>5813</td>
</tr>
<tr>
<td>House Bills</td>
<td>v</td>
</tr>
<tr>
<td>Index to Public Acts</td>
<td>6351</td>
</tr>
<tr>
<td>Joint Resolutions</td>
<td>5759</td>
</tr>
<tr>
<td>Proclamations</td>
<td>5855</td>
</tr>
<tr>
<td>Public Acts by Effective Date (List)</td>
<td>6395</td>
</tr>
<tr>
<td>Senate Bills</td>
<td>x</td>
</tr>
<tr>
<td>Compiled Statutes</td>
<td>6273</td>
</tr>
</tbody>
</table>
EFFECTIVE DATES OF PUBLIC ACTS

1970 CONSTITUTION, ARTICLE IV

"§ 10. Effective Date of Laws
   The General Assembly shall provide by law for a uniform effective date for
   laws passed prior to July 1 of a calendar year. The General Assembly may provide for a
different effective date in any law passed prior to July 1. A bill passed after June 30
   shall not become effective prior to July 1 of the next calendar year unless the General
Assembly by the vote of three-fifths of the members elected to each house provides for
an earlier effective date."

5 ILLINOIS COMPILED STATUTES CHAPTER 75

75/1. Effective Date of Laws
"§ 1 (a) A bill passed after June 30 of a calendar year shall become effective on July 1
   of the next calendar year unless the General Assembly by a vote of three-fifths of the
members elected to each house provides for an earlier effective date in the terms of the
bill or unless the General Assembly provides for a later effective date in the terms of the
bill; provided that if the effective date provided in the terms of the bill is prior to the
date the bill becomes a law then the date the bill becomes a law shall be the effective
date."1 (a) A bill passed prior to July 1 of a calendar year that does not provide for
an effective date in the terms of the bill shall become effective on January 1 of the
following year, or upon its becoming a law, whichever is later.

(b) A bill passed prior to July 1 of a calendar year that does provide for an
effective date in the terms of the bill shall become effective on that date if that date is
the same as or subsequent to the date the bill becomes a law; provided that if the
effective date provided in the terms of the bill is prior to the date the bill becomes a law
then the date the bill becomes a law shall be the effective date."

75/2. Special Effective Dates
"§ 2 A bill passed after June 30 of a calendar year shall become effective on July 1
   of the next calendar year unless the General Assembly by a vote of three-fifths of the
members elected to each house provides for an earlier effective date in the terms of the
bill or unless the General Assembly provides for a later effective date in the terms of the
bill; provided that if the effective date provided in the terms of the bill is prior to the
date the bill becomes a law then the date the bill becomes a law shall be the effective
date.
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Public Act 94-</th>
<th>Action</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 0542</td>
<td>0876</td>
<td>APPROVED</td>
<td>06/19/2006</td>
</tr>
<tr>
<td>H 0708</td>
<td>0739</td>
<td>APPROVED</td>
<td>05/05/2006</td>
</tr>
<tr>
<td>H 0822</td>
<td>1101</td>
<td>APPROVED</td>
<td>02/09/2007</td>
</tr>
<tr>
<td>H 0874</td>
<td>0967</td>
<td>APPROVED</td>
<td>06/30/2006</td>
</tr>
<tr>
<td>H 1299</td>
<td>0998</td>
<td>APPROVED</td>
<td>07/03/2006</td>
</tr>
<tr>
<td>H 1463</td>
<td>0916</td>
<td>APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>H 1620</td>
<td>0849</td>
<td>APPROVED</td>
<td>06/12/2006</td>
</tr>
<tr>
<td>H 1896</td>
<td>1089</td>
<td>APPROVED</td>
<td>01/26/2007</td>
</tr>
<tr>
<td>H 1918</td>
<td>0804</td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>H 2067</td>
<td>0849</td>
<td>APPROVED</td>
<td>01/01/2006</td>
</tr>
<tr>
<td>H 2151</td>
<td>0898</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 2497</td>
<td>0756</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 2706</td>
<td>0776</td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>H 2734</td>
<td>0874</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 2946</td>
<td>0818</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 3126</td>
<td>0757</td>
<td>APPROVED</td>
<td>05/12/2006</td>
</tr>
<tr>
<td>H 3183</td>
<td>0728</td>
<td>APPROVED</td>
<td>04/06/2006</td>
</tr>
<tr>
<td>H 3650</td>
<td>0734</td>
<td>APPROVED</td>
<td>04/28/2006</td>
</tr>
<tr>
<td>H 3752</td>
<td>1102</td>
<td>APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>H 4079</td>
<td>0860</td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 4121</td>
<td>0755</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4125</td>
<td>0906</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4127</td>
<td>0907</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4134</td>
<td>0877</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4135</td>
<td>0943</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
</tbody>
</table>

VIP - Approved with appropriation items vetoed.
IR - Approved with appropriation items reduced.
AV - Amendatory veto (returned to G.A. with recommendations for change).
P - General Assembly action pending.
O - Governor’s action overridden by General Assembly.
CERT - AV accepted by the G.A. and certified by the Governor.
NPA - No positive action by the G.A.
* - Generally effective this date, some sections other dates.
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Bill No.</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 4137</td>
<td>1079</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>H 4147</td>
<td>0995</td>
<td>APPROVED</td>
<td>07/03/2006</td>
</tr>
<tr>
<td>H 4172</td>
<td>0854</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4173</td>
<td>1090</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>H 4179</td>
<td>0944</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4186</td>
<td>1010</td>
<td>APPROVED</td>
<td>10/01/2006</td>
</tr>
<tr>
<td>H 4192</td>
<td>0777</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4193</td>
<td>0945</td>
<td>APPROVED</td>
<td>06/27/2006</td>
</tr>
<tr>
<td>H 4196</td>
<td>0841</td>
<td>APPROVED</td>
<td>06/07/2006</td>
</tr>
<tr>
<td>H 4202</td>
<td>0921</td>
<td>APPROVED</td>
<td>06/26/2006</td>
</tr>
<tr>
<td>H 4217</td>
<td>0899</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4222</td>
<td>0988</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4238</td>
<td>0819</td>
<td>APPROVED</td>
<td>05/31/2006</td>
</tr>
<tr>
<td>H 4242</td>
<td>0880</td>
<td>APPROVED</td>
<td>08/01/2006</td>
</tr>
<tr>
<td>H 4286</td>
<td>0900</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4297</td>
<td>0827</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4298</td>
<td>0989</td>
<td>APPROVED</td>
<td>07/03/2006</td>
</tr>
<tr>
<td>H 4300</td>
<td>0800</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4302</td>
<td>0909</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4306</td>
<td>0910</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4308</td>
<td>0901</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4310</td>
<td>0881</td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 4313</td>
<td>0751</td>
<td>APPROVED</td>
<td>05/10/2006</td>
</tr>
<tr>
<td>H 4314</td>
<td>VETOED-NPA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 4315</td>
<td>0749</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4317</td>
<td>0856</td>
<td>APPROVED</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>H 4342</td>
<td>1080</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>H 4344</td>
<td>1077</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>H 4345</td>
<td>0833</td>
<td>APPROVED</td>
<td>06/06/2006</td>
</tr>
<tr>
<td>H 4349</td>
<td>0731</td>
<td>APPROVED</td>
<td>04/19/2006</td>
</tr>
<tr>
<td>H 4357</td>
<td>1026</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4362</td>
<td>0922</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4365</td>
<td>0902</td>
<td>APPROVED</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>H 4369</td>
<td>0778</td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>H 4370</td>
<td>0861</td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 4375</td>
<td>0911</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4377</td>
<td>0805</td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>H 4383</td>
<td>0923</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4406</td>
<td>0968</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Number</td>
<td>Action</td>
<td>Date</td>
</tr>
<tr>
<td>-------------</td>
<td>--------</td>
<td>--------</td>
<td>------------</td>
</tr>
<tr>
<td>H 4419</td>
<td>0735</td>
<td>APPROVED</td>
<td>05/01/2006</td>
</tr>
<tr>
<td>H 4425</td>
<td>0882</td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 4438</td>
<td>0969</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4446</td>
<td>0946</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4449</td>
<td>0947</td>
<td>APPROVED</td>
<td>06/27/2006</td>
</tr>
<tr>
<td>H 4451</td>
<td>1044</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4461</td>
<td>0970</td>
<td>APPROVED</td>
<td>06/30/2006</td>
</tr>
<tr>
<td>H 4462</td>
<td>0758</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4463</td>
<td>0834</td>
<td>APPROVED</td>
<td>06/06/2006</td>
</tr>
<tr>
<td>H 4519</td>
<td>0883</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4527</td>
<td>0862</td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 4541</td>
<td>0912</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4559</td>
<td>0913</td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 4606</td>
<td>0990</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4649</td>
<td>0878</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4657</td>
<td>0759</td>
<td>APPROVED</td>
<td>05/12/2006</td>
</tr>
<tr>
<td>H 4676</td>
<td>1064</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4688</td>
<td>0863</td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 4699</td>
<td>0884</td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 4703</td>
<td>0802</td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>H 4711</td>
<td>0820</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4714</td>
<td>0824</td>
<td>APPROVED</td>
<td>06/02/2006</td>
</tr>
<tr>
<td>H 4715</td>
<td>1038</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4717</td>
<td>0740</td>
<td>APPROVED</td>
<td>05/08/2006</td>
</tr>
<tr>
<td>H 4719</td>
<td>0999</td>
<td>APPROVED</td>
<td>07/03/2006</td>
</tr>
<tr>
<td>H 4726</td>
<td>0779</td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>H 4727</td>
<td>0895</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4728</td>
<td>0760</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4729</td>
<td>0842</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4736</td>
<td>0780</td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>H 4760</td>
<td>0821</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4768</td>
<td>0897</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4782</td>
<td>0845</td>
<td>APPROVED</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>H 4785</td>
<td>0752</td>
<td>APPROVED</td>
<td>05/10/2006</td>
</tr>
<tr>
<td>H 4788</td>
<td>0971</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4789</td>
<td>0794</td>
<td>APPROVED</td>
<td>05/22/2006</td>
</tr>
<tr>
<td>H 4793</td>
<td>0903</td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4804</td>
<td>1081</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>H 4822</td>
<td>0803</td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
</tbody>
</table>
### HOUSE BILLS
#### 2006 SESSION
#### FEBRUARY 14, 2006 THROUGH FEBRUARY 27, 2007

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Status</th>
<th>Date Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 4829</td>
<td></td>
<td>APPROVED</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>H 4832</td>
<td></td>
<td>APPROVED</td>
<td>06/22/2006</td>
</tr>
<tr>
<td>H 4835</td>
<td></td>
<td>APPROVED</td>
<td>05/22/2006</td>
</tr>
<tr>
<td>H 4853</td>
<td></td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 4895</td>
<td></td>
<td>APPROVED</td>
<td>01/26/2007</td>
</tr>
<tr>
<td>H 4904</td>
<td></td>
<td>APPROVED</td>
<td>05/25/2006</td>
</tr>
<tr>
<td>H 4960</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4971</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4977</td>
<td></td>
<td>APPROVED</td>
<td>02/02/2007</td>
</tr>
<tr>
<td>H 4986</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4987</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 4999</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5220</td>
<td></td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>H 5234</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5243</td>
<td></td>
<td>APPROVED</td>
<td>06/05/2006</td>
</tr>
<tr>
<td>H 5245</td>
<td></td>
<td>APPROVED</td>
<td>06/26/2006</td>
</tr>
<tr>
<td>H 5249</td>
<td></td>
<td>APPROVED</td>
<td>06/08/2006</td>
</tr>
<tr>
<td>H 5251</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5259</td>
<td></td>
<td>APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>H 5260</td>
<td></td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 5267</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5274</td>
<td></td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>H 5284</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5288</td>
<td></td>
<td>APPROVED</td>
<td>05/12/2006</td>
</tr>
<tr>
<td>H 5300</td>
<td></td>
<td>APPROVED</td>
<td>05/12/2006</td>
</tr>
<tr>
<td>H 5301</td>
<td></td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 5305</td>
<td></td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 5330</td>
<td></td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 5331</td>
<td></td>
<td>APPROVED</td>
<td>06/23/2006</td>
</tr>
<tr>
<td>H 5336</td>
<td></td>
<td>APPROVED</td>
<td>04/17/2006</td>
</tr>
<tr>
<td>H 5339</td>
<td></td>
<td>APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>H 5342</td>
<td></td>
<td>AV-NPA</td>
<td></td>
</tr>
<tr>
<td>H 5343</td>
<td></td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 5348</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5375</td>
<td></td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 5376</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5377</td>
<td></td>
<td>VETOED-NPA</td>
<td></td>
</tr>
<tr>
<td>H 5407</td>
<td></td>
<td>APPROVED</td>
<td>07/14/2006</td>
</tr>
<tr>
<td>H 5416</td>
<td></td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
</tbody>
</table>
HOUSE BILLS
2006 SESSION
FEBRUARY 14, 2006 THROUGH FEBRUARY 27, 2007

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Number</th>
<th>Status</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 5429</td>
<td>0890</td>
<td>APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>H 5475</td>
<td>1092</td>
<td>APPROVED</td>
<td>01/26/2007</td>
</tr>
<tr>
<td>H 5506</td>
<td>0949</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5550</td>
<td>0927</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>H 5555</td>
<td>0950</td>
<td>APPROVED</td>
<td>06/27/2006</td>
</tr>
<tr>
<td>H 5578</td>
<td>0732</td>
<td>APPROVED</td>
<td>04/24/2006</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Number</td>
<td>Action</td>
<td>Date</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>--------</td>
<td>------------</td>
</tr>
<tr>
<td>S 0014</td>
<td>0774</td>
<td>APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>S 0017</td>
<td>1021</td>
<td>APPROVED</td>
<td>07/12/2006</td>
</tr>
<tr>
<td>S 0036</td>
<td>1111</td>
<td>APPROVED</td>
<td>02/27/2007</td>
</tr>
<tr>
<td>S 0049</td>
<td>1057</td>
<td>APPROVED</td>
<td>07/31/2006</td>
</tr>
<tr>
<td>S 0094</td>
<td>1027</td>
<td>APPROVED</td>
<td>07/14/2006</td>
</tr>
<tr>
<td>S 0176</td>
<td>0835</td>
<td>APPROVED</td>
<td>06/06/2006</td>
</tr>
<tr>
<td>S 0205</td>
<td>1082</td>
<td>APPROVED</td>
<td>01/19/2007</td>
</tr>
<tr>
<td>S 0230</td>
<td>0836</td>
<td>APPROVED</td>
<td>06/06/2006</td>
</tr>
<tr>
<td>S 0279</td>
<td>1028</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 0304</td>
<td>1029</td>
<td>APPROVED</td>
<td>07/14/2006</td>
</tr>
<tr>
<td>S 0318</td>
<td>1109</td>
<td>APPROVED</td>
<td>02/23/2007</td>
</tr>
<tr>
<td>S 0380</td>
<td>1078</td>
<td>VETOED-O</td>
<td>01/09/2007</td>
</tr>
<tr>
<td>S 0385</td>
<td>0742</td>
<td>APPROVED</td>
<td>05/08/2006</td>
</tr>
<tr>
<td>S 0490</td>
<td>1083</td>
<td>APPROVED</td>
<td>01/19/2007</td>
</tr>
<tr>
<td>S 0505</td>
<td>1103</td>
<td>APPROVED</td>
<td>02/09/2007</td>
</tr>
<tr>
<td>S 0509</td>
<td>0808</td>
<td>APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>S 0585</td>
<td>1058</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 0611</td>
<td>1104</td>
<td>APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>S 0613</td>
<td>1045</td>
<td>APPROVED</td>
<td>07/24/2006</td>
</tr>
<tr>
<td>S 0619</td>
<td>1030</td>
<td>APPROVED</td>
<td>07/14/2006</td>
</tr>
<tr>
<td>S 0622</td>
<td>0837</td>
<td>APPROVED</td>
<td>06/06/2006</td>
</tr>
<tr>
<td>S 0623</td>
<td>0829</td>
<td>APPROVED</td>
<td>06/05/2006</td>
</tr>
<tr>
<td>S 0624</td>
<td>1035</td>
<td>APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>S 0626</td>
<td>1042</td>
<td>APPROVED</td>
<td>07/24/2006</td>
</tr>
<tr>
<td>S 0627</td>
<td>0816</td>
<td>APPROVED</td>
<td>05/30/2006</td>
</tr>
<tr>
<td>S 0630</td>
<td>1059</td>
<td>APPROVED</td>
<td>07/31/2006</td>
</tr>
<tr>
<td>S 0680</td>
<td>1031</td>
<td>APPROVED</td>
<td>01/01/2007</td>
</tr>
</tbody>
</table>

**VIP** - Approved with appropriation items vetoed.
**IR** - Approved with appropriation items reduced.
**AV** - Amendatory veto (returned to G.A. ith recommendations For change).
**P** - General Assembly action pending.
**O** - Governor’s action overridden by General Assembly.
**CERT** - AV accepted by the G. A. and certified by the Governor.
**NPA** - NO positive action by the G. A.
***** - Generally effective this date, some sections other dates.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Action</th>
<th>Date Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 0702</td>
<td>0974 APPROVED</td>
<td>06/30/2006</td>
</tr>
<tr>
<td>S 0789</td>
<td>1046 APPROVED</td>
<td>07/24/2006</td>
</tr>
<tr>
<td>S 0799</td>
<td>VETOED-NPA</td>
<td></td>
</tr>
<tr>
<td>S 0819</td>
<td>0782 APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>S 0821</td>
<td>1093 APPROVED</td>
<td>01/26/2007</td>
</tr>
<tr>
<td>S 0827</td>
<td>0809 APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>S 0830</td>
<td>1096 CERT</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>S 0835</td>
<td>1065 APPROVED</td>
<td>08/01/2006</td>
</tr>
<tr>
<td>S 0837</td>
<td>0810 APPROVED</td>
<td>05/26/2006</td>
</tr>
<tr>
<td>S 0838</td>
<td>0783 APPROVED</td>
<td>05/19/2006</td>
</tr>
<tr>
<td>S 0841</td>
<td>0951 APPROVED</td>
<td>06/27/2006</td>
</tr>
<tr>
<td>S 0843</td>
<td>0867 APPROVED</td>
<td>06/16/2006</td>
</tr>
<tr>
<td>S 0848</td>
<td>1036 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 0857</td>
<td>0952 APPROVED</td>
<td>06/27/2006</td>
</tr>
<tr>
<td>S 0859</td>
<td>0991 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 0860</td>
<td>1039 APPROVED</td>
<td>07/20/2006</td>
</tr>
<tr>
<td>S 0861</td>
<td>1060 APPROVED</td>
<td>07/31/2006</td>
</tr>
<tr>
<td>S 0862</td>
<td>1110 APPROVED</td>
<td>02/23/2007</td>
</tr>
<tr>
<td>S 0916</td>
<td>1037 APPROVED</td>
<td>07/20/2006</td>
</tr>
<tr>
<td>S 0918</td>
<td>0737 APPROVED</td>
<td>05/03/2006</td>
</tr>
<tr>
<td>S 0927</td>
<td>1040 APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>S 0929</td>
<td>1041 APPROVED</td>
<td>07/24/2006</td>
</tr>
<tr>
<td>S 0931</td>
<td>1020 APPROVED</td>
<td>07/11/2006</td>
</tr>
<tr>
<td>S 0946</td>
<td>1047 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 0948</td>
<td>1112 APPROVED</td>
<td>02/27/2007</td>
</tr>
<tr>
<td>S 0951</td>
<td>0975 APPROVED</td>
<td>06/30/2006</td>
</tr>
<tr>
<td>S 0998</td>
<td>1066 APPROVED</td>
<td>08/01/2006</td>
</tr>
<tr>
<td>S 1001</td>
<td>0797 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1028</td>
<td>1048 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1086</td>
<td>0763 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1088</td>
<td>0963 APPROVED</td>
<td>06/28/2006</td>
</tr>
<tr>
<td>S 1089</td>
<td>1009 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1144</td>
<td>0772 APPROVED</td>
<td>05/17/2006</td>
</tr>
<tr>
<td>S 1145</td>
<td>1032 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1183</td>
<td>1061 APPROVED</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>S 1195</td>
<td>1088 APPROVED</td>
<td>01/25/2007</td>
</tr>
<tr>
<td>S 1214</td>
<td>0891 APPROVED</td>
<td>06/20/2006</td>
</tr>
<tr>
<td>S 1268</td>
<td>1072 APPROVED</td>
<td>07/01/2007</td>
</tr>
<tr>
<td>S 1269</td>
<td>1084 APPROVED</td>
<td>06/01/2007</td>
</tr>
<tr>
<td>Bill</td>
<td>Number</td>
<td>Action</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
<td>---------</td>
</tr>
<tr>
<td>S 1279</td>
<td>1067</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1445</td>
<td>1000</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1453</td>
<td>1097</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1497</td>
<td>1054</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1520</td>
<td>0798</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1625</td>
<td>1068</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1681</td>
<td>0727</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1682</td>
<td>0976</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1705</td>
<td>0977</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1827</td>
<td>1062</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1856</td>
<td>1105</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1863</td>
<td>0838</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1892</td>
<td>1022</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1959</td>
<td>1107</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1977</td>
<td>0839</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 1989</td>
<td>1085</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2030</td>
<td>0817</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2137</td>
<td>0896</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2156</td>
<td>0743</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2159</td>
<td>0978</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2162</td>
<td>0928</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2165</td>
<td>0729</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2170</td>
<td>1063</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2185</td>
<td>1086</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2191</td>
<td>0929</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2195</td>
<td>0918</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2197</td>
<td>1011</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2199</td>
<td>1033</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2202</td>
<td>1034</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2204</td>
<td>1012</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2223</td>
<td>0868</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2225</td>
<td>1056</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2230</td>
<td>0930</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2233</td>
<td>0784</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2235</td>
<td>0979</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2238</td>
<td>0915</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2241</td>
<td>0785</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2243</td>
<td>0846</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2252</td>
<td>0811</td>
<td>APPROVED</td>
</tr>
<tr>
<td>Bill</td>
<td>Number</td>
<td>Action</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
<td>---------</td>
</tr>
<tr>
<td>S 2254</td>
<td>0812</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2271</td>
<td>0753</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2272</td>
<td>0980</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2277</td>
<td>0813</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2283</td>
<td>0892</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2286</td>
<td>0869</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2290</td>
<td>0965</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2297</td>
<td>0870</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2302</td>
<td>0775</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2303</td>
<td>0825</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2308</td>
<td>0847</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2310</td>
<td>0799</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2312</td>
<td>0905</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2320</td>
<td>0744</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2326</td>
<td>0931</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2328</td>
<td>1043</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2334</td>
<td>0764</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2336</td>
<td>0981</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2339</td>
<td>1025</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2340</td>
<td>1073</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2345</td>
<td>0765</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2348</td>
<td>1013</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2349</td>
<td>0822</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2356</td>
<td>0982</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2358</td>
<td>0953</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2360</td>
<td>0996</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2368</td>
<td>0997</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2372</td>
<td>0932</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2375</td>
<td>0858</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2381</td>
<td>0766</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2391</td>
<td>0830</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2395</td>
<td>1014</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2399</td>
<td>1023</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2400</td>
<td>0917</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2427</td>
<td>1087</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2436</td>
<td>0983</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2445</td>
<td></td>
<td>AV-NPA</td>
</tr>
<tr>
<td>S 2448</td>
<td>0954</td>
<td>APPROVED</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Number</td>
<td>Action</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>--------</td>
</tr>
<tr>
<td>S 2449</td>
<td>0786</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2454</td>
<td>1015</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2455</td>
<td>0933</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2456</td>
<td>1001</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2465</td>
<td>0770</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2469</td>
<td>0787</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2475</td>
<td>1016</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2477</td>
<td>1071</td>
<td>AV-O</td>
</tr>
<tr>
<td>S 2483</td>
<td>0788</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2487</td>
<td>0964</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2489</td>
<td>0736</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2491</td>
<td>0934</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2505</td>
<td>0745</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2511</td>
<td>0871</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2546</td>
<td>0935</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2554</td>
<td>1008</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2555</td>
<td>VETOED-NPA</td>
<td></td>
</tr>
<tr>
<td>S 2562</td>
<td>0746</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2569</td>
<td>0823</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2570</td>
<td>1049</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2578</td>
<td>0936</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2579</td>
<td>0773</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2582</td>
<td>0789</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2587</td>
<td>0747</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2601</td>
<td>0850</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2608</td>
<td>1075</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2613</td>
<td>0955</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2617</td>
<td>0872</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2630</td>
<td>0937</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2631</td>
<td>0790</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2650</td>
<td>0814</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2654</td>
<td>1050</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2664</td>
<td>1106</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2673</td>
<td>1051</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2674</td>
<td>1108</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2676</td>
<td>0938</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2680</td>
<td>0984</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2684</td>
<td>1094</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2695</td>
<td>0767</td>
<td>APPROVED</td>
</tr>
<tr>
<td>Bill</td>
<td>Number</td>
<td>Action</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>----------</td>
</tr>
<tr>
<td>S 2709</td>
<td>1002</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2711</td>
<td>0768</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2713</td>
<td>1003</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2716</td>
<td>0873</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2718</td>
<td>0893</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2726</td>
<td>0844</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2728</td>
<td>0769</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2732</td>
<td>VETOED-NPA</td>
<td></td>
</tr>
<tr>
<td>S 2737</td>
<td>1113</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2738</td>
<td>0939</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2739</td>
<td>0940</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2740</td>
<td>0859</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2762</td>
<td>1098</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2763</td>
<td>0851</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2772</td>
<td>1099</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2774</td>
<td>0956</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2778</td>
<td>0957</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2782</td>
<td>0852</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2795</td>
<td>1019</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2796</td>
<td>1100</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2798</td>
<td>0791</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2807</td>
<td>0738</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2810</td>
<td>0919</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2827</td>
<td>0958</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2829</td>
<td>0875</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2841</td>
<td>1052</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2865</td>
<td>0771</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2868</td>
<td>0815</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2869</td>
<td>1004</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2870</td>
<td>1005</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2871</td>
<td>0840</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2872</td>
<td>0750</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2873</td>
<td>0992</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2878</td>
<td>0848</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2882</td>
<td>0894</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2885</td>
<td>0966</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2898</td>
<td>0792</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2899</td>
<td>0793</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2909</td>
<td>0942</td>
<td>APPROVED</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Time</td>
<td>Action</td>
</tr>
<tr>
<td>-------------</td>
<td>-------</td>
<td>------------</td>
</tr>
<tr>
<td>S 2913</td>
<td>0941</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2915</td>
<td>0831</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2917</td>
<td>1076</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2921</td>
<td>0733</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2931</td>
<td>1006</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2936</td>
<td>0959</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2951</td>
<td>0960</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2952</td>
<td>0961</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2954</td>
<td>1017</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2962</td>
<td>0993</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2967</td>
<td>0962</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2968</td>
<td>0826</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2971</td>
<td>0985</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2985</td>
<td>1018</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 2998</td>
<td>0986</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3010</td>
<td>0853</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3011</td>
<td>0748</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3016</td>
<td>0994</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3018</td>
<td>1053</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3046</td>
<td>1007</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3062</td>
<td>0754</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3076</td>
<td>0987</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3086</td>
<td>1055</td>
<td>APPROVED</td>
</tr>
<tr>
<td>S 3088</td>
<td>1074</td>
<td>APPROVED</td>
</tr>
</tbody>
</table>
PUBLIC ACT 94-0727
(Senate Bill No. 1681)

AN ACT concerning courts.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Circuit Courts Act is amended by changing Sections 2, 2f-1, 2f-2, 2f-4, and 2f-5 as follows:

(705 ILCS 35/2) (from Ch. 37, par. 72.2)
Sec. 2. Circuit judges shall be elected at the general elections and for terms as provided in Article VI of the Illinois Constitution. Ninety-four circuit judges shall be elected in the Circuit of Cook County and 3 circuit judges shall be elected in each of the other circuits, but in circuits other than Cook County containing a population of 230,000 or more inhabitants and in which there is included a county containing a population of 200,000 or more inhabitants, or in circuits other than Cook County containing a population of 270,000 or more inhabitants, according to the last preceding federal census and in the circuit where the seat of State government is situated at the time fixed by law for the nomination of judges of the Circuit Court in such circuit and in any circuit which meets the requirements set out in Section 2a of this Act, 4 circuit judges shall be elected in the manner provided by law. In circuits other than Cook County in which each county in the circuit has a population of 475,000 or more, 4 circuit judges shall be elected in addition to the 4 circuit judges provided for in this Section. In any circuit composed of 2 counties having a total population of 350,000 or more, one circuit judge shall be elected in addition to the 4 circuit judges provided for in this Section.

Any additional circuit judgeships in the 19th and 22nd judicial circuits resulting by operation of this Section shall be filled, if at all, at the general election in 2006 only as provided in Section 2f-1. Thereafter, however, this Section shall not apply to the determination of the number of circuit judgeships in the 19th and 22nd judicial circuits. The number of circuit judgeships in the 19th judicial circuit shall be determined thereafter in accordance with Section 2f-1 and Section 2f-2 and shall be

New matter indicated by italics - deletions by strikeout
reduced in accordance with those Sections. The number of circuit judgeships in the 22nd judicial circuit shall be determined thereafter in accordance with Section 2f-1 and Section 2f-5 and shall be reduced in accordance with those Sections.

Notwithstanding the provisions of this Section or any other law, the number of at large judgeships of the 12th judicial circuit may be reduced by one or 2 judgeships as provided in subsection (a-10) of Section 2f-4.

The several judges of the circuit courts of this State, before entering upon the duties of their office, shall take and subscribe the following oath or affirmation, which shall be filed in the office of the Secretary of State:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of judge of.... court, according to the best of my ability."

One of the 3 additional circuit judgeships authorized by this amendatory Act in circuits other than Cook County in which each county in the circuit has a population of 475,000 or more may be filled when this Act becomes law. The 2 remaining circuit judgeships in such circuits shall not be filled until on or after July 1, 1977.

(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-1)

Sec. 2f-1. 19th and 22nd judicial circuits.

(a) On December 4, 2006, the 19th judicial circuit is divided into the 19th and 22nd judicial circuits as provided in Section 1 of the Circuit Courts Act. This division does not invalidate any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006.

(b) Of the 7 circuit judgeships elected at large in the 19th circuit before the general election in 2006, the Supreme Court shall assign 5 to
the 19th circuit and 2 to the 22nd circuit, based on residency of the circuit judges then holding those judgeships. The 5 assigned to the 19th circuit shall continue to be elected at large. The 2 assigned to the 22nd circuit shall continue to be elected at large.

(b-5) Except as provided in subsection (b-10), the number of at large judgeships of the 19th judicial circuit shall be the number of at large judgeships assigned to the 19th judicial circuit pursuant to subsection (b) plus only the judgeship designated as vacancy A by the State Board of Elections filled at the 2006 general election. If, before, on, or after the effective date of this amendatory Act of the 94th General Assembly, the State Board of Elections has certified or certifies one or more candidates for a judgeship of the 19th judicial circuit designated as vacancy B or C by the State Board of Elections, then all such certifications are revoked and are null and void by operation of law and the names of any such candidates shall not appear upon the 2006 general primary ballot or the 2006 general election ballot for any of those judgeships. Except as provided in subsection (b-10), the number of at large judgeships of the 22nd judicial circuit shall be the number of at large judgeships assigned to the 22nd judicial circuit pursuant to subsection (b) plus only the judgeship designated as vacancy A by the State Board of Elections filled at the 2006 general election. If, before, on, or after the effective date of this amendatory Act of the 94th General Assembly, the State Board of Elections has certified or certifies one or more candidates for the judgeship of the 22nd judicial circuit designated as vacancy B by the State Board of Elections, then any such certifications are revoked and are null and void by operation of law and the names of any such candidates shall not appear upon the 2006 general primary ballot or the 2006 general election ballot for that judgeship.

(b-10) If this amendatory Act of the 94th General Assembly is held unconstitutional and as a result the judgeships designated by the State Board of Elections as vacancies A, B, and C of the 19th judicial circuit are filled at the 2006 general election, then the number of at large judgeships of the 19th judicial circuit shall be only the number of at large judgeships assigned to the 19th judicial circuit pursuant to subsection (b). If this
amendatory Act of the 94th General Assembly is held unconstitutional and as a result the judgeships designated by the State Board of Elections as vacancies A and B of the 22nd judicial circuit are filled at the 2006 general election, then the number of at large judgeships of the 22nd judicial circuit shall be only the number of at large judgeships assigned to the 22nd judicial circuit pursuant to subsection (b).

(b-15) If subsection (b-10) applies, then each vacancy occurring in an at large judgeship of the 19th judicial circuit on or after the holding of unconstitutionality shall not be filled by any means and each of those vacant judgeships is abolished, until the number of at large judgeships of the 19th judicial circuit returns to the number of at large judgeships specified for the 19th judicial circuit by subsection (b-10). If subsection (b-10) applies, then each vacancy occurring in an at large judgeship of the 22nd judicial circuit on or after the holding of unconstitutionality shall not be filled by any means and each of those vacant judgeships is abolished, until the number of at large judgeships of the 22nd judicial circuit returns to the number of at large judgeships specified for the 22nd judicial circuit by subsection (b-10).

(c) The 6 resident judgeships elected from Lake County before the general election in 2006 shall become resident judgeships in the 19th circuit on December 4, 2006, and the 3 resident judgeships elected from McHenry County before the general election in 2006 shall become resident judgeships in the 22nd circuit on December 4, 2006.

(d) On December 4, 2006, the Supreme Court shall allocate the associate judgeships of the 19th circuit before that date between the 19th and 22nd circuits based on the residency of the associate judges; however, the number of associate judges allocated to the 19th circuit shall be no less than the number of associate judges residing in Lake County on March 22, 2004.

(e) On December 4, 2006, the Supreme Court shall allocate personnel, books, records, documents, property (real and personal), funds, assets, liabilities, and pending matters concerning the 19th circuit before that date between the 19th and 22nd circuits based on the population and staffing needs of those circuits and the efficient and proper administration

New matter indicated by italics - deletions by strikeout
of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 93rd General Assembly.

(f) The judgeships set forth in this Section include the judgeships authorized under Sections 2g, 2h, and 2j. The judgeships authorized in those Sections are not in addition to those set forth in this Section.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-2)

Sec. 2f-2. 19th judicial circuit; subcircuits.

(a) The 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 19th circuit shall have a total of 6 resident judgeships. The number of resident judgeships allotted to subcircuits of the 19th judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 19th judicial circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

New matter indicated by italics - deletions by strikeout
(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

(705 ILCS 35/2f-4)

Sec. 2f-4. 12th circuit; subcircuits; additional judges.

(a) The 12th circuit shall be divided into 5 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 5 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(a-10) The first vacancy in the 12th judicial circuit's 10 existing circuit judgeships (8 at large and 2 resident), but not in the additional judgeships described in subsections (b) and (b-5), that exists on or after the effective date of this amendatory Act of the 94th General Assembly shall not be filled, by appointment or election, and that judgeship is eliminated. Of the 12th judicial circuit's 10 existing circuit judgeships (8 at large and 2 resident), but not the additional judgeships described in subsections (b) and (b-5), the second to be vacant or become vacant on or after the effective date of this amendatory Act of the 94th General Assembly shall be allotted as a 12th circuit resident judgeship under subsection (c). Of the 12th circuit's 10 existing circuit judgeships (8 at large and 2 resident), 2 shall be allotted as 12th circuit resident judgeships under subsection (c) as the first 2 of any of those at large and resident judgeships become vacant on or after August 18, 2003. As used in this subsection, a vacancy does not include the expiration of a term of an at large or resident judge who seeks retention in that office at the next term.

(b) The 12th circuit shall have 3 additional resident judgeships, as well as its 2 existing resident judgeship or judgeships, and existing 8 at

New matter indicated by italics - deletions by strikeout
large judgeships, for a total of \(12 \pm 3\) judgeships available to be allotted under subsection (c) to the 5 subcircuit resident judgeships. The additional resident judgeship created by Public Act 93-541 shall be filled by election beginning at the general election in 2006. The 2 additional resident judgeships created by this amendatory Act of 2004 shall be filled by election beginning at the general election in 2008. After the subcircuits are created by law, the Supreme Court may fill by appointment the additional resident judgeships created by Public Act 93-541 and this amendatory Act of 2004 until the 2006 or 2008 general election, as the case may be.

(b-5) In addition to the number of circuit judges and resident judges otherwise authorized by law, and notwithstanding any other provision of law, beginning on April 1, 2006 there shall be one additional resident judge who is a resident of and elected from the fourth judicial subcircuit of the 12th judicial circuit. That additional resident judgeship may be filled by appointment by the Supreme Court until filled by election at the general election in 2008, regardless of whether the judgeships for subcircuits 1, 2, and 3 have been filled.

(c) The Supreme Court shall allot (i) the additional resident judgeships of the 12th circuit created by Public Act 93-541 and this amendatory Act of 2004, and (ii) the second vacancy first 2 vacancies in the at large and resident judgeships of the 12th circuit as provided in subsection (a-10), for election from the various subcircuits until, with the additional judge of the fourth subcircuit described in subsection (b-5), there is one resident judge to be elected from each subcircuit. No at large or resident judge of the 12th circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as at large or resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 12th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)
Sec. 2f-5. 22nd circuit; subcircuits; additional resident judgeship.

(a) The 22nd circuit shall be divided into 4 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 22nd circuit shall have one additional resident judgeship, as well as its 3 existing resident judgeships, for a total of 4 resident judgeships to be allotted to the 4 subcircuit resident judgeships. The additional resident judgeship created by this amendatory Act of the 93rd General Assembly shall be filled by election beginning at the general election in 2006 and shall not be filled by appointment before the general election in 2006. The number of resident judgeships allotted to subcircuits of the 22nd judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 22nd judicial circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 22nd circuit existing on or occurring on or after August 18, 2003 and not filled at the 2004 general election, (ii) the resident judgeships of the 22nd circuit filled at the 2004 general election as those judgeships thereafter become vacant, and (iii) the additional resident judgeship of the 22nd circuit created by this amendatory Act of the 93rd General Assembly, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 22nd circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.
(e) Vacancies in resident judgeships of the 22nd circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.
(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Passed in the General Assembly February 9, 2006.
Approved February 14, 2006.
Effective February 14, 2006.

PUBLIC ACT 94-0728
(House Bill No. 3183)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by changing Section 5-12001.1 as follows:

(55 ILCS 5/5-12001.1)

Sec. 5-12001.1. Authority to regulate certain specified facilities of a telecommunications carrier and to regulate, pursuant to subsections (a) through (g), AM broadcast towers and facilities.

(a) Notwithstanding any other Section in this Division, the county board or board of county commissioners of any county shall have the power to regulate the location of the facilities, as defined in subsection (c), of a telecommunications carrier or AM broadcast station established outside the corporate limits of cities, villages, and incorporated towns that have municipal zoning ordinances in effect. The power shall only be exercised to the extent and in the manner set forth in this Section.

(b) The provisions of this Section shall not abridge any rights created by or authority confirmed in the federal Telecommunications Act of 1996, P.L. 104-104.

New matter indicated by italics - deletions by strikeout
(c) As used in this Section, unless the context otherwise requires:

(1) "county jurisdiction area" means those portions of a county that lie outside the corporate limits of cities, villages, and incorporated towns that have municipal zoning ordinances in effect;

(2) "county board" means the county board or board of county commissioners of any county;

(3) "residential zoning district" means a zoning district that is designated under a county zoning ordinance and is zoned predominantly for residential uses;

(4) "non-residential zoning district" means the county jurisdiction area of a county, except for those portions within a residential zoning district;

(5) "residentially zoned lot" means a zoning lot in a residential zoning district;

(6) "non-residentially zoned lot" means a zoning lot in a non-residential zoning district;

(7) "telecommunications carrier" means a telecommunications carrier as defined in the Public Utilities Act as of January 1, 1997;

(8) "facility" means that part of the signal distribution system used or operated by a telecommunications carrier or AM broadcast station under a license from the FCC consisting of a combination of improvements and equipment including (i) one or more antennas, (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) ancillary equipment such as signal transmission cables and miscellaneous hardware;

(9) "FAA" means the Federal Aviation Administration of the United States Department of Transportation;

(10) "FCC" means the Federal Communications Commission;

(11) "antenna" means an antenna device by which radio signals are transmitted, received, or both;

New matter indicated by italics - deletions by strikeout
(12) "supporting structure" means a structure, whether an antenna tower or another type of structure, that supports one or more antennas as part of a facility;

(13) "qualifying structure" means a supporting structure that is (i) an existing structure, if the height of the facility, including the structure, is not more than 15 feet higher than the structure just before the facility is installed, or (ii) a substantially similar, substantially same-location replacement of an existing structure, if the height of the facility, including the replacement structure, is not more than 15 feet higher than the height of the existing structure just before the facility is installed;

(14) "equipment housing" means a combination of one or more equipment buildings or enclosures housing equipment that operates in conjunction with the antennas of a facility, and the equipment itself;

(15) "height" of a facility means the total height of the facility's supporting structure and any antennas that will extend above the top of the supporting structure; however, if the supporting structure's foundation extends more than 3 feet above the uppermost ground level along the perimeter of the foundation, then each full foot in excess of 3 feet shall be counted as an additional foot of facility height. The height of a facility's supporting structure is to be measured from the highest point of the supporting structure's foundation;

(16) "facility lot" means the zoning lot on which a facility is or will be located;

(17) "principal residential building" has its common meaning but shall not include any building under the same ownership as the land of the facility lot. "Principal residential building" shall not include any structure that is not designed for human habitation;

(18) "horizontal separation distance" means the distance measured from the center of the base of the facility's supporting
structure to the point where the ground meets a vertical wall of a principal residential building; and

(19) "lot line set back distance" means the distance measured from the center of the base of the facility's supporting structure to the nearest point on the common lot line between the facility lot and the nearest residentially zoned lot. If there is no common lot line, the measurement shall be made to the nearest point on the lot line of the nearest residentially zoned lot without deducting the width of any intervening right of way; and:

(20) "AM broadcast station" means a facility and one or more towers for the purpose of transmitting communication in the 540 kHz to 1700 kHz band for public reception authorized by the FCC.

d) In choosing a location for a facility, a telecommunications carrier or AM broadcast station shall consider the following:

(1) A non-residentially zoned lot is the most desirable location.
(2) A residentially zoned lot that is not used for residential purposes is the second most desirable location.
(3) A residentially zoned lot that is 2 acres or more in size and is used for residential purposes is the third most desirable location.
(4) A residentially zoned lot that is less than 2 acres in size and is used for residential purposes is the least desirable location.

The size of a lot shall be the lot's gross area in square feet without deduction of any unbuildable or unusable land, any roadway, or any other easement.

e) In designing a facility, a telecommunications carrier or AM broadcast station shall consider the following guidelines:

(1) No building or tower that is part of a facility should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
(2) Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC
or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries of a facility.

(3) No facility should encroach onto an existing septic field.

(4) Any facility located in a special flood hazard area or wetland should meet the legal requirements for those lands.

(5) Existing trees more than 3 inches in diameter should be preserved if reasonably feasible during construction. If any tree more than 3 inches in diameter is removed during construction a tree 3 inches or more in diameter of the same or a similar species shall be planted as a replacement if reasonably feasible. Tree diameter shall be measured at a point 3 feet above ground level.

(6) If any elevation of a facility faces an existing, adjoining residential use within a residential zoning district, low maintenance landscaping should be provided on or near the facility lot to provide at least partial screening of the facility. The quantity and type of that landscaping should be in accordance with any county landscaping regulations of general applicability, except that paragraph (5) of this subsection (e) shall control over any tree-related regulations imposing a greater burden.

(7) Fencing should be installed around a facility. The height and materials of the fencing should be in accordance with any county fence regulations of general applicability.

(8) Any building that is part of a facility located adjacent to a residentially zoned lot should be designed with exterior materials and colors that are reasonably compatible with the residential character of the area.

(f) The following provisions shall apply to all facilities established in any county jurisdiction area (i) after the effective date of the amendatory Act of 1997 with respect to telecommunications carriers and (ii) after the effective date of this amendatory Act of the 94th General Assembly with respect to AM broadcast stations:

(1) Except as provided in this Section, no yard or setback regulations shall apply to or be required for a facility.
(2) A facility may be located on the same zoning lot as one or more other structures or uses without violating any ordinance or regulation that prohibits or limits multiple structures, buildings, or uses on a zoning lot.

(3) No minimum lot area, width, or depth shall be required for a facility, and unless the facility is to be manned on a regular, daily basis, no off-street parking spaces shall be required for a facility. If the facility is to be manned on a regular, daily basis, one off-street parking space shall be provided for each employee regularly at the facility. No loading facilities are required.

(4) No portion of a facility's supporting structure or equipment housing shall be less than 15 feet from the front lot line of the facility lot or less than 10 feet from any other lot line.

(5) No bulk regulations or lot coverage, building coverage, or floor area ratio limitations shall be applied to a facility or to any existing use or structure coincident with the establishment of a facility. Except as provided in this Section, no height limits or restrictions shall apply to a facility.

(6) A county's review of a building permit application for a facility shall be completed within 30 days. If a decision of the county board is required to permit the establishment of a facility, the county's review of the application shall be simultaneous with the process leading to the county board's decision.

(7) The improvements and equipment comprising the facility may be wholly or partly freestanding or wholly or partly attached to, enclosed in, or installed in or on a structure or structures.

(8) Any public hearing authorized under this Section shall be conducted in a manner determined by the county board. Notice of any such public hearing shall be published at least 15 days before the hearing in a newspaper of general circulation published in the county.

(9) Any decision regarding a facility by the county board or a county agency or official shall be supported by written findings

New matter indicated by italics - deletions by strikeout
of fact. The circuit court shall have jurisdiction to review the reasonableness of any adverse decision and the plaintiff shall bear the burden of proof, but there shall be no presumption of the validity of the decision.

(g) The following provisions shall apply to all facilities established (i) after the effective date of this amendatory Act of 1997 with respect to telecommunications carriers and (ii) after the effective date of this amendatory Act of the 94th General Assembly with respect to AM broadcast stations in the county jurisdiction area of any county with a population of less than 180,000:

(1) A facility is permitted if its supporting structure is a qualifying structure or if both of the following conditions are met:

(A) the height of the facility shall not exceed 200 feet, except that if a facility is located more than one and one-half miles from the corporate limits of any municipality with a population of 25,000 or more the height of the facility shall not exceed 350 feet; and

(B) the horizontal separation distance to the nearest principal residential building shall not be less than the height of the supporting structure; except that if the supporting structure exceeds 99 feet in height, the horizontal separation distance to the nearest principal residential building shall be at least 100 feet or 80% of the height of the supporting structure, whichever is greater. Compliance with this paragraph shall only be evaluated as of the time that a building permit application for the facility is submitted. If the supporting structure is not an antenna tower this paragraph is satisfied.

(2) Unless a facility is permitted under paragraph (1) of this subsection (g), a facility can be established only after the county board gives its approval following consideration of the provisions of paragraph (3) of this subsection (g). The county board may give its approval after one public hearing on the proposal, but only by the favorable vote of a majority of the members present at a
meeting held no later than 75 days after submission of a complete application by the telecommunications carrier. If the county board fails to act on the application within 75 days after its submission, the application shall be deemed to have been approved. No more than one public hearing shall be required.

(3) For purposes of paragraph (2) of this subsection (g), the following siting considerations, but no other matter, shall be considered by the county board or any other body conducting the public hearing:

(A) the criteria in subsection (d) of this Section;
(B) whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;
(C) the benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility;
(D) the existing uses on adjacent and nearby properties; and
(E) the extent to which the design of the proposed facility reflects compliance with subsection (e) of this Section.

(4) On judicial review of an adverse decision, the issue shall be the reasonableness of the county board's decision in light of the evidence presented on the siting considerations and the well-reasoned recommendations of any other body that conducts the public hearing.

(h) The following provisions shall apply to all facilities established after the effective date of this amendatory Act of 1997 in the county jurisdiction area of any county with a population of 180,000 or more. A facility is permitted in any zoning district subject to the following:

New matter indicated by italics - deletions by strikeout
(1) A facility shall not be located on a lot under paragraph (4) of subsection (d) unless a variation is granted by the county board under paragraph (4) of this subsection (h).

(2) Unless a height variation is granted by the county board, the height of a facility shall not exceed 75 feet if the facility will be located in a residential zoning district or 200 feet if the facility will be located in a non-residential zoning district. However, the height of a facility may exceed the height limit in this paragraph, and no height variation shall be required, if the supporting structure is a qualifying structure.

(3) The improvements and equipment of the facility shall be placed to comply with the requirements of this paragraph at the time a building permit application for the facility is submitted. If the supporting structure is an antenna tower other than a qualifying structure then (i) if the facility will be located in a residential zoning district the lot line setback distance to the nearest residentially zoned lot shall be at least 50% of the height of the facility's supporting structure or (ii) if the facility will be located in a non-residential zoning district the horizontal separation distance to the nearest principal residential building shall be at least equal to the height of the facility's supporting structure.

(4) The county board may grant variations for any of the regulations, conditions, and restrictions of this subsection (h), after one public hearing on the proposed variations, by a favorable vote of a majority of the members present at a meeting held no later than 75 days after submission of an application by the telecommunications carrier. If the county board fails to act on the application within 75 days after submission, the application shall be deemed to have been approved. In its consideration of an application for variations, the county board, and any other body conducting the public hearing, shall consider the following, and no other matters:

(A) whether, but for the granting of a variation, the service that the telecommunications carrier seeks to

New matter indicated by italics - deletions by strikeout
enhance or provide with the proposed facility will be less available, impaired, or diminished in quality, quantity, or scope of coverage;

(B) whether the conditions upon which the application for variations is based are unique in some respect or, if not, whether the strict application of the regulations would result in a hardship on the telecommunications carrier;

(C) whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;

(D) whether there are benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility; and

(E) the extent to which the design of the proposed facility reflects compliance with subsection (e) of this Section.

No more than one public hearing shall be required.

(5) On judicial review of an adverse decision, the issue shall be the reasonableness of the county board's decision in light of the evidence presented and the well-reasoned recommendations of any other body that conducted the public hearing.

(Source: P.A. 90-522, eff. 1-1-98.)

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

Approved April 6, 2006.
Effective April 6, 2006.
AN ACT concerning property.

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

Section 5. The Condominium Property Act is amended by changing Section 18.4 as follows:

(765 ILCS 605/18.4) (from Ch. 30, par. 318.4)
Sec. 18.4. Powers and Duties of Board of Managers. The board of managers shall exercise for the association all powers, duties and authority vested in the association by law or the condominium instruments except for such powers, duties and authority reserved by law to the members of the association. The powers and duties of the board of managers shall include, but shall not be limited to, the following:

(a) To provide for the operation, care, upkeep, maintenance, replacement and improvement of the common elements. Nothing in this subsection (a) shall be deemed to invalidate any provision in a condominium instrument placing limits on expenditures for the common elements, provided, that such limits shall not be applicable to expenditures for repair, replacement, or restoration of existing portions of the common elements. The term "repair, replacement or restoration" means expenditures to deteriorated or damaged portions of the property related to the existing decorating, facilities, or structural or mechanical components, interior or exterior surfaces, or energy systems and equipment with the functional equivalent of the original portions of such areas. Replacement of the common elements may result in an improvement over the original quality of such elements or facilities; provided that, unless the improvement is mandated by law or is an emergency as defined in item (iv) of subparagraph (8) of paragraph (a) of Section 18, if the improvement results in a proposed expenditure exceeding 5% of the annual budget, the board of managers, upon written petition by unit owners with 20%
of the votes of the association delivered to the board within 14 days of the board action to approve the expenditure, shall call a meeting of the unit owners within 30 days of the date of delivery of the petition to consider the expenditure. Unless a majority of the total votes of the unit owners are cast at the meeting to reject the expenditure, it is ratified.

(b) To prepare, adopt and distribute the annual budget for the property.

(c) To levy and expend assessments.

(d) To collect assessments from unit owners.

(e) To provide for the employment and dismissal of the personnel necessary or advisable for the maintenance and operation of the common elements.

(f) To obtain adequate and appropriate kinds of insurance.

(g) To own, convey, encumber, lease, and otherwise deal with units conveyed to or purchased by it.

(h) To adopt and amend rules and regulations covering the details of the operation and use of the property, after a meeting of the unit owners called for the specific purpose of discussing the proposed rules and regulations. Notice of the meeting shall contain the full text of the proposed rules and regulations, and the meeting shall conform to the requirements of Section 18(b) of this Act, except that no quorum is required at the meeting of the unit owners unless the declaration, bylaws or other condominium instrument expressly provides to the contrary. However, no rule or regulation may impair any rights guaranteed by the First Amendment to the Constitution of the United States or Section 4 of Article I of the Illinois Constitution including, but not limited to, the free exercise of religion, nor may any rules or regulations conflict with the provisions of this Act or the condominium instruments. No rule or regulation shall prohibit any reasonable accommodation for religious practices, including the attachment of religiously mandated objects to the front-door area of a condominium unit.

New matter indicated by italics - deletions by strikeout
(i) To keep detailed, accurate records of the receipts and expenditures affecting the use and operation of the property.

(j) To have access to each unit from time to time as may be necessary for the maintenance, repair or replacement of any common elements or for making emergency repairs necessary to prevent damage to the common elements or to other units.

(k) To pay real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof, or other lawful taxing or assessing body, which are authorized by law to be assessed and levied upon the real property of the condominium.

(l) To impose charges for late payment of a unit owner's proportionate share of the common expenses, or any other expenses lawfully agreed upon, and after notice and an opportunity to be heard, to levy reasonable fines for violation of the declaration, by-laws, and rules and regulations of the association.

(m) Unless the condominium instruments expressly provide to the contrary, by a majority vote of the entire board of managers, to assign the right of the association to future income from common expenses or other sources, and to mortgage or pledge substantially all of the remaining assets of the association.

(n) To record the dedication of a portion of the common elements to a public body for use as, or in connection with, a street or utility where authorized by the unit owners under the provisions of Section 14.2.

(o) To record the granting of an easement for the laying of cable television cable where authorized by the unit owners under the provisions of Section 14.3; to obtain, if available and determined by the board to be in the best interests of the association, cable television service for all of the units of the condominium on a bulk identical service and equal cost per unit basis; and to assess and recover the expense as a common expense and, if so determined by the board, to assess each and every unit on the same equal cost per unit basis.
(p) To seek relief on behalf of all unit owners when authorized pursuant to subsection (c) of Section 10 from or in connection with the assessment or levying of real property taxes, special assessments, and any other special taxes or changes of the State of Illinois or of any political subdivision thereof or of any lawful taxing or assessing body.

(q) To reasonably accommodate the needs of a handicapped unit owner as required by the federal Civil Rights Act of 1968, the Human Rights Act and any applicable local ordinances in the exercise of its powers with respect to the use of common elements or approval of modifications in an individual unit.

(r) To accept service of a notice of claim for purposes of the Mechanics Lien Act on behalf of each respective member of the Unit Owners' Association with respect to improvements performed pursuant to any contract entered into by the Board of Managers or any contract entered into prior to the recording of the condominium declaration pursuant to this Act, for a property containing more than 8 units, and to distribute the notice to the unit owners within 7 days of the acceptance of the service by the Board of Managers. The service shall be effective as if each individual unit owner had been served individually with notice.

In the performance of their duties, the officers and members of the board, whether appointed by the developer or elected by the unit owners, shall exercise the care required of a fiduciary of the unit owners.

The collection of assessments from unit owners by an association, board of managers or their duly authorized agents shall not be considered acts constituting a collection agency for purposes of the Collection Agency Act.

The provisions of this Section are applicable to all condominium instruments recorded under this Act. Any portion of a condominium instrument which contains provisions contrary to these provisions shall be void as against public policy and ineffective. Any such instrument that fails to contain the provisions required by this Section shall be deemed to incorporate such provisions by operation of law.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0729
(Source: P.A. 94-384, eff. 1-1-06.)
Approved April 12, 2006.

PUBLIC ACT 94-0730
(House Bill No. 5336)

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 1961 is amended by changing
Sections 2-13, 32-5.1, 32-5.2, and 32-5.5 and by adding Sections 32-5.1-1
and 32-5.4-1 as follows:

(720 ILCS 5/2-13) (from Ch. 38, par. 2-13)
Sec. 2-13. "Peace officer". "Peace officer" means any person who
by virtue of his office or public employment is vested by law with a duty
to maintain public order or to make arrests for offenses, whether that duty
extends to all offenses or is limited to specific offenses.

For purposes of Sections concerning unlawful use of weapons, for
the purposes of assisting an Illinois peace officer in an arrest, or when the
commission of a felony under Illinois law is directly observed by the
person, and statutes involving the false personation of a peace officer,
false personation of a peace officer while carrying a deadly weapon, and
aggravated false personation of a peace officer, then officers, agents or
employees of the federal government commissioned by federal statute to
make arrests for violations of federal criminal laws shall be considered
"peace officers" under this Code, including, but not limited to all criminal
investigators of:

(1) The United States Department of Justice, The Federal Bureau
of Investigation, The Drug Enforcement Agency and The Department of
Immigration and Naturalization;

New matter indicated by italics - deletions by strikeout

(3) The United States Internal Revenue Service;

(4) The United States General Services Administration;

(5) The United States Postal Service; and

(6) all United States Marshals or Deputy United States Marshals whose duties involve the enforcement of federal criminal laws.

(Source: P.A. 88-677, eff. 12-15-94; revised 10-13-05.)

(720 ILCS 5/32-5.1) (from Ch. 38, par. 32-5.1)
Sec. 32-5.1. False Personation of a Peace Officer. A person who knowingly and falsely represents himself or herself to be a peace officer of any jurisdiction commits a Class 4 felony.
(Source: P.A. 85-741.)

(720 ILCS 5/32-5.1-1 new)
Sec. 32-5.1-1. False personation of a peace officer while carrying a deadly weapon. A person who knowingly and falsely represents himself or herself to be a peace officer while carrying a deadly weapon commits a Class 3 felony.

(720 ILCS 5/32-5.2) (from Ch. 38, par. 32-5.2)
Sec. 32-5.2. Aggravated False Personation of a Peace Officer. A person who knowingly and falsely represents himself or herself to be a peace officer of any jurisdiction in attempting or committing a felony commits a Class 2 felony.
(Source: P.A. 85-741.)

(720 ILCS 5/32-5.4-1 new)
Sec. 32-5.4-1. False personation of a fire fighter while carrying a deadly weapon. A person who knowingly and falsely represents himself or herself to be a fire fighter while carrying a deadly weapon commits a Class 3 felony.

(720 ILCS 5/32-5.5)
Sec. 32-5.5. Aggravated false personation of a fire fighter. A person who knowingly and falsely represents himself or herself to be a fire

New matter indicated by italics - deletions by strikeout
fighter of any jurisdiction in attempting or committing a felony commits a Class 2 3 felony.
(Source: P.A. 94-323, eff. 1-1-06.)

Section 10. The Illinois Vehicle Code is amended by changing Section 12-215 as follows:

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:
(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:
1. Law enforcement vehicles of State, Federal or local authorities;
2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;
2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;
3. Vehicles of local fire departments and State or federal firefighting vehicles;
4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;
5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;

New matter indicated by italics - deletions by strikeout

7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code; and

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code;

2. Motor vehicles or equipment of the State of Illinois, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

New matter indicated by italics - deletions by strikeout
3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

   (6.1) The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

New matter indicated by italics - deletions by strikeout
10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, or control agency;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:
   - voluntary firefighter;
   - paid firefighter;
   - part-paid firefighter;
   - call firefighter;
   - member of the board of trustees of a fire protection district;
   - paid or unpaid member of a rescue squad;
   - paid or unpaid member of a voluntary ambulance unit; or
   - paid or unpaid members of a local or county emergency management services agency as defined in the

New matter indicated by italics - deletions by strikeout
Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights.

New matter indicated by italics - deletions by strikeout
oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.


8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped;

New matter indicated by italics - deletions by strikeout
furthermore, such lights shall not be lighted on vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in highway maintenance or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative from temporarily mounting such lights on a vehicle for demonstration purposes only.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 93-181, eff. 1-1-04; 93-725, eff. 1-1-05; 93-794, eff. 7-22-04; 93-829, eff. 7-28-04; 94-143, eff. 1-1-06; 94-270, eff. 1-1-06; 94-331, eff. 1-1-06; revised 8-19-05.)

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

Approved April 17, 2006.
Effective April 17, 2006.

PUBLIC ACT 94-0731
(House Bill No. 4349)

AN ACT concerning local government.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 11-119.2-3 as follows:

(65 ILCS 5/11-119.2-3) (from Ch. 24, par. 11-119.2-3)

Sec. 11-119.2-3. The following terms whenever used or referred to in this Division, shall have the following meanings unless the context requires otherwise:

(1) "Agency agreement" means the written agreement between 2 or more municipalities establishing a municipal natural gas agency.

(2) "Bonds" means revenue bonds, notes and other evidences of obligations of a municipal natural gas agency issued under the provisions of this Division.

(3) "Eligible utility" means a public agency or other entity of any type, which owns, operates or controls any plant or equipment for the exploration, production, acquisition, storage, transmission or distribution of natural gas in connection with the furnishing thereof for sale or resale.

(4) "Governing body" means, with respect to a municipality, the council, city council, board of trustees, or other corporate authority of the municipality which exercises the general governmental powers of such municipality.

(5) "Municipal natural gas agency" means a body politic and corporate, municipal corporation and unit of local government of the State of Illinois organized in accordance with the provisions of this Division.

(6) "Municipality" means a city, village or incorporated town in the State of Illinois, or any other state in the United States, owning or operating a natural gas plant or system which furnishes natural gas service to the public.

(7) "Project" means any plant, works, system, facility, and real and personal property of any nature whatsoever, together with all parts thereof and appurtenances thereto, used or useful in the storage, acquisition, exploration, production, distribution, transmission, purchase, sale, exchange or interchange of natural gas and in the acquisition, extraction, conversion, transportation, storage or reprocessing of fuel of any kind for

New matter indicated by italics - deletions by strikeout
any such purposes, or any interest in, or right to the use, services, output or capacity, of any such plant, works, system or facilities.

(8) "Public agency" means any municipality, political subdivision, municipal corporation, unit of local government, governmental unit, or public corporation operated by or pursuant to the laws of the State of Illinois, of another state or of the United States, and any state, the United States, and any commission, board, bureau or other body declared by the laws of any state or the United States to be a department, agency, or instrumentality thereof.

(9) "Natural gas" means any gaseous heating fuel which is naturally or synthetically produced.

(Source: P.A. 84-1221.)

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

Approved March 28, 2006.
Effective April 19, 2006.

PUBLIC ACT 94-0732
(House Bill No. 5578)

AN ACT concerning the environment.

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

Section 1. Short title. This Act may be cited as the Mercury Switch Removal Act.

Section 3. Legislative findings. The General Assembly finds:
(a) That switches containing mercury have been used for convenience lighting and anti-lock braking systems in vehicles sold in the State of Illinois.
(b) That mercury from the switches may be released into the environment when end-of-life vehicles are flattened, crushed, baled, shredded, melted, or otherwise processed for recycling.

New matter indicated by italics - deletions by strikeout
(c) That removing mercury switches from end-of-life vehicles is an effective way to prevent mercury from being released into the environment.

(d) That it is in the public interest of the residents of the State of Illinois to reduce the quantity of mercury entering the environment by removing mercury switches from end-of-life vehicles.

Section 5. Definitions. For the purposes of this Act:
"Agency" means the Environmental Protection Agency.
"Capture rate" means the number of convenience light mercury switches removed from end-of-life vehicles prior to the vehicle being flattened, crushed, baled, shredded, or otherwise processed for recycling as a percentage of the total number of convenience light mercury switches available for removal from end-of-life vehicles that are flattened, crushed, shredded, or otherwise processed for recycling.
"End-of-life vehicle" means any vehicle that is sold, given, or otherwise conveyed to a vehicle recycler or scrap metal recycler for the purpose of resale of its parts or recycling.
"Manufacturer" means a person who is the last person in the production or assembly process of a new motor vehicle that uses one or more mercury switches or, in the case of an imported vehicle, the importer or domestic distributor of the vehicle. "Manufacturer" does not include any person engaged in the business of selling new motor vehicles at retail or converting or modifying new motor vehicles after the production or assembly process.
"Mercury switch" means each mercury-containing capsule or mercury-containing switch assembly that is part of a convenience light switch assembly or part of an anti-lock braking system assembly installed in a vehicle. An anti-lock braking system assembly may contain more than one mercury switch.
"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity, or their legal representative, agent, or assigns.

New matter indicated by italics - deletions by strikeout
"Scrap metal recycler" means a person who engages in the business of shredding or otherwise processing end-of-life vehicles or other scrap metal into prepared grades and whose principal product is scrap iron, scrap steel, or nonferrous metallic scrap for sale for remelting purposes.

"Vehicle" means "motor vehicle" as that term is defined in the Illinois Vehicle Code, but excluding second division vehicles weighing more than 8,000 pounds.

"Vehicle crusher" means a person, other than a vehicle recycler or a scrap metal recycler, who engages in the business of flattening, crushing, or otherwise processing end-of-life vehicles for recycling. Vehicle crushers include, but are not limited to, persons who use fixed or mobile equipment to flatten or crush end-of-life vehicles for a vehicle recycler or a scrap recycler.

"Vehicle recycler" means a person who engages in the business of acquiring, dismantling, removing parts from, or destroying 6 or more end-of-life vehicles in a calendar year for the primary purpose of reselling the vehicle parts.

Section 10. Removal requirements.

(a) Mercury switches removed from end-of-life vehicles must be managed in accordance with the Environmental Protection Act and regulations adopted thereunder.

(b) No person shall represent that all mercury switches have been removed from a vehicle if all mercury switches have not been removed from the vehicle, except where a mercury switch cannot be removed from the vehicle because the switch is inaccessible due to significant damage to the vehicle in the area surrounding the switch.

(c) Consistent with the protection of confidential business information, vehicle recyclers, vehicle crushers, and scrap metal recyclers that remove mercury switches from end-of-life vehicles must maintain records documenting the following for each calendar quarter:

(1) the number of mercury switches the vehicle recycler, vehicle crusher, or scrap metal recycler removed from end-of-life vehicles;
(2) the number of end-of-life vehicles received by the vehicle recycler, vehicle crusher, or scrap metal recycler that contain one or more mercury switches;

(3) the number of end-of-life vehicles the vehicle recycler, vehicle crusher, or scrap metal recycler flattened, crushed, shredded, or otherwise processed for recycling; and

(4) the make and model of each car from which one or more mercury switches was removed by the vehicle recycler, vehicle crusher, or scrap metal recycler.

The records required under this subsection (c) must be retained at the vehicle recycler's or scrap metal recycler's place of business for a minimum of 3 years and made available for inspection and copying by the Agency during normal business hours.

(d) For the period of July 1, 2006 though June 30, 2007 and for each period of July 1 though June 30 thereafter, no later than 45 days after the close of the period vehicle recyclers, vehicle crushers, and scrap metal recyclers that remove mercury switches from end-of-life vehicles must submit to the Agency an annual report containing the following information for the period: (i) the number of mercury switches the vehicle recycler, vehicle crusher, or scrap metal recycler removed from end-of-life vehicles; (ii) the number of end-of-life vehicles received by the vehicle recycler, vehicle crusher, or scrap metal recycler that contain one or more mercury switches, and (iii) the number of end-of-life vehicles the vehicle recycler, vehicle crusher, or scrap metal recycler flattened, crushed, shredded, or otherwise processed for recycling. Data required to be reported to the United States Environmental Protection Agency under federal law or regulation may be used in meeting requirements of this subsection (d), if the data contains the information required under items (i), (ii), and (iii) of this subsection.

Section 15. Mercury switch collection programs.

(a) Within 60 days of the effective date of this Act, manufacturers of vehicles in Illinois that contain mercury switches must begin to implement a mercury switch collection program that facilitates the removal of mercury switches from end-of-life vehicles prior to the
vehicles being flattened, crushed, shredded, or otherwise processed for recycling and to collect and properly manage mercury switches in accordance with the Environmental Protection Act and regulations adopted thereunder. In order to ensure that the mercury switches are removed and collected in a safe and consistent manner, manufacturers must, to the extent practicable, use the currently available end-of-life vehicle recycling infrastructure. The collection program must be designed to achieve capture rates of not less than (i) 35% for the period of July 1, 2006, through June 30, 2007; (ii) 50% for the period of July 1, 2007, through June 30, 2008; and (iii) 70% for the period of July 1, 2008, through June 30, 2009 and for each subsequent period of July 1 through June 30. At a minimum, the collection program must:

(1) Develop and provide educational materials that include guidance as to which vehicles may contain mercury switches and procedures for locating and removing mercury switches. The materials may include, but are not limited to, brochures, fact sheets, and videos.

(2) Conduct outreach activities to encourage vehicle recyclers and vehicle crushers to participate in the mercury switch collection program. The activities may include, but are not limited to, direct mailings, workshops, and site visits.

(3) Provide storage containers to participating vehicle recyclers and vehicle crushers for mercury switches removed under the program.

(4) Provide a collection and transportation system to periodically collect and replace filled storage containers from vehicle recyclers, vehicle crushers, and scrap metal recyclers, either upon notification that a storage container is full or on a schedule predetermined by the manufacturers.

(5) Establish an entity that will serve as a point of contact for the collection program and that will establish, implement, and oversee the collection program on behalf of the manufacturers.

(6) Track participation in the collection program and the progress of mercury switch removals and collections.

New matter indicated by italics - deletions by strikeout
(b) Within 90 days of the effective date of this Act, manufacturers of vehicles in Illinois that contain mercury switches must submit to the Agency an implementation plan that describes how the collection program under subsection (a) of this Section will be carried out for the duration of the program and how the program will achieve the capture rates set forth in subsection (a) of this Section. At a minimum, the implementation plan must:

   (A) Identify the educational materials that will assist vehicle recyclers, vehicle crushers, and scrap metal processors in identifying, removing, and properly managing mercury switches removed from end-of-life vehicles.

   (B) Describe the outreach program that will be undertaken to encourage vehicle recyclers and vehicle crushers to participate in the mercury switch collection program.

   (C) Describe how the manufacturers will ensure that mercury switches removed from end-of-life vehicles are managed in accordance with the Illinois Environmental Protection Act and regulations adopted thereunder.

   (D) Describe how the manufacturers will collect and document the information required in the quarterly reports submitted pursuant to subsection (e) of this Section.

   (E) Describe how the collection program will be financed and implemented.

   (F) Identify the manufacturer's address to which the Agency should send the notice required under subsection (f) of this Section.

The Agency shall review the collection program plans it receives for completeness and shall notify the manufacturer in writing if a plan is incomplete. Within 30 days after receiving a notification of incompleteness from the Agency the manufacturer shall submit to the Agency a plan that contains all of the required information.

(c) The Agency must provide assistance to manufacturers in their implementation of the collection program required under this Section. The assistance shall include providing manufacturers with information about businesses likely to be engaged in vehicle recycling or vehicle crushing,

New matter indicated by italics - deletions by strikeout
conducting site visits to promote participation in the collection program, and assisting with the scheduling, locating, and staffing of workshops conducted to encourage vehicle recyclers and vehicle crushers to participate in the collection program.

(d) Manufacturers subject to the collection program requirements of this Section shall provide, to the extent practicable, the opportunity for trade associations of vehicle recyclers, vehicle crushers, and scrap metal recyclers to be involved in the delivery and dissemination of educational materials regarding the identification, removal, collection, and proper management of mercury switches in end-of-life vehicles.

(e) For the calendar quarter ending March 31, 2007, and for each calendar quarter thereafter, not later than 45 days following the close of the calendar quarter manufacturers subject to the collection program requirements of this Section must submit to the Agency a quarterly report that contains the following information: (i) the number of vehicle recyclers, vehicle crushers, and scrap metal recyclers participating in the manufacturer's collection program during the reported quarter, (ii) the number of mercury switches removed from end-of-life vehicles during the reported quarter by the vehicle recyclers, vehicle crushers, and scrap metal recyclers participating in the program, and (iii) the amount of mercury collected and recycled through the manufacturer's collection program during the reported calendar quarter.

(f) If the reports required under this Act indicate that the capture rates set forth in subsection (a) of this Section for the period of July 1, 2007, though June 30, 2008, or for any subsequent period have not been met the Agency shall provide notice that the capture rate was not met; provided, however, that the Agency is not required to provide notice if it determines that the capture rate was not met due to a force majeure. The Agency shall provide the notice by posting a statement on its website and by sending a written notice via certified mail to the manufacturers subject to the collection program requirement of this Section at the addresses provided in the manufacturers' collection plans. Once the Agency provides notice pursuant to this subsection (f) it is not required to provide notice in subsequent periods in which the capture rate is not met.

New matter indicated by italics - deletions by strikeout
(g) Beginning 30 days after the Agency first provides notice pursuant to subsection (f) of this Section, the following shall apply:

(1) Vehicle recyclers must remove all mercury switches from end-of-life vehicles prior to delivering the vehicles to an on-site or off-site vehicle crusher or to a scrap metal recycler, provided that a vehicle recycler is not required to remove a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the vehicle recycler's receipt of the vehicle in which case the damage must be noted in the records the vehicle recycler is required to maintain under Section 10(c) of this Act.

(2) No vehicle recycler, vehicle crusher, or scrap metal recycler shall flatten, crush, or otherwise process an end-of-life vehicle for recycling unless all mercury switches have been removed from the vehicle, provided that a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the vehicle recycler's or the vehicle crusher's receipt of the vehicle is not required to be removed. The damage must be noted in the records the vehicle recycler or vehicle crusher is required to maintain under Section 10(c) of this Act.

(3) Notwithstanding subsection (g)(1) of this Section, a scrap metal recycler may agree to accept an end-of-life vehicle that contains one or more mercury switches and that has not been flattened, crushed, shredded, or otherwise processed for recycling provided the scrap metal recycler removes all mercury switches from the vehicle before the vehicle is flattened, crushed, shredded, or otherwise processed for recycling. Scrap metal recyclers are not required to remove a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the scrap metal recycler's receipt of the vehicle. The damage must be noted in the records the scrap metal recycler is required to maintain under Section 10(c) of this Act.

New matter indicated by italics - deletions by strikeout
(4) Manufacturers subject to the collection program requirements of this Section must provide to vehicle recyclers, vehicle crushers, and scrap metal recyclers the following compensation for all mercury switches removed from end-of-life vehicles on or after the date of the notice: $2.00 for each mercury switch removed by the vehicle recycler, vehicle crusher, or the scrap metal recycler, the costs of the containers in which the mercury switches are collected, and the costs of packaging and transporting the mercury switches off-site. Payment of this compensation must be provided in a prompt manner.

(h) In meeting the requirements of this Section manufacturers may work individually or as part of a group of 2 or more manufacturers.

Section 20. Evaluation. At the end of calendar year 2007, and at the end of each year thereafter through calendar year 2016, the Agency shall meet with manufacturers subject to the collection program requirements of Section 15 of this Act to review the performance of the manufacturers' mercury switch collection program, provided that the manufacturers must request such a meeting. If the program is not accomplishing the objectives set forth in the implementation plan the Agency may recommend modifications to the program or recommend the investigation of additional methods to promote the removal, collection, and proper management of mercury switches from end-of-life vehicles.

Section 25. Agency recommendations. Every 3 years the Agency shall make a recommendation to the General Assembly as to whether the $2 fee required under Section 15 of this Act should be modified to ensure adequate compensation for the removal of mercury switches from end-of-life vehicles. In developing its recommendations, the Agency shall seek comments or information from interested persons, including, but not limited to, representatives of vehicle recyclers, scrap metal recyclers, vehicle manufacturers, steel and iron manufacturers, and environmental groups.

Section 30. All information required to be submitted to the Agency under this Act must be submitted on forms prescribed by the Agency.
Section 35. The Agency shall have the duty to investigate violations of this Act.

Section 40. Penalties.

(a) Any manufacturer that willfully or knowingly violates any provision of this Act or willfully or knowingly fails to perform any duty imposed by this Act shall be liable for a civil penalty not to exceed $1,000 for the violation and an additional civil penalty not to exceed $1,000 for each day the violation continues, and shall be liable for a civil penalty not to exceed $5,000 for a second or subsequent violation and an additional civil penalty not to exceed $1,000 for each day the second or subsequent violation continues.

(b) Any vehicle recycler, vehicle crusher, or scrap metal recycler that willfully or knowingly violates any provision of this Act or fails to perform any duty imposed by this Act shall be liable for a civil penalty not to exceed $250 for the first violation and not to exceed $500 for a second or subsequent violation.

(c) The penalties provided for in this Section may be recovered in a civil action brought in the name of the people of the State of Illinois by the State's Attorney of the county in which the violation occurred or by the Attorney General. Without limiting any other authority that may exist for the awarding of attorney's fees and costs, a court of competent jurisdiction may award costs and reasonable attorney's fees, including the reasonable costs of expert witnesses and consultants, to the State's Attorney or the Attorney General in a case where he or she has prevailed against a person who has committed a willful, knowing, or repeated violation of this Act. Any funds collected under this Section in an action in which the Attorney General has prevailed shall be deposited in the Hazardous Waste Fund established under the Environmental Protection Act. Any funds collected under this Section in an action in which a State's Attorney has prevailed shall be retained by the county in which he or she serves.

(d) The State's Attorney of the county in which the violation occurred or the Attorney General may, at the request of the Agency or on his or her own motion, institute a civil action for an injunction, prohibitory

New matter indicated by italics - deletions by strikeout
or mandatory, to restrain violations of this Act or to require such other actions as may be necessary to address violations of this Act.

(e) The penalties and injunctions provided in this Act are in addition to any penalties, injunctions, or other relief provided under any other law. Nothing in this Act shall bar a cause of action by the State for any other penalty, injunction, or relief provided by any other law.

Section 45. Manufacturers subject to the collection program requirement of Section 15 of this Act shall indemnify, defend, and hold harmless vehicle recyclers, vehicle crushers, and scrap metal recyclers for any liabilities arising from releases from a mercury switch after the switch is transferred under the manufacturer's collection program to the manufacturer or its agent, provided that the switch has been managed in accordance with the Environmental Protection Act and regulations adopted thereunder prior to the transfer.

Section 50. If the Agency determines that the requirements of this Act are no longer necessary because a federal program provides equal or greater protection of human health and safety and the environment in this State, the Agency shall submit a report of its determination to the General Assembly. In making its determination the Agency shall seek comments or information from interested persons, including, but not limited to, representatives of vehicle recyclers, vehicle crushers, scrap metal recyclers, vehicle manufacturers, steel and iron manufacturers, and environmental groups.

Section 55. Repealer. This Act is repealed on January 1, 2011.

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

Passed in the General Assembly March 27, 2006.
Approved April 24, 2006.
Effective April 24, 2006.

PUBLIC ACT 94-0733
(Senate Bill No. 2921)

AN ACT concerning State government.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by changing Section 2105-400 as follows:

(20 ILCS 2105/2105-400)
Sec. 2105-400. Emergency Powers.
(a) Upon proclamation of a disaster by the Governor, as provided for in the Illinois Emergency Management Agency Act, the Secretary Director of Financial and Professional Regulation shall have the following powers, which shall be exercised only in coordination with the Illinois Emergency Management Agency and the Department of Public Health:

(1) The power to suspend the requirements for permanent or temporary licensure of persons who are licensed in another state and are working under the direction of the Illinois Emergency Management Agency and the Department of Public Health pursuant to a declared disaster.

(2) The power to modify the scope of practice restrictions under any licensing act administered by the Department for any person working under the direction of the Illinois Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

(3) The power to expand the exemption in Section 4(a) of the Pharmacy Practice Act of 1987 to those licensed professionals whose scope of practice has been modified, under paragraph (2) of subsection (a) of this Section, to include any element of the practice of pharmacy as defined in the Pharmacy Practice Act of 1987 for any person working under the direction of the Illinois Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

(b) Persons exempt from licensure under paragraph (1) of subsection (a) of this Section and persons operating under modified scope of practice provisions under paragraph (2) of subsection (a) of this Section shall be exempt from licensure or be subject to modified scope of practice

New matter indicated by italics - deletions by strikeout
only until the declared disaster has ended as provided by law. For purposes of this Section, persons working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency and a local public health department, pursuant to a declared disaster, shall be deemed to be working under the direction of the Illinois Emergency Management Agency and the Department of Public Health.

(c) The Director shall exercise these powers by way of proclamation.

(Source: P.A. 93-829, eff. 7-28-04.)

Section 10. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-625 as follows:

(20 ILCS 2310/2310-625)

(a) Upon proclamation of a disaster by the Governor, as provided for in the Illinois Emergency Management Agency Act, the Director of Public Health shall have the following powers, which shall be exercised only in coordination with the Illinois Emergency Management Agency and the Department of Financial and Professional Regulation:

(1) The power to suspend the requirements for temporary or permanent licensure or certification of persons who are licensed or certified in another state and are working under the direction of the Illinois Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

(2) The power to modify the scope of practice restrictions under the Emergency Medical Services (EMS) Systems Act for any persons who are licensed under that Act for any person working under the direction of the Illinois Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

(3) The power to modify the scope of practice restrictions under the Nursing Home Care Act for Certified Nursing Assistants for any person working under the direction of the Illinois Department of Financial and Professional Regulation:

New matter indicated by italics - deletions by strikeout
Emergency Management Agency and the Illinois Department of Public Health pursuant to the declared disaster.

(b) Persons exempt from licensure or certification under paragraph (1) of subsection (a) and persons operating under modified scope of practice provisions under paragraph (2) of subsection (a) and paragraph (3) of subsection (a) shall be exempt from licensure or certification or subject to modified scope of practice only until the declared disaster has ended as provided by law. For purposes of this Section, persons working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency and a local public health department, pursuant to a declared disaster, shall be deemed to be working under the direction of the Illinois Emergency Management Agency and the Department of Public Health.

(c) The Director shall exercise these powers by way of proclamation.

(Source: P.A. 93-829, eff. 7-28-04.)

Section 15. The Illinois Emergency Management Agency Act is amended by changing Section 10 as follows:

(20 ILCS 3305/10) (from Ch. 127, par. 1060)

Sec. 10. Emergency Services and Disaster Agencies.

(a) Each political subdivision within this State shall be within the jurisdiction of and served by the Illinois Emergency Management Agency and by an emergency services and disaster agency responsible for emergency management programs. A township, if the township is in a county having a population of more than 2,000,000, must have approval of the county coordinator before establishment of a township emergency services and disaster agency.

(b) Unless multiple county emergency services and disaster agency consolidation is authorized by the Illinois Emergency Management Agency with the consent of the respective counties, each county shall maintain an emergency services and disaster agency that has jurisdiction over and serves the entire county, except as otherwise provided under this Act and except that in any county with a population of over 3,000,000 containing a municipality with a population of over 500,000 the
jurisdiction of the county agency shall not extend to the municipality when the municipality has established its own agency.

(c) Each municipality with a population of over 500,000 shall maintain an emergency services and disaster agency which has jurisdiction over and serves the entire municipality. A municipality with a population less than 500,000 may establish, by ordinance, an agency or department responsible for emergency management within the municipality's corporate limits.

(d) The Governor shall determine which municipal corporations, other than those specified in paragraph (c) of this Section, need emergency services and disaster agencies of their own and require that they be established and maintained. The Governor shall make these determinations on the basis of the municipality's disaster vulnerability and capability of response related to population size and concentration. The emergency services and disaster agency of a county or township, shall not have a jurisdiction within a political subdivision having its own emergency services and disaster agency, but shall cooperate with the emergency services and disaster agency of a city, village or incorporated town within their borders. The Illinois Emergency Management Agency shall publish and furnish a current list to the municipalities required to have an emergency services and disaster agency under this subsection.

(e) Each municipality that is not required to and does not have an emergency services and disaster agency shall have a liaison officer designated to facilitate the cooperation and protection of that municipal corporation with the county emergency services and disaster agency in which it is located in the work of disaster mitigation, preparedness, response, and recovery.

(f) The principal executive officer or his or her designee of each political subdivision in the State shall annually notify the Illinois Emergency Management Agency of the manner in which the political subdivision is providing or securing emergency management, identify the executive head of the agency or the department from which the service is obtained, or the liaison officer in accordance with paragraph (d) of this
Section and furnish additional information relating thereto as the Illinois Emergency Management Agency requires.

(g) Each emergency services and disaster agency shall prepare an emergency operations plan for its geographic boundaries that complies with planning, review, and approval standards promulgated by the Illinois Emergency Management Agency. The Illinois Emergency Management Agency shall determine which jurisdictions will be required to include earthquake preparedness in their local emergency operations plans.

(h) The emergency services and disaster agency shall prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local departments and officials and of the disaster chain of command.

(i) Each emergency services and disaster agency shall have a Coordinator who shall be appointed by the principal executive officer of the political subdivision in the same manner as are the heads of regular governmental departments. If the political subdivision is a county and the principal executive officer appoints the sheriff as the Coordinator, the sheriff may, in addition to his or her regular compensation, receive compensation at the same level as provided in Section 3 of "An Act in relation to the regulation of motor vehicle traffic and the promotion of safety on public highways in counties", approved August 9, 1951, as amended. The Coordinator shall have direct responsibility for the organization, administration, training, and operation of the emergency services and disaster agency, subject to the direction and control of that principal executive officer. Each emergency services and disaster agency shall coordinate and may perform emergency management functions within the territorial limits of the political subdivision within which it is organized as are prescribed in and by the State Emergency Operations Plan, and programs, orders, rules and regulations as may be promulgated by the Illinois Emergency Management Agency and by local ordinance and, in addition, shall conduct such functions outside of those territorial limits as may be required under mutual aid agreements and compacts as are entered into under subparagraph (5) of paragraph (c) of Section 6.

New matter indicated by italics - deletions by strikeout
(j) In carrying out the provisions of this Act, each political subdivision may enter into contracts and incur obligations necessary to place it in a position effectively to combat the disasters as are described in Section 4, to protect the health and safety of persons, to protect property, and to provide emergency assistance to victims of those disasters. If a disaster occurs, each political subdivision may exercise the powers vested under this Section in the light of the exigencies of the disaster and, excepting mandatory constitutional requirements, without regard to the procedures and formalities normally prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation, expenditure, and disposition of public funds and property.

(k) Volunteers who, while engaged in a disaster, an exercise, training related to the emergency operations plan of the political subdivision, or a search-and-rescue team response to an occurrence or threat of injury or loss of life that is beyond local response capabilities, suffer disease, injury or death, shall, for the purposes of benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act only, be deemed to be employees of the State, if: (1) the claimant is a duly qualified and enrolled (sworn in) as a volunteer of the Illinois Emergency Management Agency or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency, and (2) if: (i) the claimant was participating in a disaster as defined in Section 4 of this Act, (ii) the exercise or training participated in was specifically and expressly approved by the Illinois Emergency Management Agency prior to the exercise or training, or (iii) the search-and-rescue team response was to an occurrence or threat of injury or loss of life that was beyond local response capabilities and was specifically and expressly approved by the Illinois Emergency Management Agency prior to the search-and-rescue team response. The computation of benefits payable under either of those Acts shall be based on the income commensurate with comparable State employees doing the same type work or income from the person's regular employment, whichever is greater.

New matter indicated by italics - deletions by strikeout
Volunteers who are working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency, pursuant to a plan approved by the Illinois Emergency Management Agency (i) during a disaster declared by the Governor under Section 7 of this Act, or (ii) in circumstances otherwise expressly approved by the Illinois Emergency Management Agency, shall be deemed exclusively employees of the State for purposes of Section 8(d) of the Court of Claims Act, provided that the Illinois Emergency Management Agency may, in coordination with the emergency services and disaster agency, audit implementation for compliance with the plan.

(l) If any person who is entitled to receive benefits through the application of this Section receives, in connection with the disease, injury or death giving rise to such entitlement, benefits under an Act of Congress or federal program, benefits payable under this Section shall be reduced to the extent of the benefits received under that other Act or program.

(m) (1) Prior to conducting an exercise, the principal executive officer of a political subdivision or his or her designee shall provide area media with written notification of the exercise. The notification shall indicate that information relating to the exercise shall not be released to the public until the commencement of the exercise. The notification shall also contain a request that the notice be so posted to ensure that all relevant media personnel are advised of the exercise before it begins.

(2) During the conduct of an exercise, all messages, two-way radio communications, briefings, status reports, news releases, and other oral or written communications shall begin and end with the following statement: "This is an exercise message".

(Source: P.A. 92-16, eff. 6-28-01; 92-73, eff. 1-1-02.)
AN ACT concerning telecommunications.

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

Section 5. The Eliminate the Digital Divide Law is amended by changing Sections 5-30 and 5-45 as follows:

(30 ILCS 780/5-30)

Sec. 5-30. Community Technology Center Grant Program.

(a) Subject to appropriation, the Department shall administer the Community Technology Center Grant Program under which the Department shall make grants in accordance with this Article for planning, establishment, administration, and expansion of Community Technology Centers and for assisting public hospitals, libraries, and park districts in eliminating the digital divide. The purposes of the grants shall include, but not be limited to, volunteer recruitment and management, training and instruction, infrastructure, and related goods and services, including case management, administration, personal information management, and outcome-tracking tools and software for the purposes of reporting to the Department and for enabling participation in digital government and consumer services programs, for Community Technology Centers and public hospitals, libraries, and park districts. The total amount of grants under this Section in fiscal year 2001 shall not exceed $2,000,000, except that this limit on grants shall not apply to grants funded by appropriations from the Digital Divide Elimination Fund. No Community Technology Center may receive a grant of more than $75,000 under this Section in a particular fiscal year.

(b) Public hospitals, libraries, park districts, and State educational agencies, local educational agencies, institutions of higher education, and other public and private nonprofit or for-profit agencies and organizations are eligible to receive grants under this Program, provided that a local educational agency or public or private educational agency or organization must, in order to be eligible to receive grants under this Program, provide

New matter indicated by italics - deletions by strikeout
computer access and educational services using information technology to the public at one or more of its educational buildings or facilities at least 12 hours each week. A group of eligible entities is also eligible to receive a grant if the group follows the procedures for group applications in 34 CFR 75.127-129 of the Education Department General Administrative Regulations.

To be eligible to apply for a grant, a Community Technology Center, public hospital, library, or park district must serve a community in which not less than 40% of the students are eligible for a free or reduced price lunch under the national school lunch program or in which not less than 30% of the students are eligible for a free lunch under the national school lunch program; however, if funding is insufficient to approve all grant applications for a particular fiscal year, the Department may impose a higher minimum percentage threshold for that fiscal year. Determinations of communities and determinations of the percentage of students in a community who are eligible for a free or reduced price lunch under the national school lunch program shall be in accordance with rules adopted by the Department.

Any entities that have received a Community Technology Center grant under the federal Community Technology Centers Program are also eligible to apply for grants under this Program.

The Department shall provide assistance to Community Technology Centers in making those determinations for purposes of applying for grants.

(c) Grant applications shall be submitted to the Department on a schedule of one or more deadlines established by the Department by rule not later than March 15 for the next fiscal year.

(d) The Department shall adopt rules setting forth the required form and contents of grant applications.

(e) There is created the Digital Divide Elimination Advisory Committee. The advisory committee shall consist of 7 members appointed one each by the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House, and the House Minority Leader, and 2 appointed by the Director of Commerce and Economic Development.
Opportunity, one of whom shall be a representative of the telecommunications industry and one of whom shall represent community technology centers. The members of the advisory committee shall receive no compensation for their services as members of the advisory committee but may be reimbursed for their actual expenses incurred in serving on the advisory committee. The Digital Divide Elimination Advisory Committee shall advise the Department in establishing criteria and priorities for identifying recipients of grants under this Act. The advisory committee shall obtain advice from the technology industry regarding current technological standards. The advisory committee shall seek any available federal funding.

(f) There is created the Digital Divide Elimination Working Group. The Working Group shall consist of the Director of Commerce and Economic Opportunity, or his or her designee, the Director of Central Management Services, or his or her designee, and the Executive Director of the Illinois Commerce Commission, or his or her designee. The Director of Commerce and Economic Opportunity, or his or her designee, shall serve as chair of the Working Group. The Working Group shall consult with the members of the Digital Divide Elimination Advisory Committee and may consult with various groups including, but not limited to, telecommunications providers, telecommunications-related technology producers and service providers, community technology providers, community and consumer organizations, businesses and business organizations, and federal government agencies.

(g) Duties of the Digital Divide Elimination Working Group include all of the following:

1. Undertaking a thorough review of grant programs available through the federal government, local agencies, telecommunications providers, and business and charitable entities for the purpose of identifying appropriate sources of revenues for the Digital Divide Elimination Fund and attempting to update available grants on a regular basis.

2. Researching and cataloging programs designed to advance digital literacy and computer access that are available

New matter indicated by italics - deletions by strikeout
through the federal government, local agencies, telecommunications providers, and business and charitable entities and attempting to update available programs on a regular basis.

(3) Presenting the information compiled from items (1) and (2) to the Department of Commerce and Economic Opportunity, which shall serve as a single point of contact for applying for funding for the Digital Divide Elimination Fund and for distributing information to the public regarding all programs designed to advance digital literacy and computer access.

(Source: P.A. 91-704, eff. 7-1-00; 92-22, eff. 6-30-01.)

(30 ILCS 780/5-45)
Sec. 5-45. Statewide Community Technology Center Network.

(a) Subject to appropriation, the Department shall expend not more than $100,000 in fiscal year 2001 to establish and administer a Statewide Community Technology Center Network to assist in local and regional planning under this Article.

(b) Subject to appropriation, the Department may expend not more than $100,000 in fiscal year 2006 and each fiscal year thereafter to establish and administer a Statewide Community Technology Center Network to assist in local and regional planning and revenue development and outreach under this Article.

(Source: P.A. 91-704, eff. 7-1-00.)

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

Passed in the General Assembly February 1, 2006.
Approved April 28, 2006.
Effective April 28, 2006.
Section 5. The Public Utilities Act is amended by changing Section 4-101 as follows:

(220 ILCS 5/4-101) (from Ch. 111 2/3, par. 4-101)

Sec. 4-101. The Commerce Commission shall have general supervision of all public utilities, except as otherwise provided in this Act, shall inquire into the management of the business thereof and shall keep itself informed as to the manner and method in which the business is conducted. It shall examine those public utilities and keep informed as to their general condition, their franchises, capitalization, rates and other charges, and the manner in which their plants, equipment and other property owned, leased, controlled or operated are managed, conducted and operated, not only with respect to the adequacy, security and accommodation afforded by their service but also with respect to their compliance with this Act and any other law, with the orders of the Commission and with the charter and franchise requirements.

Whenever the Commission is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400), the Department of State Police is authorized to furnish, pursuant to positive identification, such information contained in State files as is necessary to fulfill the request.

The Commission shall require all electric public utilities to establish a security policy that includes on-site safeguards to restrict physical or electronic access to critical infrastructure and computerized control and data systems by personnel employed by or under contract with the electric public utility company or by personnel of any entity regulated by the Commission that supplies power to wholesale or residential markets. The Commission shall maintain a record of and each regulated entity that supplies power to wholesale or residential markets shall provide to the Commission an annual affidavit signed by a representative of the regulated entity that states: that the entity follows, at a minimum, the most
current security standards set forth by the North American Electric Reliability Council:

(1) that the entity has a security policy in place;
(2) that the entity has conducted at least one practice exercise based on the security policy within the 12 months immediately preceding the date of the affidavit; and
(3) with respect to any entity that is an electric public utility, that the entity follows, at a minimum, the most current security standards set forth by the North American Electric Reliability Council.

(Source: P.A. 94-480, eff. 1-1-06.)

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

Approved May 1, 2006.
Effective May 1, 2006.

PUBLIC ACT 94-0736
(Senate Bill No. 2489)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 18c-7503 as follows:

(625 ILCS 5/18c-7503) (from Ch. 95 1/2, par. 18c-7503)
Sec. 18c-7503. Trespassing on railroad property; terminal security.
(1) Trespassing on railroad property prohibited.
   (a) General prohibition. Except as otherwise provided in paragraph (b) of this subsection, no person may:
      (i) walk, ride, drive or be upon or along the right of way or rail yard of a rail carrier within the State, at a place other than a public crossing;
      (ii) enter or be upon any railroad property;

New matter indicated by italics - deletions by strikeout
(iii) without lawful authority or the railroad carrier's consent, ride on the outside of a train or inside a passenger car, locomotive, or freight car, including a box car, flatbed, or container;

(iv) willfully lead or contrive any animal to go upon the railroad's rights of way for any reason other than to pass over such rights of way at a marked public crossing; or

(v) throw or cause to be thrown on to the railroad's rights of way any waste paper, ashes, household waste, glass, metal, tires, refuse, or rubbish.

(b) Exceptions. This subsection shall not apply to:

(i) fare paying passengers on trains or employees of a rail carrier;

(ii) railroad employees and an authorized representative of rail carrier employees, while performing required duties in accordance with reasonable rail carrier company guidelines;

(iii) a person going upon the right of way or into the rail yard to save human life or to remove an object that a reasonable person would believe poses an imminent threat to human life or limb;

(iv) a person being on the station grounds or in the depot of the rail carrier for the purpose of transacting business;

(v) a person, his family, or his employees or agents going across a farm crossing, as defined in this Chapter, for the purpose of crossing from one part to another part of a farm he owns or leases, where the farm lies on both sides of the right of way;

(vi) a person having written permission from the rail carrier to go upon the right of way or into the rail yard;

(vii) representatives of local, State, and federal governmental agencies in performance of their official duties; and

New matter indicated by italics - deletions by strikeout
(viii) a person having written permission from the rail carrier to go in or be upon railroad property.

(2) Penalties.

(a) Any person found in violation of item (i), (ii), (iii) or (iv) of paragraph (a) of subsection (1) shall be guilty of a Class C misdemeanor for a first offense. In addition to such other sanctions as may be deemed appropriate by the court, the person shall be subject to a mandatory fine of not less than $150 or more than $500, or to imprisonment for not less than 5 days nor more than 30 days, or both. For each subsequent offense, the person shall be guilty of a Class A misdemeanor. In addition to such sanctions as may be deemed appropriate by the court, the person shall be subject to a mandatory fine of not less than $500 nor more than $1,000, or to imprisonment for not less than 10 days or more than one year, or both.

(b) Any person found in violation of item (v) of paragraph (a) of subsection (1) shall be guilty of an offense and in addition to such sanctions as may be deemed appropriate by the court shall be subject to a fine of not less than $100 nor more than $500, or community service of not less than 8 hours nor more than 50 hours, or both. If damage to any railroad property or bodily injury occurs to another as a result of a violation of item (v) of paragraph (a) of subsection (1), that person shall be charged with the offense of Malicious Removal of or Damage to Railroad Property or Freight pursuant to Section 18c-7502.

(c) Local authorities shall impose fines as established in paragraphs (a) and (b) of this subsection (2) for persons found in violation of this Section or any similar local ordinance.

(2.5) Terminal security. The owner of a terminal is expressly authorized, within the terminal property, to construct and operate berms, commercially constructed electric fences, and monitoring equipment as security measures for reducing the economic impact of theft, enhancing homeland security, and improving the protection of the general public welfare. The terminal owner shall properly operate and maintain these
security measures. Any electric fence installed pursuant to this subsection shall: (i) be marked with appropriate signs; (ii) be entirely surrounded at a distance of at least 36 inches by properly maintained non-electric perimeter fences at least 8 feet tall; (iii) operate at a level of current that is not lethal to a human being upon contact; (iv) be covered at all times by an insurance policy maintained by the operator of the terminal for liability from claims arising out of the operation of the fence in an amount not less than $10,000,000 per occurrence; and (v) be regularly monitored and inspected by a qualified electrician. The use of any of these security measures in accordance with this subsection is not a violation of this Subchapter.

(3) Definitions. For purposes of this Section:

"Passenger" means a person who is traveling by train with lawful authority and who does not participate in the train's operation. The term "passenger" does not include stowaways.

"Railroad" means any form of nonhighway ground transportation that runs on rails or electromagnetic guideways, including:

(i) commuter or other short-haul railroad passenger service in a metropolitan or urban area; and

(ii) high-speed ground transportation systems that connect metropolitan areas; but does not include rapid transit operations in an urban area that are not connected to the general railroad system of transportation.

"Railroad carrier" means a person providing railroad transportation.

"Railroad property" means all tangible property owned, leased, or operated by a railroad carrier including a right of way, track, bridge, yard, shop, station, tunnel, viaduct, trestle, depot, warehouse, terminal, or any other structure, appurtenance, or equipment owned, leased, or used in the operation of any railroad carrier including trains, locomotives, engines, railroad cars, work equipment, rolling stock, or safety devices. "Railroad property" does not include a railroad carrier's administrative buildings or offices, office equipment, or intangible property such as software or other information.

New matter indicated by italics - deletions by strikeout
"Right of way" means the track or roadbed owned, leased, or operated by a rail carrier which is located on either side of its tracks and which is readily recognizable to a reasonable person as being railroad property or is reasonably identified as such by fencing or appropriate signs.

"Terminal" means a rail terminal facility, intermodal facility where at least one mode of transportation serviced by the facility is a railroad, or other railroad freight facility larger than 25 acres.

"Yard" means a system of parallel tracks, crossovers, and switches where railroad cars are switched and made up into trains, and where railroad cars, locomotives, and other rolling stock is kept when not in use or when awaiting repair.

(Source: P.A. 90-655, eff. 7-30-98; 90-691, eff. 1-1-98; 91-532, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved May 1, 2006.
Effective May 1, 2006.

PUBLIC ACT 94-0737
(Senate Bill No. 0918)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Comprehensive Health Insurance Plan Act is amended by changing Sections 7 and 8 as follows:

(215 ILCS 105/7) (from Ch. 73, par. 1307)

Sec. 7. Eligibility.
a. Except as provided in subsection (e) of this Section or in Section 15 of this Act, any person who is either a citizen of the United States or an alien lawfully admitted for permanent residence and who has been for a period of at least 180 days and continues to be a resident of this State shall be eligible for Plan coverage under this Section if evidence is provided of:

New matter indicated by italics - deletions by strikeout
(1) A notice of rejection or refusal to issue substantially similar individual health insurance coverage for health reasons by a health insurance issuer; or

(2) A refusal by a health insurance issuer to issue individual health insurance coverage except at a rate exceeding the applicable Plan rate for which the person is responsible.

A rejection or refusal by a group health plan or health insurance issuer offering only stop-loss or excess of loss insurance or contracts, agreements, or other arrangements for reinsurance coverage with respect to the applicant shall not be sufficient evidence under this subsection.

b. The board shall promulgate a list of medical or health conditions for which a person who is either a citizen of the United States or an alien lawfully admitted for permanent residence and a resident of this State would be eligible for Plan coverage without applying for health insurance coverage pursuant to subsection a. of this Section. Persons who can demonstrate the existence or history of any medical or health conditions on the list promulgated by the board shall not be required to provide the evidence specified in subsection a. of this Section. The list shall be effective on the first day of the operation of the Plan and may be amended from time to time as appropriate.

c. Family members of the same household who each are covered persons are eligible for optional family coverage under the Plan.

d. For persons qualifying for coverage in accordance with Section 7 of this Act, the board shall, if it determines that such appropriations as are made pursuant to Section 12 of this Act are insufficient to allow the board to accept all of the eligible persons which it projects will apply for enrollment under the Plan, limit or close enrollment to ensure that the Plan is not over-subscribed and that it has sufficient resources to meet its obligations to existing enrollees. The board shall not limit or close enrollment for federally eligible individuals.

e. A person shall not be eligible for coverage under the Plan if:

(1) He or she has or obtains other coverage under a group health plan or health insurance coverage substantially similar to or better than a Plan policy as an insured or covered dependent or
would be eligible to have that coverage if he or she elected to obtain it. Persons otherwise eligible for Plan coverage may, however, solely for the purpose of having coverage for a pre-existing condition, maintain other coverage only while satisfying any pre-existing condition waiting period under a Plan policy or a subsequent replacement policy of a Plan policy.

(1.1) His or her prior coverage under a group health plan or health insurance coverage, provided or arranged by an employer of more than 10 employees was discontinued for any reason without the entire group or plan being discontinued and not replaced, provided he or she remains an employee, or dependent thereof, of the same employer.

(2) He or she is a recipient of or is approved to receive medical assistance, except that a person may continue to receive medical assistance through the medical assistance no grant program, but only while satisfying the requirements for a pre-existing condition under Section 8, subsection f. of this Act. Payment of premiums pursuant to this Act shall be allocable to the person's spenddown for purposes of the medical assistance no grant program, but that person shall not be eligible for any Plan benefits while that person remains eligible for medical assistance. If the person continues to receive or be approved to receive medical assistance through the medical assistance no grant program at or after the time that requirements for a preexisting condition are satisfied, the person shall not be eligible for coverage under the Plan. In that circumstance, coverage under the plan shall terminate as of the expiration of the preexisting condition limitation period. Under all other circumstances, coverage under the Plan shall automatically terminate as of the effective date of any medical assistance.

(3) Except as provided in Section 15, the person has previously participated in the Plan and voluntarily terminated Plan coverage, unless 12 months have elapsed since the person's latest voluntary termination of coverage.

New matter indicated by italics - deletions by strikeout
(4) The person fails to pay the required premium under the covered person's terms of enrollment and participation, in which event the liability of the Plan shall be limited to benefits incurred under the Plan for the time period for which premiums had been paid and the covered person remained eligible for Plan coverage.

(5) The Plan has paid a total of $1,500,000 $1,000,000 in benefits on behalf of the covered person.

(6) The person is a resident of a public institution.

(7) The person's premium is paid for or reimbursed under any government sponsored program or by any government agency or health care provider, except as an otherwise qualifying full-time employee, or dependent of such employee, of a government agency or health care provider or, except when a person's premium is paid by the U.S. Treasury Department pursuant to the federal Trade Act of 2002.

(8) The person has or later receives other benefits or funds from any settlement, judgement, or award resulting from any accident or injury, regardless of the date of the accident or injury, or any other circumstances creating a legal liability for damages due that person by a third party, whether the settlement, judgment, or award is in the form of a contract, agreement, or trust on behalf of a minor or otherwise and whether the settlement, judgment, or award is payable to the person, his or her dependent, estate, personal representative, or guardian in a lump sum or over time, so long as there continues to be benefits or assets remaining from those sources in an amount in excess of $300,000.

(9) Within the 5 years prior to the date a person's Plan application is received by the Board, the person's coverage under any health care benefit program as defined in 18 U.S.C. 24, including any public or private plan or contract under which any medical benefit, item, or service is provided, was terminated as a result of any act or practice that constitutes fraud under State or federal law or as a result of an intentional misrepresentation of material fact; or if that person knowingly and willfully obtained or

New matter indicated by italics - deletions by strikeout
attempted to obtain, or fraudulently aided or attempted to aid any
other person in obtaining, any coverage or benefits under the Plan
to which that person was not entitled.

f. The board or the administrator shall require verification of
residency and may require any additional information or documentation, or
statements under oath, when necessary to determine residency upon initial
application and for the entire term of the policy.

g. Coverage shall cease (i) on the date a person is no longer a
resident of Illinois, (ii) on the date a person requests coverage to end, (iii)
upon the death of the covered person, (iv) on the date State law requires
cancellation of the policy, or (v) at the Plan's option, 30 days after the Plan
makes any inquiry concerning a person's eligibility or place of residence to
which the person does not reply.

h. Except under the conditions set forth in subsection g of this
Section, the coverage of any person who ceases to meet the eligibility
requirements of this Section shall be terminated at the end of the current
policy period for which the necessary premiums have been paid.
(Source: P.A. 93-33, eff. 6-23-03; 93-34, eff. 6-23-03; 94-17, eff. 1-1-06.)
(215 ILCS 105/8) (from Ch. 73, par. 1308)

Sec. 8. Minimum benefits.

a. Availability. The Plan shall offer in an annually renewable
policy major medical expense coverage to every eligible person who is not
eligible for Medicare. Major medical expense coverage offered by the Plan
shall pay an eligible person's covered expenses, subject to limit on the
deductible and coinsurance payments authorized under paragraph (4) of
subsection d of this Section, up to a lifetime benefit limit of $1,500,000
$1,000,000 per covered individual. The maximum limit under this
subsection shall not be altered by the Board, and no actuarial equivalent
benefit may be substituted by the Board. Any person who otherwise would
qualify for coverage under the Plan, but is excluded because he or she is
eligible for Medicare, shall be eligible for any separate Medicare
supplement policy or policies which the Board may offer.

b. Outline of benefits. Covered expenses shall be limited to the
usual and customary charge, including negotiated fees, in the locality for

New matter indicated by italics - deletions by strikeout
the following services and articles when prescribed by a physician and determined by the Plan to be medically necessary for the following areas of services, subject to such separate deductibles, co-payments, exclusions, and other limitations on benefits as the Board shall establish and approve, and the other provisions of this Section:

(1) Hospital services, except that any services provided by a hospital that is located more than 75 miles outside the State of Illinois shall be covered only for a maximum of 45 days in any calendar year. With respect to covered expenses incurred during any calendar year ending on or after December 31, 1999, inpatient hospitalization of an eligible person for the treatment of mental illness at a hospital located within the State of Illinois shall be subject to the same terms and conditions as for any other illness.

(2) Professional services for the diagnosis or treatment of injuries, illnesses or conditions, other than dental and mental and nervous disorders as described in paragraph (17), which are rendered by a physician, or by other licensed professionals at the physician's direction. This includes reconstruction of the breast on which a mastectomy was performed; surgery and reconstruction of the other breast to produce a symmetrical appearance; and prostheses and treatment of physical complications at all stages of the mastectomy, including lymphedemas.

(2.5) Professional services provided by a physician to children under the age of 16 years for physical examinations and age appropriate immunizations ordered by a physician licensed to practice medicine in all its branches.

(3) (Blank).

(4) Outpatient prescription drugs that by law require a prescription written by a physician licensed to practice medicine in all its branches subject to such separate deductible, copayment, and other limitations or restrictions as the Board shall approve, including the use of a prescription drug card or any other program, or both.

New matter indicated by italics - deletions by strikeout
(5) Skilled nursing services of a licensed skilled nursing facility for not more than 120 days during a policy year.
(6) Services of a home health agency in accord with a home health care plan, up to a maximum of 270 visits per year.
(7) Services of a licensed hospice for not more than 180 days during a policy year.
(8) Use of radium or other radioactive materials.
(9) Oxygen.
(10) Anesthetics.
(11) Orthoses and prostheses other than dental.
(12) Rental or purchase in accordance with Board policies or procedures of durable medical equipment, other than eyeglasses or hearing aids, for which there is no personal use in the absence of the condition for which it is prescribed.
(13) Diagnostic x-rays and laboratory tests.
(14) Oral surgery (i) for excision of partially or completely unerupted impacted teeth when not performed in connection with the routine extraction or repair of teeth; (ii) for excision of tumors or cysts of the jaws, cheeks, lips, tongue, and roof and floor of the mouth; (iii) required for correction of cleft lip and palate and other craniofacial and maxillofacial birth defects; or (iv) for treatment of injuries to natural teeth or a fractured jaw due to an accident.
(15) Physical, speech, and functional occupational therapy as medically necessary and provided by appropriate licensed professionals.
(16) Emergency and other medically necessary transportation provided by a licensed ambulance service to the nearest health care facility qualified to treat a covered illness, injury, or condition, subject to the provisions of the Emergency Medical Systems (EMS) Act.
(17) Outpatient services for diagnosis and treatment of mental and nervous disorders provided that a covered person shall be required to make a copayment not to exceed 50% and that the

New matter indicated by italics - deletions by strikeout
Plan's payment shall not exceed such amounts as are established by the Board.

(18) Human organ or tissue transplants specified by the Board that are performed at a hospital designated by the Board as a participating transplant center for that specific organ or tissue transplant.

(19) Naprapathic services, as appropriate, provided by a licensed naprapathic practitioner.

c. Exclusions. Covered expenses of the Plan shall not include the following:

(1) Any charge for treatment for cosmetic purposes other than for reconstructive surgery when the service is incidental to or follows surgery resulting from injury, sickness or other diseases of the involved part or surgery for the repair or treatment of a congenital bodily defect to restore normal bodily functions.

(2) Any charge for care that is primarily for rest, custodial, educational, or domiciliary purposes.

(3) Any charge for services in a private room to the extent it is in excess of the institution's charge for its most common semiprivate room, unless a private room is prescribed as medically necessary by a physician.

(4) That part of any charge for room and board or for services rendered or articles prescribed by a physician, dentist, or other health care personnel that exceeds the reasonable and customary charge in the locality or for any services or supplies not medically necessary for the diagnosed injury or illness.

(5) Any charge for services or articles the provision of which is not within the scope of licensure of the institution or individual providing the services or articles.

(6) Any expense incurred prior to the effective date of coverage by the Plan for the person on whose behalf the expense is incurred.

(7) Dental care, dental surgery, dental treatment, any other dental procedure involving the teeth or periodontium, or any dental

New matter indicated by italics - deletions by strikeout
appliances, including crowns, bridges, implants, or partial or complete dentures, except as specifically provided in paragraph (14) of subsection b of this Section.

(8) Eyeglasses, contact lenses, hearing aids or their fitting.
(9) Illness or injury due to acts of war.
(10) Services of blood donors and any fee for failure to replace the first 3 pints of blood provided to a covered person each policy year.
(11) Personal supplies or services provided by a hospital or nursing home, or any other nonmedical or nonprescribed supply or service.
(12) Routine maternity charges for a pregnancy, except where added as optional coverage with payment of an additional premium for pregnancy resulting from conception occurring after the effective date of the optional coverage.
(13) (Blank).
(14) Any expense or charge for services, drugs, or supplies that are: (i) not provided in accord with generally accepted standards of current medical practice; (ii) for procedures, treatments, equipment, transplants, or implants, any of which are investigational, experimental, or for research purposes; (iii) investigative and not proven safe and effective; or (iv) for, or resulting from, a gender transformation operation.
(15) Any expense or charge for routine physical examinations or tests except as provided in item (2.5) of subsection b of this Section.
(16) Any expense for which a charge is not made in the absence of insurance or for which there is no legal obligation on the part of the patient to pay.
(17) Any expense incurred for benefits provided under the laws of the United States and this State, including Medicare, Medicaid, and other medical assistance, maternal and child health services and any other program that is administered or funded by the Department of Human Services, Department of Healthcare and

New matter indicated by italics - deletions by strikeout
Family Services Public Aid, or Department of Public Health, military service-connected disability payments, medical services provided for members of the armed forces and their dependents or employees of the armed forces of the United States, and medical services financed on behalf of all citizens by the United States.

(18) Any expense or charge for in vitro fertilization, artificial insemination, or any other artificial means used to cause pregnancy.

(19) Any expense or charge for oral contraceptives used for birth control or any other temporary birth control measures.

(20) Any expense or charge for sterilization or sterilization reversals.

(21) Any expense or charge for weight loss programs, exercise equipment, or treatment of obesity, except when certified by a physician as morbid obesity (at least 2 times normal body weight).

(22) Any expense or charge for acupuncture treatment unless used as an anesthetic agent for a covered surgery.

(23) Any expense or charge for or related to organ or tissue transplants other than those performed at a hospital with a Board approved organ transplant program that has been designated by the Board as a preferred or exclusive provider organization for that specific organ or tissue transplant.

(24) Any expense or charge for procedures, treatments, equipment, or services that are provided in special settings for research purposes or in a controlled environment, are being studied for safety, efficiency, and effectiveness, and are awaiting endorsement by the appropriate national medical specialty college for general use within the medical community.

d. Deductibles and coinsurance.

The Plan coverage defined in Section 6 shall provide for a choice of deductibles per individual as authorized by the Board. If 2 individual members of the same family household, who are both covered persons under the Plan, satisfy the same applicable deductibles, no other member

New matter indicated by italics - deletions by strikeout
of that family who is also a covered person under the Plan shall be required to meet any deductibles for the balance of that calendar year. The deductibles must be applied first to the authorized amount of covered expenses incurred by the covered person. A mandatory coinsurance requirement shall be imposed at the rate authorized by the Board in excess of the mandatory deductible, the coinsurance in the aggregate not to exceed such amounts as are authorized by the Board per annum. At its discretion the Board may, however, offer catastrophic coverages or other policies that provide for larger deductibles with or without coinsurance requirements. The deductibles and coinsurance factors may be adjusted annually according to the Medical Component of the Consumer Price Index.

e. Scope of coverage.
   (1) In approving any of the benefit plans to be offered by the Plan, the Board shall establish such benefit levels, deductibles, coinsurance factors, exclusions, and limitations as it may deem appropriate and that it believes to be generally reflective of and commensurate with health insurance coverage that is provided in the individual market in this State.

   (2) The benefit plans approved by the Board may also provide for and employ various cost containment measures and other requirements including, but not limited to, preadmission certification, prior approval, second surgical opinions, concurrent utilization review programs, individual case management, preferred provider organizations, health maintenance organizations, and other cost effective arrangements for paying for covered expenses.

f. Preexisting conditions.
   (1) Except for federally eligible individuals qualifying for Plan coverage under Section 15 of this Act or eligible persons who qualify for the waiver authorized in paragraph (3) of this subsection, plan coverage shall exclude charges or expenses incurred during the first 6 months following the effective date of coverage as to any condition for which medical advice, care or

New matter indicated by italics - deletions by strikeout
treatment was recommended or received during the 6 month period immediately preceding the effective date of coverage.

(2) (Blank).

(3) Waiver: The preexisting condition exclusions as set forth in paragraph (1) of this subsection shall be waived to the extent to which the eligible person (a) has satisfied similar exclusions under any prior individual health insurance policy that was involuntarily terminated because of the insolvency of the issuer of the policy and (b) has applied for Plan coverage within 90 days following the involuntary termination of that individual health insurance coverage.

g. Other sources primary; nonduplication of benefits.

(1) The Plan shall be the last payor of benefits whenever any other benefit or source of third party payment is available. Subject to the provisions of subsection e of Section 7, benefits otherwise payable under Plan coverage shall be reduced by all amounts paid or payable by Medicare or any other government program or through any health insurance coverage or group health plan, whether by insurance, reimbursement, or otherwise, or through any third party liability, settlement, judgment, or award, regardless of the date of the settlement, judgment, or award, whether the settlement, judgment, or award is in the form of a contract, agreement, or trust on behalf of a minor or otherwise and whether the settlement, judgment, or award is payable to the covered person, his or her dependent, estate, personal representative, or guardian in a lump sum or over time, and by all hospital or medical expense benefits paid or payable under any worker's compensation coverage, automobile medical payment, or liability insurance, whether provided on the basis of fault or nonfault, and by any hospital or medical benefits paid or payable under or provided pursuant to any State or federal law or program.

(2) The Plan shall have a cause of action against any covered person or any other person or entity for the recovery of any amount paid to the extent the amount was for treatment, services,
or supplies not covered in this Section or in excess of benefits as set forth in this Section.

(3) Whenever benefits are due from the Plan because of sickness or an injury to a covered person resulting from a third party's wrongful act or negligence and the covered person has recovered or may recover damages from a third party or its insurer, the Plan shall have the right to reduce benefits or to refuse to pay benefits that otherwise may be payable by the amount of damages that the covered person has recovered or may recover regardless of the date of the sickness or injury or the date of any settlement, judgment, or award resulting from that sickness or injury.

During the pendency of any action or claim that is brought by or on behalf of a covered person against a third party or its insurer, any benefits that would otherwise be payable except for the provisions of this paragraph (3) shall be paid if payment by or for the third party has not yet been made and the covered person or, if incapable, that person's legal representative agrees in writing to pay back promptly the benefits paid as a result of the sickness or injury to the extent of any future payments made by or for the third party for the sickness or injury. This agreement is to apply whether or not liability for the payments is established or admitted by the third party or whether those payments are itemized.

Any amounts due the plan to repay benefits may be deducted from other benefits payable by the Plan after payments by or for the third party are made.

(4) Benefits due from the Plan may be reduced or refused as an offset against any amount otherwise recoverable under this Section.

h. Right of subrogation; recoveries.

(1) Whenever the Plan has paid benefits because of sickness or an injury to any covered person resulting from a third party's wrongful act or negligence, or for which an insurer is liable in accordance with the provisions of any policy of insurance, and the covered person has recovered or may recover damages from a

New matter indicated by italics - deletions by strikeout
third party that is liable for the damages, the Plan shall have the right to recover the benefits it paid from any amounts that the covered person has received or may receive regardless of the date of the sickness or injury or the date of any settlement, judgment, or award resulting from that sickness or injury. The Plan shall be subrogated to any right of recovery the covered person may have under the terms of any private or public health care coverage or liability coverage, including coverage under the Workers' Compensation Act or the Workers' Occupational Diseases Act, without the necessity of assignment of claim or other authorization to secure the right of recovery. To enforce its subrogation right, the Plan may (i) intervene or join in an action or proceeding brought by the covered person or his personal representative, including his guardian, conservator, estate, dependents, or survivors, against any third party or the third party's insurer that may be liable or (ii) institute and prosecute legal proceedings against any third party or the third party's insurer that may be liable for the sickness or injury in an appropriate court either in the name of the Plan or in the name of the covered person or his personal representative, including his guardian, conservator, estate, dependents, or survivors.

(2) If any action or claim is brought by or on behalf of a covered person against a third party or the third party's insurer, the covered person or his personal representative, including his guardian, conservator, estate, dependents, or survivors, shall notify the Plan by personal service or registered mail of the action or claim and of the name of the court in which the action or claim is brought, filing proof thereof in the action or claim. The Plan may, at any time thereafter, join in the action or claim upon its motion so that all orders of court after hearing and judgment shall be made for its protection. No release or settlement of a claim for damages and no satisfaction of judgment in the action shall be valid without the written consent of the Plan to the extent of its interest in the

New matter indicated by italics - deletions by strikeout
settlement or judgment and of the covered person or his personal representative.

(3) In the event that the covered person or his personal representative fails to institute a proceeding against any appropriate third party before the fifth month before the action would be barred, the Plan may, in its own name or in the name of the covered person or personal representative, commence a proceeding against any appropriate third party for the recovery of damages on account of any sickness, injury, or death to the covered person. The covered person shall cooperate in doing what is reasonably necessary to assist the Plan in any recovery and shall not take any action that would prejudice the Plan's right to recovery. The Plan shall pay to the covered person or his personal representative all sums collected from any third party by judgment or otherwise in excess of amounts paid in benefits under the Plan and amounts paid or to be paid as costs, attorneys fees, and reasonable expenses incurred by the Plan in making the collection or enforcing the judgment.

(4) In the event that a covered person or his personal representative, including his guardian, conservator, estate, dependents, or survivors, recovers damages from a third party for sickness or injury caused to the covered person, the covered person or the personal representative shall pay to the Plan from the damages recovered the amount of benefits paid or to be paid on behalf of the covered person.

(5) When the action or claim is brought by the covered person alone and the covered person incurs a personal liability to pay attorney's fees and costs of litigation, the Plan's claim for reimbursement of the benefits provided to the covered person shall be the full amount of benefits paid to or on behalf of the covered person under this Act less a pro rata share that represents the Plan's reasonable share of attorney's fees paid by the covered person and that portion of the cost of litigation expenses determined by

New matter indicated by italics - deletions by strikeout
multiplying by the ratio of the full amount of the expenditures to the full amount of the judgement, award, or settlement.

(6) In the event of judgment or award in a suit or claim against a third party or insurer, the court shall first order paid from any judgement or award the reasonable litigation expenses incurred in preparation and prosecution of the action or claim, together with reasonable attorney's fees. After payment of those expenses and attorney's fees, the court shall apply out of the balance of the judgment or award an amount sufficient to reimburse the Plan the full amount of benefits paid on behalf of the covered person under this Act, provided the court may reduce and apportion the Plan's portion of the judgement proportionate to the recovery of the covered person. The burden of producing evidence sufficient to support the exercise by the court of its discretion to reduce the amount of a proven charge sought to be enforced against the recovery shall rest with the party seeking the reduction. The court may consider the nature and extent of the injury, economic and non-economic loss, settlement offers, comparative negligence as it applies to the case at hand, hospital costs, physician costs, and all other appropriate costs. The Plan shall pay its pro rata share of the attorney fees based on the Plan's recovery as it compares to the total judgment. Any reimbursement rights of the Plan shall take priority over all other liens and charges existing under the laws of this State with the exception of any attorney liens filed under the Attorneys Lien Act.

(7) The Plan may compromise or settle and release any claim for benefits provided under this Act or waive any claims for benefits, in whole or in part, for the convenience of the Plan or if the Plan determines that collection would result in undue hardship upon the covered person.

(Source: P.A. 91-639, eff. 8-20-99; 91-735, eff. 6-2-00; 92-2, eff. 5-1-01; 92-630, eff. 7-11-02; revised 12-15-05.)

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

New matter indicated by italics - deletions by strikeout
Approved May 3, 2006.
Effective May 3, 2006.

PUBLIC ACT 94-0738
(Senate Bill No. 2807)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Utilities Act is amended by changing Sections 3-105, 3-121, and 19-105 as follows:
(220 ILCS 5/3-105) (from Ch. 111 2/3, par. 3-105)
Sec. 3-105. Public utility. "Public utility" means and includes, except where otherwise expressly provided in this Section, every corporation, company, limited liability company, association, joint stock company or association, firm, partnership or individual, their lessees, trustees, or receivers appointed by any court whatsoever that owns, controls, operates or manages, within this State, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with, or owns or controls any franchise, license, permit or right to engage in:
   a. the production, storage, transmission, sale, delivery or furnishing of heat, cold, power, electricity, water, or light, except when used solely for communications purposes;
   b. the disposal of sewerage; or
   c. the conveyance of oil or gas by pipe line.
"Public utility" does not include, however:
   1. public utilities that are owned and operated by any political subdivision, public institution of higher education or municipal corporation of this State, or public utilities that are owned by such political subdivision, public institution of higher education, or municipal corporation and operated by any of its lessees or operating agents;

New matter indicated by italics - deletions by strikeout
2. water companies which are purely mutual concerns, having no rates or charges for services, but paying the operating expenses by assessment upon the members of such a company and no other person;

3. electric cooperatives as defined in Section 3-119;

4. the following natural gas cooperatives:
   (A) residential natural gas cooperatives that are not-for-profit corporations established for the purpose of administering and operating, on a cooperative basis, the furnishing of natural gas to residences for the benefit of their members who are residential consumers of natural gas. For entities qualifying as residential natural gas cooperatives and recognized by the Illinois Commerce Commission as such, the State shall guarantee legally binding contracts entered into by residential natural gas cooperatives for the express purpose of acquiring natural gas supplies for their members. The Illinois Commerce Commission shall establish rules and regulations providing for such guarantees. The total liability of the State in providing all such guarantees shall not at any time exceed $1,000,000, nor shall the State provide such a guarantee to a residential natural gas cooperative for more than 3 consecutive years; and
   (B) natural gas cooperatives that are not-for-profit corporations operated for the purpose of administering, on a cooperative basis, the furnishing of natural gas for the benefit of their members and that, prior to 90 days after the effective date of this amendatory Act of the 94th General Assembly, either had acquired or had entered into an asset purchase agreement to acquire all or substantially all of the operating assets of a public utility or natural gas cooperative with the intention of operating those assets as a natural gas cooperative;

New matter indicated by italics - deletions by strikeout
5. sewage disposal companies which provide sewage disposal services on a mutual basis without establishing rates or charges for services, but paying the operating expenses by assessment upon the members of the company and no others;
6. (Blank);
7. cogeneration facilities, small power production facilities, and other qualifying facilities, as defined in the Public Utility Regulatory Policies Act and regulations promulgated thereunder, except to the extent State regulatory jurisdiction and action is required or authorized by federal law, regulations, regulatory decisions or the decisions of federal or State courts of competent jurisdiction;
8. the ownership or operation of a facility that sells compressed natural gas at retail to the public for use only as a motor vehicle fuel and the selling of compressed natural gas at retail to the public for use only as a motor vehicle fuel; and
9. alternative retail electric suppliers as defined in Article XVI.

(Source: P.A. 89-42, eff. 1-1-96; 90-561, eff. 12-16-97.)

(220 ILCS 5/3-121) (from Ch. 111 2/3, par. 3-121)

Sec. 3-121. As used in Section 2-202 of this Act, the term "gross revenue" includes all revenue which (1) is collected by a public utility subject to regulations under this Act (a) pursuant to the rates, other charges, and classifications which it is required to file under Section 9-102 of this Act and (b) pursuant to emergency rates as permitted by Section 9-104 of this Act, and (2) is derived from the intrastate public utility business of such a utility. Such term does not include revenue derived by such a public utility from the sale of public utility services, products or commodities to another public utility, or to an electric cooperative, or to a natural gas cooperative for resale by such public utility, or electric cooperative, or natural gas cooperative. "Gross revenue" shall not include any charges added to customers' bills pursuant to the provisions of Section 9-221, 9-221.1 and 9-222 of this Act or consideration received from business enterprises certified under Section 9-222.1 of this Act to the
extent of such exemption and during the period in which the exemption is in effect.
(Source: P.A. 85-1021.)

(220 ILCS 5/19-105)
Sec. 19-105. Definitions. For the purposes of this Article, the following terms shall be defined as set forth in this Section.

"Alternative gas supplier" means every person, cooperative, corporation, municipal corporation, company, association, joint stock company or association, firm, partnership, individual, or other entity, their lessees, trustees, or receivers appointed by any court whatsoever, that offers gas for sale, lease, or in exchange for other value received to one or more customers, or that engages in the furnishing of gas to one or more customers, and shall include affiliated interests of a gas utility, resellers, aggregators and marketers, but shall not include (i) gas utilities (or any agent of the gas utility to the extent the gas utility provides tariffed services to customers through an agent); (ii) public utilities that are owned and operated by any political subdivision, public institution of higher education or municipal corporation of this State, or public utilities that are owned by a political subdivision, public institution of higher education, or municipal corporation and operated by any of its lessees or operating agents; (iii) residential natural gas cooperatives that are not-for-profit corporations established for the purpose of administering and operating, on a cooperative basis, the furnishing of natural gas to residences for the benefit of their members who are residential consumers of natural gas; and (iv) the ownership or operation of a facility that sells compressed natural gas at retail to the public for use only as a motor vehicle fuel.

"Gas utility" means a public utility, as defined in Section 3-105 of this Act, that has a franchise, license, permit, or right to furnish or sell gas or transportation services to customers within a service area.

"Residential customer" means a customer who receives gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate or gas utility service for household

New matter indicated by italics - deletions by strikeout
purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit.

"Service area" means (i) the geographic area within which a gas utility was lawfully entitled to provide gas to customers as of the effective date of this amendatory Act of the 92nd General Assembly and includes (ii) the location of any customer to which the gas utility was lawfully providing gas utility services on such effective date.

"Small commercial customer" means a nonresidential retail customer of a natural gas utility who is identified by the alternative gas supplier, prior to becoming a customer of the alternative gas supplier, as consuming 5,000 or fewer therms of natural gas during the previous year; provided that any alternative gas supplier may remove the customer from designation as a "small commercial customer" if the customer consumes more than 5,000 therms of natural gas in any calendar year after becoming a customer of the alternative gas supplier.

"Tariffed service" means a service provided to customers by a gas utility as defined by its rates on file with the Commission pursuant to the provisions of Article IX of this Act.

"Transportation services" means those services provided by the gas utility that are necessary in order for the storage, transmission and distribution systems to function so that customers located in the gas utility's service area can receive gas from suppliers other than the gas utility and shall include, without limitation, standard metering and billing services.

(Source: P.A. 92-529, eff. 2-8-02; 92-852, eff. 8-26-02.)

Section 15. The General Not For Profit Corporation Act of 1986 is amended by changing Section 103.05 as follows:

(805 ILCS 105/103.05) (from Ch. 32, par. 103.05)

Sec. 103.05. Purposes and authority of corporations; particular purposes; exemptions.

(a) Not-for-profit corporations may be organized under this Act for any one or more of the following or similar purposes:

(1) Charitable.
(2) Benevolent.

New matter indicated by italics - deletions by strikeout
(3) Eleemosynary.
(4) Educational.
(5) Civic.
(6) Patriotic.
(7) Political.
(8) Religious.
(9) Social.
(10) Literary.
(11) Athletic.
(12) Scientific.
(13) Research.
(14) Agricultural.
(15) Horticultural.
(16) Soil improvement.
(17) Crop improvement.
(18) Livestock or poultry improvement.
(19) Professional, commercial, industrial, or trade association.
(20) Promoting the development, establishment, or expansion of industries.
(21) Electrification on a cooperative basis.
(22) Telephone service on a mutual or cooperative basis.
(23) Ownership and operation of water supply facilities for drinking and general domestic use on a mutual or cooperative basis.
(24) Ownership or administration of residential property on a cooperative basis.
(25) Administration and operation of property owned on a condominium basis or by a homeowner association.
(26) Administration and operation of an organization on a cooperative basis producing or furnishing goods, services, or facilities primarily for the benefit of its members who are consumers of those goods, services, or facilities.

New matter indicated by italics - deletions by strikeout
(27) Operation of a community mental health board or center organized pursuant to the Community Mental Health Act for the purpose of providing direct patient services.

(28) Provision of debt management services as authorized by the Debt Management Service Act.

(29) Promotion, operation, and administration of a ridesharing arrangement as defined in Section 1-176.1 of the Illinois Vehicle Code.

(30) The administration and operation of an organization for the purpose of assisting low-income consumers in the acquisition of utility and telephone services.

(31) Any purpose permitted to be exempt from taxation under Sections 501(c) or 501(d) of the United States Internal Revenue Code, as now in or hereafter amended.

(32) Any purpose that would qualify for tax-deductible gifts under the Section 170(c) of the United States Internal Revenue Code, as now or hereafter amended. Any such purpose is deemed to be charitable under subsection (a)(1) of this Section.

(33) Furnishing of natural gas on a cooperative basis.

(b) A corporation may be organized hereunder to serve in an area that adjoins or borders (except for any intervening natural watercourse) an area located in an adjoining state intended to be similarly served, and the corporation may join any corporation created by the adjoining state having an identical purpose and organized as a not-for-profit corporation. Whenever any corporation organized under this Act so joins with a foreign corporation having an identical purpose, the corporation shall be permitted to do business in Illinois as one corporation; provided (1) that the name, bylaw provisions, officers, and directors of each corporation are identical, (2) that the foreign corporation complies with the provisions of this Act relating to the admission of foreign corporation, and (3) that the Illinois corporation files a statement with the Secretary of State indicating that it has joined with a foreign corporation setting forth the name thereof and the state of its incorporation.

(Source: P.A. 92-33, eff. 7-1-01.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.
Approved May 4, 2006.
Effective May 4, 2006.

PUBLIC ACT 94-0739
(House Bill No. 0708)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 18b-101 and 18b-105 as follows:
(625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)
Sec. 18b-101. Definitions. Unless the context otherwise clearly requires, as used in this Chapter:
"Agricultural commodities" means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.
"Agricultural operations" means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.
"Air mile" means a nautical mile, which is equivalent to 6,076 feet or 1,852 meters. Accordingly, 100 air miles are equivalent to 115.08 statute miles or 185.2 kilometers.
"Commercial motor vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed

New matter indicated by italics - deletions by strikeout
to transport between 9 and 15 passengers, including the driver, for direct compensation, if the vehicle is being operated beyond a radius of 75 air miles (86.3 statute miles or 138.9 kilometers) from the driver's normal work reporting location; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 nor implements of husbandry as defined in Section 1-130;

"Direct compensation" means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services;

"Farm supplies for agricultural purposes" means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year;

"Livestock" means cattle, sheep, goats, swine, poultry (including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring;

"Officer" means Illinois State Police Officer;

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns.

(625 ILCS 5/18b-105) (from Ch. 95 1/2, par. 18b-105)
(b) The following parts of Title 49 of the Code of Federal Regulations, as now in effect, are hereby adopted by reference as though they were set out in full:

Part 40 - Procedures For Transportation Workplace Drug and Alcohol Testing Programs;
Part 380 - Special Training Requirements;
Part 382 - Controlled Substances and Alcohol Use and Testing;
Part 383 - Commercial Driver's License Standards, Requirements, and Penalties;
Part 385 - Safety Fitness Procedures;
Part 386 Appendix B - Penalty Schedule; Violations and Maximum Monetary Penalties;
Part 390 - Federal Motor Carrier Safety Regulations: General;
Part 391 - Qualifications of Drivers;
Part 392 - Driving of Motor Vehicles;
Part 393 - Parts and Accessories Necessary for Safe Operation;
Part 395 - Hours of Service of Drivers, except as provided in Section 18b-106.1;
Part 396 - Inspection, Repair and Maintenance; and
Part 397 - Transportation of hazardous materials; Driving and Parking Rules.

(b-5) Individuals who meet the requirements set forth in the definition of "medical examiner" in Section 390.5 of Part 390 of Title 49 of the Code of Federal Regulations may act as medical examiners in accordance with Part 391 of Title 49 of the Code of Federal Regulations.

(c) The following parts and Sections of the Federal Motor Carrier Safety Regulations shall not apply to those intrastate carriers, drivers or vehicles subject to subsection (b).

(1) Section 393.93 of Part 393 for those vehicles manufactured before June 30, 1972.

(2) Section 393.86 of Part 393 for those vehicles registered as farm trucks under subsection (c) of Section 3-815 of this Code.

New matter indicated by italics - deletions by strikeout
(3) (Blank).

(4) (Blank).

(5) Paragraph (b)(1) of Section 391.11 of Part 391.

(6) All of Part 395 for all agricultural operations movements as defined in Section 18b-101 of this Chapter at any time of the year, between the period of February 1 through November 30 each year, and all farm to market agricultural transportation as defined in Chapter 1 and for grain hauling operations within a radius of 200 air miles of the normal work reporting location.

(7) Paragraphs (b)(3) (insulin dependent diabetic) and (b)(10) (minimum visual acuity) of Section 391.41 of Part 391, but only for any driver who immediately prior to July 29, 1986 was eligible and licensed to operate a motor vehicle subject to this Section and was engaged in operating such vehicles, and who was disqualified on July 29, 1986 by the adoption of Part 391 by reason of the application of paragraphs (b)(3) and (b)(10) of Section 391.41 with respect to a physical condition existing at that time unless such driver has a record of accidents which would indicate a lack of ability to operate a motor vehicle in a safe manner.

(d) Intrastate carriers subject to the recording provisions of Section 395.8 of Part 395 of the Federal Motor Carrier Safety Regulations shall be exempt as established under paragraph (1) of Section 395.8; provided, however, for the purpose of this Code, drivers shall operate within a 150 air-mile radius of the normal work reporting location to qualify for exempt status.

(e) Regulations adopted by the Department subsequent to those adopted under subsection (b) hereof shall be identical in substance to the Federal Motor Carrier Safety Regulations of the United States Department of Transportation and adopted in accordance with the procedures for rulemaking in Section 5-35 of the Illinois Administrative Procedure Act. (Source: P.A. eff. 1-1-02; eff. 1-1-02; 94-519, eff. 8-10-05.)

(625 ILCS 5/1-101.6 rep.)

New matter indicated by italics - deletions by strikeout
Section 10. The Illinois Vehicle Code is amended by repealing Section 1-101.6.

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

Approved May 5, 2006.
Effective May 5, 2006.

PUBLIC ACT 94-0740
(House Bill No. 4717)

AN ACT concerning driving offenses.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 1-2-1.2 as follows:

(65 ILCS 5/1-2-1.2)
Sec. 1-2-1.2. Felony DUI prosecutions prohibited.
(a) A unit of local government, including a home rule unit, may not enforce any ordinance that prohibits driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof if, based on the alleged facts of the case or the defendant's driving history or record, the offense charged would constitute a felony under Section 11-501 of the Illinois Vehicle Code, unless the State's Attorney rejects or denies felony charges for the conduct that comprises the charge.
(b) A municipal attorney must (i) review the driving record of any defendant accused of violating any ordinance that prohibits driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and (ii) if the offense charged would constitute a felony under Section 11-501 of the Illinois Vehicle Code, notify the State's Attorney of the county of the felony charges.

New matter indicated by italics - deletions by strikeout
(c) This Section is a denial and limitation of home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.
(Source: P.A. 94-111, eff. 1-1-06.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 11-208.5 and 16-102 as follows:

(625 ILCS 5/11-208.5)
Sec. 11-208.5. Prosecution of felony DUI by local authorities prohibited.

(a) The powers of a local authority to enact or enforce any ordinance or rule with respect to the streets or highways under its jurisdiction relating to driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof is limited to the enactment and enforcement of ordinances or rules the violation of which would constitute a misdemeanor under Section 11-501 of the Illinois Vehicle Code.

(b) A local authority may not enact or enforce any ordinance or rule with respect to streets and highways under its jurisdiction if a violation of that ordinance or rule would constitute a felony under Section 11-501 of the Illinois Vehicle Code. The municipality may, however, charge an offender with a municipal misdemeanor offense if the State's Attorney rejects or denies felony charges for the conduct that comprises the charge.

(c) A municipal attorney who is aware that, based on a driver's history, the driver is subject to prosecution for a felony under Section 11-501 of the Illinois Vehicle Code, must notify the State Attorney of that county of the driver's conduct and may not prosecute the driver on behalf of the municipality.
(Source: P.A. 94-111, eff. 1-1-06.)

(625 ILCS 5/16-102) (from Ch. 95 1/2, par. 16-102)
Sec. 16-102. Arrests - Investigations - Prosecutions.

(a) The State Police shall patrol the public highways and make arrests for violation of the provisions of this Act.

(b) The Secretary of State, through the investigators provided for in this Act shall investigate and report violations of the provisions of this Act.
in relation to the equipment and operation of vehicles as provided for in Section 2-115 and for such purposes these investigators have and may exercise throughout the State all of the powers of police officers.

(c) The State's Attorney of the county in which the violation occurs shall prosecute all violations except when the violation occurs within the corporate limits of a municipality, the municipal attorney may prosecute if written permission to do so is obtained from the State's Attorney.

(d) The State's Attorney of the county in which the violation occurs may not grant to the municipal attorney permission to prosecute if the offense charged is a felony under Section 11-501 of this Code. *The municipality may, however, charge an offender with a municipal misdemeanor offense if the State's Attorney rejects or denies felony charges for the conduct that comprises the charge.*

(Source: P.A. 94-111, eff. 1-1-06.)

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

Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0741
(House Bill No. 5284)

AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Carbon Monoxide Alarm Detector Act.

Section 5. Definitions. In this Act:
"Approved carbon monoxide alarm" or "alarm" means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association.

New matter indicated by italics - deletions by strikeout
"Dwelling unit" means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence and each living unit in a mixed use building.

Section 10. Carbon monoxide detector.

(a) Every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. The carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

(b) Every structure that contains more than one dwelling unit shall contain at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes.

(c) It is the responsibility of the owner of a structure to supply and install all required alarms. It is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one tenant per dwelling unit with written information regarding alarm testing and maintenance.

The tenant is responsible for replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

New matter indicated by italics - deletions by strikeout
(d) The carbon monoxide alarms required under this Act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.

Section 15. Violation.

(a) Willful failure to install or maintain in operating condition any carbon monoxide alarm required by this Act is a Class B misdemeanor.

(b) Tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the alarm, is a Class A misdemeanor in the case of a first conviction and a Class 4 felony in the case of a second or subsequent conviction.

Section 20. Exemptions. The following residential units shall not require carbon monoxide detectors:

(1) A residential unit in a building that: (i) does not rely on combustion of fossil fuel for heat, ventilation, or hot water; (ii) is not connected in any way to a garage; and (iii) is not sufficiently close to any ventilated source of carbon monoxide, as determined by the local building commissioner, to receive carbon monoxide from that source.

(2) A residential unit that is not sufficiently close to any source of carbon monoxide so as to be at risk of receiving carbon monoxide from that source, as determined by the local building commissioner.

Approved May 8, 2006.

PUBLIC ACT 94-0742
(Senate Bill No. 0385)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Coin-Operated Amusement Device and Redemption Machine Tax Act is amended by changing Section 3 as follows:

(35 ILCS 510/3) (from Ch. 120, par. 481b.3)

Sec. 3. Transfer of decals; affixing decals.

(1) All privilege tax decals herein provided for shall be transferable from one device to another device. Any such transfer from one device to another shall be reported to the Department of Revenue on forms prescribed by such Department. All privilege tax decals issued hereunder shall expire on July 31 following issuance.

(2) All privilege tax decals must be securely affixed to the device. A decal that is attached to a device behind a transparent plate or covering that is screwed, bolted, or otherwise securely fastened to the device is deemed to be securely affixed for the purposes of this Section (Blank).

(Source: P.A. 93-32, eff. 7-1-03.)

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

Passed in the General Assembly April 6, 2006.
Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0743
(Senate Bill No. 2156)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by changing Section 12-2.6 as follows:

(720 ILCS 5/12-2.6)
Sec. 12-2.6. Use of a dangerous place for the commission of a controlled substance or cannabis offense.

(a) A person commits the offense of use of a dangerous place for the commission of a controlled substance or cannabis offense when that person knowingly exercises control over any place with the intent to use

New matter indicated by italics - deletions by strikeout
that place to manufacture, produce, deliver, or possess with intent to deliver a controlled or counterfeit substance or controlled substance analog in violation of Section 401 of the Illinois Controlled Substances Act or to manufacture, produce, deliver, or possess with intent to deliver cannabis in violation of Section 5, 5.1, 5.2, 7, or 8 of the Cannabis Control Act and:

(1) the place, by virtue of the presence of the substance or substances used or intended to be used to manufacture a controlled or counterfeit substance, controlled substance analog, or cannabis, presents a substantial risk of injury to any person from fire, explosion, or exposure to toxic or noxious chemicals or gas; or

(2) the place used or intended to be used to manufacture, produce, deliver, or possess with intent to deliver a controlled or counterfeit substance, controlled substance analog, or cannabis has located within it or surrounding it devices, weapons, chemicals, or explosives designed, hidden, or arranged in a manner that would cause a person to be exposed to a substantial risk of great bodily harm.

(b) It may be inferred that a place was intended to be used to manufacture a controlled or counterfeit substance or controlled substance analog if a substance containing a controlled or counterfeit substance or controlled substance analog or a substance containing a chemical important to the manufacture of a controlled or counterfeit substance or controlled substance analog is found at the place of the alleged illegal controlled substance manufacturing in close proximity to equipment or a chemical used for facilitating the manufacture of the controlled or counterfeit substance or controlled substance analog that is alleged to have been intended to be manufactured.

(c) As used in this Section, "place" means a premises, conveyance, or location that offers seclusion, shelter, means, or facilitation for manufacturing, producing, possessing, or possessing with intent to deliver a controlled or counterfeit substance, controlled substance analog, or cannabis.

(d) Use of a dangerous place for the commission of a controlled substance or cannabis offense is a Class 1 felony.
PUBLIC ACT 94-0743  
(Source: P.A. 93-516, eff. 1-1-04; revised 1-25-05.)  
Section 99. Effective date. This Act takes effect upon becoming law.  
Approved May 8, 2006.  
Effective May 8, 2006.

PUBLIC ACT 94-0744  
(Senate Bill No. 2320)  
AN ACT concerning criminal law.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:  
Section 5. The Unified Code of Corrections is amended by changing Sections 3-6-3 and 3-6-8 as follows:  
(730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)  
Sec. 3-6-3. Rules and Regulations for Early Release.  
(a) (1) The Department of Corrections shall prescribe rules and regulations for the early release on account of good conduct of persons committed to the Department which shall be subject to review by the Prisoner Review Board.  
(2) The rules and regulations on early release shall provide, with respect to offenses listed in clause (i), (ii), or (iii) of this paragraph (2) committed on or after June 19, 1998 or with respect to the offense listed in clause (iv) of this paragraph (2) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or with respect to the offense of being an armed habitual criminal committed on or after August 2, 2005 (the effective date of Public Act 94-398) the following:  
(i) that a prisoner who is serving a term of imprisonment for first degree murder or for the offense of terrorism shall receive no good conduct credit and shall serve the entire sentence imposed by the court;  

New matter indicated by italics - deletions by strikeout
(ii) that a prisoner serving a sentence for attempt to commit first degree murder, solicitation of murder, solicitation of murder for hire, intentional homicide of an unborn child, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated kidnapping, aggravated battery with a firearm, heinous battery, being an armed habitual criminal, aggravated battery of a senior citizen, or aggravated battery of a child shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment;

(iii) that a prisoner serving a sentence for home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, when the court has made and entered a finding, pursuant to subsection (c-1) of Section 5-4-1 of this Code, that the conduct leading to conviction for the enumerated offense resulted in great bodily harm to a victim, shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment; and

(iv) that a prisoner serving a sentence for aggravated discharge of a firearm, whether or not the conduct leading to conviction for the offense resulted in great bodily harm to the victim, shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(2.1) For all offenses, other than those enumerated in subdivision (a)(2)(i), (ii), or (iii) committed on or after June 19, 1998 or subdivision (a)(2)(iv) committed on or after June 23, 2005 (the effective date of Public Act 94-71) this amendatory Act of the 94th General Assembly, and other than the offense of reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 committed on or after January 1, 1999, or
aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, the rules and regulations shall provide that a prisoner who is serving a term of imprisonment shall receive one day of good conduct credit for each day of his or her sentence of imprisonment or recommitment under Section 3-3-9. Each day of good conduct credit shall reduce by one day the prisoner's period of imprisonment or recommitment under Section 3-3-9.

(2.2) A prisoner serving a term of natural life imprisonment or a prisoner who has been sentenced to death shall receive no good conduct credit.

(2.3) The rules and regulations on early release shall provide that a prisoner who is serving a sentence for reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 committed on or after January 1, 1999, or aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(2.4) The rules and regulations on early release shall provide with respect to the offenses of aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm or aggravated discharge of a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm, committed on or after July 15, 1999 (the effective date of Public Act 91-121), that a prisoner serving a sentence for any of these offenses shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.
The rules and regulations on early release shall provide that a prisoner who is serving a sentence for aggravated arson committed on or after July 27, 2001 (the effective date of Public Act 92-176) shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

The rules and regulations shall also provide that the Director may award up to 180 days additional good conduct credit for meritorious service in specific instances as the Director deems proper; except that no more than 90 days of good conduct credit for meritorious service shall be awarded to any prisoner who is serving a sentence for conviction of first degree murder, reckless homicide while under the influence of alcohol or any other drug, or aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, aggravated kidnapping, kidnapping, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, deviate sexual assault, aggravated criminal sexual abuse, aggravated indecent liberties with a child, indecent liberties with a child, child pornography, heinous battery, aggravated battery of a spouse, aggravated battery of a spouse with a firearm, stalking, aggravated stalking, aggravated battery of a child, endangering the life or health of a child, cruelty to a child, or narcotic racketeering. Notwithstanding the foregoing, good conduct credit for meritorious service shall not be awarded on a sentence of imprisonment imposed for conviction of: (i) one of the offenses enumerated in subdivision (a)(2)(i), (ii), or (iii) when the offense is committed on or after June 19, 1998 or subdivision (a)(2)(iv) when the offense is committed on or after June 23, 2005 (the effective date of Public Act 94-71) this amendatory Act of the 94th General Assembly, (ii) reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 when
the offense is committed on or after January 1, 1999, or aggravated
driving under the influence of alcohol, other drug or drugs, or
intoxicating compound or compounds, or any combination thereof
as defined in subparagraph (F) of paragraph (1) of subsection (d) of
Section 11-501 of the Illinois Vehicle Code, (iii) one of the
offenses enumerated in subdivision (a)(2.4) when the offense is
committed on or after July 15, 1999 (the effective date of Public
Act 91-121), or (iv) aggravated arson when the offense is
committed on or after July 27, 2001 (the effective date of Public
Act 92-176).

(4) The rules and regulations shall also provide that the
good conduct credit accumulated and retained under paragraph
(2.1) of subsection (a) of this Section by any inmate during specific
periods of time in which such inmate is engaged full-time in
substance abuse programs, correctional industry assignments, or
educational programs provided by the Department under this
paragraph (4) and satisfactorily completes the assigned program as
determined by the standards of the Department, shall be multiplied
by a factor of 1.25 for program participation before August 11,
1993 and 1.50 for program participation on or after that date.
However, no inmate shall be eligible for the additional good
conduct credit under this paragraph (4) or (4.1) of this subsection
(a) while assigned to a boot camp, or electronic detention, or if
convicted of an offense enumerated in subdivision (a)(2)(i), (ii), or
(iii) of this Section that is committed on or after June 19, 1998 or
subdivision (a)(2)(iv) of this Section that is committed on or after
June 23, 2005 (the effective date of Public Act 94-71) this
amendatory Act of the 94th General Assembly, or if convicted of
reckless homicide as defined in subsection (e) of Section 9-3 of the
Criminal Code of 1961 if the offense is committed on or after
January 1, 1999, or aggravated driving under the influence of
alcohol, other drug or drugs, or intoxicating compound or
compounds, or any combination thereof as defined in subparagraph
(F) of paragraph (1) of subsection (d) of Section 11-501 of the
Illinois Vehicle Code, or if convicted of an offense enumerated in paragraph (a)(2.4) of this Section that is committed on or after July 15, 1999 (the effective date of Public Act 91-121), or first degree murder, a Class X felony, criminal sexual assault, felony criminal sexual abuse, aggravated criminal sexual abuse, aggravated battery with a firearm, or any predecessor or successor offenses with the same or substantially the same elements, or any inchoate offenses relating to the foregoing offenses. No inmate shall be eligible for the additional good conduct credit under this paragraph (4) who (i) has previously received increased good conduct credit under this paragraph (4) and has subsequently been convicted of a felony, or (ii) has previously served more than one prior sentence of imprisonment for a felony in an adult correctional facility.

Educational, vocational, substance abuse and correctional industry programs under which good conduct credit may be increased under this paragraph (4) and paragraph (4.1) of this subsection (a) shall be evaluated by the Department on the basis of documented standards. The Department shall report the results of these evaluations to the Governor and the General Assembly by September 30th of each year. The reports shall include data relating to the recidivism rate among program participants.

Availability of these programs shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. Eligible inmates who are denied immediate admission shall be placed on a waiting list under criteria established by the Department. The inability of any inmate to become engaged in any such programs by reason of insufficient program resources or for any other reason established under the rules and regulations of the Department shall not be deemed a cause of action under which the Department or any employee or agent of the Department shall be liable for damages to the inmate.

(4.1) The rules and regulations shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who passes the high school level Test of General

New matter indicated by italics - deletions by strikeout
Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. The good conduct credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of good conduct under any other paragraph of this Section, but shall also be pursuant to the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The good conduct credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a high school diploma or a GED. If, after an award of the GED good conduct credit has been made and the Department determines that the prisoner was not eligible, then the award shall be revoked.

(4.5) The rules and regulations on early release shall also provide that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or after September 1, 2003 (the effective date of Public Act 93-354), the prisoner shall receive no good conduct credit awarded under clause (3) of this subsection (a) unless he or she participates in and completes a substance abuse treatment program. The Director may waive the requirement to participate in or complete a substance abuse treatment program and award the good conduct credit in specific instances if the prisoner is not a good candidate for a substance abuse treatment program for medical, programming, or operational reasons. Availability of substance abuse treatment shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. If treatment is not available and the requirement to participate and complete the treatment has not been waived by the Director, the prisoner shall be placed on a waiting list under criteria established by the Department. The Director may allow a prisoner placed on a waiting list to participate in and complete a substance abuse education class or attend substance abuse self-help meetings in lieu of a substance abuse treatment program. A prisoner on a waiting list who is not placed in a substance abuse program prior to

New matter indicated by italics - deletions by strikeout
release may be eligible for a waiver and receive good conduct credit under clause (3) of this subsection (a) at the discretion of the Director.

(5) Whenever the Department is to release any inmate earlier than it otherwise would because of a grant of good conduct credit for meritorious service given at any time during the term, the Department shall give reasonable advance notice of the impending release to the State's Attorney of the county where the prosecution of the inmate took place.

(b) Whenever a person is or has been committed under several convictions, with separate sentences, the sentences shall be construed under Section 5-8-4 in granting and forfeiting of good time.

(c) The Department shall prescribe rules and regulations for revoking good conduct credit, or suspending or reducing the rate of accumulation of good conduct credit for specific rule violations, during imprisonment. These rules and regulations shall provide that no inmate may be penalized more than one year of good conduct credit for any one infraction.

When the Department seeks to revoke, suspend or reduce the rate of accumulation of any good conduct credits for an alleged infraction of its rules, it shall bring charges therefor against the prisoner sought to be so deprived of good conduct credits before the Prisoner Review Board as provided in subparagraph (a)(4) of Section 3-3-2 of this Code, if the amount of credit at issue exceeds 30 days or when during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In those cases, the Department of Corrections may revoke up to 30 days of good conduct credit. The Board may subsequently approve the revocation of additional good conduct credit, if the Department seeks to revoke good conduct credit in excess of 30 days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of good conduct credit within any calendar year for any prisoner or to increase any penalty beyond the length requested by the Department.

New matter indicated by italics - deletions by strikeout
The Director of the Department of Corrections, in appropriate cases, may restore up to 30 days good conduct credits which have been revoked, suspended or reduced. Any restoration of good conduct credits in excess of 30 days shall be subject to review by the Prisoner Review Board. However, the Board may not restore good conduct credit in excess of the amount requested by the Director.

Nothing contained in this Section shall prohibit the Prisoner Review Board from ordering, pursuant to Section 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the sentence imposed by the court that was not served due to the accumulation of good conduct credit.

(d) If a lawsuit is filed by a prisoner in an Illinois or federal court against the State, the Department of Corrections, or the Prisoner Review Board, or against any of their officers or employees, and the court makes a specific finding that a pleading, motion, or other paper filed by the prisoner is frivolous, the Department of Corrections shall conduct a hearing to revoke up to 180 days of good conduct credit by bringing charges against the prisoner sought to be deprived of the good conduct credits before the Prisoner Review Board as provided in subparagraph (a)(8) of Section 3-3-2 of this Code. If the prisoner has not accumulated 180 days of good conduct credit at the time of the finding, then the Prisoner Review Board may revoke all good conduct credit accumulated by the prisoner.

For purposes of this subsection (d):

(1) "Frivolous" means that a pleading, motion, or other filing which purports to be a legal document filed by a prisoner in his or her lawsuit meets any or all of the following criteria:

(A) it lacks an arguable basis either in law or in fact;
(B) it is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
(C) the claims, defenses, and other legal contentions therein are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

New matter indicated by italics - deletions by strikeout
(D) the allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; or

(E) the denials of factual contentions are not warranted on the evidence, or if specifically so identified, are not reasonably based on a lack of information or belief.

(2) "Lawsuit" means a petition for post-conviction relief under Article 122 of the Code of Criminal Procedure of 1963, a motion pursuant to Section 116-3 of the Code of Criminal Procedure of 1963, a habeas corpus action under Article X of the Code of Civil Procedure or under federal law (28 U.S.C. 2254), a petition for claim under the Court of Claims Act or an action under the federal Civil Rights Act (42 U.S.C. 1983).

(e) Nothing in Public Act 90-592 or 90-593 affects the validity of Public Act 89-404.

(Source: P.A. 93-213, eff. 7-18-03; 93-354, eff. 9-1-03; 94-71, eff. 6-23-05; 94-128, eff. 7-7-05; 94-156, eff. 7-8-05; 94-398, eff. 8-2-05; 94-491, eff. 8-8-05; revised 8-19-05.)

(730 ILCS 5/3-6-8)

Sec. 3-6-8. General Educational Development (GED) programs. The Department of Corrections shall develop and establish a program in the Adult Division designed to increase the number of committed persons enrolled in programs for the high school level Test of General Educational Development (GED) and pursuing GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act of the 94th General Assembly. Pursuant to the program, each adult institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in GED programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons in the Adult Division who are on waiting lists for participation in the GED programs.

(Source: P.A. 94-128, eff. 7-7-05.)
Section 99. Effective date. This Act takes effect upon becoming law.

Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0745
(Senate Bill No. 2505)

AN ACT concerning alcoholic liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Liquor Control Act of 1934 is amended by adding Section 6-33 as follows:

(235 ILCS 5/6-33 new)
Sec. 6-33. Alcohol without liquid machines.
(a) No person shall bring into this State for use or sale any alcohol without liquid machine.
(b) For the purposes of this Section, "alcohol without liquid machine" means a device designed or marketed for the purposes of mixing alcohol with oxygen or another gas to produce a mist for inhalation for recreational purposes.

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

Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0746
(Senate Bill No. 2562)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Sexually Violent Persons Commitment Act is amended by changing Section 5 as follows:

(725 ILCS 207/5)

Sec. 5. Definitions. As used in this Act, the term:
(a) "Department" means the Department of Human Services.
(b) "Mental disorder" means a congenital or acquired condition affecting the emotional or volitional capacity that predisposes a person to engage in acts of sexual violence.
(c) "Secretary" means the Secretary of Human Services.
(d) "Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification.
(e) "Sexually violent offense" means any of the following:
   (1) Any crime specified in Section 11-6, 12-13, 12-14, 12-14.1, or 12-16 of the Criminal Code of 1961; or
   (1.5) Any former law of this State specified in Section 11-1 (rape), 11-3 (deviate sexual assault), 11-4 (indecent liberties with a child) or 11-4 (aggravated indecent liberties with a child) of the Criminal Code of 1961; or
   (2) First degree murder, if it is determined by the agency with jurisdiction to have been sexually motivated; or
   (3) Any solicitation, conspiracy or attempt to commit a crime under paragraph (e)(1) or (e)(2) of this Section.
(f) "Sexually violent person" means a person who has been convicted of a sexually violent offense, has been adjudicated delinquent for a sexually violent offense, or has been found not guilty of a sexually violent offense by reason of insanity and who is dangerous because he or she suffers from a mental disorder that makes it substantially probable that the person will engage in acts of sexual violence.
(Source: P.A. 90-40, eff. 1-1-98; 90-793, eff. 8-14-98; 91-875, eff. 6-30-00.)

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

Approved May 8, 2006.

New matter indicated by italics - deletions by strikeout
Effective May 8, 2006.

PUBLIC ACT 94-0747
(Senate Bill No. 2587)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 4-2 as follows:

(235 ILCS 5/4-2) (from Ch. 43, par. 111)

Sec. 4-2. The mayor or president of the board of trustees of each city, village or incorporated town or his or her designee, and the president or chairman of the county board or his or her designee, shall be the local liquor control commissioner for their respective cities, villages, incorporated towns and counties, and shall be charged with the administration in their respective jurisdictions of the appropriate provisions of this Act and of such ordinances and resolutions relating to alcoholic liquor as may be enacted; but the authority of the president or chairman of the county board or his or her designee shall extend only to that area in any county which lies outside the corporate limits of the cities, villages and incorporated towns therein and those areas which are owned by the county and are within the corporate limits of the cities, villages and incorporated towns with a population of less than 1,000,000, however, such county shall comply with the operating rules of the municipal ordinances affected when issuing their own licenses.

However, such mayor, president of the board of trustees or president or chairman of the county board or his or her designee may appoint a person or persons to assist him in the exercise of the powers and the performance of the duties herein provided for such local liquor control commissioner.
(Source: P.A. 86-404.)

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

New matter indicated by italics - deletions by strikeout
Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0748
(Senate Bill No. 3011)

AN ACT concerning public safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Boiler and Pressure Vessel Safety Act is amended by changing Sections 2a, 2b, 4, 5, 8, 10, 11, and 15 as follows:

Sec. 2a. Nuclear facilities. Notwithstanding any other provision to the contrary, the *Illinois Emergency Management Agency Department of Nuclear Safety* shall have sole jurisdiction over all boilers and pressure vessels contained within or upon or in connection with any nuclear facility within this State. The *Illinois Emergency Management Agency Department of Nuclear Safety* shall have the same authority and shall have and exercise the same powers and duties in relation to those boilers and pressure vessels under this Act as the Board or the State Fire Marshal have and exercise in relation to all boilers and pressure vessels in this State that are not included in this Section. Notwithstanding any other provision to the contrary, the *Illinois Emergency Management Agency Department of Nuclear Safety* shall establish by rule the types and frequency of inspections of boilers and pressure vessels contained within or upon or in connection with any nuclear facility. The rules may provide that multiple boilers and pressure vessels in a nuclear power system shall be covered by a single inspection certificate. The *Illinois Emergency Management Agency Department of Nuclear Safety* may enter into such agreements with the Board or the State Fire Marshal as are necessary to carry out its duties under this Act. The agreements may provide that the *Illinois Emergency Management Agency Department of Nuclear Safety* shall

New matter indicated by italics - deletions by strikeout
accept and recognize Special Inspector Commissions issued by the State Fire Marshal.
(Source: P.A. 86-901; 87-1169.)

(430 ILCS 75/2b) (from Ch. 111 1/2, par. 3202b)
Sec. 2b. In addition to its other powers, the Illinois Emergency Management Agency Department of Nuclear Safety is authorized to enter into agreements with the United States Nuclear Regulatory Commission for the establishment of a coordinated and comprehensive program to minimize the risks posed by boilers, pressure vessels, and related components contained within or upon or in connection with any nuclear facility within this State. The program may provide for such inspections of nuclear facilities within the State as may be agreed upon and for inspections within and outside the State of Illinois of boilers and pressure vessels to be installed in any nuclear facility within this State.
(Source: P.A. 86-901.)

(430 ILCS 75/4) (from Ch. 111 1/2, par. 3205)
Sec. 4. Existing boilers and pressure vessels.
(a) The maximum allowable pressure consistent with the maximum and minimum operating temperatures of a boiler carrying the ASME Code symbol or of a pressure vessel carrying the ASME or API-ASME Code symbol shall be determined by the applicable section of the Code under which it was constructed and stamped or a later edition of the ASME Code, provided the rating conforms with the rules of the later edition.

(b) The maximum allowable pressure consistent with the maximum and minimum operating temperatures of a boiler or pressure vessel that does not carry the ASME or the API-ASME Code symbol shall be computed in accordance with the rules and regulations of the Board, unless the boiler or pressure vessel is of special design or construction, in which case the Board may grant, at its discretion, a special operating permit consistent with the safety objectives of the rules and regulations of the Board.

(c) This Act does not prohibit the use, sale, or reinstallation of a boiler or pressure vessel referred to in this Section, provided it has been made to conform to the rules and regulations of the Board governing

New matter indicated by italics - deletions by strikeout
existing installations, and provided, further, it has not been found upon
inspection to be in an unsafe condition.
(Source: P.A. 87-1169.)
(430 ILCS 75/5) (from Ch. 111 1/2, par. 3206)
Sec. 5. Exemptions.
(a) This Act shall not apply to the following boilers and pressure
vessels:

(1) Boilers and pressure vessels under federal regulations,
except for boiler and pressure vessels in nuclear facilities subject to
Section 2a, and boilers and pressure vessels located in cities of
more than 500,000 inhabitants.

(2) Pressure vessels used for transportation and storage of
compressed or liquefied gases when constructed in compliance
with specifications of the Department of Transportation and
charged with gas or liquid, marked, maintained, and periodically
requalified for use, as required by appropriate regulations of the
Department of Transportation.

(3) Pressure vessels located on vehicles operating under the
rules of other State authorities and used for carrying passengers or
freight.

(4) Pressure vessels installed on the right of way of
railroads and used directly in the operation of trains.

(5) Boilers and pressure vessels under the inspection
jurisdiction of the Department of Natural Resources and located on
mine property.

(6) Boilers and pressure vessels located on farms and used
solely for agricultural purposes.

(7) Steam boilers of a miniature model locomotive, boat,
tractor, or stationary engine constructed and maintained as a hobby
and not for commercial use, that have an inside diameter not
exceeding 12 inches and a grate area not exceeding 1 1/2 square
feet, provided they are constantly attended while in operation and
are equipped with a water level indicator, pressure gauge, and a
safety valve of adequate capacity.

New matter indicated by italics - deletions by strikeout

(9) Pressure vessels containing liquified petroleum gas regulated under the Liquified Petroleum Gas Regulation Act; except those used for industrial processes.

(b) The following boilers and pressure vessels shall be exempt from the requirements of Sections 10, 11, 12, and 13 of this Act:

(1) Steam boilers used for heating purposes and operated at a pressure not in excess of 15 pounds per square inch gauge (psig) and having a rating not in excess of 200,000 B.T.U. per hour input.

(2) Hot water heating boilers operated at a pressure not in excess of 30 psig and having a rating not in excess of 200,000 B.T.U. per hour.

(3) Boilers and pressure vessels, located in private residences or in multi-family buildings having fewer than 6 dwelling units.

(4) Hot water supply boilers that are directly fired with oil, gas, or electricity when none of the following limitations are exceeded:

   (A) Heat input of 200,000 BTU per hour.
   (B) Water temperature of 200 degrees Fahrenheit.
   (C) Nominal water containing capacity of 120 U.S. gallons.

(5) Coil type hot water boilers where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle provided the following conditions are met:

   (A) There is no drum, headers, or other steam space.
   (B) No steam is generated within the coil.
   (C) Outside diameter of tubing does not exceed 1 inch.
   (D) Pipe size does not exceed 3/4 inch NPS.

New matter indicated by italics - deletions by strikeout
(E) Water capacity of unit does not exceed 6 U.S. gallons.

(F) Water temperature does not exceed 350 degrees Fahrenheit.

that are within any of the following categories:

(A) Steam heating boilers operated at not more than 15 psig.

(B) Hot water heating boilers operated at not more than 30 psig.

(C) Hot water boilers operated at not more than 160 psig or 250 degrees Fahrenheit.

(6) (D) Pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only a cushion or airlift pumping function.

(7) Pressure vessels operated at a pressure not exceeding 15 psig with no limitation on size.

(8) Pressure vessels that do not exceed:

(A) Both a volume of 15 cubic feet and 250 psig when not located in a place of public assembly.

(B) Both a volume of 5 cubic and 250 psig when located in a place of public assembly.

(C) A volume of 1 1/2 cubic feet or an inside diameter of 6 inches with no limitation on pressure.

(9) Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particles from water by means other than application of heat including, without limitation, water softeners, water filters, dealkalizers, and demineralizers.

(10) Steam boilers of railroad locomotives and traction engines built prior to 1955 that were constructed or operated in compliance with the Federal Locomotive Inspection Law and are in the permanent collection of a museum or historical association are exempt from the requirements of subsection (c) of Section 10
upon proof of such construction or inspection being furnished to the Board.

(c) (Blank). Steam boilers of railroad locomotives and traction engines built prior to 1955 that were constructed or operated in compliance with the Federal Locomotive Inspection Law and are in the permanent collection of a museum or historical association are exempt from the requirements of subsection (c) of Section 10 upon proof of such construction or inspection being furnished to the Board.

(Source: P.A. 88-608, eff. 1-1-95; 88-616, eff. 9-9-94; 89-235, eff. 8-4-95; 89-445, eff. 2-7-96.)

(430 ILCS 75/8) (from Ch. 111 1/2, par. 3209)
Sec. 8. Special Inspectors.

(a) The Office of the State Fire Marshal shall, upon the request of any company authorized to write boiler and pressure vessel insurance in this State or authorized under Section 15 of this Act to self-insure boilers and pressure vessels, issue to inspectors of the company commissions as Special Inspectors, provided that each inspector before receiving his commission shall meet the experience requirements of the Board and shall:

(1) satisfactorily pass the examination provided for in Section 9 of this Act; or
(2) in lieu of that examination, hold a Certificate of Competency as an inspector of boilers or pressure vessels for a jurisdiction that has a standard of examination substantially equal to that of the State of Illinois; or
(3) hold a Commission as an inspector of boilers and pressure vessels from the National Board of Boiler and Pressure Vessel Inspectors.

(b) Special Inspectors shall receive no salary from, nor shall any of their expenses be paid by, the State. The continuance of a Special Inspector’s Commission shall be conditioned upon his continuing in the employ of the duly authorized insurance company or owner-user self-insurer and upon maintenance of the standards imposed by this Act.
(c) Special Inspectors shall inspect boilers and pressure vessels insured or operated self-insured by their respective companies. The Board may impose limitations on owner-user inspectors who have received their commissions based on the American Petroleum Institute API-510 Inspectors Examination. When so inspected, the owners and users of insured or self-insured boilers and pressure vessels shall be exempt from the payment to the State of the inspection fees provided for in Section 13 of this Act.

(d) Within 10 business days following each boiler or pressure vessel certificate inspection, except the inspection of pressure vessels covered by subsection (c) of Section 11 of this Act, made by a Special Inspector, the company employing the inspector shall file a report of the inspection with the Chief Inspector either electronically or upon the appropriate forms. Reports of non-certificate external inspections need not be submitted except when those inspections disclose that the boiler or pressure vessel is in an unsafe condition or in violation of the rules and regulations of the Board.

(e) The State Fire Marshal, the Chief Inspector, or any Deputy or Special Inspector, shall have free access to any premises in the State to perform inspections and investigations in accordance with the provisions of this Act.

(Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

(430 ILCS 75/10) (from Ch. 111 1/2, par. 3211)
Sec. 10. Inspection of boilers and pressure vessels.

(a) Each boiler or pressure vessel used or proposed to be used within this State, except boilers or pressure vessels exempt under this Act or rules and regulations of the Board, shall be thoroughly inspected as to its construction, installation, condition, and operation as follows:

(1) Power boilers shall be inspected annually both internally and externally while not under pressure and shall also be inspected annually externally while under pressure if possible; provided that any power boiler or steam generator, the operation of which is an integral part of or a necessary adjunct to other continuous processing operations, shall be inspected internally at
such intervals as are permitted by the shutting down of the processing operations. The Board may provide by rules and regulations for extension of time within which power boilers are required to be inspected based upon type, function, or manner of operation.

(2) Low pressure steam, and hot water heating, boilers and hot water supply boilers shall be inspected biennially as required by the rules and regulations of the Board.

(3) Traction steam engine boilers and other boilers constructed before the effective date of this amendatory Act of 1992 and operated solely for exhibition purposes may be issued an inspection certificate by the Chief or Deputy Inspector, provided the owner can establish and document that the design, materials, fabrication, examination, testing, and operation are in accordance with the rules and regulations of the Board. Traction engine boilers and other boilers used solely for exhibition purposes shall be inspected every 2 years.

(4) Pressure vessels subject to internal corrosion shall receive a certificate inspection every 3 years as required by rules and regulations of the Board. However, the standards of inspection and repair of pressure vessels in service by an owner-user authorized under Section 15 shall, at the option of the owner-user, be either (1) the applicable rules and regulations in the National Board Inspection Code, or (2) the applicable section standards in the American Petroleum Institute API-510, "API Recommended Practice for Inspection, Repair, and Rating of Pressure Vessels in Petroleum Refining Service"; with any revisions, reissues, amendments, and interpretations of those inspection standards that are subsequently approved and adopted by the Board.

(5) Pressure vessels not subject to internal corrosion shall receive certificate inspection at intervals set by the Board, but internal inspection shall not be required of pressure vessels containing materials that are known to be noncorrosive to the
material of which the shell, heads, or fittings are constructed, either from the chemical composition of the materials or from evidence that the materials are adequately treated with a corrosion inhibitor, provided that the vessels are constructed in accordance with the rules and regulations of the Board.

A grace period of 2 months beyond the period specified in this Section may elapse between internal inspections of a boiler while it is not under pressure and between external inspections of a boiler while it is under pressure. The Board may, in its discretion, permit longer periods between certificate inspection.

The inspections herein required shall be made by the Chief Inspector, a Deputy Inspector, or a Special Inspector provided for in this Act.

(b) If at any time a test is deemed necessary for a stated cause by the inspector, the owner or user shall perform a test acceptable to the inspector in the presence of and under the direction of the inspector.

(c) All boilers and pressure vessels, except those otherwise exempted by the Board, shall be inspected during construction, as required by the applicable rules and regulations of the Board, by an inspector authorized to inspect boilers and pressure vessels in this State or, if constructed outside of the State, by an inspector holding a Certificate from the National Board of Boiler and Pressure Vessel Inspectors or a Certificate of Competency as an inspector of boilers and pressure vessels for a jurisdiction that has a standard of examination substantially equal to that of this State as provided in Section 9.

(Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

(430 ILCS 75/11) (from Ch. 111 1/2, par. 3212)

Sec. 11. Inspection Certificates and annual statements.

(a) Each company employing Special Inspectors, except a company operating pressure vessels covered by an owner-user inspection service, that meet the requirements of subsection (a) of Section 8 of this Act shall, within 10 business days following each certificate inspection, file a report of inspection with the Chief Inspector electronically or upon the
appropriate forms as approved by the division. upon appropriate forms provided by the Division.

(b) If the report filed pursuant to subsection (a) of this Section shows that a boiler or pressure vessel is found to comply with the rules and regulations of the Board, the owner or user thereof shall pay directly to the Office of the State Fire Marshal the fee established by the Board, and the Chief Inspector shall issue to the owner or user an Inspection Certificate bearing the date of inspection and specifying the maximum pressure under which the boiler or pressure vessel may be operated. Notwithstanding any other provision of this Section, an Inspection Certificate shall remain valid beyond the expiration date noted on the certificate until the boiler or pressure vessel is reinspected by the authorized inspecting authorities or until the certificate is suspended by the Chief Inspector, provided that the owner or user of the boiler or pressure vessel makes it available for inspection at reasonable times. Certificates shall be posted in the room containing the boiler or pressure vessel inspected. If the boiler or pressure vessel is not located within the building, the certificate shall be posted in a location convenient to the boiler or pressure vessel inspected or in any place where it will be accessible to interested parties.

(c) Each company operating pressure vessels covered by an owner-user inspection program service meeting the requirements of subsection (a) of Section 8 of this Act shall maintain in its files an inspection record, which shall list, by number and such abbreviated description as may be necessary for identification, each pressure vessel covered by this Act, the date of the last inspection of each unit, and the approximate date for the next inspection. The inspection date shall be arrived at by applying the appropriate rules to all data available at the time the inspection record is compiled. The inspection record shall be readily available for examination by the Chief Inspector or his authorized representative during business hours. Each such company shall, in addition, file annually with the Chief Inspector a statement, signed by the person having supervision over the inspections made during the period covered, stating the number of vessels covered by this Act inspected during the year and certifying that each inspection was conducted pursuant to the inspection standards provided

New matter indicated by italics - deletions by strikeout
for by this Act. The annual statement shall be accompanied by the filing fee in accordance with the rates established by the Board.

(d) (Blank). An Inspection Certificate issued for a boiler or pressure vessel based upon a report of a Special Inspector shall be void if the boiler or pressure vessel insurance ceases.

(e) The Chief Inspector or his authorized representative may at any time suspend an Inspection Certificate when, in his opinion, the boiler or pressure vessel for which it was issued cannot be operated without menace to public safety, when the boiler or pressure vessel is found not to comply with the rules and regulations herein provided, or when an owner or operator has failed to pay any required fees or refused to allow inspection. In that event, the Chief Inspector or his representative shall issue a Notice of Suspension, which shall be posted in a conspicuous location on or near the posted Inspection Certificate. Each suspension of an Inspection Certificate shall continue in effect until the boiler or pressure vessel has been made to conform to the rules and regulations of the Board, and until the Inspection Certificate has been reinstated.

(430 ILCS 75/15) (from Ch. 111 1/2, par. 3216)

Sec. 15. Self-insurers. Any owner or user of boilers or pressure vessels subject to Section 10 of this Act who maintains and operates, under the supervision of one or more regularly employed engineers who meet the experience and education requirements of the Board, an inspection or maintenance program service in which one or more inspectors are regularly employed on inspection of boilers or pressure vessels operated by the owner or user shall, upon application to the Board showing that fact and showing that the owner or user has the financial ability to bear any loss and to pay all final judgments or awards obtained against the owner or user by reason of the operation of the boilers or pressure vessels, be authorized to act as a self-insurer of his or its boiler and pressure vessel risk in this State; and when so authorized, the owner-user shall employ special inspectors to supervise inspections performed at the owner-user's facilities. The owner-user and the regularly employed special inspectors shall be entitled to all the rights and privileges and shall

New matter indicated by italics - deletions by strikeout
be subject to all the requirements, duties, and obligations provided in this Act respectively for boiler and pressure vessel insurance companies and special inspectors.

(Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

(430 ILCS 75/14 rep.)

Section 10. The Boiler and Pressure Vessel Safety Act is amended by repealing Section 14.

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

Passed in the General Assembly April 4, 2006.
Approved May 8, 2006.
Effective May 8, 2006.

PUBLIC ACT 94-0749
(House Bill No. 4315)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Solicitation for Charity Act is amended by changing Sections 1, 5, and 6 as follows:

(225 ILCS 460/1) (from Ch. 23, par. 5101)

Sec. 1. The following words and phrases as used in this Act shall have the following meanings unless a different meaning is required by the context.

(a) "Charitable organization" means any benevolent, philanthropic, patriotic, or eleemosynary person or one purporting to be such which solicits and collects funds for charitable purposes and includes each local, county, or area division within this State of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization.

(b) "Contribution" means the promise or grant of any money or property of any kind or value, including the promise to pay, except

New matter indicated by italics - deletions by strikeout
payments by union members of an organization. Reference to the dollar amount of "contributions" in this Act means in the case of promises to pay, or payments for merchandise or rights of any other description, the value of the total amount promised to be paid or paid for such merchandise or rights and not merely that portion of the purchase price to be applied to a charitable purpose. Contribution shall not include the proceeds from the sale of admission tickets by any not-for-profit music or dramatic arts organization which establishes, by such proof as the Attorney General may require, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and which is organized and operated for the presentation of live public performances of musical or theatrical works on a regular basis. For purposes of this subsection, union member dues and donated services shall not be deemed contributions.

(c) "Person" means any . Any individual, organization, group, association, partnership, corporation, trust or any combination of them.

(d) "Professional fund raiser" means any . Any person who for compensation or other consideration, conducts, manages, or carries on any solicitation or fund raising drive or campaign in this State or on behalf of a charitable organization residing within this State for the purpose of soliciting, receiving, or collecting contributions for or on behalf of any charitable organization or any other person, or who engages in the business of, or holds himself out to persons in this State as independently engaged in the business of soliciting, receiving, or collecting contributions for such purposes. A bona fide director, officer, employee or unpaid volunteer of a charitable organization shall not be deemed a professional fund raiser unless the person is in a management position and the majority of the individual's salary or other compensation is computed on a percentage basis of funds to be raised, or actually raised.

(e) "Professional fund raising consultant" means any . Any person who is retained by a charitable organization or trustee for a fixed fee or rate that is not computed on a percentage of funds to be raised, or actually raised, under a written agreement, to only plan, advise, consult, or prepare materials for a solicitation of contributions in this State, but who does not manage, conduct or carry on a fundraising campaign and who does not

New matter indicated by italics - deletions by strikeout
solicit contributions or employ, procure, or engage any compensated person to solicit contributions and who does not at any time have custody or control of contributions. A volunteer, employee or salaried officer of a charitable organization or trustee maintaining a permanent establishment or office in this State is not a professional fundraising consultant. An attorney, investment counselor, or banker who advises an individual, corporation or association to make a charitable contribution is not a professional fundraising consultant as a result of the advice.

(f) "Charitable purpose" means any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose.

(g) "Charitable Trust" means any relationship whereby property is held by a person for a charitable purpose.

(h) "Education Program Service" means any activity which provides information to the public of a nature that is not commonly known or facts which are not universally regarded as obvious or as established by common understanding and which informs the public of what it can or should do about a particular issue.

(i) "Primary Program Service" means the program service upon which an organization spends more than 50% of its program service funds or the program activity which represents the largest expenditure of funds in the fiscal period.

(j) "Professional solicitor" means any natural person who is employed or retained for compensation by a professional fund raiser to solicit, receive, or collect contributions for charitable purposes from persons in this State or from this State or on behalf of a charitable organization residing within this State.

(k) "Program Service Activity" means the actual charitable program activities of a charitable organization for which it expends its resources.

(l) "Program Service Expense" means the expenses of charitable program activity and not management expenses or fund raising expenses. In determining Program Service Expense, management and fund raising expenses may not be included.
(m) "Public Safety Personnel Organization" means any person who uses any of the words "officer", "police", "policeman", "policemen", "troopers", "sheriff", "law enforcement", "fireman", "firemen", "paramedic", or similar words in its name or in conjunction with solicitations, or in the title or name of a magazine, newspaper, periodical, advertisement book, or any other medium of electronic or print publication, and is not a governmental entity. No organization may be a Public Safety Personnel Organization unless 80% or more of its voting members or trustees are active, retired, or disabled police officers, peace officers, firemen, fire fighters, emergency medical technicians - ambulance, emergency medical technicians - intermediate, emergency medical technicians - paramedic, ambulance drivers, or other medical assistance or first aid personnel.

(m-5) "Public Safety Personnel" includes police officers, peace officers, firemen, fire fighters, emergency medical technicians - ambulance, emergency medical technicians - intermediate, emergency medical technicians - paramedic, ambulance drivers, and other medical assistance or first aid personnel.

(n) "Trustee" means any person, individual, group of individuals, association, corporation, not for profit corporation, or other legal entity holding property for or solicited for any charitable purpose; or any officer, director, executive director or other controlling persons of a corporation soliciting or holding property for a charitable purpose.

(Source: P.A. 91-301, eff. 7-29-99.)

(225 ILCS 460/5) (from Ch. 23, par. 5105)

Sec. 5. Any charitable organization, trustee, person, professional fund raiser or professional solicitor, which or who solicits, receives, or collects contributions in this State, but does not maintain an office within the State or cannot be located within the State shall be subject to service of process, as follows:

(a) By service thereof on its registered agent within the State, or if there be no such registered agent, then upon the person who has been designated in the registration statement as having custody of books and records within this State; where service is effected upon the person so

New matter indicated by italics - deletions by strikeout
designated in the registration statement a copy of the process shall, in addition, be mailed to the registrant's last known address;

(b) When any corporate person has solicited, received, or collected contributions in this State, but maintains no office within the State, has no registered agent within the State, and no designated person having custody of its books and records within the State, or when a registered agent or person having custody of its books and records within the State cannot be found as shown by the return of the sheriff of the county in which such registered agent or person having custody of books and records has been represented by the charitable organization or person as maintaining an office, service may be made by delivering to and leaving with the Secretary of State, or with any deputy or clerk in the corporation department of his office, three copies thereof;

(c) Following service upon the Secretary of State the provisions of law relating to service of process on foreign corporations shall thereafter govern;

(d) Long arm service in accordance with law;

(e) The solicitation, receipt, or collection of any contribution within this State by any charitable organization or any person shall be deemed to be their agreement that any process against it or him which is so served in accordance with the provisions of this Section shall be of the same legal force and effect as if served personally within this State and that the courts of this State shall have personal jurisdiction over such organizations, persons and trustees;

(f) Venue over persons required to be registered under this Act shall be proper in any county where the Attorney General accepts and maintains the list of registrations. In furtherance of judicial economy, actions filed for violation of this Act may name multiple trustees, trusts, and organizations in a single or joint action where those joined have each engaged in similar conduct in violation of this Act or where similar relief is sought against those defendants for violation of this Act.

(Source: P.A. 90-469, eff. 8-17-97.)

(225 ILCS 460/6) (from Ch. 23, par. 5106)

Sec. 6. Professional fund raiser registration.

New matter indicated by italics - deletions by strikeout
(a) No person shall act as a professional fund raiser or allow a professional fund raiser entity he owns, manages or controls to act for a charitable organization required to register pursuant to Section 2 of this Act, or for any organization as described in Section 3 of this Act before he has registered himself or the entity with the Attorney General or after the expiration or cancellation of such registration or any renewal thereof. Applications for registration and re-registration shall be in writing, under oath, in the form prescribed by the Attorney General. A registration fee of $100 shall be paid with each registration and upon each re-registration. Registration and re-registration can proceed only if all financial reports have been filed in proper form and all fees have been paid in full. If the applicant intends to or does take control or possession of charitable funds, the applicant shall at the time of making application, file with, and have approved by, the Attorney General a bond in which the applicant shall be the principal obligor, in the sum of $10,000, with one or more corporate sureties licensed to do business in this State whose liability in the aggregate will at least equal such sum. The bond shall run to the Attorney General for the use of the State and to any person who may have a cause of action against the obligor of the bond for any malfeasance or misfeasance in the conduct of such solicitation; provided, that the aggregate limit of liability of the surety to the State and to all such persons shall, in no event, exceed the sum of such bond. Registration or re-registration when effected shall be for a period of one year, or a part thereof, expiring on the 30th day of June, and may be renewed upon written application, under oath, in the form prescribed by the Attorney General and the filing of the bond for additional one year periods. Every professional fund raiser required to register pursuant to this Act shall file an annual written report with the Attorney General containing such information as he may require by rule. Certification shall be required for only information within the professional fund raiser's knowledge.

(b) Upon filing a complete registration statement, a professional fund raiser shall be given a registration number and shall be considered registered. If the materials submitted are determined to be inaccurate or incomplete, the Attorney General shall notify the professional fund raiser
of his findings and the defect and that within 30 days his registration will be cancelled unless the defect is cured within said time.

(c) Every professional fund raiser registered under this Act who takes possession or control of charitable funds directly, indirectly, or through an escrow shall submit a full written accounting to the charitable organization of all funds it or its agents collected on behalf of the charitable organization during the 6 month period ended June 30 of each year, and file a copy of the accounting with the Attorney General. The accounting shall be in writing under oath and be signed and made on forms as prescribed by the Attorney General and shall be filed by the following September 30 of each year; however, within the time prescribed, and for good cause, the Attorney General may grant a 60 day extension of the due date.

(d) Every professional fund raiser registered pursuant to this Act shall also file calendar year written financial reports with the Attorney General containing such information as he may require, on forms prescribed by him, as well as separate financial reports for each separate fund raising campaign conducted. The written report, including all required schedules, shall be filed under oath on or before April 30 of the following calendar year and be signed and verified under penalty of perjury within the time prescribed. An annual report fee of $25 shall be paid to the Attorney General with the filing of that report. If the report is not timely filed, a late filing fee shall result and must be paid prior to re-registration. The late filing fee shall be calculated at $200 for each and every separate fundraising campaign conducted during the report year. For good cause, the Attorney General may grant a 30 day extension of the due date, in which case a late filing fee shall not be imposed until the expiration of the extension period. A copy of the report shall also be given to the charitable organization by the due date of filing. A professional fund raiser shall only be required to verify information actually available to the professional fund raiser, but in any event an annual report must be timely filed.

(d-5) The calendar year written financial report of every professional fund raiser who conducts, manages, or carries on a fund

New matter indicated by italics - deletions by strikeout
raising campaign involving the collection or resale of any automobiles, motorcycles, other motor vehicles, boats, yachts, or other water craft collected in Illinois during the report year, and the distribution of funds from the collection or resale of such motor vehicles and water crafts to the charitable organization, must include a schedule detailing the following information for each motor vehicle and water craft collected or resold:

(1) The vehicle or hull identification number.
(2) The gross resale amount of the vehicle.
(3) The total amount distributed to the charitable organization from the collection or resale of the motor vehicle or water craft.
(4) Any and all fees, compensation, or other consideration paid to or retained by the professional fund raiser from the collection or resale of the motor vehicle or water craft.
(5) The identity of any other professional fund raiser that participated in the collection or resale of the vehicle and any fees, compensation, or other consideration paid to or retained by that other professional fund raiser from the collection or resale of the motor vehicle or water craft.

The calendar year written financial report of every professional fund raiser who conducts, manages, or carries on a fund raising campaign involving the collection or resale of any automobile, motorcycle, other motor vehicle, boat, yacht, or other water craft collected in Illinois during the report year, but who does not distribute funds from such collection or resale to the charitable organization, must include a schedule detailing the following information for each motor vehicle and water craft collected or resold:

(1) The vehicle or hull identification number.
(2) Any and all fees, compensation, or other consideration paid to or retained by the professional fund raiser from the collection or resale of the motor vehicle or water craft.
(3) The identity of the person or entity involved in the fund raising campaign who does distribute funds from the collection or resale of the vehicle to the charitable organization.

New matter indicated by italics - deletions by strikeout
(e) No person convicted of a felony may register as a professional fund raiser, and no person convicted of a misdemeanor involving fiscal wrongdoing, breach of fiduciary duty or a violation of this Act may register as a professional fund raiser for a period of 5 years from the date of the conviction or the date of termination of the sentence or probation, if any, whichever is later. This subsection shall not apply to charitable organizations that have as their primary purpose the rehabilitation of criminal offenders, the reintegration of criminal offenders into society, the improvement of the criminal justice system or the improvement of conditions within penal institutions.

(f) A professional fund raiser may not cause or allow independent contractors to act on its behalf in soliciting charitable contributions other than registered professional solicitors. A professional fund raiser must maintain the names, addresses and social security numbers of all of its professional solicitors for a period of at least 2 years.

(g) Any person who knowingly violates the provisions of subsections (a), (e), and (f) of this Section is guilty of a Class 4 felony. Any person who fails after being given notice of delinquency to file written financial reports required by subsections (c), and (d), and (d-5) of this Section which is more than 2 months past its due date is guilty of a Class A misdemeanor.

(h) Any person who violates any of the provisions of this Section shall be subject to civil penalties of $5,000 for each violation and shall not be entitled to keep or receive fees, salaries, commissions or any compensation as a result or on account of the solicitations or fund raising campaigns, and at the request of the Attorney General or the charitable organization, a court may order that such be forfeited and paid toward and used for a charitable purpose as the court in its discretion determines is appropriate or placed in the Illinois Charity Bureau Fund.

(Source: P.A. 90-469, eff. 8-17-97; 91-444, eff. 8-6-99.)

Approved May 9, 2006.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0750
(Senate Bill No. 2872)

AN ACT concerning revenue.

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

Section 1. Short title. This Act may be cited as the Local Government Facility Lease Act.

Section 5. Definitions. As used in this Act:

"Facility property" means property owned by a municipality with a population of over 500,000 inhabitants, or a unit of local government whose jurisdiction includes territory located in whole or in part within a municipality with a population of over 500,000 inhabitants, that is used by the municipality or other unit of local government for the purpose of an airport, parking, or waste disposal or processing. "Airport", however, does not include any airport property, as defined under Section 10 of the O'Hare Modernization Act.

"Leased facility property" means facility property that is leased to a private entity for continued use for the same airport, parking, or waste disposal or processing purpose.

Section 10. Compliance with applicable ordinances. Each party to whom facility property is leased shall comply with all applicable ordinances of the municipality in which the property is located governing contracting with minority-owned and women-owned businesses and prohibiting discrimination and requiring appropriate affirmative action, to the extent permitted by law and federal funding restrictions, as if the party to whom the property is leased were that municipality.

Section 15. Limitation on the expansion of airport property. Chicago Midway International Airport is facility property used for airport purposes under this Act. No runway of Chicago Midway International Airport shall be expanded beyond the territory bounded by 55th Street on the north, Cicero Avenue on the east, 63rd Street on the south, and Central Avenue on the west, as those avenues and streets are situated on the effective date of this Act.

New matter indicated by italics - deletions by strikeout
Section 20. Use of lease proceeds by lessor.
(a) With respect to any leased facility property used for airport purposes, at least 90% of the net proceeds of the lease shall be expended or obligated by the lessor municipality for:
   (i) the construction and maintenance of infrastructure within the municipality;
   (ii) contributions to pension funds created for municipal employees; or
   (iii) any combination of (i) or (ii).
(b) The amount of net proceeds expended or obligated for item (ii) in subsection (a) may not exceed the amount of net proceeds expended or obligated for item (i) in subsection (a). As used in this Section, "net proceeds" means the gross proceeds less any debt service payments on, and payments to retire, debt that is specifically associated with the leased facility property or otherwise required to be paid out of lease proceeds.

Section 25. Project labor agreements for projects funded by airport lease proceeds. With respect to the construction of public works funded by the proceeds described in Section 20, where the project has an estimated contract value of $500,000 or more, where there has been a written determination that the public interest in cost, timely and orderly construction, labor stability, and advancement of minority-owned and women-owned businesses and minority and female employment would be served by a project labor agreement, and where not otherwise prohibited by applicable law, the municipality or municipal corporation responsible for implementing the project shall in good faith negotiate a project labor agreement with labor organizations engaged in the construction industry. Any project labor agreement shall:
   (1) set forth effective, immediate, and mutually binding procedures for resolving jurisdictional disputes and grievances arising before completion of work;
   (2) contain guarantees against strikes, lockouts, or similar actions;
   (3) ensure a reliable source of skilled and experienced labor;

New matter indicated by italics - deletions by strikeout
(4) further public policy objectives as to improved employment opportunities for minorities and women in the construction industry to the extent permitted by State and federal law;

(5) be made binding on all contractors and subcontractors on the public works project through inclusion of appropriate bid specifications in all relevant bid documents; and

(6) include such other terms as the parties deem appropriate.

Section 30. Labor neutrality and card check procedure agreement at the leased property. With respect to employees assigned to work on the premises of leased facility property used for airport purposes and who are not otherwise members of an existing bargaining unit cognizable under the National Labor Relations Act, and where not otherwise prohibited by applicable law, the lessee shall negotiate in good faith, with any union that seeks to represent its employees, for a labor neutrality and card check procedure agreement. The agreement shall apply only to employees actually assigned to work on the premises of the leased facility property used for airport purposes and shall have no applicability to employees not so assigned. The agreement shall contain provisions accomplishing the following objectives: resolution by a third party neutral of disagreements regarding bargaining unit scope, inclusions, and exclusions; determination of the existence of majority support for a bargaining agent by means of a card check procedure; employer neutrality; prohibition of coercion or intimidation of employees by either the employer or the union; and a prohibition on strikes, work stoppages, or picketing for the duration of the agreement.

Section 35. Wage requirements. In order to protect the wages, working conditions, and job opportunities of employees employed by the lessee of leased facility property used for airport purposes to perform work on the site of the leased premises previously performed by employees of the lessor on the site of the leased premises and who were in recognized bargaining units at the time of the lease, the lessee, and any subcontractor retained by the lessee to perform such work on the site of the leased

New matter indicated by italics - deletions by strikeout
premises, shall be required to pay to those employees an amount not less than the economic equivalent of the standard of wages and benefits enjoyed by the lessor's employees who previously performed that work. The lessor shall certify to the lessee the amount of wages and benefits (or their equivalent) as of the time of the lease, and any changes to those amounts as they may occur during the term of the lease. All projects at the leased facility property used for airport purposes shall be considered public works for purposes of the Prevailing Wage Act.

Section 40. Required offers of employment. As part of any transaction to lease facility property that is used for airport purposes:

(1) the lessee must offer employment, under substantially similar terms and conditions, to the employees of the municipality who are employed, at the time of the lease, with respect to the facility property used for airport purposes; and

(2) the municipality must offer employment in another department, division, or unit of the municipality, under substantially similar terms and conditions, to employees of the municipality who are employed, at the time of the lease, with respect to the facility property used for airport purposes.

Section 45. Judicial enforcement. The provisions of this Act are judicially enforceable by injunctive relief and an award of actual damages.

Section 50. Home rule preemption; exemption from State Mandates Act.

(a) A home rule unit may not exercise its home rule powers and functions in a manner that is inconsistent with this Act. This subsection is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(b) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Act.

Section 900. The Property Tax Code is amended by changing Section 15-185 as follows:

(35 ILCS 200/15-185)

New matter indicated by italics - deletions by strikeout
Sec. 15-185. Exemption for leaseback property and qualified leased property.

Leaseback exemption.

(a) Notwithstanding anything in this Code to the contrary, all property owned by a municipality with a population of over 500,000 inhabitants, or a unit of local government whose jurisdiction includes territory located in whole or in part within a municipality with a population of over 500,000 inhabitants, shall remain exempt from taxation and any leasehold interest in that property shall not be subject to taxation under Section 9-195 if, for the purpose of obtaining financing, the property is directly or indirectly leased, sold, or otherwise transferred to another entity whose property is not exempt and immediately thereafter is the subject of a leaseback or other agreement that directly or indirectly gives the municipality or unit of local government (i) a right to use, control, and possess the property or (ii) a right to require the other entity, or the other entity's designee or assignee, to use the property in the performance of services for the municipality or unit of local government. Property The property shall no longer be exempt under this subsection as of the date when the right of the municipality or unit of local government to use, control, and possess the property or to require the performance of services is terminated and the municipality or unit of local government no longer has any option to purchase or otherwise reacquire the interest in the property which was transferred by the municipality or unit of local government.

(b) Notwithstanding anything in this Code to the contrary, all property owned by a municipality with a population of over 500,000 inhabitants, or a unit of local government whose jurisdiction includes territory located in whole or in part within a municipality with a population of over 500,000 inhabitants, shall remain exempt from taxation and any leasehold interest in that property is not subject to taxation under Section 9-195 if the property, including dedicated public property, is used by a municipality or other unit of local government for the purpose of an airport or parking or for waste disposal or processing and is leased for continued use for the same purpose to another entity whose property is not exempt.

New matter indicated by italics - deletions by strikeout
For the purposes of this subsection (b), "airport" does not include any airport property, as defined under Section 10 of the O'Hare Modernization Act.

Any transaction described under this subsection must be undertaken in accordance with all appropriate federal laws and regulations.

(c) For purposes of this Section, "municipality" means a municipality as defined in Section 1-1-2 of the Illinois Municipal Code, and "unit of local government" means a unit of local government as defined in Article VII, Section 1 of the Constitution of the State of Illinois. The provisions of this Section supersede and control over any conflicting provisions of this Code.

(Source: P.A. 93-19, eff. 6-20-03.)

Section 905. The Illinois Municipal Code is amended by adding Section 11-102-15 as follows:

(65 ILCS 5/11-102-15 new)

Sec. 11-102-15. Chicago Midway International Airport; application of other Acts. In addition to the provisions of this Division 102, Chicago Midway International Airport is subject to the provisions of the Local Government Facility Lease Act.

Section 910. The Prevailing Wage Act is amended by changing Section 2 as follows:

(820 ILCS 130/2) (from Ch. 48, par. 39s-2)

Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works.

As used in this Act, unless the context indicates otherwise:

"Public works" means all fixed works constructed by any public body, other than work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division 74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the

New matter indicated by italics - deletions by strikeout
Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act, and all projects financed in whole or in part with loans or other funds made available pursuant to the Build Illinois Act. "Public works" also includes all projects financed in whole or in part with funds from the Fund for Illinois’ Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity Community Affairs under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act.

"Construction" means all work on public works involving laborers, workers or mechanics.

"Locality" means the county where the physical work upon public works is performed, except (1) that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be performed and from which such persons may be obtained in sufficient numbers to perform the work and (2) that, with respect to contracts for highway work with the Department of Transportation of this State, "locality" may at the discretion of the Secretary of the Department of Transportation be construed to include two or more adjacent counties from which workers may be accessible for work on such construction.

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political

New matter indicated by italics - deletions by strikeout
subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this Act mean the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works.

(Source: P.A. 92-16, eff. 6-28-01; 93-15, eff. 6-11-03; 93-16, eff. 1-1-04; 93-205, eff. 1-1-04; revised 1-12-04.)

Section 915. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

Approved May 9, 2006.
Effective May 9, 2006.

PUBLIC ACT 94-0751
(House Bill No. 4313)

AN ACT concerning State government.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-347 as follows:

New matter indicated by italics - deletions by strikeout
(20 ILCS 605/605-347 new)
Sec. 605-347. Energy-efficient appliance information.
(a) Before December 31, 2006, the Department may, subject to appropriation, provide information to the public on energy-efficient appliances by a hypertext link to the Energy Star Internet website maintained by the United States Environmental Protection Agency or by compiling information about the Energy Star Program on the Department's website.
(b) For the purpose of this Section, an "energy-efficient appliance" means any household appliance that qualifies as an "Energy Star" product under the Energy Star Program administered by the United States Environmental Protection Agency.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved May 10, 2006.
Effective May 10, 2006.

PUBLIC ACT 94-0752
(House Bill No. 4785)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
(210 ILCS 28/85 rep.)
Section 5. The Abuse Prevention Review Team Act is amended by repealing Section 85.
Section 10. The Nursing Home Care Act is amended by changing Sections 2-110, 2-201.5, and 2-216 and by adding Section 2-201.6 as follows:
(210 ILCS 45/2-110) (from Ch. 111 1/2, par. 4152-110)
Sec. 2-110. (a) Any employee or agent of a public agency, any representative of a community legal services program or any other member of the general public shall be permitted access at reasonable hours to any

New matter indicated by italics - deletions by strikeout
individual resident of any facility, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

(1) Visit, talk with and make personal, social and legal services available to all residents;

(2) Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;

(3) Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or

(4) Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(a-5) If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act, to verify compliance with the requirements of Public Act 94-163 and this amendatory Act of the 94th General Assembly, or to verify compliance with applicable terms of probation, parole, or mandatory supervised release.

(b) All persons entering a facility under this Section shall promptly notify appropriate facility personnel of their presence. They shall, upon request, produce identification to establish their identity. No such person shall enter the immediate living area of any resident without first identifying himself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected. A resident may terminate at any time a visit by a person having access to the resident's living area under this Section.

New matter indicated by italics - deletions by strikeout
(c) This Section shall not limit the power of the Department or other public agency otherwise permitted or required by law to enter and inspect a facility.

(d) Notwithstanding paragraph (a) of this Section, the administrator of a facility may refuse access to the facility to any person if the presence of that person in the facility would be injurious to the health and safety of a resident or would threaten the security of the property of a resident or the facility, or if the person seeks access to the facility for commercial purposes. Any person refused access to a facility may within 10 days request a hearing under Section 3-703. In that proceeding, the burden of proof as to the right of the facility to refuse access under this Section shall be on the facility.

(Source: P.A. 94-163, eff. 7-11-05.)

(210 ILCS 45/2-201.5)

Sec. 2-201.5. Screening prior to admission.

(a) All persons age 18 or older seeking admission to a nursing facility must be screened to determine the need for nursing facility services prior to being admitted, regardless of income, assets, or funding source. In addition, any person who seeks to become eligible for medical assistance from the Medical Assistance Program under the Illinois Public Aid Code to pay for long term care services while residing in a facility must be screened prior to receiving those benefits. Screening for nursing facility services shall be administered through procedures established by administrative rule. Screening may be done by agencies other than the Department as established by administrative rule. This Section applies on and after July 1, 1996.

(b) In addition to the screening required by subsection (a), a facility, except for those licensed as long term care for under age 22 facilities, shall, within 24 hours after admission, request a criminal history background check pursuant to the Uniform Conviction Information Act for all persons age 18 or older seeking admission to the facility. Background checks conducted pursuant to this Section shall be based on the resident’s name, date of birth, and other identifiers as required by the Department of State Police. If the results of the background check are inconclusive, the
facility shall initiate a fingerprint-based check, unless the fingerprint check is waived by the Director of Public Health based on verification by the facility that the resident is completely immobile or that the resident meets other criteria related to the resident's health or lack of potential risk which may be established by Departmental rule. A waiver issued pursuant to this Section shall be valid only while the resident is immobile or while the criteria supporting the waiver exist. The facility shall provide for or arrange for any required fingerprint-based checks to be taken on the premises of the facility. If a fingerprint-based check is required, the facility shall arrange for it to be conducted in a manner that is respectful of the resident's dignity and that minimizes any emotional or physical hardship to the resident.

A facility, except for those licensed as long term care for under age 22 facilities, shall, within 60 days after the effective date of this amendatory Act of the 94th General Assembly, request a criminal history background check pursuant to the Uniform Conviction Information Act for all persons who are residents of the facility on the effective date of this amendatory Act of the 94th General Assembly. The facility shall review the results of the criminal history background checks immediately upon receipt thereof. If the results of the background check are inconclusive, the facility shall initiate a fingerprint-based check unless the fingerprint-based check is waived by the Director of Public Health based on verification by the facility that the resident is completely immobile or that the resident meets other criteria related to the resident's health or lack of potential risk which may be established by Departmental rule. A waiver issued pursuant to this Section shall be valid only while the resident is immobile or while the criteria supporting the waiver exist. The facility shall provide for or arrange for any required fingerprint-based checks to be taken on the premises of the facility. If a fingerprint-based check is required, the facility shall arrange for it to be conducted in a manner that is respectful of the resident's dignity and that minimizes any emotional or physical hardship to the resident.

(c) If the results of a resident's criminal history background check reveal that the resident is an identified offender as defined in Section 1-

New matter indicated by italics - deletions by strikeout
114.01, the facility shall immediately fax the resident's name and criminal history information to the Illinois Department of Public Health, which shall conduct a Criminal History Analysis pursuant to Section 2-201.6. The Criminal History Analysis shall be conducted independently of the Illinois Department of Public Health's Office of Healthcare Regulation. The Office of Healthcare Regulation shall have no involvement with the process of reviewing or analyzing the criminal history of identified offenders.

(d) The Illinois Department of Public Health shall keep a continuing record of all residents determined to be identified offenders under Section 1-114.01 and shall report the number of identified offender residents annually to the General Assembly. Identified offenders who seek admission to a licensed facility shall not be admitted unless the licensed facility complies with the requirements of the Department's administrative rules adopted pursuant to Section 3-202.3.

(Source: P.A. 94-163, eff. 7-11-05.)

(210 ILCS 45/2-201.6 new)

Sec. 2-201.6. Criminal History Analysis.

(a) The Department shall immediately commence a Criminal History Analysis when it receives information, through the criminal history background check required pursuant to subsection (b) of Section 2-201.5 or through any other means, that a resident of a facility is an identified offender.

(b) The Department shall complete the Criminal History Analysis as soon as practicable, but not later than 14 days after receiving notice from the facility under subsection (a).

(c) The Criminal History Analysis shall include, but not be limited to, all of the following:

(1) Consultation with the identified offender's assigned parole agent or probation officer, if applicable.

(2) Consultation with the convicting prosecutor's office.

(3) A review of the statement of facts, police reports, and victim impact statements, if available.

(4) An interview with the identified offender.

New matter indicated by italics - deletions by strikeout
(5) Consultation with the facility administrator or facility medical director, or both, regarding the physical condition of the identified offender.

(6) Consideration of the entire criminal history of the offender, including the date of the identified offender's last conviction relative to the date of admission to a long-term care facility.

(7) If the identified offender is a convicted or registered sex offender, a review of any and all sex offender evaluations conducted on that offender. If there is no sex offender evaluation available, the Department shall provide for a sex offender evaluation to be conducted on the identified offender. If the convicted or registered sex offender is under supervision by the Illinois Department of Corrections or a county probation department, the sex offender evaluation shall be arranged by and at the expense of the supervising agency. All evaluations conducted on convicted or registered sex offenders under this Act shall be conducted by sex offender evaluators approved by the Sex Offender Management Board.

(d) The Department shall prepare a Criminal History Analysis Report based on the analysis conducted pursuant to subsection (c). The Report shall include a summary of the Risk Analysis and shall detail whether and to what extent the identified offender's criminal history necessitates the implementation of security measures within the long-term care facility. If the identified offender is a convicted or registered sex offender or if the Department's Criminal History Analysis reveals that the identified offender poses a significant risk of harm to others within the facility, the offender shall be required to have his or her own room within the facility.

(e) The Criminal History Analysis Report shall promptly be provided to the following:

(1) The long-term care facility within which the identified offender resides.
(2) The Chief of Police of the municipality in which the facility is located.

(3) The State of Illinois Long Term Care Ombudsman.

(f) The facility shall incorporate the Criminal History Analysis Report into the identified offender's care plan created pursuant to 42 CFR 483.20.

(g) If, based on the Criminal History Analysis Report, a facility determines that it cannot manage the identified offender resident safely within the facility, it shall commence involuntary transfer or discharge proceedings pursuant to Section 3-402.

(h) Except for willful and wanton misconduct, any person authorized to participate in the development of a Criminal History Analysis or Criminal History Analysis Report is immune from criminal or civil liability for any acts or omissions as the result of his or her good faith effort to comply with this Section.

(210 ILCS 45/2-216)

Sec. 2-216. Notification of identified offenders. Every licensed facility shall provide to every prospective and current resident and resident's guardian, and to every facility employee, a written notice, prescribed by the Illinois Department of Public Health, advising the resident, guardian, or employee of his or her right to ask whether any residents of the facility are identified offenders. The notice shall also be prominently posted within every licensed facility. The notice shall include a statement that information regarding registered sex offenders may be obtained from the Illinois State Police website and that information regarding persons serving terms of parole or mandatory supervised release may be obtained from the Illinois Department of Corrections website. If identified offenders are residents of the licensed facility, the licensed facility shall notify every resident or resident's guardian in writing that such offenders are residents of the licensed facility. The licensed facility shall also provide notice to its employees and to visitors to the facility that identified offenders are residents.

(Source: P.A. 94-163, eff. 7-11-05.)

(210 ILCS 45/3-202.3 rep.)

New matter indicated by italics - deletions by strikeout
Section 11. The Nursing Home Care Act is amended by repealing Sections 3-202.3 and 3-202.4.

Section 15. The Probation and Probation Officers Act is amended by changing Section 12 as follows:

Sec. 12. The duties of probation officers shall be:
(1) To investigate as required by Section 5-3-1 of the "Unified Code of Corrections", approved July 26, 1972, as amended, the case of any person to be placed on probation. Full opportunity shall be afforded a probation officer to confer with the person under investigation when such person is in custody.

(2) To notify the court of any previous conviction for crime or previous probation of any defendant invoking the provisions of this Act.

(3) All reports and notifications required in this Act to be made by probation officers shall be in writing and shall be filed by the clerk in the respective cases.

(4) To preserve complete and accurate records of cases investigated, including a description of the person investigated, the action of the court with respect to his case and his probation, the subsequent history of such person, if he becomes a probationer, during the continuance of his probation, which records shall be open to inspection by any judge or by any probation officer pursuant to order of court, but shall not be a public record, and its contents shall not be divulged otherwise than as above provided, except upon order of court.

(5) To take charge of and watch over all persons placed on probation under such regulations and for such terms as may be prescribed by the court, and giving to each probationer full instructions as to the terms of his release upon probation and requiring from him such periodical reports as shall keep the officer informed as to his conduct.

(6) To develop and operate programs of reasonable public or community service for any persons ordered by the court to perform public or community service, providing, however, that no probation officer or any employee of a probation office acting in the course of his official duties...
shall be liable for any tortious acts of any person performing public or community service except for willful misconduct or gross negligence on the part of the probation officer or employee.

(7) When any person on probation removes from the county where his offense was committed, it shall be the duty of the officer under whose care he was placed to report the facts to the probation officer in the county to which the probationer has removed; and it shall thereupon become the duty of such probation officer to take charge of and watch over said probationer the same as if the case originated in that county; and for that purpose he shall have the same power and authority over said probationer as if he had been originally placed in said officer's charge; and such officer shall be required to report in writing every 6 months, or more frequently upon request the results of his supervision to the probation officer in whose charge the said probationer was originally placed by the court.

(8) To authorize travel permits to individuals under their supervision unless otherwise ordered by the court.

(9) To perform such other duties as are provided for in this act or by rules of court and such incidental duties as may be implied from those expressly required.

(10) To send written notification to a public housing agency if a person on probation for a felony who is under the supervision of the probation officer informs the probation officer that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by that public housing agency.

(11) If a person on probation for a felony offense who is under the supervision of the probation officer becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or Illinois Department of Human Services, the probation officer shall within 3 days of the person becoming a resident, notify the licensing or regulating Department and licensed or regulated facility and shall provide the licensed or regulated facility and licensing or regulating Department with copies of the following:

(a) (blank) pre-sentence investigation reports or social investigation reports.

New matter indicated by italics - deletions by strikeout
(b) any applicable probation orders and corresponding compliance plans;

(c) the name and contact information for the assigned probation officer.

(Source: P.A. 94-163, eff. 7-11-05.)

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

Passed in the General Assembly March 27, 2006.
Approved May 10, 2006.
Effective May 10, 2006.

PUBLIC ACT 94-0753
(Senate Bill No. 2271)

AN ACT concerning wildlife.

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

Section 5. The Wildlife Code is amended by changing Section 2.11 as follows:

(520 ILCS 5/2.11)(from Ch. 61, par. 2.11)

Sec. 2.11. Before any person may lawfully hunt wild turkey, he shall first obtain a "Wild Turkey Hunting Permit" in accordance with the prescribed regulations set forth in an administrative rule of the Department. The fee for a Resident Wild Turkey Hunting Permit shall not exceed $15.

Upon submitting suitable evidence of legal residence in any other state, non-residents shall be charged a fee not to exceed $125 for wild turkey hunting permits, except as provided below for non-resident land owners.

Permits shall be issued without charge to:

(a) Illinois landowners residing in Illinois who own at least 40 acres of Illinois land and wish to hunt on their land only,

(b) resident tenants of at least 40 acres of commercial agricultural land, and

New matter indicated by italics - deletions by strikeout
(c) Bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

shareholders of a corporation which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's land only. One permit shall be issued without charge to one shareholder for each 40 acres of land owned by the corporation in a county; however, the number of permits issued without charge to shareholders of any corporation in any county shall not exceed 15.

The turkey hunting permit issued without fee shall be valid on all lands upon which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued without charge to a shareholder of a corporation, the permit shall be valid on all lands owned by the corporation in the county.

The Department may by administrative rule allocate and issue non-resident Wild Turkey Permits and establish fees for such permits.

It shall be unlawful to take wild turkey except by use of a bow and arrow or a shotgun of not larger than 10 nor smaller than 20 gauge with shot size not larger than No. 4, and no person while attempting to so take wild turkey may have in his possession any other gun.

It shall be unlawful to take, or attempt to take wild turkey except during the time from 1/2 hour before sunrise to 1/2 hour after sunset or during such lesser period of time as may be specified by administrative rule, during those days for which an open season is established.

New matter indicated by italics - deletions by strikeout
It shall be unlawful for any person to take, or attempt to take, wild turkey by use of dogs, horses, automobiles, aircraft or other vehicles, or conveyances, or by the use of bait of any kind.

It is unlawful for any person to take in Illinois or have in his possession more than one wild turkey per valid permit.

*For purposes of this Section "bona fide equity shareholder", "bona fide equity member", and "bona fide equity partner" shall have the same meaning as provided in Section 2.26 of this Act.*

(Source: P.A. 92-177, eff. 7-27-01.)

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

Approved May 10, 2006.
Effective May 10, 2006.

PUBLIC ACT 94-0754
(Senate Bill No. 3062)

AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Sections 4.17 and 4.18 as follows:

(5 ILCS 80/4.17)

Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:

The Boiler and Pressure Vessel Repairer Regulation Act.
The Structural Pest Control Act.
The Clinical Psychologist Licensing Act.
The Environmental Health Practitioner Licensing Act.

New matter indicated by italics - deletions by strikeout
Sec. 4.18. Acts repealed January 1, 2008. The following Acts are repealed on January 1, 2008:

The Acupuncture Practice Act.
The Home Medical Equipment and Services Provider License Act.
The Nursing and Advanced Practice Nursing Act.
The Illinois Speech-Language Pathology and Audiology Practice Act.
The Marriage and Family Therapy Licensing Act.
The Nursing Home Administrators Licensing and Disciplinary Act.
The Structural Pest Control Act.

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

Approved May 10, 2006.
Effective May 10, 2006.
Sec. 17-2. False personation; use of title; solicitation; certain entities.

(a) A person commits a false personation when he or she falsely represents himself or herself to be a member or representative of any veterans' or public safety personnel organization or a representative of any charitable organization, or when any person exhibits or uses in any manner any decal, badge or insignia of any charitable, public safety personnel, or veterans' organization when not authorized to do so by the charitable, public safety personnel, or veterans' organization. "Public safety personnel organization" has the meaning ascribed to that term in Section 1 of the Solicitation for Charity Act.

(a-5) A person commits a false personation when he or she falsely represents himself or herself to be a veteran in seeking employment or public office. In this subsection, "veteran" means a person who has served in the Armed Services or Reserved Forces of the United States.

(a-6) A person commits a false personation when he or she falsely represents himself or herself to be a recipient of, or wears on his or her person, any of the following medals if that medal was not awarded to that person by the United States government, irrespective of branch of service: the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star, the Bronze Star, or the Purple Heart.

It is a defense to a prosecution under this subsection (a-6) that the medal is used, or is intended to be used, exclusively:

(1) for a dramatic presentation, such as a theatrical, film, or television production, or a historical re-enactment; or

(2) for a costume worn, or intended to be worn, by a person under 18 years of age.

(b) No person shall use the words "Chicago Police," "Chicago Police Department," "Chicago Patrolman," "Chicago Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or any other words to the same effect in the title of any organization, magazine, or other publication without the express approval of the Chicago Police Board.

New matter indicated by italics - deletions by strikeout
(b-5) No person shall use the words "Cook County Sheriff's Police" or "Cook County Sheriff" or any other words to the same effect in the title of any organization, magazine, or other publication without the express approval of the office of the Cook County Sheriff's Merit Board. The references to names and titles in this Section may not be construed as authorizing use of the names and titles of other organizations or public safety personnel organizations otherwise prohibited by this Section or the Solicitation for Charity Act.

(c) (Blank).

(c-1) No person may claim or represent that he or she is acting on behalf of any police department, chief of a police department, fire department, chief of a fire department, sheriff's department, or sheriff when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements unless the chief of the police department, fire department, and the corporate or municipal authority thereof, or the sheriff has first entered into a written agreement with the person or with an organization with which the person is affiliated and the agreement permits the activity.

(c-2) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements may claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes "officer", "peace officer", "police", "law enforcement", "trooper", "sheriff", "deputy", "deputy sheriff", "State police", or any other word or words which would reasonably be understood to imply that the organization is composed of law enforcement personnel unless the person is actually representing or acting on behalf of the nongovernmental organization, and the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty peace officers, retired peace officers, or injured peace officers and before commencing the solicitation or the sale or the offers to sell any merchandise, goods, services, memberships, or advertisements, a written

New matter indicated by italics - deletions by strikeout
contract between the soliciting or selling person and the nongovernmental organization has been entered into.

(c-3) No person may solicit financial contributions or sell or deliver or offer to sell or deliver any merchandise, goods, services, memberships, or advertisements on behalf of a police, sheriff, or other law enforcement department unless that person is actually representing or acting on behalf of the department or governmental organization and has entered into a written contract with the police chief, or head of the law enforcement department, and the corporate or municipal authority thereof, or the sheriff, which specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used.

(c-4) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements, may claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes the term "fireman", "firefighter", "paramedic", or any other word or words which would reasonably be understood to imply that the organization is composed of firefighter or paramedic personnel unless the person is actually representing or acting on behalf of the nongovernmental organization, and the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty, retired, or injured firefighters (for the purposes of this Section, "firefighter" has the meaning ascribed to that term in Section 2 of the Illinois Fire Protection Training Act) or active duty, retired, or injured emergency medical technicians - ambulance, emergency medical technicians - intermediate, emergency medical technicians - paramedic, ambulance drivers, or other medical assistance or first aid personnel, and before commencing the solicitation or the sale or delivery or the offers to sell or deliver any merchandise, goods, services, memberships, or advertisements, a written contract between the soliciting or selling person and the nongovernmental organization has been entered into.

(c-5) No person may solicit financial contributions or sell or deliver or offer to sell or deliver any merchandise, goods, services,
memberships, or advertisements on behalf of a department or departments of fire fighters unless that person is actually representing or acting on behalf of the department or departments and has entered into a written contract with the department chief and corporate or municipal authority thereof which specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used.

(c-6) No person may claim or represent that he or she is an airman, airline employee, airport employee, or contractor at an airport in order to obtain the uniform, identification card, license, or other identification paraphernalia of an airman, airline employee, airport employee, or contractor at an airport.

(d) Sentence. False personation, unapproved use of a name or title, or solicitation in violation of subsection (a), (b), or (b-5) of this Section is a Class C misdemeanor. False personation in violation of subsections (a-5) and (c-6) is a Class A misdemeanor. False personation in violation of subsection (a-6) of this Section is a petty offense for which the offender shall be fined at least $100 and not exceeding $200. Engaging in any activity in violation of subsection (c-1), (c-2), (c-3), (c-4), or (c-5) of this Section is a Class 4 felony.

(Source: P.A. 94-548, eff. 8-11-05.)

Approved May 11, 2006.

PUBLIC ACT 94-0756
(House Bill No. 2497)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by adding Section 12-602.1 as follows:
(625 ILCS 5/12-602.1 new)
Sec. 12-602.1. Excessive engine braking noise signs.

New matter indicated by italics - deletions by strikeout
(a) A county or municipality may post signs that prohibit the driver of a commercial vehicle, as defined in Section 1-111.8 of this Code, from operating or actuating any engine braking system that emits excessive noise.

(b) The sign shall state, "EXCESSIVE ENGINE BRAKING NOISE PROHIBITED". The Department of Transportation shall adopt rules providing for the erection and placement of these signs.

(c) This Section does not apply to the use of an engine braking system that has an adequate sound muffling system in proper working order that prevents excessive noise.

(d) It is a defense to this Section that the driver used an engine braking system that emits excessive noise in an emergency to avoid a collision with a person or another vehicle on the highway.

(e) A violation of this Section is an equipment violation punishable by a fine of $75.

Passed in the General Assembly March 27, 2006.
Approved May 12, 2006.

PUBLIC ACT 94-0757
(House Bill No. 3126)

AN ACT concerning transportation.

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

Section 5. The Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act is amended by changing Sections 10 and 30 as follows:

(625 ILCS 7/10)

Sec. 10. Establishment of automated control systems. The Department of State Police may establish an automated traffic control system in any construction or maintenance zone established by the Department of Transportation or the Illinois State Toll Highway Authority. An automated traffic control system may operate only during those periods

New matter indicated by italics - deletions by strikeout
when workers are present in the construction or maintenance zone. *In any prosecution based upon evidence obtained through an automated traffic control system established under this Act, the State must prove that one or more workers were present in the construction or maintenance zone when the violation occurred.*

(Source: P.A. 93-947, eff. 8-19-04.)

(625 ILCS 7/30)

Sec. 30. Requirements for issuance of a citation.

(a) The vehicle, vehicle operator, vehicle registration plate, speed, date, time, and location must be clearly visible on the photograph or other recorded image of the alleged violation.

(b) A Uniform Traffic Citation must be mailed or otherwise delivered to the registered owner of the vehicle. If mailed, the citation must be sent via certified mail within 14 business days of the alleged violation, return receipt requested.

(c) The Uniform Traffic Citation must include:

   (1) the name and address of the vehicle owner;

   (2) the registration number of the vehicle;

   (3) the offense charged;

   (4) the time, date, and location of the violation;

   (5) the first available court date; and

   (6) notice that the basis of the citation is the photograph or recorded image from the automated traffic control system.

(d) The Uniform Traffic Citation issued to the violator must be accompanied by a written document that lists the violator's rights and obligations and explains how the violator can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.

(Source: P.A. 93-947, eff. 8-19-04.)

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

Approved May 12, 2006.
Effective May 12, 2006.
AN ACT concerning safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pesticide Act is amended by changing Section 14 as follows:

(415 ILCS 60/14) (from Ch. 5, par. 814)

1. The following are violations of this Act, if any person:
   A. Made false or fraudulent claims through any media misrepresenting the effect of pesticides or methods.
   B. Applied known ineffective or improper pesticides.
   C. Applied pesticides in a faulty, careless, or negligent manner.
   D. Used or made recommendation for use of a pesticide inconsistent with the labeling of the pesticide.
   E. Neglected, or after notice in writing, refused, to comply with provisions of this Act, the regulations adopted hereunder, or of any lawful order of the Director, including the limitations specified in a duly issued permit, certification, or registration.
   F. Failed to keep and maintain records required by this Act or failed to make reports when and as required or made false or fraudulent records or reports.
   G. Used or supervised the use of a pesticide without qualifying as a certified applicator or licensed operator.
   H. Used fraud or misrepresentation in making application for, or renewal of, any license, permit, certification, or registration or in demonstration of competence.
   I. Aided or abetted a person to evade provisions of this Act, conspired with any person to evade provisions of this Act or allowed a license, permit, certification or registration to be used by another person.

New matter indicated by italics - deletions by strikeout
J. Impersonated any federal, state, county, or city official.
K. Purchased pesticides by using another person's license or using or purchasing pesticides outside of a specific category for which that person is licensed or any other misrepresentation.
L. Fails to comply with the rules and regulations adopted under the authority of this Act.

2. Except as provided in Section 14 (2G), it is unlawful for any person to distribute in the State the following:
   A. A pesticide not registered pursuant to provisions of this Act.
   B. Any pesticide, if any claim made for it, use recommendation, other labeling or formulation, differs from the representations made in connection with registration. However, a change in labeling or formulation may be made within a registration if the change does not violate provisions of FIFRA or this Act.
   C. Any pesticide unless in the registrant's unbroken container.
   D. Any pesticide container to which all label information required under provisions of this Act has not been securely affixed.
   E. Any pesticide which is adulterated or misbranded or any device which is misbranded.
   F. Any pesticide in a container which, due to damage, is hazardous to handle and store.
   G. It shall not be unlawful to distribute pesticides "in bulk" provided such distribution does not violate the provisions of this Act, the Rules and Regulations under this Act, or FIFRA.

3. It shall be unlawful:
   A. To sell any pesticide labeled for restricted use to any applicator not certified, unless such applicator has a valid permit authorizing purchase under a special exemption from certification requirements.
   B. To handle, store, display, use or distribute pesticides in such manner as to endanger man and his environment, to endanger
food, feed or other products that may be stored, displayed or distributed with such pesticides.

C. To use, dispose of, discard, or store pesticides or their containers in such a manner as to endanger public health and the environment or to pollute water supplies.

D. To use for personal advantage, reveal to persons, other than the Director designee or properly designated official of other jurisdictions, or to a physician or other qualified person in cases of emergency for preparation of an antidote any information judged as relating to trade secrets. To use or reveal a financial information obtained by authority or marked as privileged or confidential by a registrant.

E. To sell any pesticide labelled for restricted use over an Internet website to an Illinois resident who is not a certified pesticide applicator as provided under Section 11 of this Act.

4. Exemptions from the violation provisions of this Act are as follows:

   A. Carriers lawfully engaged in transporting pesticides within this State, provided that such carrier shall upon request permit the Director to copy all records showing transactions in the movement of the pesticide or device.

   B. Public officials of this State or the federal government while engaged in the performance of official duties in administration of pesticide laws or regulations.

   C. Persons who ship a substance or mixture of substances being tested for the purpose of determining its value for pesticide use, to determine its toxicity or other properties and from which such user does not derive any benefit in pest control from its use.

5. No pesticide or device shall be deemed in violation of this Act when intended solely for export to a foreign country. If it is not exported all the provisions of this Act shall apply.

(Source: P.A. 87-128.)

Approved May 12, 2006.

PUBLIC ACT 94-0759
(House Bill No. 4657)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 3-704 as follows:

(625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

Sec. 3-704. Authority of Secretary of State to suspend or revoke a registration or certificate of title; authority to suspend or revoke the registration of a vehicle.

(a) The Secretary of State may suspend or revoke the registration of a vehicle or a certificate of title, registration card, registration sticker, registration plate, disability parking decal or device, or any nonresident or other permit in any of the following events:

1. When the Secretary of State is satisfied that such registration or that such certificate, card, plate, registration sticker or permit was fraudulently or erroneously issued;

2. When a registered vehicle has been dismantled or wrecked or is not properly equipped;

3. When the Secretary of State determines that any required fees have not been paid to the Secretary of State, to the Illinois Commerce Commission, or to the Illinois Department of Revenue under the Motor Fuel Tax Law, and the same are not paid upon reasonable notice and demand;

4. When a registration card, registration plate, registration sticker or permit is knowingly displayed upon a vehicle other than the one for which issued;

5. When the Secretary of State determines that the owner has committed any offense under this Chapter involving the

New matter indicated by italics - deletions by strikeout
registration or the certificate, card, plate, registration sticker or permit to be suspended or revoked;

6. When the Secretary of State determines that a vehicle registered not-for-hire is used or operated for-hire unlawfully, or used or operated for purposes other than those authorized;

7. When the Secretary of State determines that an owner of a for-hire motor vehicle has failed to give proof of financial responsibility as required by this Act;

8. When the Secretary determines that the vehicle is not subject to or eligible for a registration;

9. When the Secretary determines that the owner of a vehicle registered under the mileage weight tax option fails to maintain the records specified by law, or fails to file the reports required by law, or that such vehicle is not equipped with an operable and operating speedometer or odometer;

10. When the Secretary of State is so authorized under any other provision of law;

11. When the Secretary of State determines that the holder of a disability parking decal or device has committed any offense under Chapter 11 of this Code involving the use of a disability parking decal or device.

(b) The Secretary of State may suspend or revoke the registration of a vehicle as follows:

1. When the Secretary of State determines that the owner of a vehicle has not paid a civil penalty or a settlement agreement arising from the violation of rules adopted under the Illinois Motor Carrier Safety Law or the Illinois Hazardous Materials Transportation Act or that a vehicle, regardless of ownership, was the subject of violations of these rules that resulted in a civil penalty or settlement agreement which remains unpaid.

2. When the Secretary of State determines that a vehicle registered for a gross weight of more than 16,000 pounds within an affected area is not in compliance with the provisions of Section 13-109.1 of the Illinois Vehicle Code.

New matter indicated by italics - deletions by strikeout
3. When the Secretary of State is notified by the United States Department of Transportation that a vehicle is in violation of the Federal Motor Carrier Safety Regulations, as they are now or hereafter amended, and is prohibited from operating.

(Source: P.A. 94-239, eff. 1-1-06; 94-619, eff. 1-1-06; revised 8-29-05.)

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

Approved May 12, 2006.
Effective May 12, 2006.

PUBLIC ACT 94-0760
(House Bill No. 4728)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 18c-4401 and 18c-4603 as follows:

(625 ILCS 5/18c-4401)(from Ch. 95 1/2, par. 18c-4401)
Sec. 18c-4401. Registration required.
(1) General provisions. No intrastate public carrier and no interstate motor carrier of property shall operate over the public roads of this State without a registration issued pursuant to this Article and in effect at the time operations are conducted. As used in this Article, "interstate carrier" includes any private carrier that is required to register under federal law.

(2) Interstate intercorporate hauling and single-source leasing. Persons or entities engaged in interstate compensated intercorporate hauling, and interstate private carriers which lease equipment, with drivers, are interstate carriers for purposes of this Article notwithstanding any other provision of this Chapter. However, the Commission may:

(a) Exempt such carriers from the requirements of this Article;

New matter indicated by italics - deletions by strikeout
(b) Subject any such exemption to such reasonable terms and conditions as the Commission deems necessary to effectuate the purposes of this Chapter; and

(c) Revoke any exemption granted hereunder if it deems revocation necessary to effectuate the purposes of this Chapter.

(Source: P.A. 89-444, eff. 1-25-96.)

(625 ILCS 5/18c-4603)(from Ch. 95 1/2, par. 18c-4603)

Sec. 18c-4603. Issuance of Cab Cards and Identifiers. (1) Applications for Cards and Identifiers. Applications for cab cards and identifiers shall be on forms prescribed by the Commission and shall be accompanied by the per vehicle franchise or franchise renewal fee prescribed by the Commission.

(2) Expiration and Renewal of Cab Cards and Identifiers. Identifiers issued by or under authority of the Commission shall expire automatically on January 31 of each year, or on such other date as the Commission may prescribe. It shall be the responsibility of each carrier to insure that the cab cards and identifiers in its vehicles are current.

(3) Issuance of Cards and Identifiers. Applications and fees for cab cards and identifiers may be filed with, and cards or identifiers may be issued by, the Commission or its agent. The Commission shall issue intrastate cab cards and identifiers and interstate identifiers as proof of payment of franchise and franchise renewal fees by licensed intrastate and registered interstate carriers. Upon payment of the intrastate fee by a licensed intrastate motor carrier of property, the Commission shall issue a current Illinois cab card with identifier printed thereon. Upon payment of the interstate fee by a registered interstate motor carrier of property, the Commission shall issue a current Illinois interstate identifier which the carrier shall affix to the interstate cab card.

(Source: P.A. 85-553.)

Approved May 12, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.

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

Section 5. The Unified Code of Corrections is amended by changing Section 5-4-3a as follows:

Sec. 5-4-3a. DNA testing backlog accountability.

(a) On or before February 1, 2005 and on or before August 1 of each year thereafter, the Department of State Police shall report to the Governor and both houses of the General Assembly the following information:

   (1) the extent of the backlog of cases awaiting testing or awaiting DNA analysis by that Department, including but not limited to those tests conducted under Section 5-4-3, as of June 30 of the previous fiscal year, with the backlog being defined as all cases awaiting forensic testing whether in the physical custody of the State Police or in the physical custody of local law enforcement, provided that the State Police have written notice of any evidence in the physical custody of local law enforcement prior to June 1 of that year; and
   
   (2) what measures have been and are being taken to reduce that backlog and the estimated costs or expenditures in doing so.

(b) The information reported under this Section shall be made available to the public, at the time it is reported, on the official web site of the Department of State Police.

(Source: P.A. 93-785, eff. 7-21-04.)

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


Approved May 12, 2006.

Effective May 12, 2006.
AN ACT concerning health.

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

Section 5. The Sexual Assault Survivors Emergency Treatment Act is amended by changing Sections 2 and 2.1 and by adding Section 8.5 as follows:

(410 ILCS 70/2) (from Ch. 111 1/2, par. 87-2)

Sec. 2. Hospitals to furnish emergency service. Every hospital required to be licensed by the Department of Public Health pursuant to the Hospital Licensing Act, approved July 1, 1953, as now or hereafter amended, which provides general medical and surgical hospital services shall provide emergency hospital service, in accordance with rules and regulations adopted by the Department of Public Health, to all alleged sexual assault survivors who apply for such hospital emergency services in relation to injuries or trauma resulting from the sexual assault.

In addition every such hospital, regardless of whether or not a request is made for reimbursement, except hospitals participating in community or area wide plans in compliance with Section 4 of this Act, shall submit to the Department of Public Health a plan to provide hospital emergency services to alleged sexual assault survivors which shall be made available by such hospital. Such plan shall be submitted within 60 days of receipt of the Department's request for this plan, to the Department of Public Health for approval prior to such plan becoming effective. The Department of Public Health shall approve such plan for emergency service to alleged sexual assault survivors if it finds that the implementation of the proposed plan would provide adequate hospital emergency service for alleged sexual assault survivors and provide sufficient protections from the risk of pregnancy by sexual assault survivors.

New matter indicated by italics - deletions by strikeout
The Department of Public Health shall periodically conduct on site reviews of such approved plans with hospital personnel to insure that the established procedures are being followed.

On January 1, 2007 and each January 1 thereafter, the Department shall submit a report to the General Assembly containing information on the hospitals in this State that have submitted a plan to provide hospital emergency services to sexual assault survivors. The Department shall post on its Internet website the report required in this Section. The report shall include all of the following:

(1) A list of all hospitals that have submitted a plan.
(2) A list of hospitals whose plans have been found by the Department to be in compliance with this Act.
(3) A list of hospitals that have failed to submit an acceptable Plan of Correction within the time required by Section 2.1 of this Act.
(4) A list of hospitals at which the periodic site review required by this Act has been conducted.

When a hospital listed as noncompliant under item (3) of this Section submits and implements the required Plan of Correction, the Department shall immediately update the report on its Internet website to reflect that hospital's compliance.

(Source: P.A. 92-156, eff. 1-1-02.)

(410 ILCS 70/2.1) (from Ch. 111 1/2, par. 87-2.1)

Sec. 2.1. Plans of correction - Penalties for failure to implement such plans. If the Department of Public Health surveyor determines that the hospital is not in compliance with its approved plan, the surveyor shall provide the hospital with a written list of the specific items of noncompliance within 2 weeks of the conclusion of the on site review. The hospital shall have 14 working days to submit to the Department of Public Health a plan of correction which contains the hospital's specific proposals for correcting the items of noncompliance. The Department of Public Health shall review the plan of correction and notify the hospital in writing as to whether the plan is acceptable or nonacceptable.
If the Department of Public Health finds the Plan of Correction nonacceptable, the hospital shall have 7 working days to resubmit an acceptable Plan of Correction. Upon notification that its Plan of Correction is acceptable, a hospital shall implement the Plan of Correction within 60 days.

The failure to submit an acceptable Plan of Correction or to implement the Plan of Correction, within the time frames required in this Section, will subject a hospital to the imposition of a fine by the Department of Public Health. The Department of Public Health may impose a fine of up to $500 $100.00 per day until a hospital complies with the requirements of this Section.

Before imposing a fine pursuant to this Section, the Department of Public Health shall provide the hospital via certified mail with written notice and an opportunity for an administrative hearing. Such hearing must be requested within 10 working days of receipt of the Department of Public Health's Notice. All hearings shall be conducted in accordance with the Department of Public Health's rules in administrative hearings.

(Source: P.A. 90-587, eff. 7-1-98.)

(410 ILCS 70/8.5 new)

Sec. 8.5. Complaints. The Department shall implement a complaint system through which the Department may receive complaints of violations of this Act. The Department may use an existing complaint system to fulfill the requirements of this Section.

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

Passed in the General Assembly March 27, 2006.
Approved May 12, 2006.
Effective May 12, 2006.

PUBLIC ACT 94-0763
(Senate Bill No. 1086)

AN ACT concerning transportation.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by adding Section 15-116 as follows:

(625 ILCS 5/15-116 new)

Sec. 15-116. Designated truck route system. The Department of Transportation shall maintain and provide a listing of all Class I, Class II, and Class III designated streets and highways as defined in Chapter 1 of this Code. The Department shall also maintain and provide a listing of all local streets or highways that have been designated Class II or Class III by local agencies. Local agencies shall be responsible for reporting to the Department all streets and highways under their jurisdiction designated Class II and Class III. Local agencies shall also provide to the Department reference contact names and telephone numbers. The Department shall also maintain and provide an official map of the Designated State Truck Route System that includes State and local streets and highways that have been designated Class I, Class II, or Class III.

Approved May 12, 2006.

PUBLIC ACT 94-0764
(Senate Bill No. 2334)

AN ACT concerning wildlife.

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

Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

Sec. 2.33. Prohibitions.

(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.

New matter indicated by italics - deletions by strikeout
(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

New matter indicated by italics - deletions by strikeout
(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.33.

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.
(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to trap or hunt, or intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or tenant. It shall be prima facie evidence that a person does not have permission of the owner or tenant if the person is unable to demonstrate to the law enforcement officer in the field that permission had been obtained. This provision may only be rebutted by testimony of the owner or tenant that permission had been given. Before enforcing this Section the law enforcement officer must have received notice from the owner or tenant of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on property operated under a Migratory Waterfowl Hunting Area Permit, on federally owned and managed lands and on Department owned, managed, leased or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.
(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

New matter indicated by italics - deletions by strikeout
(dd) It is unlawful to take any species protected by this Act and retain it alive.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a daily bag limit without making a reasonable effort to retrieve such species and include such in the daily bag limit.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) Nothing contained in this Section shall prohibit the use of bow and arrow, or prevent the Director from issuing permits to use a crossbow to handicapped persons as provided by administrative rule. As used herein, "handicapped persons" means those persons who have a permanent physical impairment due to injury or disease, congenital or acquired, which renders them so severely disabled as to be unable to use a conventional bow and arrow device. Permits will be issued only after the receipt of a physician's statement confirming the applicant is handicapped as defined above.

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other disabled persons who meet

New matter indicated by italics - deletions by strikeout
the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

   (II) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

   (mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.
(Source: P.A. 92-325, eff. 8-9-01; 92-651, eff. 7-11-02; 93-807, eff. 7-24-04.)

Approved May 12, 2006.

PUBLIC ACT 94-0765
(Senate Bill No. 2345)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Professional Counselor and Clinical Professional Counselor Licensing Act is amended by changing Section 20 as follows:
   (225 ILCS 107/20)
   (Section scheduled to be repealed on January 1, 2013)
Sec. 20. Restrictions and limitations.
   (a) No person shall, without a valid license as a professional counselor issued by the Department: (i) in any manner hold himself or
herself out to the public as a professional counselor under this Act; (ii) attach the title "professional counselor" or "licensed professional counselor"; or (iii) offer to render or render to individuals, corporations, or the public professional counseling services if the words "professional counselor" or "licensed professional counselor" are used to describe the person offering to render or rendering them, or "professional counseling" is used to describe the services rendered or offered to be rendered.

(b) No person shall, without a valid license as a clinical professional counselor issued by the Department: (i) in any manner hold himself or herself out to the public as a clinical professional counselor or licensed clinical professional counselor under this Act; (ii) attach the title "clinical professional counselor" or "licensed clinical professional counselor"; or (iii) offer to render to individuals, corporations, or the public clinical professional counseling services.

(c) Licensed professional counselors may not engage in independent private practice as defined in this Act without a clinical professional counseling license. In an independent private practice, a licensed professional counselor must practice at all times under the order, control, and full professional responsibility of a licensed clinical professional counselor, a licensed clinical social worker, a licensed clinical psychologist, or a psychiatrist, as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code.

(d) No association or partnership shall practice clinical professional counseling or professional counseling unless every member, partner, and employee of the association or partnership who practices professional counseling or clinical professional counseling, or who renders professional counseling or clinical professional counseling services, holds a currently valid license issued under this Act. No license shall be issued to a corporation, the stated purpose of which includes or which practices or which holds itself out as available to practice professional counseling or clinical professional counseling unless it is organized under the Professional Service Corporation Act.

(e) Nothing in this Act shall be construed as permitting persons licensed as professional counselors or clinical professional counselors to
engage in any manner in the practice of medicine in all its branches as defined by law in this State.

(f) When, in the course of providing professional counseling or clinical professional counseling services to any person, a professional counselor or clinical professional counselor licensed under this Act finds indication of a disease or condition that in his or her professional judgment requires professional service outside the scope of practice as defined in this Act, he or she shall refer that person to a physician licensed to practice medicine in all of its branches or another appropriate health care practitioner.

(Source: P.A. 92-719, eff. 7-25-02.)

Approved May 12, 2006.

PUBLIC ACT 94-0766
(Senate Bill No. 2381)

AN ACT concerning State government.

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

Section 5. The Older Adult Services Act is amended by changing Section 25 as follows:

(320 ILCS 42/25)
Sec. 25. Older adult services restructuring. No later than January 1, 2005, the Department shall commence the process of restructuring the older adult services delivery system. Priority shall be given to both the expansion of services and the development of new services in priority service areas. Subject to the availability of funding, the restructuring shall include, but not be limited to, the following:

(1) Planning. The Department shall develop a plan to restructure the State's service delivery system for older adults. The plan shall include a schedule for the implementation of the initiatives outlined in this Act and all other initiatives identified by the participating agencies to fulfill the

New matter indicated by italics - deletions by strikeout
purposes of this Act. Financing for older adult services shall be based on the principle that "money follows the individual". The plan shall also identify potential impediments to delivery system restructuring and include any known regulatory or statutory barriers.

(2) Comprehensive case management. The Department shall implement a statewide system of holistic comprehensive case management. The system shall include the identification and implementation of a universal, comprehensive assessment tool to be used statewide to determine the level of functional, cognitive, socialization, and financial needs of older adults. This tool shall be supported by an electronic intake, assessment, and care planning system linked to a central location. "Comprehensive case management" includes services and coordination such as (i) comprehensive assessment of the older adult (including the physical, functional, cognitive, psycho-social, and social needs of the individual); (ii) development and implementation of a service plan with the older adult to mobilize the formal and family resources and services identified in the assessment to meet the needs of the older adult, including coordination of the resources and services with any other plans that exist for various formal services, such as hospital discharge plans, and with the information and assistance services; (iii) coordination and monitoring of formal and family service delivery, including coordination and monitoring to ensure that services specified in the plan are being provided; (iv) periodic reassessment and revision of the status of the older adult with the older adult or, if necessary, the older adult's designated representative; and (v) in accordance with the wishes of the older adult, advocacy on behalf of the older adult for needed services or resources.

(3) Coordinated point of entry. The Department shall implement and publicize a statewide coordinated point of entry using a uniform name, identity, logo, and toll-free number.

(4) Public web site. The Department shall develop a public web site that provides links to available services, resources, and reference materials concerning caregiving, diseases, and best practices for use by professionals, older adults, and family caregivers.

New matter indicated by italics - deletions by strikeout
(5) Expansion of older adult services. The Department shall expand older adult services that promote independence and permit older adults to remain in their own homes and communities.

(6) Consumer-directed home and community-based services. The Department shall expand the range of service options available to permit older adults to exercise maximum choice and control over their care.

(7) Comprehensive delivery system. The Department shall expand opportunities for older adults to receive services in systems that integrate acute and chronic care.

(8) Enhanced transition and follow-up services. The Department shall implement a program of transition from one residential setting to another and follow-up services, regardless of residential setting, pursuant to rules with respect to (i) resident eligibility, (ii) assessment of the resident's health, cognitive, social, and financial needs, (iii) development of transition plans, and (iv) the level of services that must be available before transitioning a resident from one setting to another.

(9) Family caregiver support. The Department shall develop strategies for public and private financing of services that supplement and support family caregivers.

(10) Quality standards and quality improvement. The Department shall establish a core set of uniform quality standards for all providers that focus on outcomes and take into consideration consumer choice and satisfaction, and the Department shall require each provider to implement a continuous quality improvement process to address consumer issues. The continuous quality improvement process must benchmark performance, be person-centered and data-driven, and focus on consumer satisfaction.

(11) Workforce. The Department shall develop strategies to attract and retain a qualified and stable worker pool, provide living wages and benefits, and create a work environment that is conducive to long-term employment and career development. Resources such as grants, education, and promotion of career opportunities may be used.

(12) Coordination of services. The Department shall identify methods to better coordinate service networks to maximize resources and minimize duplication of services and ease of application.

New matter indicated by italics - deletions by strikeout
(13) Barriers to services. The Department shall identify barriers to the provision, availability, and accessibility of services and shall implement a plan to address those barriers. The plan shall: (i) identify barriers, including but not limited to, statutory and regulatory complexity, reimbursement issues, payment issues, and labor force issues; (ii) recommend changes to State or federal laws or administrative rules or regulations; (iii) recommend application for federal waivers to improve efficiency and reduce cost and paperwork; (iv) develop innovative service delivery models; and (v) recommend application for federal or private service grants.

(14) Reimbursement and funding. The Department shall investigate and evaluate costs and payments by defining costs to implement a uniform, audited provider cost reporting system to be considered by all Departments in establishing payments. To the extent possible, multiple cost reporting mandates shall not be imposed.

(15) Medicaid nursing home cost containment and Medicare utilization. The Department of Healthcare and Family Services (formerly Department of Public Aid), in collaboration with the Department on Aging and the Department of Public Health and in consultation with the Advisory Committee, shall propose a plan to contain Medicaid nursing home costs and maximize Medicare utilization. The plan must not impair the ability of an older adult to choose among available services. The plan shall include, but not be limited to, (i) techniques to maximize the use of the most cost-effective services without sacrificing quality and (ii) methods to identify and serve older adults in need of minimal services to remain independent, but who are likely to develop a need for more extensive services in the absence of those minimal services.

(16) Bed reduction. The Department of Public Health shall implement a nursing home conversion program to reduce the number of Medicaid-certified nursing home beds in areas with excess beds. The Department of Healthcare and Family Services Public Aid shall investigate changes to the Medicaid nursing facility reimbursement system in order to reduce beds. Such changes may include, but are not limited to, incentive payments that will enable facilities to adjust to the restructuring

New matter indicated by italics - deletions by strikeout
and expansion of services required by the Older Adult Services Act, including adjustments for the voluntary closure or layaway of nursing home beds certified under Title XIX of the federal Social Security Act. Any savings shall be reallocated to fund home-based or community-based older adult services pursuant to Section 20.

(17) Financing. The Department shall investigate and evaluate financing options for older adult services and shall make recommendations in the report required by Section 15 concerning the feasibility of these financing arrangements. These arrangements shall include, but are not limited to:

(A) private long-term care insurance coverage for older adult services;
(B) enhancement of federal long-term care financing initiatives;
(C) employer benefit programs such as medical savings accounts for long-term care;
(D) individual and family cost-sharing options;
(E) strategies to reduce reliance on government programs;
(F) fraudulent asset divestiture and financial planning prevention; and
(G) methods to supplement and support family and community caregiving.

(18) Older Adult Services Demonstration Grants. The Department shall implement a program of demonstration grants that will assist in the restructuring of the older adult services delivery system, and shall provide funding for innovative service delivery models and system change and integration initiatives pursuant to subsection (g) of Section 20.

(19) Bed need methodology update. For the purposes of determining areas with excess beds, the Departments shall provide information and assistance to the Health Facilities Planning Board to update the Bed Need Methodology for Long-Term Care to update the assumptions used to establish the methodology to make them consistent with modern older adult services.

New matter indicated by italics - deletions by strikeout
(20) Affordable housing. The Departments shall utilize the recommendations of Illinois' Annual Comprehensive Housing Plan, as developed by the Affordable Housing Task Force through the Governor's Executive Order 2003-18, in their efforts to address the affordable housing needs of older adults.

The Older Adult Services Advisory Committee shall investigate innovative and promising practices operating as demonstration or pilot projects in Illinois and in other states. The Department on Aging shall provide the Older Adult Services Advisory Committee with a list of all demonstration or pilot projects funded by the Department on Aging, including those specified by rule, law, policy memorandum, or funding arrangement. The Committee shall work with the Department on Aging to evaluate the viability of expanding these programs into other areas of the State.

(Source: P.A. 93-1031, eff. 8-27-04; 94-236, eff. 7-14-05; revised 12-15-05.)

Approved May 12, 2006.

PUBLIC ACT 94-0767
(Senate Bill No. 2695)

AN ACT concerning regulation.

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

Section 5. The Nursing Home Care Act is amended by changing Section 3-421 as follows:

(210 ILCS 45/3-421) (from Ch. 111 1/2, par. 4153-421)

Sec. 3-421. In any transfer or discharge conducted under subsection (e) of Section 3-415, the Department shall notify the facility and any resident to be removed that an emergency has been found to exist and removal has been ordered, and shall involve the residents in removal planning if possible. With the consent of the resident or his or her

New matter indicated by italics - deletions by strikeout
representative, the facility must inform the resident's designated case coordination unit, as defined in 89 Ill. Adm. Code 240.260, of the resident's pending discharge and must provide the resident or his or her representative with the case coordination unit's telephone number and other contact information. Following emergency removal, the Department shall provide written notice to the facility, to the resident, to the resident's representative, if any, and to a member of the resident's family, where practicable, of the basis for the finding that an emergency existed and of the right to challenge removal under Section 3-422.
(Source: P.A. 81-223.)

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

Approved May 12, 2006.
Effective May 12, 2006.

PUBLIC ACT 94-0768
(Senate Bill No. 2711)

AN ACT concerning the transfer of real property.

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

Section 1. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to execute and deliver to the Village of Spring Grove, an Illinois unit of local government, for and in consideration of $1.00 paid to said Department, a Quit Claim Deed to the following described real property, to wit:
Parcel 282-A:

All that real property conveyed from Wieland Dairy Company, an Illinois Corporation, to the State of Illinois, by Warranty Deed dated August 17, 1914 and recorded September 7, 1914 in Book 143 of Deeds at Page 347 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:

New matter indicated by italics - deletions by strikeout
Part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, described as follows: Starting at an iron stake at the Northwest corner of said Northeast Quarter of the Northeast Quarter of said Section 25; thence South 00 degrees 27 minutes West on the forty line 287 feet to a stake on the North bank of the Nippersink Creek for a place of beginning; thence South 00 degrees 27 minutes West on said forty line 934.7 feet to an iron stake; thence South 89 degrees 33 minutes East 425 feet to an iron stake; thence North 00 degrees 27 minutes East, 1167.3 feet to a stake on the North bank of the aforesaid Nippersink Creek; thence South 79 degrees 34 minutes West along the North bank of said creek 67.9 feet; thence South 50 degrees 42 minutes West along the North bank of said creek 281 feet; thence South 73 degrees 53 minutes West along the North bank of said creek 149.3 feet to the place of beginning, containing 10.18 acres of land, more or less, all situated in the County of McHenry and the State of Illinois.

Parcel 282-B:
All that real property conveyed from Wieland Dairy Company, an Illinois Corporation, to the State of Illinois, by Warranty Deed dated January 20, 1916 and recorded March 11, 1919 in Book 153 of Deeds at Page 460 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
Part of the Southeast Quarter of the Northeast Quarter of Section 25, in Township 46 North, Range Number 8 East of the Third Principal Meridian, bounded and described as follows: Commencing at a point on the Range line between the Townships of Richmond and Burton, 21.5 rods North from the North line of the Chicago, Milwaukee and St. Paul Railway Company's right-of-way; thence North 79 degrees West parallel with the North line of said right-of-way 35 feet; thence South 72 degrees 50 minutes West 319.8 feet to a point; thence North 79 degrees West 125.5 feet to a point; thence South parallel with the Range line 200 feet to a stake on the North line of aforesaid railway right-of-way; thence South 79 degrees East along the North line of said railway right-of-way 274.0 feet to a stake; thence North parallel with the Range line 181.5 feet to a stake.

New matter indicated by italics - deletions by strikeout
stake; thence South 79 degrees East parallel with the North line of aforesaid railway right-of-way 198 feet to a point on the Range line; thence North on said Range line 173.25 feet to the place of beginning, containing 2 acres of land, together with the right-of-way for roadway purposes to Blivin Street in the Village of Spring Grove, McHenry County, Illinois, said right-of-way being a strip of land 30 feet wide lying North of and adjoining the Northerly line of a piece of land deeded by John A. Bowers and wife to Nick Etten, and recorded in Book 120 of Deeds, at Page 156 in the Recorder's Office of McHenry County, Illinois; all situated in the County of McHenry and the State of Illinois.

Parcel 282-C:
All that real property conveyed from George Wieland and Amanda Wieland, his wife, to the State of Illinois, by Warranty Deed dated August 16, 1919 and recorded November 5, 1919 in Book 154 of Deeds at Page 274 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
Commencing at a point on the 80 rod line 1447 feet South of a point 80 rods West of the Northeast corner of Section 25 where said line intersects the public highway; running thence in a westerly direction along the public highway 33 feet; thence North parallel with the 80 rod line 1130 feet to the center of Nippersink Creek; thence East to the 80 rod line 33 feet; thence South 1130 feet to the place of beginning, containing 134 square rods, more or less, situated in Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, Village of Spring Grove, County of McHenry, State of Illinois.

Parcel 282-D:
All that real property conveyed from Wieland Dairy Company, an Illinois Corporation, to the State of Illinois, by Warranty Deed dated July 2, 1923 and recorded August 7, 1923 in Book 168 of Deeds at Page 257 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
That part of East Half of Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, and that part of the
West Half of the Northwest Quarter of Section 30, Township 46 North, Range 9 East of the Third Principal Meridian, described as follows: Starting at an iron stake in the West line of the East Half of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, said stake being situated 1221.7 feet South of the Northwest corner of said West Half of said Northeast Quarter of Section 25 aforesaid; thence easterly at right angles to said West line of said East Half of said Northeast Quarter of Section 25 aforesaid, 425 feet for a place of beginning; thence North parallel with said West line 1167.3 feet to the North bank of Nippersink Creek; thence Southeasterly along the North bank of said Nippersink Creek to the Southwest corner of a tract of land conveyed by Robert Johnott and wife to Lewis Hatch by deed recorded in Book 48 of Deeds on page 92 in the Recorder's Office of McHenry County, Illinois; thence easterly along the Southerly line of said tract of land so deeded to the Range line between Ranges 8 and 9 East of the Third Principal Meridian, State of Illinois; thence South along said Range line 1150 feet, more or less, to the South bank of said Nippersink Creek; thence Southeasterly along the South bank of said Nippersink Creek to the center of the public highway, commonly known as Blivin Street; thence Southwesterly along the center of said highway to a point in range with the Northerly line of a piece of land conveyed by John A. Bowers and wife to Nick Etten by deed of September 14, 1906, and recorded in the aforesaid Recorder's Office in Book 120 of Deeds, on Page 156; thence Northwesterly along the Northerly line of said land so deeded to Nick Etten to the aforesaid Range line; thence North on said Range line to a point 21.5 rods North of the point of intersection of aforesaid Range line with the Northerly right-of-way line of the Chicago, Milwaukee & St. Paul Railway Company, said point being the Northeast corner of a parcel of land deeded by the Wieland Dairy Company, a corporation, to the State of Illinois, by deed of January 20, 1916, and recorded in aforesaid Recorder's Office in Book 153 of Deeds on Page 460; thence North 79 degrees West parallel with said Northerly right-of-way line 35 feet; thence South 72 degrees 50 minutes West, 319.8 feet; thence North 79 degrees West parallel with said Northerly right-of-way line 125.5 feet to a point 200 feet

New matter indicated by italics - deletions by strikeout
North of said Northerly railway right-of-way line, measured on a line parallel to said Range line; thence North parallel with said Range line 106.4 feet; thence West on a line at right angles to the West line of the East Half of the Northeast Quarter of said Section 25, 410.6 feet; thence North parallel with said West line 123.7 feet to the place of beginning;

ALSO,
That part of the East Half of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, described as follows:
Beginning at a point in the Northerly right-of-way line of the Chicago, Milwaukee, & St. Paul Railway Company, said point being 502.6 feet Easterly of the intersection of said Northerly right-of-way line and the West line of said East Half of said Northeast Quarter of said Section 25; thence North parallel with said West line 127.2 feet; thence East on line at right angles to said West line, 341.3 feet; thence South on a line parallel to the Range line between Ranges 8 and 9 East of the Third Principal Meridian, 191.4 feet to said Northerly right-of-way line; thence Northwesterly along said Northerly right-of-way line, 349 feet to the place of beginning;
All situated in the County of McHenry and the State of Illinois.

Parcel 282-E:
All that real property conveyed from Wieland Dairy Company, a Delaware Corporation, to the State of Illinois, by Warranty Deed dated November 2, 1931 and recorded July 20, 1932 in Book 210 of Deeds at Page 3 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
Starting at a point on the West line of the Northeast Quarter of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, 1221.7 feet South of the Northwest corner thereof; thence East 123.3 feet; thence South 86 feet, which is the point of beginning; thence West 20 feet; thence South 36 degrees 30 minutes East, 217.1 feet; thence South 51 degrees 30 minutes East, 81.2 feet; thence South 76 degrees 20 minutes East, 134.0 feet; thence South 79 degrees East along the Northerly right-of-way line of the Chicago, Milwaukee, &

New matter indicated by italics - deletions by strikeout
St. Paul Railway, 71.3 feet; thence North, 127.2 feet; thence East, 341.3 feet; thence North, 106.4 feet; thence West, 410.6 feet; thence North, 37.7 feet; thence West, 301.7 feet to the point of beginning, and including 2.49 acres of land, more or less, all situated in the County of McHenry and the State of Illinois.

Parcel 282-F:
All that real property conveyed from Walter W. Armstrong and Agnes Armstrong, his wife, to the State of Illinois, by Warranty Deed dated November 2, 1931 and recorded July 20, 1932 in Book 199 of Deeds at Page 430 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
Starting at a point on the West line of the Northeast Quarter of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, 1221.7 feet South of the Northwest corner thereof; thence East 123.3 feet, which is the point of beginning; thence South, 86 feet; thence East, 301.7 feet; thence North, 86 feet; thence West, 301.7 feet to the point of beginning, and including 0.60 acres of land, more or less, all situated in the County of McHenry and the State of Illinois.

Parcel 282-1:
All that real property conveyed from Charles N. Karls and Winifred J. Karls, his wife, to the State of Illinois, Department of Conservation, by Warranty Deed dated January 27, 1984 and recorded January 27, 1984 as Document Number 874221 in the Recorder's Office of McHenry County, Illinois, being more particularly described as follows:
Part of the Northeast Quarter of Section 25, Township 46 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the Northerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad, and the East line of the Northeast Quarter of said Section 25; thence Westerly along the Northerly right-of-way line of said railroad, a distance of 198.00 feet to the Southeast corner of a tract of land conveyed from the Wieland Dairy Company, to the State of Illinois, by Warranty Deed recorded in the McHenry County Recorder's Office in Book 153 at page 460, for the point of beginning; thence from the point of beginning Northerly along the boundary of said

New matter indicated by italics - deletions by strikeout
tract of land conveyed by Warranty Deed recorded in aforesaid Recorder's Office in Book 153 at page 460, on a line parallel with the East line of the Northeast Quarter of said Section 25, with a deflection angle of 79 degrees 13 minutes 54 seconds to the right measured from the last described course, a distance of 181.50 feet to a point; thence Easterly along the boundary of said tract of land conveyed by Warranty Deed recorded in the aforesaid Recorder's Office in Book 153 at page 460, on a line parallel with the Northerly right-of-way line of said railroad, with a deflection angle of 100 degrees 46 minutes 06 seconds to the right, measured from the last described course, a distance of 37.00 feet to the Northwest corner of a tract of land conveyed from Charles N. Karl and wife, to the Bank of Ravenswood, an Illinois Banking Corporation, by Deed in Trust recorded in the aforesaid Recorder's Office as Document No. 738390; thence Southerly along the Westerly boundary of said tract of land conveyed by Deed in Trust recorded in the aforesaid Recorder's Office as Document No. 738390, a distance of 179.20 feet to the Southwest corner of said tract of land conveyed by said Deed in Trust, said Southwest corner being on the Northerly right-of-way line of said railroad and being 21.00 feet distant from the point of beginning of the land herein described; thence Westerly along the Northerly right-of-way line of said railroad, a distance of 21.00 feet to the point of beginning, containing 5170.9 square feet (0.119 acres), more or less, all situated in the County of McHenry and the State of Illinois.

Section 2. The conveyance of real property authorized by Section 1 shall be made subject to: (1) existing public utilities and any and all reservations, easements, covenants and restrictions of record; (2) the express condition that if said real property ceases to be used for public passive recreation purposes, title thereto shall revert to the State of Illinois, Department of Natural Resources; and (3) any and all covenants, reservations, restrictions or conditions which are deemed necessary by the Department of Natural Resources to preserve and protect the archaeological, historic and wetland resources situated on said real property.

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved May 12, 2006.
Effective May 12, 2006.

PUBLIC ACT 94-0769
(Senate Bill No. 2728)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-391 as follows:
(20 ILCS 2310/2310-391 new)
Sec. 2310-391. Meningitis; educational materials. The Department shall develop educational materials on meningitis for distribution in elementary and secondary schools.
Section 99. Effective date. This Act takes effect upon becoming law.

Approved May 12, 2006.
Effective May 12, 2006.

PUBLIC ACT 94-0770
(Senate Bill No. 2465)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Clean Indoor Air Act is amended by adding Section 4.5 as follows:
(410 ILCS 80/4.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 4.5. Smoking prohibited in student dormitories.
(a) Notwithstanding any other provision of this Act, smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms, dining areas, restrooms, laundry areas, lobbies, and hallways, of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education.
(b) This Section does not apply to any commercial area within the building.

Section 99. Effective date. This Act takes effect upon becoming law.
Approved May 15, 2006.
Effective May 15, 2006.

PUBLIC ACT 94-0771
(Senate Bill No. 2865)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Section 11-1201.1 and adding Sections 11-612 and 11-1201.5 as follows:
(625 ILCS 5/11-612 new)
Sec. 11-612. Certain systems to record vehicle speeds prohibited. Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used in this State to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event. No State or local governmental entity, including a home rule county or municipality, may use such a system in a way that is prohibited by this Section. The regulation of the use of such systems is an exclusive power and function of the State. This Section is a

New matter indicated by italics - deletions by strikeout
Public Act 94-0771

Sec. 11-1201.1. Automated Railroad Crossing Enforcement System Pilot Project.

(a) For the purposes of this Section, an automated railroad grade crossing enforcement system is a system operated by a law enforcement agency that records a driver's response to automatic, electrical or mechanical signal devices and crossing gates. The system shall be designed to obtain a clear photograph or other recorded image of the vehicle, vehicle operator and the vehicle registration plate of a vehicle in violation of Section 11-1201. The photograph or other recorded image shall also display the time, date and location of the violation.

(b) Commencing on January 1, 1996, the Illinois Commerce Commission and the Commuter Rail Board of the Regional Transportation Authority shall, in cooperation with local law enforcement agencies, establish a 5 year pilot program within a county with a population of between 750,000 and 1,000,000 using an automated railroad grade crossing enforcement system. The Commission shall determine the 3 railroad grade crossings within that county that pose the greatest threat to human life based upon the number of accidents and fatalities at the crossings during the past 5 years and with approval of the local law enforcement agency equip the crossings with an automated railroad grade crossing enforcement system.

(b-1) Commencing on July 20, 2001 (the effective date of Public Act 92-98), the Illinois Commerce Commission and the Commuter Rail Board may, in cooperation with the local law enforcement agency, establish in a county with a population of between 750,000 and 1,000,000 a 2 year pilot program using an automated railroad grade crossing enforcement system. This pilot program may be established at a railroad grade crossing designated by local authorities. No State moneys may be expended on the automated railroad grade crossing enforcement system established under this pilot program.

New matter indicated by italics - deletions by strikeout
(c) For each violation of Section 11-1201 recorded by an automatic railroad grade crossing system, the local law enforcement agency having jurisdiction shall issue a written Uniform Traffic Citation of the violation to the registered owner of the vehicle as the alleged violator. The Uniform Traffic Citation shall be delivered to the registered owner of the vehicle, by mail, within 30 days of the violation. The Uniform Traffic Citation shall include the name and address of vehicle owner, the vehicle registration number, the offense charged, the time, date, and location of the violation, the first available court date and that the basis of the citation is the photograph or other recorded image from the automated railroad grade crossing enforcement system.

(d) The Uniform Traffic Citation issued to the registered owner of the vehicle shall be accompanied by a written notice, the contents of which is set forth in subsection (d-1) of this Section, explaining how the registered owner of the vehicle can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.

(d-1) The written notice explaining the alleged violator's rights and obligations must include the following text:

"You have been served with the accompanying Uniform Traffic Citation and cited with having violated Section 11-1201 of the Illinois Vehicle Code. You can elect to proceed by:

1. Paying the fine; or
2. Challenging the issuance of the Uniform Traffic Citation in court; or
3. If you were not the operator of the vehicle at the time of the alleged offense, notifying in writing the local law enforcement agency that issued the Uniform Traffic Citation of the number of the Uniform Traffic Citation received and the name and address of the person operating the vehicle at the time of the alleged offense. If you fail to so notify in writing the local law enforcement agency of the name and address of the operator of the vehicle at the time of the alleged offense, you may be presumed to have been the operator of the vehicle at the time of the alleged offense."

New matter indicated by italics - deletions by strikeout
(d-2) If the registered owner of the vehicle was not the operator of the vehicle at the time of the alleged offense, and if the registered owner notifies the local law enforcement agency having jurisdiction of the name and address of the operator of the vehicle at the time of the alleged offense, the local law enforcement agency having jurisdiction shall then issue a written Uniform Traffic Citation to the person alleged by the registered owner to have been the operator of the vehicle at the time of the alleged offense. If the registered owner fails to notify in writing the local law enforcement agency having jurisdiction of the name and address of the operator of the vehicle at the time of the alleged offense, the registered owner may be presumed to have been the operator of the vehicle at the time of the alleged offense.

(e) Evidence.

(i) A certificate alleging that a violation of Section 11-1201 occurred, sworn to or affirmed by a duly authorized agency, based on inspection of recorded images produced by an automated railroad crossing enforcement system are evidence of the facts contained in the certificate and are admissible in any proceeding alleging a violation under this Section.

(ii) Photographs or recorded images made by an automatic railroad grade crossing enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of Section 11-1201 of the Illinois Vehicle Code. The photographs may also be made available to governmental agencies for the purpose of a safety analysis of the crossing where the automatic railroad grade crossing enforcement system is installed. However, any photograph or other recorded image evidencing a violation of Section 11-1201 shall be admissible in any proceeding resulting from the issuance of the Uniform Traffic Citation when there is reasonable and sufficient proof of the accuracy of the camera or electronic instrument recording the image. There is a rebuttable presumption that the photograph or recorded image is accurate if the camera or

New matter indicated by italics - deletions by strikeout
electronic recording instrument was in good working order at the 
beginning and the end of the day of the alleged offense.

(f) Rail crossings equipped with an automatic railroad grade 
crossing enforcement system shall be posted with a sign visible to 
approaching traffic stating that the railroad grade crossing is being 
monitored, that citations will be issued, and the amount of the fine for 
violation.

(g) Except as provided in subsection (b-1), the cost of the 
installation and maintenance of each automatic railroad grade crossing 
enforcement system shall be paid from the Grade Crossing Protection 
Fund if the rail line is not owned by Commuter Rail Board of the Regional 
Transportation Authority.

Except as provided in subsection (b-1), if the rail line is owned by the 
Commuter Rail Board of the Regional Transportation Authority, the costs 
of the installation and maintenance shall be paid from the Regional 
Transportation Authority's portion of the Public Transportation Fund.

(h) The Illinois Commerce Commission shall issue a report to the 
General Assembly at the conclusion of the 5 year pilot program 
established under subsection (b) on the effectiveness of the automatic 
railroad grade crossing enforcement system.

(i) If any part or parts of this Section are held by a court of 
competent jurisdiction to be unconstitutional, the unconstitutionality shall 
not affect the validity of the remaining parts of this Section. The General 
Assembly hereby declares that it would have passed the remaining parts of 
this Section if it had known that the other part or parts of this Section 
would be declared unconstitutional.

(j) Penalty.

(i) A violation of this Section is a petty offense for which a 
fine of $250 shall be imposed for a first violation, and a fine of 
$500 shall be imposed for a second or subsequent violation. The 
court may impose 25 hours of community service in place of the 
$250 fine for the first violation.
(ii) For a second or subsequent violation, the Secretary of State may suspend the registration of the motor vehicle for a period of at least 6 months.

(Source: P.A. 92-98, eff. 7-20-01; 92-245, eff. 8-3-01; 92-651, eff 7-11-02; 92-814, eff. 1-1-03.)

(625 ILCS 5/11-1201.5 new)

Sec. 11-1201.5. Automated railroad crossing enforcement system.

(a) For the purposes of this Section, an automated railroad grade crossing enforcement system is a system operated by a law enforcement agency that records a driver's response to automatic, electrical, or mechanical signal devices and crossing gates. The system shall be designed to obtain a clear photograph or other recorded image of the vehicle, vehicle operator, and the vehicle registration plate of a vehicle in violation of Section 11-1201 or 11-1425. The photograph or other recorded image shall also display the time, date, and location of the violation.

(b) The Illinois Commerce Commission and the Illinois Department of Transportation may, in cooperation with a local law enforcement agency, establish in any county or municipality an automated railroad grade crossing enforcement system at any railroad grade crossing designated by local authorities. Local authorities desiring the establishment of an automated railroad crossing enforcement system must initiate the process by enacting a local ordinance requesting the creation of such a system. After the ordinance has been enacted, and before any additional steps toward the establishment of the system are undertaken, the local authorities, the Commission, and the Department must agree to a plan for obtaining, from any combination of federal, State, and local funding sources, the moneys required for the purchase and installation of any necessary equipment.

(c) For each violation of Section 11-1201 or 11-1425 recorded by an automatic railroad grade crossing system, the local law enforcement agency having jurisdiction shall issue a written Uniform Traffic Citation of the violation to the registered owner of the vehicle as the alleged

New matter indicated by italics - deletions by strikeout
violator. The Uniform Traffic Citation shall be delivered to the registered owner of the vehicle, by mail, within 30 days of the violation. The Uniform Traffic Citation shall include the name and address of vehicle owner, the vehicle registration number, the offense charged, the time, date, and location of the violation, the first available court date, and that the basis of the citation is the photograph or other recorded image from the automated railroad grade crossing enforcement system.

(d) The Uniform Traffic Citation issued to the registered owner of the vehicle shall be accompanied by a written notice, the contents of which is set forth in subsection (e) of this Section, explaining how the registered owner of the vehicle can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.

(e) The written notice explaining the alleged violator's rights and obligations must include the following text:

"You have been served with the accompanying Uniform Traffic Citation and cited with having violated Section 11-1201 or 11-1425 of the Illinois Vehicle Code. You can elect to proceed by:

1. Paying the fine; or

2. Challenging the issuance of the Uniform Traffic Citation in court; or

3. If you were not the operator of the vehicle at the time of the alleged offense, notifying in writing the local law enforcement agency that issued the Uniform Traffic Citation of the number of the Uniform Traffic Citation received and the name and address of the person operating the vehicle at the time of the alleged offense. If you fail to so notify in writing the local law enforcement agency of the name and address of the operator of the vehicle at the time of the alleged offense, you may be presumed to have been the operator of the vehicle at the time of the alleged offense."

(f) If the registered owner of the vehicle was not the operator of the vehicle at the time of the alleged offense, and if the registered owner notifies the local law enforcement agency having jurisdiction of the name and address of the operator of the vehicle at the time of the alleged offense, the local law enforcement agency having jurisdiction shall then
issue a written Uniform Traffic Citation to the person alleged by the
registered owner to have been the operator of the vehicle at the time of the
alleged offense. If the registered owner fails to notify in writing the local
law enforcement agency having jurisdiction of the name and address of
the operator of the vehicle at the time of the alleged offense, the registered
owner may be presumed to have been the operator of the vehicle at the
time of the alleged offense.

(g) Evidence.

(1) A certificate alleging that a violation of Section 11-1201
or 11-1425 occurred, sworn to or affirmed by a duly authorized
agency, based on inspection of recorded images produced by an
automated railroad crossing enforcement system, are evidence of
the facts contained in the certificate and are admissible in any
proceeding alleging a violation under this Section.

(2) Photographs or recorded images made by an automatic
railroad grade crossing enforcement system are confidential and
shall be made available only to the alleged violator and
governmental and law enforcement agencies for purposes of
adjudicating a violation of Section 11-1201 or 11-1425 of the
Illinois Vehicle Code. The photographs may also be made
available to governmental agencies for the purpose of a safety
analysis of the crossing where the automatic railroad grade
crossing enforcement system is installed. However, any
photograph or other recorded image evidencing a violation of
Section 11-1201 or 11-1425 shall be admissible in any proceeding
resulting from the issuance of the Uniform Traffic Citation when
there is reasonable and sufficient proof of the accuracy of the
camera or electronic instrument recording the image. There is a
rebuttable presumption that the photograph or recorded image is
accurate if the camera or electronic recording instrument was in
good working order at the beginning and the end of the day of the
alleged offense.

(h) Rail crossings equipped with an automatic railroad grade
crossing enforcement system shall be posted with a sign visible to

New matter indicated by italics - deletions by strikeout
approaching traffic stating that the railroad grade crossing is being monitored, that citations will be issued, and the amount of the fine for violation.

(i) A county or municipality, including a home rule county or municipality, may not use an automated railroad crossing enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed. The regulation of the use of automated railroad crossing enforcement systems to record vehicle speeds is an exclusive power and function of the State. This subsection (i) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(j) If any part or parts of this Section are held by a court of competent jurisdiction to be unconstitutional, the unconstitutionality shall not affect the validity of the remaining parts of this Section. The General Assembly hereby declares that it would have passed the remaining parts of this Section if it had known that the other part or parts of this Section would be declared unconstitutional.

(k) Penalty.

(1) A violation of this Section is a petty offense for which a fine of $250 shall be imposed for a first violation, and a fine of $500 shall be imposed for a second or subsequent violation. The court may impose 25 hours of community service in place of the $250 fine for the first violation.

(2) For a second or subsequent violation, the Secretary of State may suspend the registration of the motor vehicle for a period of at least 6 months.

Passed in the General Assembly April 6, 2006.
Approved May 16, 2006.

PUBLIC ACT 94-0772
(Senate Bill No. 1144)

AN ACT concerning criminal law.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by adding Section 26-6 as follows:

(720 ILCS 5/26-6 new)
Sec. 26-6. Disorderly conduct at a funeral or memorial service.
(a) The General Assembly finds and declares that due to the unique nature of funeral and memorial services and the heightened opportunity for extreme emotional distress on such occasions, the purpose of this Section is to protect the privacy and ability to mourn of grieving families directly before, during, and after a funeral or memorial service.
(b) For purposes of this Section:
   (1) "Funeral" means the ceremonies, rituals, processions, and memorial services held at a funeral site in connection with the burial, cremation, or memorial of a deceased person.
   (2) "Funeral site" means a church, synagogue, mosque, funeral home, mortuary, cemetery, gravesite, mausoleum, or other place at which a funeral is conducted or is scheduled to be conducted within the next 30 minutes or has been conducted within the last 30 minutes.
(c) A person commits the offense of disorderly conduct at a funeral or memorial service when he or she:
   (1) engages, with knowledge of the existence of a funeral site, in any loud singing, playing of music, chanting, whistling, yelling, or noisemaking with, or without, noise amplification including, but not limited to, bullhorns, auto horns, and microphones within 200 feet of any ingress or egress of that funeral site, where the volume of such singing, music, chanting, whistling, yelling, or noisemaking is likely to be audible at and disturbing to the funeral site;
   (2) displays, with knowledge of the existence of a funeral site and within 200 feet of any ingress or egress of that funeral site, any visual images that convey fighting words or actual or veiled threats against any other person; or

New matter indicated by italics - deletions by strikeout
(3) with knowledge of the existence of a funeral site, knowingly obstructs, hinders, impedes, or blocks another person’s entry to or exit from that funeral site or a facility containing that funeral site, except that the owner or occupant of property may take lawful actions to exclude others from that property.  

(d) Disorderly conduct at a funeral or memorial service is a Class C misdemeanor. A second or subsequent violation is a Class 4 felony.

(e) If any clause, sentence, section, provision, or part of this Section or the application thereof to any person or circumstance is adjudged to be unconstitutional, the remainder of this Section or its application to persons or circumstances other than those to which it is held invalid, is not affected thereby.

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

Approved May 17, 2006.
Effective May 17, 2006.

PUBLIC ACT 94-0773
(Senate Bill No. 2579)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 2. The Illinois Economic Opportunity Act is amended by changing Section 2 as follows:

(20 ILCS 625/2) (from Ch. 127, par. 2602)

Sec. 2. (a) The Director of Commerce and Economic Opportunity the Department of Commerce & Community Affairs is authorized to administer the federal community services block program, low-income home energy assistance program, weatherization assistance program, emergency community services homeless grant program, and other federal programs that require or give preference to community action agencies for local administration in accordance with federal laws and regulations as

New matter indicated by italics - deletions by strikeout
amended. The Director shall provide financial assistance to community action agencies from community service block grant funds and other federal funds requiring or giving preference to community action agencies for local administration for the programs described in Section 4. *The Director of Healthcare and Family Services is authorized to administer the federal low-income home energy assistance program and weatherization assistance program in accordance with federal laws and regulations as amended.*

(b) Funds appropriated for use by community action agencies in community action programs shall be allocated annually to existing community action agencies or newly formed community action agencies by the Department of Commerce and Economic Opportunity Community Affairs. Allocations will be made consistent with duly enacted departmental rules.

(Source: P.A. 87-926; revised 12-6-03.)

Section 5. The State Finance Act is amended by changing Section 8h as follows:

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount

New matter indicated by italics - deletions by strikeout
less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, or the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, the Supplemental Low-Income Energy Assistance Fund, the Good Samaritan Energy Trust Fund, or the Low-Level Radioactive Waste Facility Development and Operation Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(b) This Section does not apply to: (i) the Ticket For The Cure Fund; (ii) or to any fund established under the Community Senior Services and Resources Act; or (iii) on or after January 1, 2006 (the effective date of Public Act 94-511) this amendatory Act of the 94th General Assembly.

New matter indicated by italics - deletions by strikeout
Assembl,
y the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

(d) This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

Section 10. The Illinois Income Tax Act is amended by adding Section 507MM as follows:

(35 ILCS 5/507MM new)

Sec. 507MM. Supplemental Low-Income Energy Assistance Fund checkoff. Beginning with taxable years ending on December 31, 2006, the Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Supplemental Low-Income Energy Assistance Fund as authorized by this amendatory Act of the 94th General Assembly, he or she may do so by stating the amount of the contribution (not less than $1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of the payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

Section 15. The Energy Assistance Act is amended by changing Sections 2, 3, 4, 8, and 13 and by adding Section 15 as follows:

(305 ILCS 20/2) (from Ch. 111 2/3, par. 1402)

Sec. 2. Findings and Intent.

(a) The General Assembly finds that:

New matter indicated by italics - deletions by strikeout
(1) the health, welfare, and prosperity of the people of the State of Illinois require that all citizens receive essential levels of heat and electric service regardless of economic circumstance;

(2) public utilities and other entities providing such services are entitled to receive proper payment for services actually rendered;

(3) declining Federal low income energy assistance funding necessitates a State response to ensure the continuity and the further development of energy assistance and related policies and programs within Illinois; and

(4) energy assistance policies and programs in effect in Illinois during the past 3 years have benefited all Illinois citizens, and should therefore be continued with the modifications provided herein.

(b) Consistent with its findings, the General Assembly declares that it is the policy of the State that:

(1) a comprehensive low income energy assistance policy and program should be established which incorporates income assistance, home weatherization, and other measures to ensure that citizens have access to affordable energy services;

(2) the ability of public utilities and other entities to receive just compensation for providing services should not be jeopardized by this policy;

(3) resources applied in achieving this policy should be coordinated and efficiently utilized through the integration of public programs and through the targeting of assistance; and

(4) the State should utilize all appropriate and available means to fund this program and, to the extent possible, should identify and utilize sources of funding which complement State tax revenues.

(Source: P.A. 92-690, eff. 7-18-02.)

(305 ILCS 20/3) (from Ch. 111 2/3, par. 1403)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

New matter indicated by italics - deletions by strikeout
(a) the terms defined in Sections 3-101 through 3-121 of The Public Utilities Act have the meanings ascribed to them in that Act;

(b) "Department" means the Department of Healthcare and Family Services, Commerce and Community Affairs;

(c) "energy provider" means any utility, municipal utility, cooperative utility, or any other corporation or individual which provides winter energy services;

(d) "winter" means the period from November 1 of any year through April 30 of the following year.

(Source: P.A. 86-127; 87-14; revised 12-6-03.)

(305 ILCS 20/4) (from Ch. 111 2/3, par. 1404)

Sec. 4. Energy Assistance Program.

(a) The Department of Healthcare and Family Services, Commerce and Community Affairs is hereby authorized to institute a program to ensure the availability and affordability of heating and electric service to low income citizens. The Department shall implement the program by rule promulgated pursuant to The Illinois Administrative Procedure Act. The program shall be consistent with the purposes and objectives of this Act and with all other specific requirements provided herein. The Department may enter into such contracts and other agreements with local agencies as may be necessary for the purpose of administering the energy assistance program.

(b) Nothing in this Act shall be construed as altering or limiting the authority conferred on the Illinois Commerce Commission by the Public Utilities Act to regulate all aspects of the provision of public utility service, including but not limited to the authority to make rules and adjudicate disputes between utilities and customers related to eligibility for utility service, deposits, payment practices, discontinuance of service, and the treatment of arrearages owing for previously rendered utility service.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/8) (from Ch. 111 2/3, par. 1408)

Sec. 8. Program Reports.

(a) The Department of Natural Resources shall prepare and submit to the Governor and the General Assembly reports on September 30

New matter indicated by italics - deletions by strikeout
biennially, beginning in 2003, evaluating the effectiveness of the energy assistance and weatherization policies authorized by this Act. The first report shall cover such effects during the first winter during which the program authorized by this Act, is in operation, and successive reports shall cover effects since the issuance of the preceding report.

(1) Reports issued pursuant to this Section shall be limited to, information concerning the effects of the policies authorized by this Act on (1) the ability of eligible applicants to obtain and maintain adequate and affordable winter energy services and (2) changes in the costs and prices of winter energy services for people who do not receive energy assistance pursuant to this Act.

(2) The Department of Natural Resources shall by September 30, 2002, in consultation with the Policy Advisory Council, determine the kinds of numerical and other information needed to conduct the evaluations required by this Section, and shall advise the Policy Advisory Council of such information needs in a timely manner. The Department of Healthcare and Family Services, the Department of Human Services, and the Illinois Commerce Commission shall each provide such information as the Department of Natural Resources may require to ensure that the evaluation reporting requirement established by this Section can be met.

(b) On or before December 31, 2002, 2004, 2006, and 2007, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated for the programs authorized under this Act.

(c) On or before December 31 of each year in 2004, 2006, and 2007, the Department shall, in consultation with the Council, prepare and submit evaluation reports to the Governor and the General Assembly outlining the effects of the program designed under this Act on the following as it relates to the propriety of continuing the program:

(1) the definition of an eligible low income residential customer;

New matter indicated by italics - deletions by strikeout
(2) access of low income residential customers to essential energy services;
(3) past due amounts owed to utilities by low income persons in Illinois;
(4) appropriate measures to encourage energy conservation, efficiency, and responsibility among low income residential customers;
(5) the activities of the Department in the development and implementation of energy assistance and related policies and programs, which characterizes progress toward meeting the objectives and requirements of this Act, and which recommends any statutory changes which might be needed to further such progress.
(d) The Department shall by September 30, 2002 in consultation with the Council determine the kinds of numerical and other information needed to conduct the evaluations required by this Section.
(e) The Illinois Commerce Commission shall require each public utility providing heating or electric service to compile and submit any numerical and other information needed by the Department of Natural Resources to meet its reporting obligations.
(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)
(305 ILCS 20/13)
(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive, by statutory deposit, the moneys collected pursuant to this Section. The Fund is also authorized to receive voluntary donations from individuals, foundations, corporations, and other sources, as well as contributions made in accordance with Section 507MM of the Illinois Income Tax Act. Subject to appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program

New matter indicated by italics - deletions by strikeout
authorized by Section 4 of this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 10% of the amount collected during that year pursuant to this Section.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

1. $0.40 per month on each account for residential electric service;
2. $0.40 per month on each account for residential gas service;
3. $4 per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;
4. $4 per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;
5. $300 per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and

New matter indicated by italics - deletions by strikeout
(6) $300 per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

(c) For purposes of this Section:

(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(3) "non-residential electric service" means electric utility service which is not residential electric service; and

(4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) At least 45 days prior to the date on which it must begin assessing Energy Assistance Charges, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. If a customer makes a partial payment, a public utility, municipal

New matter indicated by italics - deletions by strikeout
utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section.

(h) (Blank).

On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.

(j) The Department of Healthcare and Family Services Commerce and Community Affairs may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.
In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed effective December 31, 2007 unless renewed by action of the General Assembly. The General Assembly shall consider the results of the evaluations described in Section 8 in its deliberations.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

Sec. 15. Income tax checkoff. Each individual income tax payer may contribute to the Supplemental Low-Income Energy Assistance Fund through the income tax checkoff described in Section 507MM of the Illinois Income Tax Act.

Section 20. The Good Samaritan Energy Plan Act is amended by changing Section 5 as follows:

(Source: P.A. 93-285, eff. 7-22-03.)

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

Approved May 18, 2006.
Effective May 18, 2006.
Section 5. The State Finance Act is amended by changing Sections 8h and 8j and by adding Section 8n as follows:

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as otherwise provided in this Section and Section 8n of this Act, and subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year.

This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, or the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, or the Low-Level Radioactive Waste Facility Development and Operation Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies.

New matter indicated by italics - deletions by strikeout
No transfers may be made under this Section from the Pet Population Control Fund.

Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(a-5) Transfers directed to be made under this Section on or before February 28, 2006 that are still pending on the effective date of this amendatory Act of the 94th General Assembly shall be redirected as provided in Section 8n of this Act.

(b) This Section does not apply to: (i) the Ticket For The Cure Fund; (ii) or to any fund established under the Community Senior Services and Resources Act; or (iii) (ii) on or after January 1, 2006 (the effective date of Public Act 94-511) or this amendatory Act of the 94th General Assembly, the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

(d) (c) This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-
Sec. 8j. Allocation and transfer of fee receipts to General Revenue Fund. *Except as otherwise provided in this Section and Section 8n of this Act, and notwithstanding any other law to the contrary,* additional amounts generated by the new and increased fees created or authorized by Public Acts 93-22, 93-23, 93-24, and 93-32 shall be allocated between the fund otherwise entitled to receive the fee and the General Revenue Fund by the Governor's Office of Management and Budget. In determining the amount of the allocation to the General Revenue Fund, the Governor shall calculate whether the available resources in the fund are sufficient to satisfy the unexpended and unreserved appropriations from the fund for the fiscal year.

In calculating the available resources in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

Upon determining the amount of an allocation to the General Revenue Fund under this Section, the Governor shall direct the State Treasurer and Comptroller to transfer the amount of that allocation from the fund in which the fee amounts have been deposited to the General Revenue Fund; provided, however, that the Governor shall not direct the transfer of any amount that would have the effect of reducing the available resources in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund for that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving

New matter indicated by italics - deletions by strikeout
the direction to transfer from the Governor Director of the Governor's Office of Management and Budget.

This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

Transfers directed to be made under this Section on or before February 28, 2006 that are still pending on the effective date of this amendatory Act of the 94th General Assembly shall be redirected as provided in Section 8n of this Act. 
(Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03; 94-686, eff. 11-2-05.)

(30 ILCS 105/8n new)

Sec. 8n. Redirected fund transfers.

(a) Transfers directed to be made under Section 8h of this Act on or before February 28, 2006 that are still pending on the effective date of this amendatory Act of the 94th General Assembly shall be redirected and completed as provided in subsections (c) and (d) of this Section.

(b) Transfers directed to be made under Section 8j of this Act on or before February 28, 2006 that are still pending on the effective date of this amendatory Act of the 94th General Assembly shall be redirected and completed as provided in subsections (c) and (d) of this Section.

(c) The first $250,000,000 of transfers that are subject to redirection under this Section shall be redirected as follows:

(1) one-third of each amount directed to be transferred to the General Revenue Fund shall be transferred to the Drug Rebate Fund instead of the General Revenue Fund;

(2) one-third of each amount directed to be transferred to the General Revenue Fund shall be transferred to the Hospital Provider Fund instead of the General Revenue Fund; and

(3) one-third of each amount directed to be transferred to the General Revenue Fund shall be transferred to the Long-term Care Provider Fund instead of the General Revenue Fund.

If the aggregate amount of all transfers that are subject to redirection under this Section exceeds $250,000,000, the excess over that amount shall be transferred to the General Revenue Fund.

New matter indicated by italics - deletions by strikeout
(d) All transfers redirected by this Section must be completed by the State Comptroller and State Treasurer within 7 days after the effective date of this amendatory Act of the 94th General Assembly.

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

Approved May 19, 2006.
Effective May 19, 2006.

PUBLIC ACT 94-0775
(Senate Bill No. 2302)

AN ACT concerning fire safety.

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

Section 1. Short title. This Act may be cited as the Cigarette Fire Safety Standard Act.

Section 5. Definitions. As used in this Act:

"Agent" means any person licensed by the Department of Revenue to purchase and affix adhesive or meter stamps on packages of cigarettes.

"Cigarette" means any roll for smoking, whether made wholly or in part of tobacco or any other substance, irrespective of size or shape, and whether or not such tobacco or substance is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except tobacco.

"Manufacturer" means:

(1) any entity that manufactures or otherwise produces cigarettes or causes cigarettes to be manufactured or produced anywhere that the manufacturer intends to be sold in this State, including cigarettes intended to be sold in the United States through an importer;

(2) the first purchaser anywhere that intends to resell in the United States cigarettes manufactured anywhere that the original

New matter indicated by italics - deletions by strikeout
manufacturer or maker does not intend to be sold in the United States; or

(3) any entity that becomes a successor of an entity described in items (1) or (2) of this definition.

"Repeatability" means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95% of the time.

"Retail dealer" means any person, other than a manufacturer or wholesale dealer, engaged in selling cigarettes or tobacco products.

"Sale" means any transfer of title or possession or both, exchange or barter, conditional or otherwise, in any manner or by any means whatever or any agreement therefor. In addition to cash and credit sales, the giving of cigarettes as samples, prizes, or gifts and the exchanging of cigarettes for any consideration other than money are considered sales.

"Sell" means to sell, or to offer or agree to do the same.

"Quality control and quality assurance program" means the laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment-related problems do not affect the results of the testing. This program ensures that the testing repeatability remains within the required repeatability values stated in subsection (e) of Section 15 of this Act for all test trials used to certify cigarettes in accordance with this Act.

"Wholesale dealer" means any person who sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale, and any person who owns, operates, or maintains one or more cigarette or tobacco product vending machines in, at, or upon premises owned or occupied by any other person.

Section 10. General requirements.

(a) On and after the effective date of this Act, no cigarettes shall be sold or offered for sale to any person in this State unless:

(1) the cigarettes have been tested in accordance with the test method prescribed in Section 15 of this Act;

(2) the cigarettes meet the performance standard specified in Section 20 of this Act; and

New matter indicated by italics - deletions by strikeout
(3) a written certification has been filed by the manufacturer with the Office of the State Fire Marshal and the Office of Attorney General in accordance with Section 30 of this Act.

(b) Nothing in this Act prohibits wholesale dealers or retail dealers from selling their inventory of cigarettes existing on the effective date of this Act, provided that the wholesale dealer or retail dealer can establish that tax stamps were affixed to the cigarettes pursuant to Section 3 of the Cigarette Tax Act before the effective date of this Act, and provided further that the wholesale dealer or retail dealer can establish that the inventory was purchased before the effective date of this Act in comparable quantity to the amount of inventory purchased during the same period of the prior year.

(c) Nothing in this Act shall be construed to prohibit any person or entity from selling or offering for sale cigarettes that have not been certified by the manufacturer in accordance with Section 30 of this Act if the cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States.

Section 15. Test method.

(a) Testing of cigarettes shall be conducted in accordance with the American Society of Testing and Materials ("ASTM") standard E2187-04, "Standard Test Method for Measuring the Ignition Strength of Cigarettes". The Office of the State Fire Marshal may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that the subsequent method does not result in a change in the percentage of full-length burns exhibited by any tested cigarette when compared to the percentage of full-length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard in Section 20 of this Act.

(b) Testing shall be conducted on 10 layers of filter paper.

(c) Forty replicate tests shall comprise a complete test trial for each cigarette tested.

(d) The performance standard required by Section 20 of this Act shall only be applied to a complete test trial.

New matter indicated by italics - deletions by strikeout
(e) Laboratories conducting testing in accordance with this Section shall implement a quality control and quality assurance program that includes a procedure that will determine the repeatability of the testing results. The repeatability value shall be no greater than 0.19 pursuant to Section 20 of this Act.

(f) This Section does not require additional testing if cigarettes are tested consistent with this Act for any other purpose.

Section 20. Performance standard.
(a) When tested in accordance with Section 15 of this Act, no more than 25% of the cigarettes tested in a test trial shall exhibit full-length burns.

(b) Each cigarette listed in a certification submitted in accordance with Section 30 of this Act that uses lowered permeability bands in the cigarette paper to achieve compliance with the performance standard set forth in subsection (a) of this Section shall have at least 2 nominally identical bands on the paper surrounding the tobacco column. At least one complete band shall be located at least 15 millimeters from the lighting end of the cigarette. For cigarettes on which the bands are positioned by design, there shall be at least 2 bands fully located at least 15 millimeters from the lighting end and either (i) 10 millimeters from the filter end of the tobacco column, or (ii) 10 millimeters from the labeled end of the tobacco column for non-filtered cigarettes.

(c) The manufacturer or manufacturers of a cigarette that the Office of the State Fire Marshal determines cannot be tested in accordance with the test method prescribed in Section 15 of this Act shall propose a test method and performance standard for such cigarette to the Office of the State Fire Marshal. Upon approval of the proposed test method and a determination by the Office of the State Fire Marshal that the performance standard proposed by the manufacturer or manufacturers is equivalent to the performance standard prescribed in subsection (a) of this Section, the manufacturer or manufacturers may employ such test method and performance standard to certify such cigarette in accordance with Section 30 of this Act. If the State Fire Marshal determines that another state has enacted reduced cigarette ignition propensity standards that include a test

New matter indicated by italics - deletions by strikeout
method and performance standard that is the same as those contained in this Act, and the State Fire Marshal finds that the officials responsible for implementing those requirements have approved the proposed alternative test method and performance standard for a particular cigarette proposed by a manufacturer as meeting the fire safety standards of that state's law or regulation under a legal provision comparable to this subsection (c), then the State Fire Marshal shall authorize that manufacturer to employ the alternative test method and performance standard to certify that cigarette for sale in this State, unless the State Fire Marshal demonstrates a reasonable basis why the alternative test should not be accepted under this Act. All other applicable requirements of this Act shall apply to such manufacturer or manufacturers.

(d) This Act shall be implemented in accordance with the implementation and substance of the New York Fire Safety Standards for Cigarettes.

Section 25. Test data. To ensure compliance with the performance standard specified in Section 20 of this Act, data from testing conducted by manufacturers to comply with this performance standard shall be kept on file by the manufacturers for a period of 3 years and shall be sent to the Office of the State Fire Marshal upon its request and to the Office of the Attorney General upon its request.

Section 30. Certification.

(a) Each manufacturer shall submit a written certification attesting that:

(1) each cigarette listed in the certification has been tested in accordance with Section 15 of this Act; and
(2) each cigarette listed in the certification meets the performance standard set forth in Section 20 of this Act.

(b) Each cigarette listed in the certification shall be described with the following information:

(1) brand (i.e., the trade name on the package);
(2) style (e.g., light, ultra light);
(3) length in millimeters;
(4) circumference in millimeters;

New matter indicated by italics - deletions by strikeout
(5) flavor (e.g., menthol, chocolate) if applicable;
(6) filter or non-filter;
(7) package description (e.g., soft pack, box); and
(8) marking approved in accordance with Section 40 of this Act.

(c) Each cigarette certified under this Section shall be re-certified every 3 years.

Section 35. Notification of certification. Manufacturers certifying cigarettes in accordance with Section 30 of this Act shall provide a copy of the certifications to all wholesale dealers and agents to which they sell cigarettes, and shall also provide sufficient copies of an illustration of the cigarette packaging marking used by the manufacturer in accordance with Section 40 of this Act for each retail dealer to which the wholesale dealers and agents sell cigarettes. Wholesale dealers and agents shall provide a copy of these cigarette packaging markings received from manufacturers to all retail dealers to which they sell cigarettes. Wholesale dealers, agents, and retail dealers shall permit the Office of the State Fire Marshal, Department of Revenue, and the Office of the Attorney General to inspect markings of cigarette packaging marked in accordance with Section 40 of this Act.

Section 40. Marking of cigarette packaging.
(a) Cigarettes that have been certified by a manufacturer in accordance with Section 30 of this Act shall be marked to indicate compliance with the requirements of this Act. The marking shall be in 8-point type or larger and consist of:

(1) modification of the product UPC Code to include a visible mark printed at or around the area of the UPC Code. The mark may consist of an alphanumeric or symbolic character or characters permanently stamped, engraved, embossed, or printed in conjunction with the UPC Code;

(2) any visible alphanumeric or symbolic character or combination of alphanumeric or symbolic characters permanently stamped, engraved, or embossed upon the cigarette package or cellophane wrap; or

New matter indicated by italics - deletions by strikeout
(3) printed, stamped, engraved, or embossed text that indicates that the cigarettes meet the standards of this Act.

(b) A manufacturer must use only one marking, and must apply this marking uniformly for all packages including, but not limited to, packs, cartons, and cases and to brands marketed by that manufacturer.

(c) The Office of the State Fire Marshal must be notified as to the marking that is selected.

(d) Prior to the certification of any cigarette, a manufacturer shall present its proposed marking to the Office of the State Fire Marshal for approval. Upon receipt of the request, the Office of the State Fire Marshal shall approve or disapprove the marking offered. A marking in use and approved for the sale of cigarettes in the State of New York shall be deemed approved. Proposed markings shall be deemed approved if the Office of the State Fire Marshal fails to act within 10 business days of receiving a request for approval.

(e) No manufacturer shall modify its approved marking unless the modification has been approved by the Office of the State Fire Marshal in accordance with this Section.

Section 45. Penalties; Cigarette Fire Safety Standard Act Fund.

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

(b) In addition to any penalty prescribed by law, any corporation, partnership, sole proprietor, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification

New matter indicated by italics - deletions by strikeout
pursuant to Section 30 of this Act shall be subject to a civil penalty not to exceed $10,000 for each false certification.

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

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

Section 50. Enforcement. To enforce the provisions of this Act, the Attorney General may bring an action on behalf of the people of this State to enjoin acts in violation of this Act and to recover civil penalties authorized under Section 45 of this Act.

Section 55. Administration. The Office of the State Fire Marshal shall be responsible for administering the provisions of this Act.

Section 60. Applicability. This Act shall cease to be applicable if federal fire safety standards for cigarettes that preempt this Act are enacted and take effect subsequent to the effective date of this Act and the State Fire Marshal so notifies the Secretary of State.

Section 900. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. The Cigarette Fire Safety Standard Act Fund.
Section 999. Effective date. This Act takes effect January 1, 2008.
Passed in the General Assembly April 6, 2006.
Approved May 19, 2006.
Effective January 1, 2008.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0776
(House Bill No. 2706)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Illinois Lottery Law is amended by changing
Sections 3, 4, 5, 7.1, 7.6, 7.11, 9, 10, 10.1, 10.1a, 10.2, 10.6, 10.7, 12, 13,
14, 14.3, 19, 21, and 24 as follows:
(20 ILCS 1605/3) (from Ch. 120, par. 1153)
Sec. 3. For the purposes of this Act:
a. "Lottery" or "State Lottery" means the lottery or lotteries
established and operated pursuant to this Act.
b. "Board" means the Lottery Control Board created by this Act.
c. "Department" means the Department of Revenue.
d. "Director" means the Director of Revenue.
e. "Chairman" means the Chairman of the Lottery Control Board.
f. "Multi-state game directors" means such persons, including the
Superintendent of the Department of the Lottery, as may be
designated by an agreement between the Division of the Lottery
and one or more additional lotteries operated under the laws of
another state or states.
g. "Division" means the Division of the State Lottery of the
Department of Revenue.
h. "Superintendent" means the Superintendent of the Division of
the State Lottery of the Department of Revenue.
(Source: P.A. 85-183.)
(20 ILCS 1605/4) (from Ch. 120, par. 1154)
Sec. 4. The Department of the Lottery is established to implement
and regulate the State Lottery in the manner provided in this Act.
In accordance with Executive Order No. 9 (2003), the Division of
the State Lottery is established within the Department of Revenue. Unless
otherwise provided by law, the Division of the State Lottery shall be

New matter indicated by italics - deletions by strikeout
subject to and governed by all of the laws and rules applicable to the Department.
(Source: P.A. 84-1128.)

(20 ILCS 1605/5) (from Ch. 120, par. 1155)

Sec. 5. The Division Department of the Lottery shall be under the supervision and direction of a Superintendent Director of the Lottery, who shall be a person qualified by training and experience to perform the duties required by this Act. The Superintendent Director shall be appointed by the Governor, by and with the advice and consent of the Senate. The term of office of the Superintendent Director shall expire on the third Monday of January in odd numbered years provided that he or she shall hold his office until his successor is appointed and qualified.

Any vacancy occurring in the office of the Superintendent Director shall be filled in the same manner as the original appointment.

The Superintendent Director shall devote his or her entire time and attention to the duties of the his office and shall not be engaged in any other profession or occupation. The Superintendent He shall receive such salary as shall be provided by law.
(Source: P.A. 84-1128.)

(20 ILCS 1605/7.1) (from Ch. 120, par. 1157.1)

Sec. 7.1. The Department shall promulgate such rules and regulations governing the establishment and operation of a State lottery as it deems necessary to carry out the purposes of this Act. Such rules and regulations shall be subject to the provisions of The Illinois Administrative Procedure Act. The Division shall issue written game rules, play instructions, directives, operations manuals, brochures, or any other publications necessary to conduct specific games, as authorized by rule by the Department. Any written game rules, play instructions, directives, operations manuals, brochures, or other game publications issued by the Division Department that relate to a specific lottery game shall be maintained as a public record in the Division's Department's principal office, and made available for public inspection and copying but shall be exempt from the rulemaking procedures of the Illinois Administrative Procedure Act. However, when such written materials contain any policy

New matter indicated by italics - deletions by strikeout
of general applicability, the Division Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act. In addition, the Division Department shall publish each January in the Illinois Register a list of all game-specific rules, play instructions, directives, operations manuals, brochures, or other game-specific publications issued by the Division Department during the previous year and instructions concerning how the public may obtain copies of these materials from the Division Department. (Source: P.A. 86-433.)

(20 ILCS 1605/7.6) (from Ch. 120, par. 1157.6)
Sec. 7.6. The Board shall advise and make recommendations to the Superintendent or the Director regarding the functions and operations of the State Lottery. A copy of all such recommendations shall also be forwarded to the Governor, the Attorney General, the Speaker of the House, the President of the Senate and the minority leaders of both houses. (Source: P.A. 84-1128.)

(20 ILCS 1605/7.11) (from Ch. 120, par. 1157.11)
Sec. 7.11. The Division Department may establish and collect nominal charges for promotional products ("premiums") and other promotional materials produced or acquired by the Division Department as part of its advertising and promotion activities. Such premiums or other promotional materials may be sold to individuals, government agencies and not-for-profit organizations, but not to for-profit enterprises for the purpose of resale. Other State agencies shall be charged no more than the cost to the Division Department of the premium or promotional material. All proceeds from the sale of premiums or promotional materials shall be deposited in the State Lottery Fund in the State Treasury. (Source: P.A. 86-1220.)

(20 ILCS 1605/9) (from Ch. 120, par. 1159)
Sec. 9. The Superintendent Director, as administrative head of the Division Department of the Lottery, shall direct and supervise all its administrative and technical activities and shall report to the Director. In addition to the duties imposed upon him elsewhere in this Act, it shall be the Superintendent's duty:

New matter indicated by italics - deletions by strikeout
a. To supervise and administer the operation of the lottery in accordance with the provisions of this Act or such rules and regulations of the Department adopted thereunder.

b. To attend meetings of the Board Department or to appoint a designee to attend in his stead.
c. To employ and direct such personnel in accord with the Personnel Code, as may be necessary to carry out the purposes of this Act. The Superintendent may, subject to the approval of the Director, use the services, personnel, or facilities of the Department. In addition, the Superintendent Director may by agreement secure such services as he or she may deem necessary from any other department, agency, or unit of the State government, and may employ and compensate such consultants and technical assistants as may be required and is otherwise permitted by law.

d. To license, in accordance with the provisions of Sections 10 and 10.1 of this Act and the rules and regulations of the Department adopted thereunder, as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The Superintendent Director may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the Department. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the Department.

e. To suspend or revoke any license issued pursuant to this Act or the rules and regulations promulgated by the Department thereunder.

f. To confer regularly as necessary or desirable and not less than once every month with the Lottery Control Board on the operation and administration of the Lottery; to make available for inspection by the Board or any member of the Board, upon request, all books, records, files, and other information and documents of his office; to advise the Board and recommend such rules and regulations and such other matters as he deems necessary and advisable to improve the operation and administration of the lottery.

g. To enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery on behalf of
the Department with any person, firm or corporation, to perform any of the functions provided for in this Act or the rules and regulations promulgated thereunder. The Department shall not expend State funds on a contractual basis for such functions unless those functions and expenditures are expressly authorized by the General Assembly.

h. To enter into an agreement or agreements with the management of state lotteries operated pursuant to the laws of other states for the purpose of creating and operating a multi-state lottery game wherein a separate and distinct prize pool would be combined to award larger prizes to the public than could be offered by the several state lotteries, individually. No tickets or shares offered in connection with a multi-state lottery game shall be sold within the State of Illinois, except those offered by and through the Department. No such agreement shall purport to pledge the full faith and credit of the State of Illinois, nor shall the Department expend State funds on a contractual basis in connection with any such game unless such expenditures are expressly authorized by the General Assembly, provided, however, that in the event of error or omission by the Illinois State Lottery in the conduct of the game, as determined by the multi-state game directors, the Department shall be authorized to pay a prize winner or winners the lesser of a disputed prize or $1,000,000, any such payment to be made solely from funds appropriated for game prize purposes. The Department shall be authorized to share in the ordinary operating expenses of any such multi-state lottery game, from funds appropriated by the General Assembly, and in the event the multi-state game control offices are physically located within the State of Illinois, the Department is authorized to advance start-up operating costs not to exceed $150,000, subject to proportionate reimbursement of such costs by the other participating state lotteries. The Department shall be authorized to share proportionately in the costs of establishing a liability reserve fund from funds appropriated by the General Assembly. The Department is authorized to transfer prize award funds attributable to Illinois sales of multi-state lottery game tickets to the multi-state control office, or its designated depository, for deposit to such game pool account or accounts as may be established by the multi-state game directors, the records of
which account or accounts shall be available at all times for inspection in an audit by the Auditor General of Illinois and any other auditors pursuant to the laws of the State of Illinois. No multi-state game prize awarded to a nonresident of Illinois, with respect to a ticket or share purchased in a state other than the State of Illinois, shall be deemed to be a prize awarded under this Act for the purpose of taxation under the Illinois Income Tax Act. All of the net revenues accruing from the sale of multi-state lottery tickets or shares shall be transferred into the Common School Fund pursuant to Section 7.2. The Department shall promulgate such rules as may be appropriate to implement the provisions of this Section.

i. To make a continuous study and investigation of (1) the operation and the administration of similar laws which may be in effect in other states or countries, (2) any literature on the subject which from time to time may be published or available, (3) any Federal laws which may affect the operation of the lottery, and (4) the reaction of Illinois citizens to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this Act.

j. To report monthly to the State Treasurer and the Lottery Control Board a full and complete statement of lottery revenues, prize disbursements and other expenses for each month and the amounts to be transferred to the Common School Fund pursuant to Section 7.2 or such other funds as are otherwise authorized by Section 21.2 of this Act, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, to the Governor and the Board. All reports required by this subsection shall be public and copies of all such reports shall be sent to the Speaker of the House, the President of the Senate, and the minority leaders of both houses.

(Source: P.A. 85-183.)

(20 ILCS 1605/10) (from Ch. 120, par. 1160)

Sec. 10. The Division Department, upon application therefor on forms prescribed by the Division Department, and upon a determination by the Division Department that the applicant meets all of the qualifications specified in this Act, shall issue a license as an agent to sell lottery tickets

New matter indicated by italics - deletions by strikeout
or shares. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent.

Before issuing such license the Superintendent Director shall consider (a) the financial responsibility and security of the person and his business or activity, (b) the accessibility of his place of business or activity to the public, (c) the sufficiency of existing licenses to serve the public convenience, (d) the volume of expected sales, and (e) such other factors as he or she may deem appropriate.

Until September 1, 1987, the provisions of Sections 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 12 and 13.5 of the Retailers' Occupation Tax Act which are not inconsistent with this Act shall apply to the subject matter of this Act to the same extent as if such provisions were included in this Act. For purposes of this Act, references in such incorporated Sections of the Retailers' Occupation Tax Act to retailers, sellers or persons engaged in the business of selling tangible personal property mean persons engaged in selling lottery tickets or shares; references in such incorporated Sections to sales of tangible personal property mean the selling of lottery tickets or shares; and references in such incorporated Sections to certificates of registration mean licenses issued under this Act. The provisions of the Retailers' Occupation Tax Act as heretofore applied to the subject matter of this Act shall not apply with respect to tickets sold by or delivered to lottery sales agents on and after September 1, 1987, but such provisions shall continue to apply with respect to transactions involving the sale and delivery of tickets prior to September 1, 1987.

All licenses issued by the Division Department under this Act shall be valid for a period not to exceed 2 years after issuance unless sooner revoked, canceled or suspended as in this Act provided. No license issued under this Act shall be transferable or assignable. Such license shall be conspicuously displayed in the place of business conducted by the licensee in Illinois where lottery tickets or shares are to be sold under such license.

For purposes of this Section, the term "person" shall be construed to mean and include an individual, association, partnership, corporation,
club, trust, estate, society, company, joint stock company, receiver, trustee, referee, any other person acting in a fiduciary or representative capacity who is appointed by a court, or any combination of individuals. "Person" includes any department, commission, agency or instrumentality of the State, including any county, city, village, or township and any agency or instrumentality thereof.

(Source: P.A. 86-1475; 87-895.)

(20 ILCS 1605/10.1) (from Ch. 120, par. 1160.1)

Sec. 10.1. The following are ineligible for any license under this Act:

(a) any person who has been convicted of a felony;
(b) any person who is or has been a professional gambler or gambling promoter;
(c) any person who has engaged in bookmaking or other forms of illegal gambling;
(d) any person who is not of good character and reputation in the community in which he resides;
(e) any person who has been found guilty of any fraud or misrepresentation in any connection;
(f) any firm or corporation in which a person defined in (a), (b), (c), (d) or (e) has a proprietary, equitable or credit interest of 5% or more.
(g) any organization in which a person defined in (a), (b), (c), (d) or (e) is an officer, director, or managing agent, whether compensated or not;
(h) any organization in which a person defined in (a), (b), (c), (d), or (e) is to participate in the management or sales of lottery tickets or shares.

However, with respect to persons defined in (a), the Department may grant any such person a license under this Act when:
1) at least 10 years have elapsed since the date when the sentence for the most recent such conviction was satisfactorily completed;
2) the applicant has no history of criminal activity subsequent to such conviction;

New matter indicated by italics - deletions by strikeout
3) the applicant has complied with all conditions of probation, conditional discharge, supervision, parole or mandatory supervised release; and

4) the applicant presents at least 3 letters of recommendation from responsible citizens in his community who personally can attest that the character and attitude of the applicant indicate that he is unlikely to commit another crime.

The Division Department may revoke, without notice or a hearing, the license of any agent who violates this Act or any rule or regulation promulgated pursuant to this Act. However, if the Division Department does revoke a license without notice and an opportunity for a hearing, the Division Department shall, by appropriate notice, afford the person whose license has been revoked an opportunity for a hearing within 30 days after the revocation order has been issued. As a result of any such hearing, the Division Department may confirm its action in revoking the license, or it may order the restoration of such license.

(Source: P.A. 82-404.)

(20 ILCS 1605/10.1a) (from Ch. 120, par. 1160.1a)

Sec. 10.1a. In addition to other grounds specified in this Act, the Division Department shall refuse to issue and shall suspend the license of any lottery sales agency who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied, unless the agency is contesting, in accordance with the procedures established by the appropriate revenue Act, its liability for the tax or the amount of tax. The Division Department shall affirmatively verify the tax status of every sales agency before issuing or renewing a license. For purposes of this Section, a sales agency shall not be considered delinquent in the payment of a tax if the agency (a) has entered into an agreement with the Department of Revenue for the payment of all such taxes that are due and (b) is in compliance with the agreement.

(Source: P.A. 87-341.)

(20 ILCS 1605/10.2) (from Ch. 120, par. 1160.2)
Sec. 10.2. Application and other fees. Each application for a new lottery license must be accompanied by a one-time application fee of $50; the Division Department, however, may waive the fee for licenses of limited duration as provided by Department rule. Each application for renewal of a lottery license must be accompanied by a renewal fee of $25. Each lottery licensee granted on-line status pursuant to the Department's rules must pay a fee of $10 per week as partial reimbursement for telecommunications charges incurred by the Department in providing access to the lottery's on-line gaming system. The Department, by rule, may increase or decrease the amount of these fees.

(Source: P.A. 93-840, eff. 7-30-04.)

(20 ILCS 1605/10.6) (from Ch. 120, par. 1160.6)

Sec. 10.6. The Division Department shall make an effort to more directly inform players of the odds of winning prizes. This effort shall include, at a minimum, that the Division Department require all ticket agents to display a placard stating the odds of winning for each game offered by that agent.

(Source: P.A. 85-183.)

(20 ILCS 1605/10.7)

Sec. 10.7. Compulsive gambling.

(a) Each lottery sales agent shall post a statement regarding obtaining assistance with gambling problems and including a toll-free "800" telephone number providing crisis counseling and referral services to families experiencing difficulty as a result of problem or compulsive gambling. The text of the statement shall be determined by rule by the Department of Human Services, shall be no more than one sentence in length, and shall be posted on the placard required under Section 10.6. The signs shall be provided by the Department of Human Services.

(b) The Division Department shall print a statement regarding obtaining assistance with gambling problems, the text of which shall be determined by rule by the Department of Human Services, on all paper stock it provides to the general public.

(c) The Division Department shall print a statement of no more than one sentence in length regarding obtaining assistance with gambling
problems and including a toll-free "800" number providing crisis counseling and referral services to families experiencing difficulty as a result of problem or compulsive gambling on the back of all lottery tickets. (Source: P.A. 89-374, eff. 1-1-96; 89-507, eff. 7-1-97.)

(20 ILCS 1605/12) (from Ch. 120, par. 1162)

Sec. 12. The public inspection and copying of the records and data of the Division Department and the Board shall be generally governed by the provisions of the Freedom of Information Act except that the following shall additionally be exempt from inspection and copying:

(i) information privileged against introduction in judicial proceedings;

(ii) internal communications of the several agencies;

(iii) information concerning secret manufacturing processes or confidential data submitted by any person under this Act;

(iv) any creative proposals, scripts, storyboards or other materials prepared by or for the Division Department, prior to the placement of the materials in the media, if the prior release of the materials would compromise the effectiveness of an advertising campaign. (Source: P.A. 88-522.)

(20 ILCS 1605/13) (from Ch. 120, par. 1163)

Sec. 13. Except as otherwise provided in Section 13.1, no prize, nor any portion of a prize, nor any right of any person to a prize awarded shall be assignable. Any prize, or portion thereof remaining unpaid at the death of a prize winner, may be paid to the estate of such deceased prize winner, or to the trustee under a revocable living trust established by the deceased prize winner as settlor, provided that a copy of such a trust has been filed with the Department along with a notarized letter of direction from the settlor and no written notice of revocation has been received by the Division Department prior to the settlor's death. Following such a settlor's death and prior to any payment to such a successor trustee, the Superintendent Director shall obtain from the trustee and each trust beneficiary a written agreement to indemnify and hold the Department and the Division harmless with respect to any claims that may be asserted against the Department or the Division arising from payment to or through

New matter indicated by italics - deletions by strikeout
the trust. Notwithstanding any other provision of this Section, any person pursuant to an appropriate judicial order may be paid the prize to which a winner is entitled, and all or part of any prize otherwise payable by State warrant under this Section shall be withheld upon certification to the State Comptroller from the Illinois Department of Public Aid as provided in Section 10-17.5 of The Illinois Public Aid Code. The Director and the Superintendent shall be discharged of all further liability upon payment of a prize pursuant to this Section.
(Source: P.A. 93-465, eff. 1-1-04.)
(20 ILCS 1605/14) (from Ch. 120, par. 1164)
Sec. 14. No person shall sell a ticket or share at a price greater than that fixed by rule or regulation of the Department or the Division. No person other than a licensed lottery sales agent or distributor shall sell or resell lottery tickets or shares. No person shall charge a fee to redeem a winning ticket or share.

Any person convicted of violating this Section shall be guilty of a Class B misdemeanor; provided, that if any offense under this Section is a subsequent offense, the offender shall be guilty of a Class 4 felony.
(Source: P.A. 87-1271.)
(20 ILCS 1605/14.3)
Sec. 14.3. Misuse of proprietary material prohibited. Except as may be provided in Section 7.11, or by bona fide sale or by prior authorization from the Department or the Division, or otherwise by law, all premiums, promotional and other proprietary material produced or acquired by the Department as part of its advertising and promotional activities shall remain the property of the Department. Nothing herein shall be construed to affect the rights or obligations of the Department or any other person under federal or State trademark or copyright laws.
(Source: P.A. 88-522.)
(20 ILCS 1605/19) (from Ch. 120, par. 1169)
Sec. 19. The Division shall establish an appropriate period for the claiming of prizes for each lottery game offered. Each claim period shall be stated in game rules and written play instructions issued by the Superintendent in accordance with Section 7.1 of this Act.
Written play instructions shall be made available to all players through sales agents licensed to sell game tickets or shares. Prizes for lottery games which involve the purchase of a physical lottery ticket may be claimed only by presentation of a valid winning lottery ticket that matches validation records on file with the Lottery; no claim may be honored which is based on the assertion that the ticket was lost or stolen. No lottery ticket which has been altered, mutilated, or fails to pass validation tests shall be deemed to be a winning ticket.

If no claim is made for the money within the established claim period, the prize may be included in the prize pool of such special drawing or drawings as the Division Department may, from time to time, designate. Unclaimed multi-state game prize money may be included in the multi-state prize pool for such special drawing or drawings as the multi-state game directors may, from time to time, designate. Any bonuses offered by the Department to sales agents who sell winning tickets or shares shall be payable to such agents regardless of whether or not the prize money on the ticket or share is claimed, provided that the agent can be identified as the vendor of the winning ticket or share, and that the winning ticket or share was sold on or after January 1, 1984. All unclaimed prize money not included in the prize pool of a special drawing shall be transferred to the Common School Fund.

(Source: P.A. 90-724, eff. 1-1-99.)

(20 ILCS 1605/21) (from Ch. 120, par. 1171)

Sec. 21. All lottery sales agents or distributors shall be liable to the Lottery for any and all tickets accepted or generated by any employee or representative of that agent or distributor, and such tickets shall be deemed to have been purchased by the agent or distributor unless returned to the Lottery within the time and in the manner prescribed by the Superintendent Director. All moneys received by such agents or distributors from the sale of lottery tickets or shares, less the amount retained as compensation for the sale of the tickets or shares and the amount paid out as prizes, shall be paid over to a lottery representative or deposited in a bank or savings and loan association approved by the State Treasurer, as prescribed by the Superintendent Director.

New matter indicated by italics - deletions by strikeout
No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of the Public Funds Investment Act.

Each payment or deposit shall be accompanied by a report of the agent's receipts and transactions in the sale of lottery tickets in such form and containing such information as the Superintendent Director may require. Any discrepancies in such receipts and transactions may be resolved as provided by the rules and regulations of the Department.

If any money due the Lottery by a sales agent or distributor is not paid when due or demanded, it shall immediately become delinquent and be billed on a subsequent monthly statement. If on the closing date for any monthly statement a delinquent amount previously billed of more than $50 remains unpaid, interest in such amount shall be accrued at the rate of 2% per month or fraction thereof from the date when such delinquent amount becomes past due until such delinquent amount, including interest, penalty and other costs and charges that the Department may incur in collecting such amounts, is paid. In case any agent or distributor fails to pay any moneys due the Lottery within 30 days after a second bill or statement is rendered to the agent or distributor, such amount shall be deemed seriously delinquent and may be referred by the Department to a collection agency or credit bureau for collection. Any contract entered into by the Department for the collection of seriously delinquent accounts with a collection agency or credit bureau may be satisfied by a commercially reasonable percentage of the delinquent account recouped, which shall be negotiated by the Department in accordance with commercially accepted standards. Any costs incurred by the Department or others authorized to act in its behalf in collecting such delinquencies may be assessed against the agent or distributor and included as a part of the delinquent account.

In case of failure of an agent or distributor to pay a seriously delinquent amount, or any portion thereof, including interest, penalty and costs, the Division Department may issue a Notice of Assessment. In determining amounts shown on the Notice of Assessment, the Division Department shall utilize the financial information available from its records. Such Notice of Assessment shall be prima facie correct and shall

New matter indicated by italics - deletions by strikeout
be prima facie evidence of delinquent sums due under this Section at any hearing before the Board, or its Hearing Officers, or at any other legal proceeding. Reproduced copies of the Division's Department's records relating to a delinquent account or a Notice of Assessment offered in the name of the Department, under the Certificate of the Director or any officer or employee of the Department designated in writing by the Director shall, without further proof, be admitted into evidence in any such hearing or any legal proceeding and shall be prima facie proof of the delinquency, including principal and any interest, penalties and costs, as shown thereon. The Attorney General may bring suit on behalf of the Department to collect all such delinquent amounts, or any portion thereof, including interest, penalty and costs, due the Lottery.

Any person who accepts money that is due to the Department from the sale of lottery tickets under this Act, but who wilfully fails to remit such payment to the Department when due or who purports to make such payment but wilfully fails to do so because his check or other remittance fails to clear the bank or savings and loan association against which it is drawn, in addition to the amount due and in addition to any other penalty provided by law, shall be assessed, and shall pay, a penalty equal to 5% of the deficiency plus any costs or charges incurred by the Department in collecting such amount.

The Director may make such arrangements for any person(s), banks, savings and loan associations or distributors, to perform such functions, activities or services in connection with the operation of the lottery as he deems advisable pursuant to this Act, the State Comptroller Act, or the rules and regulations of the Department, and such functions, activities or services shall constitute lawful functions, activities and services of such person(s), banks, savings and loan associations or distributors.

All income arising out of any activity or purpose of the Division Department shall, pursuant to the State Finance Act, be paid into the State Treasury except as otherwise provided by the rules and regulations of the Department and shall be covered into a special fund to be known as the State Lottery Fund. Banks and savings and loan associations may be

New matter indicated by italics - deletions by strikeout
compensated for services rendered based upon the activity and amount of funds on deposit.
(Source: P.A. 91-357, eff. 7-29-99.)

(20 ILCS 1605/24) (from Ch. 120, par. 1174)

Sec. 24. The State Comptroller shall conduct a preaudit of all accounts and transactions of the Department in connection with the operation of the State Lottery under the State Comptroller Act, excluding payments issued by the Department for prizes of $25,000 or less.

The Auditor General or a certified public accountant firm appointed by him shall conduct an annual post-audit of all accounts and transactions of the Department in connection with the operation of the State Lottery and other special post audits as the Auditor General, the Legislative Audit Commission, or the General Assembly deems necessary. The annual post-audits shall include payments made by lottery sales agents of prizes of less than $600 authorized under Section 20, and payments made by the Department of prizes up to $25,000 authorized under Section 20.1. The Auditor General or his agent conducting an audit under this Act shall have access and authority to examine any and all records of the Department or the Board, its distributing agents and its licensees.

(Source: P.A. 91-357, eff. 7-29-99.)

Section 10. The Illinois Income Tax Act is amended by changing Sections 203 and 902 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)

Sec. 203. Base income defined.
(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the
computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;
(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-16) If the taxpayer sells, transfers, abandons, or otherwise disposes of reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (Z), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-17) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall
be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid,
accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-18) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross

New matter indicated by italics - deletions by strikeout
income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

New matter indicated by italics - deletions by strikeout
(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-20) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid...

New matter indicated by italics - deletions by strikeout
Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B); and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as

New matter indicated by italics - deletions by strikeout
distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in a designated Enterprise Zone or zones created under the Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

New matter indicated by italics - deletions by strikeout
(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

New matter indicated by italics - deletions by strikeout
(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that
taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European
insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2004, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). For taxable years beginning on or after January 1, 2005, a maximum of $10,000 contributed in the taxable year to (i) a College Savings Pool account under Section 16.5 of the State Treasurer Act or (ii) the Illinois Prepaid Tuition Trust Fund, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under

New matter indicated by italics - deletions by strikeout
subsection (k) of Section 168 of the Internal Revenue Code
and for each applicable taxable year thereafter, an amount
equal to "x", where:

(1) "y" equals the amount of the depreciation
deduction taken for the taxable year on the
taxpayer's federal income tax return on property for
which the bonus depreciation deduction (30% of the
adjusted basis of the qualified property) was taken
in any year under subsection (k) of Section 168 of
the Internal Revenue Code, but not including the
bonus depreciation deduction; and

(2) for taxable years ending on or before
December 31, 2005, "x" equals "y" multiplied by 30
and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December
31, 2005:

   (i) for property on which a bonus
depreciation deduction of 30% of the
adjusted basis was taken, "x" equals "y"
multiplied by 30 and then divided by 70 (or
"y" multiplied by 0.429); and

   (ii) for property on which a bonus
depreciation deduction of 50% of the
adjusted basis was taken, "x" equals "y"
multiplied by 1.0.

The aggregate amount deducted under this
subparagraph in all taxable years for any one piece of
property may not exceed the amount of the bonus
depreciation deduction (30% of the adjusted basis of the
qualified property) taken on that property on the taxpayer's
federal income tax return under subsection (k) of Section
168 of the Internal Revenue Code. This subparagraph (Z) is
exempt from the provisions of Section 250;

New matter indicated by italics - deletions by strikeout
(AA) If the taxpayer sells, transfers, abandons, or otherwise disposes of reports a capital gain or loss on the taxpayer’s federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (AA) is exempt from the provisions of Section 250;

(BB) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle;

(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12) (E-13), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-
18), 203(b)(2)(E-13) (E-14), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

New matter indicated by italics - deletions by strikeout
(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

   (i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount

New matter indicated by italics - deletions by strikeout
of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer sells, transfers, abandons, or otherwise disposes of reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions

New matter indicated by italics - deletions by strikeout
taken in all taxable years under subparagraph (T) with respect to that property.

*If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (T), then an amount equal to that subtraction modification.*

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other
than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment.
otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(b)(2)(E-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other

New matter indicated by italics - deletions by strikeout
disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly,
from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by
Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To

New matter indicated by italics - deletions by strikeout
determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with

New matter indicated by italics - deletions by strikeout
respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph
(G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code.
and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

(i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (T) is exempt from the provisions of Section 250;
(U) If the taxpayer sells, transfers, abandons, or otherwise disposes of reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (U) is exempt from the provisions of Section 250;

(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

New matter indicated by italics - deletions by strikeout
(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

New matter indicated by italics - deletions by strikeout
(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, $600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, $300; and (iii) any other trust, $100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

New matter indicated by italics - deletions by strikeout
(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer sells, transfers, abandons, or otherwise disposes of the qualified property, an amount equal to the capital gain or loss on the disposition.

New matter indicated by italics - deletions by strikeout
taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (R), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(G-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal

New matter indicated by italics - deletions by strikeout
Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing

New matter indicated by italics - deletions by strikeout
evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a

New matter indicated by italics - deletions by strikeout
reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have
as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

New matter indicated by italics - deletions by strikeout
(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

New matter indicated by italics - deletions by strikeout
(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only
apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

   (i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y"

New matter indicated by italics - deletions by strikeout
multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (R) is exempt from the provisions of Section 250;

(S) If the taxpayer sells, transfers, abandons, or otherwise disposes of reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (S) is exempt from the provisions of Section 250;
(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(U) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(V) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-13) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person.
intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year

New matter indicated by italics - deletions by strikeout
under subsection (k) of Section 168 of the Internal Revenue Code;

(D-6) If the taxpayer *sells, transfers, abandons, or otherwise disposes of* reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property.

*If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (O), then an amount equal to that subtraction modification.*

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-7) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross

New matter indicated by italics - deletions by strikeout
income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

   (a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

   (b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

New matter indicated by italics - deletions by strikeout
(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and

(D-8) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible

New matter indicated by italics - deletions by strikeout
expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

New matter indicated by italics - deletions by strikeout
(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States;
provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd
General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

New matter indicated by italics - deletions by strikeout
(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

   (i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

   (ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (O) is exempt from the provisions of Section 250;

(P) If the taxpayer sells, transfers, abandons, or otherwise disposes of property, reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any

New matter indicated by italics - deletions by strikeout
taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (P) is exempt from the provisions of Section 250;

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

New matter indicated by italics - deletions by strikeout
(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction
modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it

New matter indicated by italics - deletions by strikeout
was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b)(2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of asset or business. Notwithstanding any other law to the contrary, if in

New matter indicated by italics - deletions by strikeout
prior years income from an asset or business has been classified as
business income and in a later year is demonstrated to be non-
business income, then all expenses, without limitation, deducted in
such later year and in the 2 immediately preceding taxable years
related to that asset or business that generated the non-business
income shall be added back and recaptured as business income in
the year of the disposition of the asset or business. Such amount
shall be apportioned to Illinois using the greater of the
apportionment fraction computed for the business under Section
304 of this Act for the taxable year or the average of the
apportionment fractions computed for the business under Section
304 of this Act for the taxable year and for the 2 immediately
preceding taxable years.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to
in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount
equal to:

   (A) The sum of the pre-August 1, 1969 appreciation
amounts (to the extent consisting of gain reportable under
the provisions of Section 1245 or 1250 of the Internal
Revenue Code) for all property in respect of which such
gain was reported for the taxable year; plus

   (B) The lesser of (i) the sum of the pre-August 1,
1969 appreciation amounts (to the extent consisting of
capital gain) for all property in respect of which such gain
was reported for federal income tax purposes for the
taxable year, or (ii) the net capital gain for the taxable year,
reduced in either case by any amount of such gain included
in the amount determined under subsection (a) (2) (F) or (c)
(2) (H).

(2) Pre-August 1, 1969 appreciation amount.

   (A) If the fair market value of property referred to in
paragraph (1) was readily ascertainable on August 1, 1969,
the pre-August 1, 1969 appreciation amount for such
property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-
Sec. 902. Notice and Demand.

(a) In general. Except as provided in subsection (b) the Director shall, as soon as practicable after an amount payable under this Act is deemed assessed (as provided in Section 903), give notice to each person liable for any unpaid portion of such assessment, stating the amount unpaid and demanding payment thereof. In the case of tax deemed assessed with the filing of a return, the Director shall give notice no later than 3 years after the date the return was filed. Upon receipt of any notice and demand there shall be paid at the place and time stated in such notice the amount stated in such notice. Such notice shall be left at the dwelling or usual place of business of such person or shall be sent by mail to the person's last known address.

(b) Judicial review. In the case of a deficiency deemed assessed under Section 903 (a) (2) after the filing of a protest, notice and demand shall not be made with respect to such assessment until all proceedings in court for the review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

(c) Action for recovery of taxes. At any time that the Department might commence proceedings for a levy under Section 1109, regardless of whether a notice of lien was filed under the provisions of Section 1103, it may bring an action in any court of competent jurisdiction within or without this State in the name of the people of this State to recover the amount of any taxes, penalties and interest due and unpaid under this Act. In such action, the certificate of the Department showing the amount of the delinquency shall be prima facie evidence of the correctness of such amount, its assessment and of the compliance by the Department with all the provisions of this Act.

(d) Sales or transfers outside the usual course of business-Report-Payment of Tax - Rights and duties of purchaser or transferee - penalty. If any taxpayer, outside the usual course of his business, sells or transfers the major part of any one or more of (A) the stock of goods which he is
engaged in the business of selling, or (B) the furniture or fixtures, or (C) the machinery and equipment, or (D) the real property, of any business that is subject to the provisions of this Act, the purchaser or transferee of such assets shall, no later than 10 business days after the sale or transfer, file a notice of sale or transfer of business assets with the Chicago office of the Department disclosing the name and address of the seller or transferor, the name and address of the purchaser or transferee, the date of the sale or transfer, a copy of the sales contract and financing agreements which shall include a description of the property sold or transferred, the amount of the purchase price or a statement of other consideration for the sale or transfer, and the terms for payment of the purchase price, and such other information as the Department may reasonably require. If the purchaser or transferee fails to file the above described notice of sale with the Department within the prescribed time, the purchaser or transferee shall be personally liable to the Department for the amount owed hereunder by the seller or transferor but unpaid, up to the amount of the reasonable value of the property acquired by the purchaser or transferee. The purchaser or transferee shall pay the Department the amount of tax, penalties, and interest owed by the seller or transferor under this Act, to the extent they have not been paid by the seller or transferor. The seller or transferor, or the purchaser or transferee, at least 10 business days before the date of the sale or transfer, may notify the Department of the intended sale or transfer and request the Department to make a determination as to whether the seller or transferor owes any tax, penalty or interest due under this Act. The Department shall take such steps as may be appropriate to comply with such request.

Any order issued by the Department pursuant to this Section to withhold from the purchase price shall be issued within 10 business days after the Department receives notification of a sale as provided in this Section. The purchaser or transferee shall withhold such portion of the purchase price as may be directed by the Department, but not to exceed a minimum amount varying by type of business, as determined by the Department pursuant to regulations, plus twice the outstanding unpaid liabilities and twice the average liability of preceding filings times the

New matter indicated by italics - deletions by strikeout
number of unfiled returns which were not filed when due, to cover the amount of all tax, penalty, and interest due and unpaid by the seller or transferor under this Act or, if the payment of money or property is not involved, shall withhold the performance of the condition that constitutes the consideration for the sale or transfer. Within 60 business days after issuance of the initial order to withhold, the Department shall provide written notice to the purchaser or transferee of the actual amount of all taxes, penalties and interest then due and whether or not additional amounts may become due as a result of unpaid taxes required to be withheld by an employer, returns which were not filed when due, pending assessments and audits not completed. The purchaser or transferee shall continue to withhold the amount directed to be withheld by the initial order or such lesser amount as is specified by the final withholding order or to withhold the performance of the condition which constitutes the consideration for the sale or transfer until the purchaser or transferee receives from the Department a certificate showing that no unpaid tax, penalty or interest is due from the seller or transferor under this Act.

The purchaser or transferee is relieved of any duty to continue to withhold from the purchase price and of any liability for tax, penalty, or interest due hereunder from the seller or transferor if the Department fails to notify the purchaser or transferee in the manner provided herein of the amount to be withheld within 10 business days after the sale or transfer has been reported to the Department or within 60 business days after issuance of the initial order to withhold, as the case may be. The Department shall have the right to determine amounts claimed on an estimated basis to allow for periods for which returns were not filed when due, pending assessments and audits not completed, however the purchaser or transferee shall be personally liable only for the actual amount due when determined.

If the seller or transferor has failed to pay the tax, penalty, and interest due from him hereunder and the Department makes timely claim therefor against the purchaser or transferee as hereinabove provided, then the purchaser or transferee shall pay to the Department the amount so withheld from the purchase price. If the purchaser or transferee fails to

New matter indicated by italics - deletions by strikeout
comply with the requirements of this Section, the purchaser or transferee shall be personally liable to the Department for the amount owed hereunder by the seller or transferor up to the amount of the reasonable value of the property acquired by the purchaser or transferee.

Any person who shall acquire any property or rights thereto which, at the time of such acquisition, is subject to a valid lien in favor of the Department, shall be personally liable to the Department for a sum equal to the amount of taxes, penalties and interests, secured by such lien, but not to exceed the reasonable value of such property acquired by him.

(Source: P.A. 86-923; 86-953.)

Section 15. The Retailers' Occupation Tax Act is amended by changing Section 5j as follows:

(35 ILCS 120/5j) (from Ch. 120, par. 444j)

Sec. 5j. If any taxpayer, outside the usual course of his business, sells or transfers the major part of any one or more of (A) the stock of goods which he is engaged in the business of selling, or (B) the furniture or fixtures, (C) the machinery and equipment, or (D) the real property, of any business that is subject to the provisions of this Act, the purchaser or transferee of such asset shall, no later than 10 business days after the sale or transfer, file a notice of sale or transfer of business assets with the Chicago office of the Department disclosing the name and address of the seller or transferor, the name and address of the purchaser or transferee, the date of the sale or transfer, a copy of the sales contract and financing agreements which shall include a description of the property sold, the amount of the purchase price or a statement of other consideration for the sale or transfer, the terms for payment of the purchase price, and such other information as the Department may reasonably require. If the purchaser or transferee fails to file the above described notice of sale with the Department within the prescribed time, the purchaser or transferee shall be personally liable for the amount owed hereunder by the seller or transferor to the Department up to the amount of the reasonable value of the property acquired by the purchaser or transferee. The seller or transferor shall pay the Department the amount of tax, penalty and interest (if any) due from him under this Act up to the date of the payment of tax.

New matter indicated by italics - deletions by strikeout
The seller or transferor, or the purchaser or transferee, at least 10 business days before the date of the sale or transfer, may notify the Department of the intended sale or transfer and request the Department to audit the books and records of the seller or transferor, or to do whatever else may be necessary to determine how much the seller or transferor owes to the Department hereunder up to the date of the sale or transfer. The Department shall take such steps as may be appropriate to comply with such request.

Any order issued by the Department pursuant to this Section to withhold from the purchase price shall be issued within 10 business days after the Department receives notification of a sale as provided in this Section. The purchaser or transferee shall withhold such portion of the purchase price as may be directed by the Department, but not to exceed a minimum amount varying by type of business, as determined by the Department pursuant to regulations, plus twice the outstanding unpaid liabilities and twice the average liability of preceding filings times the number of unfiled returns, to cover the amount of all tax, penalty and interest due and unpaid by the seller or transferor under this Act or, if the payment of money or property is not involved, shall withhold the performance of the condition that constitutes the consideration for the sale or transfer. Within 60 business days after issuance of the initial order to withhold, the Department shall provide written notice to the purchaser or transferee of the actual amount of all taxes, penalties and interest then due and whether or not additional amounts may become due as a result of unfiled returns, pending assessments and audits not completed. The purchaser or transferee shall continue to withhold the amount directed to be withheld by the initial order or such lesser amount as is specified by the final withholding order or to withhold the performance of the condition which constitutes the consideration for the sale or transfer until the purchaser or transferee receives from the Department a certificate showing that such tax, penalty and interest have been paid or a certificate from the Department showing that no tax, penalty or interest is due from the seller or transferor under this Act.

New matter indicated by italics - deletions by strikeout
The purchaser or transferee is relieved of any duty to continue to withhold from the purchase price and of any liability for tax, penalty or interest due hereunder from the seller or transferee if the Department fails to notify the purchaser or transferee in the manner provided herein of the amount to be withheld within 10 business days after the sale or transfer has been reported to the Department or within 60 business days after issuance of the initial order to withhold, as the case may be. The Department shall have the right to determine amounts claimed on an estimated basis to allow for non-filed periods, pending assessments and audits not completed, however the purchaser or transferee shall be personally liable only for the actual amount due when determined.

If the seller or transferee fails to pay the tax, penalty and interest (if any) due from him hereunder and the Department makes timely claim therefor against the purchaser or transferee as hereinabove provided, then the purchaser or transferee shall pay the amount so withheld from the purchase price to the Department. If the purchaser or transferee fails to comply with the requirements of this Section, the purchaser or transferee shall be personally liable to the Department for the amount owed hereunder by the seller or transferee to the Department up to the amount of the reasonable value of the property acquired by the purchaser or transferee.

Any person who shall acquire any property or rights thereto which, at the time of such acquisition, is subject to a valid lien in favor of the Department shall be personally liable to the Department for a sum equal to the amount of taxes secured by such lien but not to exceed the reasonable value of such property acquired by him.

(Source: P.A. 86-923; 86-953.)

Section 20. The Cigarette Tax Act is amended by changing Section 21 as follows:

(35 ILCS 130/21) (from Ch. 120, par. 453.21)

Sec. 21. (a) When any original packages of cigarettes or any cigarette vending device shall have been declared forfeited to the State by the Department, as provided in Section 18a of this Act, and when all proceedings for the judicial review of the Department's decision have

New matter indicated by italics - deletions by strikeout
terminated, the Department shall, to the extent that its decision is sustained on review, *destroy, maintain and use in an undercover capacity, or sell* such property for the best price obtainable and shall forthwith pay over the proceeds of such sale to the State Treasurer. If the value of such property to be sold at any one time is $500 or more, however, such property shall be sold only to the highest and best bidder on such terms and conditions and on open competitive bidding after public advertisement, in such manner and for such terms as the Department, by rule, may prescribe.

(b) If no complaint for review, as provided in Section 8 of this Act, has been filed within the time required by the Administrative Review Law, and if no stay order has been entered thereunder, the Department shall proceed to sell the property for the best price obtainable and shall forthwith pay over the proceeds of such sale to the State Treasurer. If the value of such property to be sold at any one time is $500 or more, however, such property shall be sold only to the highest and best bidder on such terms and conditions and on open competitive bidding after public advertisement, in such manner and for such terms as the Department, by rule, may prescribe.

(c) Upon making a sale of unstamped original packages of cigarettes as provided in this Section, the Department shall affix a distinctive stamp to each of the original packages so sold indicating that the same are sold under this Section.

(d) Notwithstanding the foregoing, any cigarettes seized under this Act or under the Cigarette Use Tax Act may, at the discretion of the Director of Revenue, be distributed to any eleemosynary institution within the State of Illinois.

(Source: P.A. 82-783.)

Section 25. The Cigarette Use Tax Act is amended by changing Sections 26 and 27 as follows:

(35 ILCS 135/26) (from Ch. 120, par. 453.56)

Sec. 26. Whenever any peace officer of the State or any duly authorized officer or employee of the Department shall have reason to believe that any violation of this Act has occurred and that the person so violating the Act has in his, her or its possession any original package of

New matter indicated by italics - deletions by strikeout
cigarettes, not tax stamped or tax imprinted underneath the sealed transparent wrapper of such original packages, as required by this Act, or any vending device containing such original packages to which stamps have not been affixed, or on which an authorized substitute for stamps has not been imprinted underneath the sealed transparent wrapper of such original packages, as required by this Act, he may file or cause to be filed his complaint in writing, verified by affidavit, with any circuit court within whose jurisdiction the premises to be searched are situated, stating the facts upon which such belief is founded, the premises to be searched, and the property to be seized, and procure a search warrant and execute the same. Upon the execution of such search warrant, the peace officer, or officer or employee of the Department, executing such search warrant shall make due return thereof to the court issuing the same, together with an inventory of the property taken thereunder. The court shall thereupon issue process against the owner of such property if he is known; otherwise, such process shall be issued against the person in whose possession the property so taken is found, if such person is known. In case of inability to serve such process upon the owner or the person in possession of the property at the time of its seizure, as hereinbefore provided, notice of the proceedings before the court shall be given as required by the statutes of the State governing cases of Attachment. Upon the return of the process duly served or upon the posting or publishing of notice made, as hereinabove provided, the court or jury, if a jury shall be demanded, shall proceed to determine whether or not such property so seized was held or possessed in violation of this Act, or whether, if a vending device has been so seized, it contained at the time of its seizure original packages not tax stamped or tax imprinted underneath the sealed transparent wrapper of such original packages as required by this Act. In case of a finding that the original packages seized were not tax stamped or tax imprinted underneath the sealed transparent wrapper of such original packages in accordance with the provisions of this Act, or that any vending device so seized contained at the time of its seizure original packages not tax stamped or tax imprinted underneath the sealed transparent wrapper of such original packages in accordance with the provisions of this Act, judgment shall be

New matter indicated by italics - deletions by strikeout
entered confiscating and forfeiting the property to the State and ordering its delivery to the Department, and in addition thereto, the court shall have power to tax and assess the costs of the proceedings.

When any original packages or any cigarette vending device shall have been declared forfeited to the State by any court, as hereinbefore provided, and when such confiscated and forfeited property shall have been delivered to the Department, as provided in this Act, the said Department shall destroy, maintain and use in an undercover capacity, or sell such property for the best price obtainable and shall forthwith pay over the proceeds of such sale to the State Treasurer; provided, however, that if the value of such property to be sold at any one time shall be $500 or more, such property shall be sold only to the highest and best bidder on such terms and conditions and on open competitive bidding after public advertisement, in such manner and for such terms as the Department, by rule, may prescribe.

Upon making such a sale of original packages of cigarettes which were not tax stamped or tax imprinted underneath the sealed transparent wrapper of such original packages as required by this Act, the Department shall affix a distinctive stamp to each of the original packages so sold indicating that the same are sold pursuant to the provisions of this Section.

(Source: Laws 1965, p. 3710.)

(35 ILCS 135/27) (from Ch. 120, par. 453.57)

Sec. 27. When any original packages of cigarettes or any cigarette vending device shall have been declared forfeited to the State by the Department, as provided in Section 25 of this Act, and when all proceedings for the judicial review of the Department's decision have terminated, the Department shall, to the extent that its decision is sustained on review, destroy, maintain and use in an undercover capacity, or sell such property for the best price obtainable and shall forthwith pay over the proceeds of such sale to the State Treasurer; provided, however, that if the value of such property to be sold at any one time shall be Five Hundred Dollars ($500) or more, such property shall be sold only to the highest and best bidder on such terms and conditions and on open competitive bidding.
after public advertisement, in such manner and for such terms as the
Department, by rule, may prescribe.

If no complaint for review, as provided in Section 21 of this Act,
has been filed within the time required by the "Administrative Review
Law," and if no stay order has been entered thereunder, the Department
shall proceed to sell said property for the best price obtainable and shall
forthwith pay over the proceeds of such sale to the State Treasurer;
provided, however, that if the value of such property to be sold at any one
time shall be $500 or more, such property shall be sold only to the highest
and best bidder on such terms and conditions and on open competitive
bidding after public advertisement, in such manner and for such terms as
the Department, by rule, may prescribe.

Upon making a sale of unstamped original packages of cigarettes
as provided in this Section, the Department shall affix a distinctive stamp
to each of the original packages so sold indicating that the same are sold
pursuant to the provisions of this Section.
(Source: P.A. 83-1539.)

Section 30. The Tobacco Products Tax Act of 1995 is amended by
changing Section 10-58 as follows:
(35 ILCS 143/10-58)
Sec. 10-58. Sale of forfeited tobacco products or vending devices.
(a) When any tobacco products or any vending devices are declared
forfeited to the State by the Department, as provided in Section 10-55, and
when all proceedings for the judicial review of the Department's decision
have terminated, the Department shall, to the extent that its decision is
sustained on review, sell the property for the best price obtainable and
shall forthwith pay over the proceeds of the sale to the State Treasurer. If
the value of the property to be sold at any one time is $500 or more,
however, the property shall be sold only to the highest and best bidder on
terms and conditions, and on open competitive bidding after public
advertisement, in a manner and for terms as the Department, by rule, may
 prescribe.
(b) If no complaint for review, as provided in Section 12 of the
Retailers' Occupation Tax Act, has been filed within the time required by

New matter indicated by italics - deletions by strikeout
the Administrative Review Law, and if no stay order has been entered under that Law, the Department shall proceed to destroy, maintain and use in an undercover capacity, or sell the property for the best price obtainable and shall forthwith pay over the proceeds of the sale to the State Treasurer. If the value of the property to be sold at any one time is $500 or more, however, the property shall be sold only to the highest and best bidder on terms and conditions, and on open competitive bidding after public advertisement, in a manner and for terms as the Department, by rule, may prescribe.

(c) Upon making a sale of tobacco products as provided in this Section, the Department shall affix a distinctive stamp to each of the tobacco products so sold indicating that they are sold under this Section.

(d) Notwithstanding the foregoing, any tobacco products seized under this Act may, at the discretion of the Director of Revenue, be distributed to any eleemosynary institution within the State of Illinois.

(Source: P.A. 92-743, eff. 7-25-02.)

Section 35. The Local Mass Transit District Act is amended by changing Section 5.01 as follows:

(70 ILCS 3610/5.01) (from Ch. 111 2/3, par. 355.01)
Sec. 5.01. Metro East Mass Transit District; use and occupation taxes.

(a) The Board of Trustees of any Metro East Mass Transit District may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District any or all of the taxes and fees provided in this Section. All taxes and fees imposed under this Section shall be used only for public mass transportation systems, and the amount used to provide mass transit service to unserved areas of the District shall be in the same proportion to the total proceeds as the number of persons residing in the unserved areas is to the total population of the District. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

New matter indicated by italics - deletions by strikeout
(b) The Board may impose a Metro East Mass Transit District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the district at a rate of 1/4 of 1%, or as authorized under subsection (d-5) of this Section, of the gross receipts from the sales made in the course of such business within the district. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and 14 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State

New matter indicated by italics - deletions by strikeout
Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

If a tax is imposed under this subsection (b), a tax shall also be imposed under subsections (c) and (d) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale, by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

Nothing in this Section shall be construed to authorize the Metro East Mass Transit District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Service Occupation Tax shall also be imposed upon all persons engaged, in the district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax rate shall be 1/4%, or as authorized under subsection (d-5) of this Section, of the selling price of tangible personal property so transferred within the district. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions,

New matter indicated by italics - deletions by strikeout
limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure as are prescribed in Sections 1a-1, 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the Authority), 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the District), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the District), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize the District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

New matter indicated by italics - deletions by strikeout
(d) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Use Tax shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is purchased outside the district at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4%, or as authorized under subsection (d-5) of this Section, of the selling price of the tangible personal property within the District, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the District. The tax shall be collected by the Department of Revenue for the Metro East Mass Transit District. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to

New matter indicated by italics - deletions by strikeout
claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

(d-5) (A) The county board of any county participating in the Metro East Mass Transit District may authorize, by ordinance, a referendum on the question of whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to 0.75%. Upon adopting the ordinance, the county board shall certify the proposition to the proper election officials who shall submit the proposition to the voters of the District at the next election, in accordance with the general election law.

The proposition shall be in substantially the following form:

Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

(B) Two thousand five hundred electors of any Metro East Mass Transit District may petition the Chief Judge of the Circuit Court, or any judge of that Circuit designated by the Chief Judge, in which that District is located to cause to be submitted to a vote of the electors the question whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to 0.75%.

New matter indicated by italics - deletions by strikeout
Upon submission of such petition the court shall set a date not less than 10 nor more than 30 days thereafter for a hearing on the sufficiency thereof. Notice of the filing of such petition and of such date shall be given in writing to the District and the County Clerk at least 7 days before the date of such hearing.

If such petition is found sufficient, the court shall enter an order to submit that proposition at the next election, in accordance with general election law.

The form of the petition shall be in substantially the following form: To the Circuit Court of the County of (name of county):

We, the undersigned electors of the (name of transit district), respectfully petition your honor to submit to a vote of the electors of (name of transit district) the following proposition:

Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

Name
Address, with Street and Number.

(C) The votes shall be recorded as "YES" or "NO". If a majority of all votes cast on the proposition are for the increase in the tax rates, the Metro East Mass Transit District shall begin imposing the increased rates in the District, and the Department of Revenue shall begin collecting the increased amounts, as provided under this Section. An ordinance imposing or discontinuing a tax hereunder or effecting a change in the rate thereof shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing, or on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing.
(D) If the voters have approved a referendum under this subsection, before November 1, 1994, to increase the tax rate under this subsection, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance at any time before January 1, 1995 that excludes from the rate increase tangible personal property that is titled or registered with an agency of this State's government. The ordinance excluding titled or registered tangible personal property from the rate increase must be filed with the Department at least 15 days before its effective date. At any time after adopting an ordinance excluding from the rate increase tangible personal property that is titled or registered with an agency of this State's government, the Metro East Mass Transit District Board of Trustees may adopt an ordinance applying the rate increase to that tangible personal property. The ordinance shall be adopted, and a certified copy of that ordinance shall be filed with the Department, on or before October 1, whereupon the Department shall proceed to administer and enforce the rate increase against tangible personal property titled or registered with an agency of this State's government as of the following January 1. After December 31, 1995, any reimposed rate increase in effect under this subsection shall no longer apply to tangible personal property titled or registered with an agency of this State's government. Beginning January 1, 1996, the Board of Trustees of any Metro East Mass Transit District may never reimpose a previously excluded tax rate increase on tangible personal property titled or registered with an agency of this State's government. After July 1, 2004, if the voters have approved a referendum under this subsection to increase the tax rate under this subsection, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance that excludes from the rate increase tangible personal property that is titled or registered with an agency of this State's government. The ordinance excluding titled or registered tangible personal property from the rate increase shall be adopted, and a certified copy of that ordinance shall be filed with the Department on or before October 1, whereupon the Department shall administer and enforce this exclusion from the rate increase as of the following January 1, or on or before April 1, whereupon the Department shall administer and enforce

New matter indicated by italics - deletions by strikeout
this exclusion from the rate increase as of the following July 1. The Board of Trustees of any Metro East Mass Transit District may never reimpose a previously excluded tax rate increase on tangible personal property titled or registered with an agency of this State's government.

(d-6) If the Board of Trustees of any Metro East Mass Transit District has imposed a rate increase under subsection (d-5) and filed an ordinance with the Department of Revenue excluding titled property from the higher rate, then that Board may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District a fee. The fee on the excluded property shall not exceed $20 per retail transaction or an amount equal to the amount of tax excluded, whichever is less, on tangible personal property that is titled or registered with an agency of this State's government. Beginning July 1, 2004, the fee shall apply only to titled property that is subject to either the Metro East Mass Transit District Retailers' Occupation Tax or the Metro East Mass Transit District Service Occupation Tax.

(d-7) Until June 30, 2004, if a fee has been imposed under subsection (d-6), a fee shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is titled or registered with any agency of this State's government, in an amount equal to the amount of the fee imposed under subsection (d-6).

(d-7.1) Beginning July 1, 2004, any fee imposed by the Board of Trustees of any Metro East Mass Transit District under subsection (d-6) and all civil penalties that may be assessed as an incident of the fees shall be collected and enforced by the State Department of Revenue. Reference to "taxes" in this Section shall be construed to apply to the administration, payment, and remittance of all fees under this Section. For purposes of any fee imposed under subsection (d-6), 4% of the fee, penalty, and interest received by the Department in the first 12 months that the fee is collected and enforced by the Department and 2% of the fee, penalty, and interest following the first 12 months shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the
Department. No retailers' discount shall apply to any fee imposed under subsection (d-6).

(d-8) No item of titled property shall be subject to both the higher rate approved by referendum, as authorized under subsection (d-5), and any fee imposed under subsection (d-6) or (d-7).

(d-9) (Blank). If fees have been imposed under subsections (d-6) and (d-7), the Board shall forward a copy of the ordinance adopting such fees, which shall include all zip codes in whole or in part within the boundaries of the district, to the Secretary of State within thirty days. By the 25th of each month, the Secretary of State shall subsequently provide the Illinois Department of Revenue with a list of identifiable retail transactions subject to the .25% rate occurring within the zip codes which are in whole or in part within the boundaries of the district and a list of title applications for addresses within the boundaries of the district for the previous month:

(d-10) (Blank). In the event that a retailer fails to pay applicable fees within 30 days of the date of the transaction, a penalty shall be assessed at the rate of 25% of the amount of fees. Interest on both late fees and penalties shall be assessed at the rate of 1% per month. All fees, penalties, and attorney fees shall constitute a lien on the personal and real property of the retailer.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) (Blank). The Board may impose a replacement vehicle tax of $50 on any passenger car, as defined in Section 1-157 of the Illinois Vehicle Code, purchased within the district area by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective
before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the district in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code:

   The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named districts, the districts to be those from which retailers have paid taxes or penalties hereunder to the Department during the second preceding calendar month. The amount to be paid to each district shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the disbursement certification to the districts, provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in the certification.

   (g) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Metro East Mass Transit District as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, except as provided in subsection (d-5) of this Section, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the

New matter indicated by italics - deletions by strikeout
first day of January next following such adoption and filing, or, beginning January 1, 2004, on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing.

(h) Except as provided in subsection (d-7.1), the State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the District. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the District, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the District, the Comptroller shall cause an order to be drawn for payment for the amount in accordance with the direction in the certification.

(Source: P.A. 93-590; eff. 1-1-04.)

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

Approved May 19, 2006.
Effective May 19, 2006.
Metropolitan Water Reclamation District are extended to include within those limits the following described tract of land and the tract is annexed to the District.

THE PARCEL THAT IS DESCRIBED AS THE EXCEPTION IN "TRINITY CREEKS, PHASE ONE," A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS THAT WAS RECORDED ON 13 JANUARY 2005 AS DOCUMENT 05 01339042 THAT IS SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH AND WEST LINES OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE SOUTH 89 DEGREES 40 MINUTES 24 SECONDS EAST ALONG SAID NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 A DISTANCE OF 168.00 FEET, THENCE SOUTH 0 DEGREES 4 MINUTES 46 SECONDS EAST 26.11 FEET, THENCE NORTH 89 DEGREES 44 MINUTES 31 SECONDS WEST A DISTANCE OF 168.00 FEET TO SAID WEST LINE OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE NORTH 0 DEGREES 4 MINUTES 46 SECONDS WEST ALONG THE LAST DESCRIBED LINE A DISTANCE OF 26.31 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Approved May 19, 2006.

PUBLIC ACT 94-0778
(House Bill No. 4369)

AN ACT concerning local government.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing
Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
(Text of Section before amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or
referred to in this Division 74.4 shall have the following respective
meanings, unless in any case a different meaning clearly appears from the
context.

(a) For any redevelopment project area that has been designated
pursuant to this Section by an ordinance adopted prior to November 1,
1999 (the effective date of Public Act 91-478), "blighted area" shall have
the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any
improved or vacant area within the boundaries of a redevelopment project
area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential
buildings or improvements are detrimental to the public safety,
health, or welfare because of a combination of 5 or more of the
following factors, each of which is (i) present, with that presence
documented, to a meaningful extent so that a municipality may
reasonably find that the factor is clearly present within the intent of
the Act and (ii) reasonably distributed throughout the improved
part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or
neglect of necessary repairs to the primary structural
components of buildings or improvements in such a
combination that a documented building condition analysis
determines that major repair is required or the defects are so
serious and so extensive that the buildings must be removed.
(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleyways, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate

New matter indicated by italics - deletions by strikeout
sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

New matter indicated by italics - deletions by strikeout
(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years.
prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the

New matter indicated by italics - deletions by strikeout
remediation costs constitute a material impediment to the
development or redevelopment of the redevelopment
project area.

(F) The total equalized assessed value of the
proposed redevelopment project area has declined for 3 of
the last 5 calendar years prior to the year in which the
redevelopment project area is designated or is increasing at
an annual rate that is less than the balance of the
municipality for 3 of the last 5 calendar years for which
information is available or is increasing at an annual rate
that is less than the Consumer Price Index for All Urban
Consumers published by the United States Department of
Labor or successor agency for 3 of the last 5 calendar years
prior to the year in which the redevelopment project area is
designated.

(3) If vacant, the sound growth of the redevelopment
project area is impaired by one of the following factors that (i) is
present, with that presence documented, to a meaningful extent so
that a municipality may reasonably find that the factor is clearly
present within the intent of the Act and (ii) is reasonably
distributed throughout the vacant part of the redevelopment project
area to which it pertains:

(A) The area consists of one or more unused
quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail
tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to
(i) chronic flooding that adversely impacts on real property
in the area as certified by a registered professional engineer
or appropriate regulatory agency or (ii) surface water that
discharges from all or a part of the area and contributes to
flooding within the same watershed, but only if the
redevelopment project provides for facilities or
improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a

New matter indicated by italics - deletions by strikeout
documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios.

New matter indicated by italics - deletions by strikeout
Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of

New matter indicated by italics - deletions by strikeout
a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial

New matter indicated by italics - deletions by strikeout
limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

New matter indicated by italics - deletions by strikeout
(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of

New matter indicated by italics - deletions by strikeout
the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year

New matter indicated by italics - deletions by strikeout
2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on

New matter indicated by italics - deletions by strikeout
owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amended Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18;
60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

New matter indicated by italics - deletions by strikeout
(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

New matter indicated by italics - deletions by strikeout
(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year.
after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or
(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

New matter indicated by italics - deletions by strikeout
(L) if the ordinance was adopted in September 1988 by Sauk Village, or
(M) if the ordinance was adopted in October 1993 by Sauk Village, or
(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
(O) if the ordinance was adopted in March 1991 by the City of Centreville, or
(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or

New matter indicated by italics - deletions by strikeout
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:
(QQ) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:
(RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or

New matter indicated by italics - deletions by strikeout
(SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:

(TT) if the ordinance was adopted on April 20, 1993 by the Village of Princeville.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that

New matter indicated by italics - deletions by strikeout
would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited
residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment

New matter indicated by italics - deletions by strikeout
project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.
(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a
municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

New matter indicated by italics - deletions by strikeout
(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.
(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less
than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code.
less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical

New matter indicated by italics - deletions by strikeout
improvements made to the schools by the municipality or developer; and
   (iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure

New matter indicated by italics - deletions by strikeout
improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the

New matter indicated by italics - deletions by strikeout
amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional

New matter indicated by italics - deletions by strikeout
job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

New matter indicated by italics - deletions by strikeout
(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an

New matter indicated by italics - deletions by strikeout
eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to
pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of
the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue.

New matter indicated by italics - deletions by strikeout
and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the

New matter indicated by italics - deletions by strikeout
applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a
preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may

New matter indicated by italics - deletions by strikeout
reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an

New matter indicated by italics - deletions by strikeout
adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels

New matter indicated by italics - deletions by strikeout
must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

New matter indicated by italics - deletions by strikeout
(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

   (B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

   (C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.
(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

New matter indicated by italics - deletions by strikeout
(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.
On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

New matter indicated by italics - deletions by strikeout
(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to

New matter indicated by italics - deletions by strikeout
the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States

New matter indicated by italics - deletions by strikeout
Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.
(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailer's Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailer's Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailer's Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailer's Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailer's Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising

New matter indicated by italics - deletions by strikeout
from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with

New matter indicated by italics - deletions by strikeout
a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts
prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of
the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new

New matter indicated by italics - deletions by strikeout
employees to be employed in the operation of the facilities to be
developed; and

(J) if property is to be annexed to the municipality, the plan
shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not
apply to a municipality that before March 14, 1994 (the effective date of
Public Act 88-537) had fixed, either by its corporate authorities or by a
commission designated under subsection (k) of Section 11-74.4-4, a time
and place for a public hearing as required by subsection (a) of Section 11-
74.4-5. No redevelopment plan shall be adopted unless a municipality
complies with all of the following requirements:

(1) The municipality finds that the redevelopment project
area on the whole has not been subject to growth and development
through investment by private enterprise and would not reasonably
be anticipated to be developed without the adoption of the
redevelopment plan.

(2) The municipality finds that the redevelopment plan and
project conform to the comprehensive plan for the development of
the municipality as a whole, or, for municipalities with a
population of 100,000 or more, regardless of when the
redevelopment plan and project was adopted, the redevelopment
plan and project either: (i) conforms to the strategic economic
development or redevelopment plan issued by the designated
planning authority of the municipality, or (ii) includes land uses
that have been approved by the planning commission of the
municipality.

(3) The redevelopment plan establishes the estimated dates
of completion of the redevelopment project and retirement of
obligations issued to finance redevelopment project costs. Those
dates: shall not be later than December 31 of the year in which the
payment to the municipal treasurer as provided in subsection (b) of
Section 11-74.4-8 of this Act is to be made with respect to ad
valorem taxes levied in the twenty-third calendar year after the year
in which the ordinance approving the redevelopment project area is

New matter indicated by italics - deletions by strikeout
adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at

New matter indicated by italics - deletions by strikeout
least $250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

New matter indicated by italics - deletions by strikeout
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or

(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or

(Z) if the ordinance was adopted on November 11, 1996 by the City of Alton, or

(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or

(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or

(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or

-DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or

(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or

(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or

(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or

(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or

(I) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or

(J) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or

(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or

(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or

New matter indicated by italics - deletions by strikeout
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or
(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or
(VV) if the ordinance was adopted on April 20, 1993 by the Village of Princeville.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

New matter indicated by italics - deletions by strikeout
A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance. Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the
provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project.
area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove
more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a
redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

New matter indicated by italics - deletions by strikeout
(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

New matter indicated by italics - deletions by strikeout
(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students
enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than
$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following
restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted

New matter indicated by italics - deletions by strikeout
housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2%
of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the

New matter indicated by italics - deletions by strikeout
municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income

New matter indicated by italics - deletions by strikeout
households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted

New matter indicated by italics - deletions by strikeout
by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

New matter indicated by italics - deletions by strikeout
(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen,
other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until

New matter indicated by italics - deletions by strikeout
September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording

New matter indicated by italics - deletions by strikeout
during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

(Text of Section before amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance

New matter indicated by italics - deletions by strikeout
authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following:

New matter indicated by italics - deletions by strikeout
(a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

New matter indicated by italics - deletions by strikeout
If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.
A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were

New matter indicated by italics - deletions by strikeout
authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by
the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on April 20, 1993 by the Village of Princeville and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such

New matter indicated by italics - deletions by strikeout
obligations or any other taxing district for the purpose of any limitation imposed by law.
(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in
direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations

New matter indicated by italics - deletions by strikeout
which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.
In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment

New matter indicated by italics - deletions by strikeout
project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985,
or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) (OO) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) (OO) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on April 20, 1993 by the Village of Princeville and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of

New matter indicated by italics - deletions by strikeout
Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Approved May 19, 2006.
Effective May 19, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Accounting Act is amended by changing Sections 0.03, 6.1, 9.01, 14.3, 16, 20.01, 20.1, and 27 and by adding Section 9.3 as follows:

(225 ILCS 450/0.03) (from Ch. 111, par. 5500.03)
(Section scheduled to be repealed on January 1, 2014)
Sec. 0.03. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Registered Certified Public Accountant" means any person who has been issued a registration under this Act as a Registered Certified Public Accountant.

(b) "Licensed Certified Public Accountant" means any person licensed under this Act as a Licensed Certified Public Accountant.

(c) "Committee" means the Public Accountant Registration Committee appointed by the Director.

(d) "Department" means the Department of Professional Regulation.

(e) "Director" means the Director of Professional Regulation.

(f) "License", "licensee" and "licensure" refers to the authorization to practice under the provisions of this Act.

(g) "Peer review program" means a study, appraisal, or review of one or more aspects of the professional work of a person or firm or sole practitioner in the practice of public accounting to determine the degree of compliance by the firm or sole practitioner with professional standards and practices, conducted by persons who hold current licenses to practice public accounting under the laws of this or another state and who are not affiliated with the firm or sole practitioner being reviewed certified or licensed under this Act, including quality review, peer review, practice monitoring, quality assurance, and similar programs undertaken

New matter indicated by italics - deletions by strikeout
voluntarily or as a prerequisite to the providing of professional services under government requirements, or any similar internal review or inspection that is required by professional standards.

(h) "Review committee" means any person or persons conducting, reviewing, administering, or supervising a peer review program.

(i) "University" means the University of Illinois.

(j) "Board" means the Board of Examiners established under Section 2.

(k) "Registration", "registrant", and "registered" refer to the authorization to hold oneself out as or use the title "Registered Certified Public Accountant" or "Certified Public Accountant", unless the context otherwise requires.

(l) "Peer Review Administrator" means an organization designated by the Department that meets the requirements of subsection (f) of Section 16 of this Act and other rules that the Department may adopt.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.) (225 ILCS 450/6.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 6.1. Examinations.

(a) The examination shall test the applicant's knowledge of accounting, auditing, and other related subjects, if any, as the Board may deem advisable. A candidate shall be required to pass all sections of the examination in order to qualify for a certificate. A candidate may take the required test sections individually and in any order, as long as the examination is taken within a timeframe established by Board rule.

(b) On and after January 1, 2005, applicants shall also be required to pass an examination on the rules of professional conduct, as determined by Board rule to be appropriate, before they may be awarded a certificate as a Certified Public Accountant.

(c) Pursuant to compliance with the Americans with Disabilities Act, the Board may provide alternative test administration arrangements that are reasonable in the context of the Certified Public Accountant examination for applicants who are unable to take the examination under standard conditions upon an applicant's submission of evidence as the
BOARD may require, which may include a signed statement from a medical or other licensed medical professional, identifying the applicant's disabilities and the specific alternative accommodations the applicant may need. Any alteration in test administration arrangements does not waive the requirement of sitting for and passing the examination. The Board may in certain cases waive or defer any of the requirements of this Section regarding the circumstances in which the various Sections of the examination must be passed upon a showing that, by reasons of circumstances beyond the applicant's control, the applicant was unable to meet the requirement.

(d) Any application, document, or other information filed by or concerning an applicant and any examination grades of an applicant shall be deemed confidential and shall not be disclosed to anyone without the prior written permission of the applicant, except that the names and addresses only of all applicants shall be a public record and be released as public information. Nothing in this subsection shall prevent the Board from making public announcement of the names of persons receiving certificates under this Act.

(Source: P.A. 93-683, eff. 7-2-04.)

(225 ILCS 450/9.01)
(Section scheduled to be repealed on January 1, 2014)
Sec. 9.01. Unlicensed practice; violation; civil penalty.
(a) Any person or firm that practices, offers to practice, attempts to practice, or holds oneself out to practice as a licensed certified public accountant without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

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

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a
judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/9.3 new)

(Section scheduled to be repealed on January 1, 2014)

Sec. 9.3. Sharing of information. Notwithstanding any other provision of this Act, for the purpose of carrying out their respective duties and responsibilities under this Act and to effectuate the purpose of this Act, both the Board of Examiners and the Department of Financial and Professional Regulation are authorized and directed to share information with each other regarding those individuals and entities licensed or certified or applying for licensure or certification under this Act.

(225 ILCS 450/14.3)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14.3. Additional requirements for firms. In addition to the ownership requirements set forth in subsection (b) of Section 14, all firms licensed under this Act shall meet the following requirements:

(a) All owners of the firm, whether licensed or not, shall be active participants in the firm or its affiliated entities.

(b) An individual who supervises services for which a license is required under Section 8 of this Act or who signs or authorizes another to sign any report for which a license is required under Section 8 of this Act shall hold a valid, active, unrevoked Licensed Certified Public Accountant license from this State or another state and shall comply with such additional experience requirements as may be required by rule of the Board.

(c) The firm shall require that all owners of the firm, whether or not certified or licensed under this Act, comply with rules promulgated under this Act.

(d) The firm shall designate to the Department in writing an individual licensed under this Act who shall be responsible for the proper registration of the firm.

New matter indicated by italics - deletions by strikeout
(e) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/16) (from Ch. 111, par. 5517)

(Section scheduled to be repealed on January 1, 2014)

Sec. 16. Expiration and renewal of licenses; renewal of registration; continuing education.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule.

(b) Every holder of a license or registration under this Act may renew such license or registration before the expiration date upon payment of the required renewal fee as set by rule.

(c) Every application for renewal of a license by a licensed certified public accountant who has been licensed under this Act for 3 years or more shall be accompanied or supported by any evidence the Department shall prescribe, in satisfaction of completing, each 3 years, not less than 120 hours of continuing professional education programs in subjects given by continuing education sponsors registered by the Department upon recommendation of the Committee. Of the 120 hours, not less than 4 hours shall be courses covering the subject of professional ethics. All continuing education sponsors applying to the Department for registration shall be required to submit an initial nonrefundable application fee set by Department rule. Each registered continuing education sponsor shall be required to pay an annual renewal fee set by Department rule. Publicly supported colleges, universities, and governmental agencies located in Illinois are exempt from payment of any fees required for continuing education sponsor registration. Failure by a continuing education sponsor to be licensed or pay the fees prescribed in this Act, or to comply with the rules and regulations established by the Department under this Section regarding requirements for continuing education courses or sponsors, shall

New matter indicated by italics - deletions by strikeout
constitute grounds for revocation or denial of renewal of the sponsor's registration.

(d) Licensed Certified Public Accountants are exempt from the continuing professional education requirement for the first renewal period following the original issuance of the license.

Notwithstanding the provisions of this subsection (c), the Department may accept courses and sponsors approved by other states, by the American Institute of Certified Public Accountants, by other state CPA societies, or by national accrediting organizations such as the National Association of State Boards of Accountancy.

Failure by an applicant for renewal of a license as a licensed certified public accountant to furnish the evidence shall constitute grounds for disciplinary action, unless the Department in its discretion shall determine the failure to have been due to reasonable cause. The Department, in its discretion, may renew a license despite failure to furnish evidence of satisfaction of requirements of continuing education upon condition that the applicant follow a particular program or schedule of continuing education. In issuing rules and individual orders in respect of requirements of continuing education, the Department in its discretion may, among other things, use and rely upon guidelines and pronouncements of recognized educational and professional associations; may prescribe rules for the content, duration, and organization of courses; shall take into account the accessibility to applicants of such continuing education as it may require, and any impediments to interstate practice of public accounting that may result from differences in requirements in other states; and may provide for relaxation or suspension of requirements in regard to applicants who certify that they do not intend to engage in the practice of public accounting, and for instances of individual hardship.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by licensees; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

New matter indicated by italics - deletions by strikeout
The Department may establish, by rule, guidelines for acceptance of continuing education on behalf of licensed certified public accountants taking continuing education courses in other jurisdictions.

(e) For renewals on and after July 1, 2012, as a condition for granting a renewal license to firms and sole practitioners who provide services requiring a license under this Act, the Department shall require that the firm or sole practitioner satisfactorily complete a peer review during the immediately preceding 3-year period, accepted by a Peer Review Administrator in accordance with established standards for performing and reporting on peer reviews, unless the firm or sole practitioner is exempted under the provisions of subsection (i) of this Section. A firm or sole practitioner shall, at the request of the Department, submit to the Department a letter from the Peer Review Administrator stating the date on which the peer review was satisfactorily completed.

A new firm or sole practitioner not subject to subsection (l) of this Section shall undergo its first peer review during the first full renewal cycle after it is granted its initial license.

The requirements of this subsection (e) shall not apply to any person providing services requiring a license under this Act to the extent that such services are provided in the capacity of an employee of the Office of the Auditor General or to a nonprofit cooperative association engaged in the rendering of licensed service to its members only under paragraph (3) of subsection (b) of Section 14 of this Act or any of its employees to the extent that such services are provided in the capacity of an employee of the association.

(f) The Department shall approve only Peer Review Administrators that the Department finds comply with established standards for performing and reporting on peer reviews. The Department may adopt rules establishing guidelines for peer reviews, which shall do all of the following:

(1) Require that a peer review be conducted by a reviewer that is independent of the firm reviewed and approved by the Peer Review Administrator under established standards.

New matter indicated by italics - deletions by strikeout
(2) Other than in the peer review process, prohibit the use or public disclosure of information obtained by the reviewer, the Peer Review Administrator, or the Department during or in connection with the peer review process. The requirement that information not be publicly disclosed shall not apply to a hearing before the Department that the firm or sole practitioner requests be public or to the information described in paragraph (3) of subsection (i) of this Section.

(g) If a firm or sole practitioner fails to satisfactorily complete a peer review as required by subsection (e) of this Section or does not comply with any remedial actions determined necessary by the Peer Review Administrator, the Peer Review Administrator shall notify the Department of the failure and shall submit a record with specific references to the rule, statutory provision, professional standards, or other applicable authority upon which the Peer Review Administrator made its determination and the specific actions taken or failed to be taken by the licensee that in the opinion of the Peer Review Administrator constitutes a failure to comply. The Department may at its discretion or shall upon submission of a written application by the firm or sole practitioner hold a hearing under Section 20.1 of this Act to determine whether the firm or sole practitioner has complied with subsection (e) of this Section. The hearing shall be confidential and shall not be open to the public unless requested by the firm or sole practitioner.

(h) The firm or sole practitioner reviewed shall pay for any peer review performed. The Peer Review Administrator may charge a fee to each firm and sole practitioner sufficient to cover costs of administering the peer review program.

(i) A firm or sole practitioner shall be exempt from the requirement to undergo a peer review if:

(1) Within 3 years before the date of application for renewal licensure, the sole practitioner or firm has undergone a peer review conducted in another state or foreign jurisdiction that meets the requirements of paragraphs (1) and (2) of subsection (f) of this Section. The sole practitioner or firm shall submit to the

New matter indicated by italics - deletions by strikeout
Department a letter from the organization administering the most recent peer review stating the date on which the peer review was completed; or

(2) The sole practitioner or firm satisfies all of the following conditions:

(A) during the preceding 2 years, the firm or sole practitioner has not accepted or performed any services requiring a license under this Act;

(B) the firm or sole practitioner agrees to notify the Department within 30 days of accepting an engagement for services requiring a license under this Act and to undergo a peer review within 18 months after the end of the period covered by the engagement; or

(3) For reasons of personal health, military service, or other good cause, the Department determines that the sole practitioner or firm is entitled to an exemption, which may be granted for a period of time not to exceed 12 months.

(j) If a peer review report indicates that a firm or sole practitioner complies with the appropriate professional standards and practices set forth in the rules of the Department and no further remedial action is required, the Peer Review Administrator shall destroy all working papers and documents, other than report-related documents, related to the peer review within 90 days after issuance of the letter of acceptance by the Peer Review Administrator. If a peer review letter of acceptance indicates that corrective action is required, the Peer Review Administrator may retain documents and reports related to the peer review until completion of the next peer review or other agreed-to corrective actions.

(k) In the event the practices of 2 or more firms or sole practitioners are merged or otherwise combined, the surviving firm shall retain the peer review year of the largest firm, as determined by the number of accounting and auditing hours of each of the practices. In the event that the practice of a firm is divided or a portion of its practice is sold or otherwise transferred, any firm or sole practitioner acquiring some or all of the practice that does not already have its own review year

New matter indicated by italics - deletions by strikeout
shall retain the review year of the former firm. In the event that the first peer review of a firm that would otherwise be required by this subsection (k) would be less than 12 months after its previous review, a review year shall be assigned by a Peer Review Administrator so that the firm's next peer review occurs after not less than 12 months of operation, but not later than 18 months of operation.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04; revised 10-11-05.)

(225 ILCS 450/20.01) (from Ch. 111, par. 5521.01)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20.01. Grounds for discipline; license or registration.

(a) The Department may refuse to issue or renew, or may revoke, suspend, or reprimand any registration or registrant, any license or licensee, place a licensee or registrant on probation for a period of time subject to any conditions the Department may specify including requiring the licensee or registrant to attend continuing education courses or to work under the supervision of another licensee or registrant, impose a fine not to exceed $5,000 for each violation, restrict the authorized scope of practice, or require a licensee or registrant to undergo a peer review program, for any one or more of the following:

(1) Violation of any provision of this Act.

(2) Attempting to procure a license or registration to practice under this Act by bribery or fraudulent misrepresentations.

(3) Having a license to practice public accounting or registration revoked, suspended, or otherwise acted against, including the denial of licensure or registration, by the licensing or registering authority of another state, territory, or country, including but not limited to the District of Columbia, or any United States territory. No disciplinary action shall be taken in Illinois if the action taken in another jurisdiction was based upon failure to meet the continuing professional education requirements of that jurisdiction and the applicable Illinois continuing professional education requirements are met.

(4) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to

New matter indicated by italics - deletions by strikeout
the practice of public accounting or the ability to practice public accounting or as a Registered Certified Public Accountant.

(5) Making or filing a report or record which the registrant or licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing the filing, or inducing another person to impede or obstruct the filing. The reports or records shall include only those that are signed in the capacity of a licensed certified public accountant or a registered certified public accountant.

(6) Conviction in this or another State or the District of Columbia, or any United States Territory, of any crime that is punishable by one year or more in prison or conviction of a crime in a federal court that is punishable by one year or more in prison.

(7) Proof that the licensee or registrant is guilty of fraud or deceit, or of gross negligence, incompetency, or misconduct, in the practice of public accounting.

(8) Violation of any rule adopted under this Act.

(9) Practicing on a revoked, suspended, or inactive license or registration.

(10) Suspension or revocation of the right to practice before any state or federal agency.

(11) Conviction of any crime under the laws of the United States or any state or territory of the United States that is a felony or misdemeanor and has dishonesty as an essential element, or of any crime that is directly related to the practice of the profession.

(12) Making any misrepresentation for the purpose of obtaining a license, or registration or material misstatement in furnishing information to the Department.

(13) Aiding or assisting another person in violating any provision of this Act or rules promulgated hereunder.

(14) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the Department.
(15) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable skill, judgment, or safety.

(16) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered.

(17) Physical or mental disability, including deterioration through the aging process or loss of abilities and skills that results in the inability to practice the profession with reasonable judgment, skill or safety.

(18) Solicitation of professional services by using false or misleading advertising.

(19) Failure to file a return, or pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.

(20) Practicing or attempting to practice under a name other than the full name as shown on the license or registration or any other legally authorized name.

(21) A finding by the Department that a licensee or registrant has not complied with a provision of any lawful order issued by the Department.

(22) Making a false statement to the Department regarding compliance with continuing professional education or peer review requirements.

(23) Failing to make a substantive response to a request for information by the Department within 30 days of the request.

(b) (Blank).

(c) In rendering an order, the Department shall take into consideration the facts and circumstances involving the type of acts or omissions in subsection (a) including, but not limited to:

New matter indicated by italics - deletions by strikeout
(1) the extent to which public confidence in the public accounting profession was, might have been, or may be injured;
(2) the degree of trust and dependence among the involved parties;
(3) the character and degree of financial or economic harm which did or might have resulted; and
(4) the intent or mental state of the person charged at the time of the acts or omissions.
(d) The Department shall reissue the license or registration upon a showing that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order.
(e) The Department shall deny any application for a license, registration, or renewal, without hearing, to any person who has defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission; however, the Department may issue a license, registration, or renewal if the person in default has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission.
(f) The determination by a court that a licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in the automatic suspension of his or her license or registration. The licensee or registrant shall be responsible for notifying the Department of the determination by the court that the licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code. The licensee or registrant shall also notify the Department upon discharge so that a determination may be made under item (17) of subsection (a) whether the licensee or registrant may resume practice.
(Source: P.A. 92-457, eff. 7-1-04; 93-629, eff. 12-23-03; 93-683, eff. 7-2-04.)
(225 ILCS 450/20.1) (from Ch. 111, par. 5522)
(Section scheduled to be repealed on January 1, 2014)
Sec. 20.1. Investigations; notice; hearing. The Department may, upon its own motion, and shall, upon the verified complaint in writing of

New matter indicated by italics - deletions by strikeout
any person setting forth facts which, if proved, would constitute grounds for disciplinary action as set forth in Section 20.01, investigate the actions of any person or entity. The Department may refer complaints and investigations to a disciplinary body of the accounting profession for technical assistance. The results of an investigation and recommendations of the disciplinary body may be considered by the Department, but shall not be considered determinative and the Department shall not in any way be obligated to take any action or be bound by the results of the accounting profession's disciplinary proceedings. The Department, before taking disciplinary action, shall afford the concerned party or parties an opportunity to request a hearing and if so requested shall set a time and place for a hearing of the complaint. With respect to determinations by a Peer Review Administrator duly appointed by the Department under subsection (f) of Section 16 of this Act that a licensee has failed to satisfactorily complete a peer review as required under subsection (e) of Section 16, the Department may consider the Peer Review Administrator's findings of fact as prima facie evidence, and upon request by a licensee for a hearing the Department shall review the record presented and hear arguments by the licensee or the licensee's counsel but need not conduct a trial or hearing de novo or accept additional evidence. The Department shall notify the applicant or the licensed or registered person or entity of any charges made and the date and place of the hearing of those charges by mailing notice thereof to that person or entity by registered or certified mail to the place last specified by the accused person or entity in the last notification to the Department, at least 30 days prior to the date set for the hearing or by serving a written notice by delivery of the notice to the accused person or entity at least 15 days prior to the date set for the hearing, and shall direct the applicant or licensee or registrant to file a written answer to the Department under oath within 20 days after the service of the notice and inform the applicant or licensee or registrant that failure to file an answer will result in default being taken against the applicant or licensee or registrant and that the license or registration may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of
practice, as the Director may deem proper. In case the person fails to file an answer after receiving notice, his or her license or registration may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. The Department shall afford the accused person or entity an opportunity to be heard in person or by counsel at the hearing. At the conclusion of the hearing the Committee shall present to the Director a written report setting forth its finding of facts, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. If the Director disagrees in any regard with the report, he or she may issue an order in contravention of the report. The Director shall provide a written explanation to the Committee of any such deviations and shall specify with particularity the reasons for the deviations.

The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/27) (from Ch. 111, par. 5533)

(Section scheduled to be repealed on January 1, 2014)

Sec. 27. A licensed or registered certified public accountant shall not be required by any court to divulge information or evidence which has been obtained by him in his confidential capacity as a licensed or registered certified public accountant. This Section shall not apply to any investigation or hearing undertaken pursuant to this Act.

(Source: P.A. 92-457, eff. 7-1-04.)

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

Approved May 19, 2006.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0779

Effective May 19, 2006.

PUBLIC ACT 94-0780
(House Bill No. 4736)

AN ACT concerning regulation.

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

Section 5. The Check Printer and Check Number Act is amended by changing Section 5 as follows:

(205 ILCS 690/5)

Sec. 5. Definitions. For the purposes of this Act:

"Commissioner" means the Commissioner of Banks and Real Estate.

"Consumer-deposit account" means a demand or other similar deposit account such as a checking, negotiable order of withdrawal, money market, savings deposit, share, or member account established and maintained by a natural person with a financial institution and operated primarily for personal, family, or household purposes.

"Financial institution" means (i) any bank subject to the Illinois Banking Act, any savings bank subject to the Savings Bank Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, or any credit union subject to the Illinois Credit Union Act; (ii) any federally chartered commercial bank, savings bank, savings and loan association, or credit union organized and operated in this State under the laws of the United States and operating in this State; and (iii) any business corporation, limited liability company, business trust, partnership, joint venture, or other entity that is directly or indirectly at least 50% owned by or commonly owned with a financial institution.

"Check" means a writing that complies with the requirements of Section 3-104 of the Uniform Commercial Code.

"Person" means any natural person or his legal representative, partnership, corporation, company, trust, business entity, or association.

(Source: P.A. 90-184, eff. 7-23-97.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved May 19, 2006.
Effective May 19, 2006.

PUBLIC ACT 94-0781
(House Bill No. 5283)

AN ACT concerning municipalities.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Use Tax Act is amended by changing Section 12 as follows:

(35 ILCS 105/12) (from Ch. 120, par. 439.12)
Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2a, 2b, 2c, 3, 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after each July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, which are not inconsistent with this Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.
(Source: P.A. 90-42, eff. 1-1-98; 90-792, eff. 1-1-99.)

Section 10. The Service Use Tax Act is amended by changing Section 12 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the money collected under this Act), 4 (except that the time limitation provisions shall run from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

(Source: P.A. 90-42, eff. 1-1-98; 90-792, eff. 1-1-99.)

Section 15. The Service Occupation Tax Act is amended by changing Section 12 as follows:

Sec. 12. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-6, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the tax collected under this Act), 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the "Retailers' Occupation Tax Act" which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 90-42, eff. 1-1-98; 90-792, eff. 1-1-99.)

Section 20. The Retailers' Occupation Tax Act is amended by adding Section 2-6 as follows:

(35 ILCS 120/2-6 new)

Sec. 2-6. Building materials exemption; intermodal terminal facility areas. Each retailer that makes a qualified sale of building materials to be incorporated into real estate in a redevelopment project area within an intermodal terminal facility area in accordance with Section 11-74.4-3.1 of the Illinois Municipal Code by remodeling, rehabilitating, or new construction may deduct receipts from those sales when calculating the tax imposed by this Act. For purposes of this Section, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of an industrial or commercial project for which a Certificate of Eligibility for Sales Tax Exemption has been issued by the corporate authorities of the municipality in which the building project is located. To document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued by the corporate authorities of the municipality in which the real estate into which the building materials will be incorporated is located. The Certificate of Eligibility for Sales Tax Exemption must contain all of the following:

(1) A statement that the commercial or industrial project identified in the Certificate meets all the requirements of the jurisdiction in which the project is located.
(2) The location or address of the building project.
(3) The signature of the chief executive officer of the municipality in which the building project is located, or the chief executive officer's delegate.

In addition, the retailer must obtain a certificate from the purchaser that contains all of the following:

(1) A statement that the building materials are being purchased for incorporation into real estate located in an intermodal terminal facility area included in a redevelopment

New matter indicated by italics - deletions by strikeout
project area in accordance with Section 11-74.4-3.1 of the Illinois Municipal Code.

(2) The location or address of the real estate into which the building materials will be incorporated.

(3) The name of the intermodal terminal facility area in which that real estate is located.

(4) A description of the building materials being purchased.

(5) The purchaser's signature and date of purchase. The provisions of this Section are exempt from Section 2-70.

(35 ILCS 120/1p rep.)

Section 25. The Retailers' Occupation Tax Act is amended by repealing Section 1p.

Section 30. The Counties Code is amended by changing Section 5-1006.5 as follows:

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax For Public Safety or Transportation.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for public safety or transportation purposes in that county, if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question. If imposed, this tax shall be imposed only in one-quarter percent increments. By resolution, the county board may order the proposition to be submitted at any election. If the tax is imposed for transportation purposes for expenditures for public highways or as authorized under the Illinois Highway Code, the county board must publish notice of the existence of its long-range highway transportation plan as required or described in Section 5-301 of the Illinois Highway Code and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. If the tax is imposed for transportation purposes for expenditures for passenger rail

New matter indicated by italics - deletions by strikeout
transportation, the county board must publish notice of the existence of its long-range passenger rail transportation plan and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. The county clerk shall certify the question to the proper election authority, who shall submit the proposition at an election in accordance with the general election law.

(1) The proposition for public safety purposes shall be in substantially the following form:

"Shall (name of county) be authorized to impose a public safety tax at the rate of .... upon all persons engaged in the business of selling tangible personal property at retail in the county on gross receipts from the sales made in the course of their business?"

For the purposes of the paragraph, "public safety purposes" means crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services.

Votes shall be recorded as "Yes" or "No".

(2) The proposition for transportation purposes shall be in substantially the following form:

"Shall (name of county) be authorized to impose a tax at the rate of (insert rate) upon all persons engaged in the business of selling tangible personal property at retail in the county on gross receipts from the sales made in the course of their business to be used for transportation purposes?"

For the purposes of this paragraph, transportation purposes means construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax. A county may not submit more than one proposition authorized by this Section to the electors at any one time.

This additional tax may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is

New matter indicated by italics - deletions by strikeout
sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by a county under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 ; 2-5, 2-5.5, 2-10 (in respect to all provisions contained in those Sections other than the State rate of tax), 2-15 through 2-70, 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are

New matter indicated by italics - deletions by strikeout
required to collect under the Use Tax Act, pursuant to such bracketed schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Tax Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the county), 2a, 2b, 2c, 3 through 3-50 (in

New matter indicated by italics - deletions by strikeout
respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the county), Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Fund.

Nothing in this subsection shall be construed to authorize the county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Public Safety or Transportation Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers have paid taxes or penalties to the Department during

New matter indicated by italics - deletions by strikeout
the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county and (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped.
by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(e-5) If a county imposes a tax under this Section, the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board lowers the tax rate or discontinues the tax, a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(f) Beginning April 1, 1998, the results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax, or any ordinance lowering the rate or discontinuing the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(g) When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(h) This Section may be cited as the "Special County Occupation Tax For Public Safety or Transportation Law".

(i) For purposes of this Section, "public safety" includes, but is not limited to, crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services. For the purposes of this Section, "transportation" includes, but is not limited to, the construction, maintenance, operation, and improvement of public highways, any other

New matter indicated by italics - deletions by strikeout
purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

(Source: P.A. 93-556, eff. 8-20-03.)

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

Approved May 19, 2006.
Effective May 19, 2006.

PUBLIC ACT 94-0782
(Senate Bill No. 0819)

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
(Text of Section before amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence

New matter indicated by italics - deletions by strikeout
documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illega l use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

New matter indicated by italics - deletions by strikeout
(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the
presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary

New matter indicated by italics - deletions by strikeout
development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.
(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably
distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.
(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

1. Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

2. Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

3. Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

4. Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.
(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of

New matter indicated by italics - deletions by strikeout
multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an

New matter indicated by italics - deletions by strikeout
annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.
(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so
determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales

New matter indicated by italics - deletions by strikeout
Tax Increment annually generated within a State Sales Tax Boundary; and
(c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment
annually generated within a State Sales Tax Boundary. If, however, a
municipality established a tax increment financing district in a county with
a population in excess of 3,000,000 before January 1, 1986, and the
municipality entered into a contract or issued bonds after January 1, 1986,
but before December 31, 1986, to finance redevelopment project costs
within a State Sales Tax Boundary, then the Net State Sales Tax Increment
means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100%
of the State Sales Tax Increment annually generated within a State Sales
Tax Boundary; and notwithstanding any other provision of this Act, for
those fiscal years the Department of Revenue shall distribute to those
municipalities 100% of their Net State Sales Tax Increment before any
distribution to any other municipality and regardless of whether or not
those other municipalities will receive 100% of their Net State Sales Tax
Increment. For Fiscal Year 1999, and every year thereafter until the year
2007, for any municipality that has not entered into a contract or has not
issued bonds prior to June 1, 1988 to finance redevelopment project costs
within a State Sales Tax Boundary, the Net State Sales Tax Increment
shall be calculated as follows: By multiplying the Net State Sales Tax
Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal
Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal
Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal
Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal
Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be
made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a
redevelopment project in a redevelopment project area within the State
Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in
connection with a redevelopment project in a redevelopment project area
before June 1, 1988, shall continue to receive their proportional share of
the Illinois Tax Increment Fund distribution until the date on which the
redevelopment project is completed or terminated. If, however, a
municipality that issued bonds in connection with a redevelopment project

New matter indicated by italics - deletions by strikeout
in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within

New matter indicated by italics - deletions by strikeout
a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the

New matter indicated by italics - deletions by strikeout
payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

New matter indicated by italics - deletions by strikeout
(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those

New matter indicated by italics - deletions by strikeout
dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which

New matter indicated by italics - deletions by strikeout
at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or
  (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
  (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
  (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
  (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
  (L) if the ordinance was adopted in September 1988 by Sauk Village, or
  (M) if the ordinance was adopted in October 1993 by Sauk Village, or
  (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
  (O) if the ordinance was adopted in March 1991 by the City of Centreville, or
  (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
  (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
  (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
  (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
  (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

New matter indicated by italics - deletions by strikeout
(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or

New matter indicated by italics - deletions by strikeout
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on July 1, 1986 by the City of Granite City.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

New matter indicated by italics - deletions by strikeout
A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the

New matter indicated by italics - deletions by strikeout
provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project

New matter indicated by italics - deletions by strikeout
area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove

New matter indicated by italics - deletions by strikeout
more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a

New matter indicated by italics - deletions by strikeout
redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

New matter indicated by italics - deletions by strikeout
(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

New matter indicated by italics - deletions by strikeout
(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students
enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to

New matter indicated by italics - deletions by strikeout
or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by
those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside,
modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most

New matter indicated by italics - deletions by strikeout
recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects.

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly

New matter indicated by italics - deletions by strikeout
to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project

New matter indicated by italics - deletions by strikeout
plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph

New matter indicated by italics - deletions by strikeout
(11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional
median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of
Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the
Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the
designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective
meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not
limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to

New matter indicated by italics - deletions by strikeout
serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the

New matter indicated by italics - deletions by strikeout
development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

New matter indicated by italics - deletions by strikeout
(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which

New matter indicated by italics - deletions by strikeout
information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) The area consists of one or more unused quarries, mines, or strip mine ponds.

   (B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

   (C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

   (D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

   (E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the

New matter indicated by italics - deletions by strikeout
designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-
street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project
area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection
Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance
designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on
transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year

New matter indicated by italics - deletions by strikeout
thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007.

New matter indicated by italics - deletions by strikeout
Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991; or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

New matter indicated by italics - deletions by strikeout
(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real

New matter indicated by italics - deletions by strikeout
property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

New matter indicated by italics - deletions by strikeout
(D) the sources of funds to pay costs;
(E) the nature and term of the obligations to be issued;
(F) the most recent equalized assessed valuation of the redevelopment project area;
(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
(H) a commitment to fair employment practices and an affirmative action plan;
(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the

New matter indicated by italics - deletions by strikeout
redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

New matter indicated by italics - deletions by strikeout
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
  (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
  (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
  (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or
  (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
  (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
  (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
  (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
  (L) if the ordinance was adopted in September 1988 by Sauk Village, or
  (M) if the ordinance was adopted in October 1993 by Sauk Village, or
  (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
  (O) if the ordinance was adopted in March 1991 by the City of Centreville, or
(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or

New matter indicated by italics - deletions by strikeout
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(PP) if the ordinance was adopted on December 23, 1990 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or
(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or
(VV) if the ordinance was adopted on July 1, 1986 by the City of Granite City.

New matter indicated by italics - deletions by strikeout
However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were
established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

New matter indicated by italics - deletions by strikeout
Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the

New matter indicated by italics - deletions by strikeout
federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county,
or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or

New matter indicated by italics - deletions by strikeout
advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an

New matter indicated by italics - deletions by strikeout
existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs

New matter indicated by italics - deletions by strikeout
the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced
by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax...
increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion

New matter indicated by italics - deletions by strikeout
of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment

New matter indicated by italics - deletions by strikeout
project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

New matter indicated by italics - deletions by strikeout
(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

New matter indicated by italics - deletions by strikeout
(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that

New matter indicated by italics - deletions by strikeout
includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses

New matter indicated by italics - deletions by strikeout
located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

New matter indicated by italics - deletions by strikeout
(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received
from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.
(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff.)
(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)
(Text of Section before amendment by P.A. 94-702 and 94-711)
Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that

New matter indicated by italics - deletions by strikeout
source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more

New matter indicated by italics - deletions by strikeout
newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest

New matter indicated by italics - deletions by strikeout
thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1,
1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by

New matter indicated by italics - deletions by strikeout
the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on July 1, 1986 by the City of Granite City and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said

New matter indicated by italics - deletions by strikeout
obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the

New matter indicated by italics - deletions by strikeout
requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as

New matter indicated by italics - deletions by strikeout
a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance
shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the
ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990

New matter indicated by italics - deletions by strikeout
by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount
Prospect, or (UU) (OO) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on July 1, 1986 by the City of Granite City and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved May 19, 2006.
Effective May 19, 2006.

PUBLIC ACT 94-0783
(Senate Bill No. 0838)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

New matter indicated by italics - deletions by strikeout
(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout
(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around

New matter indicated by italics - deletions by strikeout
buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of
the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

   (B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

   (C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

   (D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

New matter indicated by italics - deletions by strikeout
(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) The area consists of one or more unused quarries, mines, or strip mine ponds.

   (B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

New matter indicated by italics - deletions by strikeout
(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or

New matter indicated by italics - deletions by strikeout
more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout
(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.
(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

New matter indicated by italics - deletions by strikeout
(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation

New matter indicated by italics - deletions by strikeout
Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts, and the Adjusted Initial Sales Tax Amounts.

New matter indicated by italics - deletions by strikeout
Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs
within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the

New matter indicated by italics - deletions by strikeout
contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and
10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no
redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;
(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;
(D) the sources of funds to pay costs;
(E) the nature and term of the obligations to be issued;
(F) the most recent equalized assessed valuation of the redevelopment project area;
(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
(H) a commitment to fair employment practices and an affirmative action plan;
(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

New matter indicated by italics - deletions by strikeout
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

1. The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

2. The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

3. The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the

New matter indicated by italics - deletions by strikeout
payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or

(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or

(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

New matter indicated by italics - deletions by strikeout
(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
  (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
  (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
  (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
  (L) if the ordinance was adopted in September 1988 by Sauk Village, or
  (M) if the ordinance was adopted in October 1993 by Sauk Village, or
  (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
  (O) if the ordinance was adopted in March 1991 by the City of Centreville, or
  (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
  (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
  (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
  (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
  (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
  (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
  (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
  (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

New matter indicated by italics - deletions by strikeout
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or

New matter indicated by italics - deletions by strikeout
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or

(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:

(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or

(RR) if the ordinance was adopted on February 2, 1989 by the Village of Lombard.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the

New matter indicated by italics - deletions by strikeout
municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such
displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.
(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as
the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend...
beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be
demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily
incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

New matter indicated by italics - deletions by strikeout
(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in

New matter indicated by italics - deletions by strikeout
general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any

New matter indicated by italics - deletions by strikeout
bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is

New matter indicated by italics - deletions by strikeout
prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year.

New matter indicated by italics - deletions by strikeout
Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

New matter indicated by italics - deletions by strikeout
(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act.
The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants.
The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original

New matter indicated by italics - deletions by strikeout
ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less

New matter indicated by italics - deletions by strikeout
3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities
intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

New matter indicated by italics - deletions by strikeout
"Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; revised 8-10-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the
requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as
a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance
shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the

New matter indicated by italics - deletions by strikeout
ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990

New matter indicated by italics - deletions by strikeout
by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 31, 1991 by the City of Sullivan, or (QQ) (ΘΘ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on February 2, 1989 by the Village of Lombard and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales

New matter indicated by italics - deletions by strikeout
Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; revised 8-10-05.)

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

Passed in the General Assembly April 4, 2006.
Approved May 19, 2006.
Effective May 19, 2006.
Section 5. The Illinois Vehicle Code is amended by changing Sections 4-203 and 5-301 as follows:

(625 ILCS 5/4-203) (from Ch. 95 1/2, par. 4-203)

Sec. 4-203. Removal of motor vehicles or other vehicles; Towing or hauling away.

(a) When a vehicle is abandoned, or left unattended, on a toll highway, interstate highway, or expressway for 2 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(b) When a vehicle is abandoned on a highway in an urban district for 10 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(c) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for 24 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(d) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by a law enforcement agency having jurisdiction.

(e) Whenever a peace officer reasonably believes that a person under arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation of Section 11-501, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of not more than 12 hours after the time of arrest. However, such vehicle may be released by the arresting law enforcement agency prior to the end of the impoundment period if:

(1) the vehicle was not owned by the person under arrest, and the lawful owner requesting such release possesses a valid operator's license, proof of ownership, and would not, as
determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner, or who would otherwise, by operating such motor vehicle, be in violation of this Code; or

(2) the vehicle is owned by the person under arrest, and the person under arrest gives permission to another person to operate such vehicle, provided however, that the other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or who would otherwise, by operating such motor vehicle, be in violation of this Code.

(e-5) Whenever a registered owner of a vehicle is taken into custody for operating the vehicle in violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code, a law enforcement officer may have the vehicle immediately impounded for a period not less than:

(1) 24 hours for a second violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses; or

(2) 48 hours for a third violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses.

The vehicle may be released sooner if the vehicle is owned by the person under arrest and the person under arrest gives permission to another person to operate the vehicle and that other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or would otherwise, by operating the motor vehicle, be in violation of this Code.

(f) Except as provided in Chapter 18a of this Code, the owner or lessor of privately owned real property within this State, or any person authorized by such owner or lessor, or any law enforcement agency in the case of publicly owned real property may cause any motor vehicle abandoned or left unattended upon such property without permission to be

New matter indicated by italics - deletions by strikeout
removed by a towing service without liability for the costs of removal, transportation or storage or damage caused by such removal, transportation or storage. The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of the vehicle is subject to compliance with the following conditions and restrictions:

1. Any towed or removed vehicle must be stored at the site of the towing service's place of business. The site must be open during business hours, and for the purpose of redemption of vehicles, during the time that the person or firm towing such vehicle is open for towing purposes.

2. The towing service shall within 30 minutes of completion of such towing or removal, notify the law enforcement agency having jurisdiction of such towing or removal, and the make, model, color and license plate number of the vehicle, and shall obtain and record the name of the person at the law enforcement agency to whom such information was reported.

3. If the registered owner or legally authorized person entitled to possession of the vehicle shall arrive at the scene prior to actual removal or towing of the vehicle, the vehicle shall be disconnected from the tow truck and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one half the posted rate of the towing service as provided in paragraph 6 of this subsection, for which a receipt shall be given.

4. The rebate or payment of money or any other valuable consideration from the towing service or its owners, managers or employees to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited. Any individual who violates this paragraph shall be guilty of a Class A misdemeanor.

5. Except for property appurtenant to and obviously a part of a single family residence, and except for instances where notice is personally given to the owner or other legally authorized person
in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable to unauthorized vehicles and they are subject to being removed at the owner or operator's expense, any property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in control of that vehicle, must post a notice meeting the following requirements:

a. Except as otherwise provided in subparagraph a.1 of this subdivision (f)5, the notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property within 5 feet from the public right-of-way line. If there are no curbs or access barriers, the sign must be posted not less than one sign each 100 feet of lot frontage.

   a.1. In a municipality with a population of less than 250,000, as an alternative to the requirement of subparagraph a of this subdivision (f)5, the notice for a parking lot contained within property used solely for a 2-family, 3-family, or 4-family residence may be prominently placed at the perimeter of the parking lot, in a position where the notice is visible to the occupants of vehicles entering the lot.

b. The notice must indicate clearly, in not less than 2 inch high light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense.

c. The notice must also provide the name and current telephone number of the towing service towing or removing the vehicle.

d. The sign structure containing the required notices must be permanently installed with the bottom of the sign not less than 4 feet above ground level, and must be continuously maintained on the property for not less than 24 hours prior to the towing or removing of any vehicle.

New matter indicated by italics - deletions by strikeout
6. Any towing service that tows or removes vehicles and proposes to require the owner, operator, or person in control of the vehicle to pay the costs of towing and storage prior to redemption of the vehicle must file and keep on record with the local law enforcement agency a complete copy of the current rates to be charged for such services, and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize them to remove vehicles as provided in this Section.

7. No person shall engage in the removal of vehicles from private property as described in this Section without filing a notice of intent in each community where he intends to do such removal, and such notice shall be filed at least 7 days before commencing such towing.

8. No removal of a vehicle from private property shall be done except upon express written instructions of the owners or persons in charge of the private property upon which the vehicle is said to be trespassing.

9. Vehicle entry for the purpose of removal shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such person or firm shall be liable for any damages occasioned to the vehicle if such entry is not in accordance with the standards of reasonable care.

10. When a vehicle has been towed or removed pursuant to this Section, it must be released to its owner or custodian within one half hour after requested, if such request is made during business hours. Any vehicle owner or custodian or agent shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the towing service from liability for damages incurred during the towing and storage may be required from any vehicle owner or other legally authorized person as a condition of release of the vehicle. A detailed, signed receipt showing the legal name of the towing

New matter indicated by italics - deletions by strikeout
service must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

This Section shall not apply to law enforcement, firefighting, rescue, ambulance, or other emergency vehicles which are marked as such or to property owned by any governmental entity.

When an authorized person improperly causes a motor vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost or removal, transportation and storage, any damages resulting from the removal, transportation and storage, attorney's fee and court costs.

Any towing or storage charges accrued shall be payable by the use of any major credit card, in addition to being payable in cash.

11. Towing companies shall also provide insurance coverage for areas where vehicles towed under the provisions of this Chapter will be impounded or otherwise stored, and shall adequately cover loss by fire, theft or other risks.

Any person who fails to comply with the conditions and restrictions of this subsection shall be guilty of a Class C misdemeanor and shall be fined not less than $100 nor more than $500.

(g) When a vehicle is determined to be a hazardous dilapidated motor vehicle pursuant to Section 11-40-3.1 of the Illinois Municipal Code, its removal and impoundment by a towing service may be authorized by a law enforcement agency with appropriate jurisdiction.

When a vehicle removal from either public or private property is authorized by a law enforcement agency, the owner of the vehicle shall be responsible for all towing and storage charges.

Vehicles removed from public or private property and stored by a commercial vehicle relocator or any other towing service in compliance with this Section and Sections 4-201 and 4-202 of this Code, or at the request of the vehicle owner or operator, shall be subject to a possessor lien for services pursuant to the Labor and Storage Lien (Small Amount) Act. The provisions of Section 1 of that Act relating to notice and implied consent shall be deemed satisfied by compliance with Section 18a-302 and subsection (6) of Section 18a-300. In no event shall such lien be greater

New matter indicated by italics - deletions by strikeout
than the rate or rates established in accordance with subsection (6) of Section 18a-200 of this Code. In no event shall such lien be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act. Every such lien shall be payable by use of any major credit card, in addition to being payable in cash.

Any personal property belonging to the vehicle owner in a vehicle subject to a lien under this subsection (g) shall likewise be subject to that lien, excepting only: food; medicine; perishable property; any operator's licenses; any cash, credit cards, or checks or checkbooks; and any wallet, purse, or other property containing any operator's license or other identifying documents or materials, cash, credit cards, checks, or checkbooks.

No lien under this subsection (g) shall: exceed $2,000 in its total amount; or be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act.

(Source: P.A. 94-522, eff. 8-10-05.)

(625 ILCS 5/5-301) (from Ch. 95 1/2, par. 5-301)

Sec. 5-301. Automotive parts recyclers, scrap processors, repairers and rebuilders must be licensed.

(a) No person in this State shall, except as an incident to the servicing of vehicles, carry on or conduct the business of a automotive parts recyclers, a scrap processor, a repairer, or a rebuilder, unless licensed to do so in writing by the Secretary of State under this Section. No person shall rebuild a salvage vehicle unless such person is licensed as a rebuilder by the Secretary of State under this Section. Each license shall be applied for and issued separately, except that a license issued to a new vehicle dealer under Section 5-101 of this Code shall also be deemed to be a repairer license.

(b) Any application filed with the Secretary of State, shall be duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization of the applicant and his principal or additional places of business, if any, in this State.
2. The kind or kinds of business enumerated in subsection (a) of this Section to be conducted at each location.

3. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee or manager.

4. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principals in the business have not committed in the past three years any one violation as determined in any civil or criminal or administrative proceedings of any one of the following Acts:

   (a) The Anti Theft Laws of the Illinois Vehicle Code;
   (b) The "Certificate of Title Laws" of the Illinois Vehicle Code;
   (c) The "Offenses against Registration and Certificates of Title Laws" of the Illinois Vehicle Code;
   (d) The "Dealers, Transporters, Wreckers and Rebuilders Laws" of the Illinois Vehicle Code;
   (e) Section 21-2 of the Criminal Code of 1961, Criminal Trespass to Vehicles; or

5. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil

New matter indicated by italics - deletions by strikeout
or criminal or administrative proceedings, of any one or more of the following Acts:
   (a) The Consumer Finance Act;
   (b) The Consumer Installment Loan Act;
   (c) The Retail Installment Sales Act;
   (d) The Motor Vehicle Retail Installment Sales Act;
   (e) The Interest Act;
   (f) The Illinois Wage Assignment Act;
   (g) Part 8 of Article XII of the Code of Civil Procedure; or
   (h) The Consumer Fraud Act.

6. An application for a license shall be accompanied by the following fees: $50 for applicant's established place of business; $25 for each additional place of business, if any, to which the application pertains; provided, however, that if such an application is made after June 15 of any year, the license fee shall be $25 for applicant's established place of business plus $12.50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that such application shall be denied by the Secretary of State.

7. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

8. A statement that the applicant shall comply with subsection (e) of this Section.

   (c) Any change which renders no longer accurate any information contained in any application for a license filed with the Secretary of State shall be amended within 30 days after the occurrence of such change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

   (d) Anything in this chapter to the contrary, notwithstanding, no person shall be licensed under this Section unless such person shall maintain an established place of business as defined in this Chapter.

   (e) The Secretary of State shall within a reasonable time after receipt thereof, examine an application submitted to him under this Section.
Section and unless he makes a determination that the application submitted to him does not conform with the requirements of this Section or that grounds exist for a denial of the application, as prescribed in Section 5-501 of this Chapter, grant the applicant an original license as applied for in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;
2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;
3. A designation of the kind or kinds of business enumerated in subsection (a) of this Section to be conducted at each location;
4. In the case of an original license, the established place of business of the licensee;
5. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept, posted, conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee. The licensee also shall post conspicuously in the established place of business and in each additional place of business a notice which states that such business is required to be licensed by the Secretary of State under Section 5-301, and which provides the license number of the business and the license expiration date. This notice also shall advise the consumer that any complaints as to the quality of service may be brought to the attention of the Attorney General. The information required on this notice also shall be printed conspicuously on all estimates and receipts for work by the

New matter indicated by italics - deletions by strikeout
licensee subject to this Section. The Secretary of State shall prescribe the specific format of this notice.

(g) Except as provided in subsection (h) hereof, licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under the provisions of Section 5-501 of this Chapter.

(h) Any license granted under this Section may be renewed upon application and payment of the fee required herein as in the case of an original license, provided, however, that in case an application for the renewal of an effective license is made during the month of December, such effective license shall remain in force until such application is granted or denied by the Secretary of State.

(i) All automotive repairers and rebuilders shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. Provide proof that the property on which first time applicants plan to do business is in compliance with local zoning laws and regulations, and a listing of zoning classification;

2. Provide proof that the applicant for a repairer's license complies with the proper workers' compensation rate code or classification, and listing the code of classification for that industry;

3. Provide proof that the applicant for a rebuilders license complies with the proper workers' compensation rate code or classification for the repair industry or the auto parts recycling industry and listing the code of classification;

4. Provide proof that the applicant has obtained or applied for a hazardous waste generator number, and listing the actual number if available or certificate of exemption;

5. Provide proof that applicant has proper liability insurance, and listing the name of the insurer and the policy number; and

6. Provide proof that the applicant has obtained or applied for the proper State sales tax classification and federal

New matter indicated by italics - deletions by strikeout
identification tax number, and listing the actual numbers if available.

(i-1) All automotive repairers shall provide proof that they comply with all requirements of the Automotive Collision Repair Act.

(j) All automotive parts recyclers shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. A statement that the applicant purchases 5 vehicles per year or has 5 hulks or chassis in stock;

2. Provide proof that the property on which all first time applicants will do business does comply to the proper local zoning laws in existence, and a listing of zoning classifications;

3. Provide proof that applicant complies with the proper workers' compensation rate code or classification, and listing the code of classification; and

4. Provide proof that applicant has obtained or applied for the proper State sales tax classification and federal identification tax number, and listing the actual numbers if available.

(Source: P.A. 89-189, eff. 1-1-96.)

Approved May 19, 2006.

PUBLIC ACT 94-0785
(Senate Bill No. 2241)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Section 31-15 as follows:

(35 ILCS 200/31-15)

Sec. 31-15. Collection of tax. The tax shall be collected by the recorder or registrar of titles of the county in which the property is situated

New matter indicated by italics - deletions by strikeout
through the sale of revenue stamps, the design, denominations and form of which shall be prescribed by the Department. If requested by the recorder or registrar of titles of a county that has imposed a county real estate transfer tax under Section 5-1031 of the Counties Code, the Department shall design the stamps furnished to that county under this Section so that the same stamp also provides evidence of the payment of the county real estate transfer tax and shall include in the design of the stamp the name of the county and an indication that the stamp is evidence of the payment of both State and county real estate transfer taxes. The revenue stamps shall be sold by the Department to the recorder or registrar of titles who shall cause them to be sold for the purposes prescribed. The Department shall charge at a rate of 50¢ per $500 of value in units of not less than $500. The recorder or registrar of titles of the several counties shall sell the revenue stamps at a rate of 50¢ per $500 of value or fraction of $500. The recorder or registrar of titles may use the proceeds for the purchase of revenue stamps from the Department. The Department must establish a system to allow the recorder or registrar of titles to purchase the revenue stamps electronically and must deliver the electronically purchased stamps to the recorder or registrar of titles.

(Source: P.A. 91-555, eff. 1-1-00.)

Approved May 19, 2006.

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by adding Section 1005-47 as follows:

(20 ILCS 1005/1005-47 new)

New matter indicated by italics - deletions by strikeout
Sec. 1005-47. Illinois Skills Match Program.
(a) The Department of Employment Security, through its Illinois Skills Match System, or a successor system, shall maintain a web site that allows job seekers to search online for employment opportunities that match the skills of the person seeking employment.

(b) Each executive branch State agency, except those agencies with one or more positions subject to any jurisdiction of the Personnel Code, must either (i) post employment vacancies on the Department's Skills Match System or its successor system or (ii) provide an online link to its employment vacancies so that this link is accessible through the web page of the Illinois Skills Match System or its successor system. "State agency" has the meaning as defined in Section 1-5 of the State Officials and Employees Ethics Act. The Department of Central Management Services shall provide an online link to its State employment information and career services web page so that this link is accessible through the web page of the Illinois Skills Match System or its successor system. This Section does not apply to positions exempt from the requirements of the Rutan decision.

(c) All units of local government, school districts, and other public and private employers may, and are encouraged to, post employment vacancies on the Illinois Skills Match System or successor system.

(d) The Department may not charge any employer or any person seeking employment a fee for using the Illinois Skills Match System or successor system.

(e) The Department is authorized to adopt all rules necessary to implement and administer the Illinois Skills Match System or any successor system under this Section.

Section 99. Effective date. This Act takes effect July 1, 2007.
Approved May 19, 2006.
Effective July 1, 2007.

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.17 and by adding Section 4.27 as follows:

(5 ILCS 80/4.17)

Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:

- The Boiler and Pressure Vessel Repairer Regulation Act.
- The Structural Pest Control Act.
- The Clinical Psychologist Licensing Act.
- The Environmental Health Practitioner Licensing Act.

(Source: P.A. 92-837, eff. 8-22-02.)

(5 ILCS 80/4.27 new)

Sec. 4.27. Act repealed on January 1, 2017. The following Act is repealed on January 1, 2017:


Section 10. The Illinois Optometric Practice Act of 1987 is amended by changing Sections 3, 4.5, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.1, 16, 17, 19, 20, 21, 23, 24, 25, 26.1, 26.2, 26.5, 26.6, 26.7, 26.8, 26.9, 26.10, 26.11, 26.12, 26.13, and 28 and by adding Sections 11.5 and 15.2 as follows:

(225 ILCS 80/3) (from Ch. 111, par. 3903)

(Section scheduled to be repealed on January 1, 2007)

Sec. 3. Practice of optometry defined; referrals; manufacture of lenses and prisms.

New matter indicated by italics - deletions by strikeout
(a) The practice of optometry is defined as the employment of any and all means for the examination, diagnosis, and treatment of the human visual system, the human eye, and its appendages without the use of surgery, including but not limited to: the appropriate use of diagnostic ocular pharmaceutical agents and therapeutic ocular pharmaceutical agents; refraction and other determinants of visual function; prescribing corrective lenses or prisms; prescribing, dispensing, or management of contact lenses; vision therapy; visual rehabilitation; or any other procedures taught in schools and colleges of optometry approved by the Department, and not specifically restricted in this Act, subject to demonstrated competency and training as required by the Board, and pursuant to rule or regulation approved by the Board and adopted by the Department.

A person shall be deemed to be practicing optometry within the meaning of this Act who:

(1) In any way presents himself or herself to be qualified to practice optometry.
(2) Performs refractions or employs any other determinants of visual function.
(3) Employs any means for the adaptation of lenses or prisms.
(4) Prescribes corrective lenses, prisms, vision therapy, visual rehabilitation, or ocular pharmaceutical agents.
(5) Prescribes or manages contact lenses for refractive, cosmetic, or therapeutic purposes.
(6) Evaluates the need for, or prescribes, low vision aids to partially sighted persons.
(7) Diagnoses or treats any ocular abnormality, disease, or visual or muscular anomaly of the human eye or visual system.
(8) Practices, or offers or attempts to practice, optometry as defined in this Act either on his or her own behalf or as an employee of a person, firm, or corporation, whether under the supervision of his or her employer or not.

New matter indicated by italics - deletions by strikeout
Nothing in this Section shall be interpreted (i) to prevent a person from functioning as an assistant under the direct supervision of a person licensed by the State of Illinois to practice optometry or medicine in all of its branches or (ii) to prohibit visual screening programs that are conducted without a fee (other than voluntary donations), by charitable organizations acting in the public welfare under the supervision of a committee composed of persons licensed by the State of Illinois to practice optometry or persons licensed by the State of Illinois to practice medicine in all of its branches.

(b) When, in the course of providing optometric services to any person, an optometrist licensed under this Act finds an indication of a disease or condition of the eye which in his or her professional judgment requires professional service outside the scope of practice as defined in this Act, he or she shall refer such person to a physician licensed to practice medicine in all of its branches, or other appropriate health care practitioner. Nothing in this Act shall preclude an optometrist who is therapeutically certified from rendering appropriate nonsurgical ophthalmic emergency care.

(c) Nothing contained in this Section shall prohibit a person from manufacturing ophthalmic lenses and prisms or the fabrication of contact lenses according to the specifications prescribed by an optometrist or a physician licensed to practice medicine in all of its branches, but shall specifically prohibit the sale or delivery of ophthalmic lenses, prisms, and contact lenses without a prescription signed by an optometrist or a physician licensed to practice medicine in all of its branches.

(d) Nothing in this Act shall restrict the filling of a prescription by a pharmacist licensed under the Pharmacy Practice Act of 1987.

(225 ILCS 80/4.5)
(Section scheduled to be repealed on January 1, 2007)
Sec. 4.5. Unlicensed practice; violation; civil penalty.
(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice optometry without being licensed under this Act or any individual or entity that causes or attempts to cause a
licensed optometrist or any other person under that individual's or entity's control to violate this Act or any other State or federal law or rule related to the practice of optometry shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

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

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 93-754, eff. 7-16-04.)

(225 ILCS 80/5) (from Ch. 111, par. 3905)
(Section scheduled to be repealed on January 1, 2007)

Sec. 5. Title and designation of licensed optometrists. Every person to whom a valid existing license as an optometrist has been issued under this Act, shall be designated professionally as an "optometrist" and not otherwise, and any such licensed optometrist may, in connection with the practice of his or her profession, use the title or designation of "optometrist", and, if entitled by degree from a college or university recognized by the Department of Financial and Professional Regulation, may use the title of "Doctor of Optometry", or the abbreviation "O.D.". When the name of such licensed optometrist is used professionally in oral, written, or printed announcements, prescriptions, professional cards, or publications for the information of the public, and is preceded by the title "Doctor" or the abbreviation "Dr.", the explanatory designation of "optometrist", "optometry", or "Doctor of Optometry" shall be added immediately following such title and name. When such announcement, prescription, professional care or publication is in writing or in print, such explanatory addition shall be in writing, type, or print not less than one-half the size of that used in said name and title. No person other than the

New matter indicated by italics - deletions by strikeout
holder of a valid existing license under this Act shall use the title and designation of "Doctor of Optometry", "O.D.", or "optometrist", either directly or indirectly in connection with his or her profession or business.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/6) (from Ch. 111, par. 3906)

(Section scheduled to be repealed on January 1, 2007)

Sec. 6. Display of license or certificate; change of address; record of examinations and prescriptions. Every holder of a license or certificate under this Act shall display such license or certificate on a conspicuous place in the office or offices wherein such holder practices optometry and every holder shall, whenever requested, exhibit such license or certificate to any representative of the Department, and shall notify the Department of the address or addresses and of every change thereof, where such holder shall practice optometry.

Every licensed optometrist shall keep a record of examinations made and prescriptions issued, which record shall include the names of persons examined and for whom prescriptions were prepared, and shall be signed by the licensed optometrist and retained by him in the office in which such professional service was rendered. Such records shall be preserved by the optometrist for a period designated by the Department. A copy of such records shall be provided, upon written request, to the person examined, or his or her designee.

(Source: P.A. 91-141, eff. 7-16-99.)

(225 ILCS 80/7) (from Ch. 111, par. 3907)

(Section scheduled to be repealed on January 1, 2007)

Sec. 7. Additional licenses and certificates. Upon proper application and payment of the prescribed fee, additional licenses and certificates may be issued to active practitioners who are engaged in the practice of optometry at more than one address. A license must be displayed at each location where the licensee engages in the practice of optometry. Nothing contained herein, however, shall be construed to require a licensed optometrist in active practice to obtain an additional license or certificate for the purpose of serving on the staff of a hospital or an institution that receives no fees (other than entrance registration fees)

New matter indicated by italics - deletions by strikeout
for the services rendered by the optometrist and for which the optometrist receives no fees or compensation directly or indirectly for such services rendered. Nothing contained herein shall be construed to require a licensed optometrist to obtain an additional license for the purpose of rendering necessary optometric services for his or her patients confined to their homes, hospitals or institutions, or to act in an advisory capacity, with or without remuneration, in any industry, school or institution.

(Section scheduled to be repealed on January 1, 2007)

Sec. 8. Permitted activities. This Act does not prohibit:

(1) Any person licensed in this State under any other Act from engaging in the practice for which he or she is licensed.

(2) The practice of optometry by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties.

(3) The practice of optometry that is included in their program of study by students enrolled in schools of optometry or in continuing education refresher courses approved by the Department.

(4) Persons, firms, and corporations who manufacture or deal in eye glasses or spectacles in a store, shop, or other permanently established place of business, and who neither practice nor attempt to practice optometry from engaging the services of one or more licensed optometrists, nor prohibit any such licensed optometrist when so engaged, to practice optometry as defined in Section 3 of this Act, when the person, or firm, or corporation so conducts his or her or its business in a permanently established place and in such manner that his or her or its activities, in any department in which such optometrist is engaged, insofar as the practice of optometry is concerned, are in keeping with the limitations imposed upon individual practitioners of optometry by subparagraphs 17, 23, 26, 27, 28, 29, and 30 of Section 24 of this Act; provided, that such licensed optometrist or optometrists shall not be exempt, by reason of such relationship, from compliance with the
provisions of this Act as prescribed for individual practitioners of
optometry.
(Source: P.A. 89-702, eff. 7-1-97.)
(225 ILCS 80/9) (from Ch. 111, par. 3909)
(Section scheduled to be repealed on January 1, 2007)
Sec. 9. Definitions. In this Act:
   (1) "Department" means the Department of Financial and
Professional Regulation.
   (2) "Secretary Director" means the Secretary Director of
Financial and Professional Regulation.
   (3) "Board" means the Illinois Optometric Licensing and
Disciplinary Board appointed by the Secretary Director.
   (4) "License" means the document issued by the
Department authorizing the person named thereon to practice
optometry.
   (5) (Blank). "Certificate" means the document issued by the
Department authorizing the person named thereon as a certified
optometrist qualified to use diagnostic topical ocular
pharmaceutical agents or therapeutic ocular pharmaceutical agents.
   (6) "Direct supervision" means supervision of any person
assisting an optometrist, requiring that the optometrist authorize
the procedure, remain in the facility while the procedure is
performed, approve the work performed by the person assisting
before dismissal of the patient, but does not mean that the
optometrist must be present with the patient, during the procedure.
(Source: P.A. 89-140, eff. 1-1-96; 89-702, eff. 7-1-97.)
(225 ILCS 80/10) (from Ch. 111, par. 3910)
(Section scheduled to be repealed on January 1, 2007)
Sec. 10. Powers and duties of Department; rules; report. The
Department shall exercise the powers and duties prescribed by the Civil
Administrative Code of Illinois for the administration of Licensing Acts
and shall exercise such other powers and duties necessary for effectuating
the purpose of this Act.

New matter indicated by italics - deletions by strikeout
The **Secretary Director** shall promulgate Rules consistent with the provisions of this Act, for the administration and enforcement thereof and may prescribe forms that shall be issued in connection therewith. The rules shall include standards and criteria for licensure and certification, and professional conduct and discipline.

The Department shall consult with the Board in promulgating rules. Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the Board's responses and any recommendations made therein. The Department shall notify the Board in writing with explanations of deviations from the Board's recommendations and responses. The Department may solicit the advice of the Board on any matter relating to the administration and enforcement of this Act.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/11) (from Ch. 111, par. 3911)

(Section scheduled to be repealed on January 1, 2007)

Sec. 11. Optometric Licensing and Disciplinary Board. The **Secretary Director** shall appoint an Illinois Optometric Licensing and Disciplinary Board as follows: Seven persons who shall be appointed by and shall serve in an advisory capacity to the **Secretary Director**. Five members must be lawfully and actively engaged in the practice of optometry in this State, one member shall be a licensed optometrist who is a member, with a full-time faculty appointment with the Illinois College of Optometry, and one member must be a member of the public who shall be a voting member and is not licensed under this Act, or a similar Act of another jurisdiction, or have any connection with the profession. Neither the public member nor the faculty member shall participate in the preparation or administration of the examination of applicants for licensure or certification.

Members shall serve 4-year terms and until their successors are appointed and qualified. No member shall be appointed to the Board for more than 2 successive 4-year terms, not counting any partial terms when appointed to fill the unexpired portion of a vacated term. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. **Initial terms shall begin**

New matter indicated by italics - deletions by strikeout
upon the effective date of this Act. Board members in office on that date may be appointed to specific terms as indicated herein.

The Board shall annually elect a chairperson and a vice-chairperson, both of whom shall be licensed optometrists.

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

The Secretary Director may terminate the appointment of any member for cause.

The Secretary Director shall give due consideration to all recommendations of the Board, and in the event that the Secretary Director disagrees with or takes action contrary to the recommendation of the Board, he or she shall provide the Board with a written and specific explanation of this action. None of the functions, powers or duties of the Department with respect to policy matters relating to licensure, discipline, and examination, including the promulgation of such rules as may be necessary for the administration of this Act, shall be exercised by the Department except upon review of the Board.

Without, in any manner, limiting the power of the Department to conduct investigations, the Board may recommend to the Secretary Director that one or more licensed optometrists be selected by the Secretary Director to conduct or assist in any investigation pursuant to this Act. Such licensed optometrist may receive remuneration as determined by the Secretary Director.

(Source: P.A. 91-141, eff. 7-16-99.)

(225 ILCS 80/11.5 new)

(Section scheduled to be repealed on January 1, 2017)

Sec. 11.5. Optometric coordinator. The Secretary shall, upon consultation with the Board and with consideration of credentials and experience commensurate with the requirements of the position, select an optometric coordinator who shall not be a member of the Board. The optometric coordinator shall be an optometrist licensed to practice in

New matter indicated by italics - deletions by strikeout
Illinois and shall be employed by the Department contractually or in conformance with the Personnel Code. The optometric coordinator shall be the chief enforcement officer of this Act.

(225 ILCS 80/12) (from Ch. 111, par. 3912)

(Sec. 12. Applications for licenses and certificates. Applications for original licenses and certificates shall be made to the Department in writing or electronically on forms prescribed by the Department and shall be accompanied by the required fee, which shall not be refundable. Any such application shall require such information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license or certificate.

An applicant for initial licensure in Illinois shall apply for and be qualified to receive and shall maintain certification to use diagnostic and therapeutic ocular pharmaceuticals.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the application fees shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

Applicants who meet all other conditions for licensure and who will be practicing optometry in a residency program approved by the Board may apply for and receive a limited one-year license to practice optometry as a resident in the program. The holder of a valid one-year residency license may perform those acts prescribed by and incidental to the residency license holder's program of residency training, with the same privileges and responsibilities as a fully licensed optometrist, but may not otherwise engage in the practice of optometry in this State, unless fully licensed under this Act. A licensee who receives a limited license under this Section shall have the same privileges and responsibilities as a therapeutically certified licensee.

The Department may revoke a one-year residency license upon proof that the residency license holder has engaged in the practice of optometry in this State outside of his or her residency program or if the
residency license holder fails to supply the Department, within 10 days after its request, with information concerning his or her current status and activities in the residency program.

(Section scheduled to be repealed on January 1, 2007)

Sec. 13. Examination of applicants. The Department shall promulgate rules establishing examination requirements for applicants as optometrists. The examination shall accurately evaluate the applicant's ability to perform to the minimum standards of the practice of optometry of applicants shall be of a character to give a fair test of the qualifications of the applicant to practice optometry.

Applicants for examination shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

The Department may employ consultants for the purpose of preparing and conducting examinations.

(Section scheduled to be repealed on January 1, 2007)

Sec. 14. A person shall be qualified for initial licensure as an optometrist if that person has applied in writing in form and substance satisfactory to the Department and who:

(1) has not been convicted of any of the provisions of Section 24 of this Act which would be grounds for discipline under this Act;

(2) has graduated, after January 1, 1994, from a program of optometry education approved by the Department or has graduated, prior to January 1, 1994, and has met substantially equivalent criteria established by the Department;

(3) (blank); and

New matter indicated by italics - deletions by strikeout
(4) has met all examination requirements including the passage of a nationally recognized examination authorized by the Department. Each applicant shall be tested on theoretical knowledge and clinical practice skills.

(Source: P.A. 89-387, eff. 8-20-95.)

(225 ILCS 80/15.1)

(Section scheduled to be repealed on January 1, 2007)

Sec. 15.1. Diagnostic and therapeutic authority certification.

(a) For purposes of the Act, "ocular pharmaceutical agents" means topical anesthetics, topical mydriatics, topical cycloplegics, topical miotics, topical anti-infective agents, topical anti-allergy agents, topical anti-glaucoma agents, topical anti-inflammatory agents, topical anesthetic agents, over-the-counter agents, non-narcotic oral analgesic agents, and mydriatic reversing agents when used for diagnostic or therapeutic purposes.

(b) A licensed optometrist may remove superficial foreign bodies from the human eye and adnexa and may give orders for patient care to a nurse licensed to practice under Illinois law.

(c) An optometrist's license shall be revoked or suspended by the Department upon recommendation of the Board based upon either of the following causes:

   (1) grave or repeated misuse of any ocular pharmaceutical agent; and
   (2) the use of any agent or procedure in the course of optometric practice by an optometrist not properly authorized under this Act.

(d) The Secretary of Financial and Professional Regulation shall notify the Director of Public Health as to the categories of ocular pharmaceutical agents permitted for use by an optometrist. The Director of Public Health shall in turn notify every licensed pharmacist in the State of the categories of ocular pharmaceutical agents that can be utilized and prescribed by an optometrist. Any licensed optometrist may apply to the Department, in the form the Department may prescribe, for a certificate to

New matter indicated by italics - deletions by strikeout
use diagnostic topical ocular pharmaceutical agents and the Department shall certify the applicant if:

(1) the applicant has received appropriate training and certification from a properly accredited institution of higher learning for the certificate; and

(2) the applicant has demonstrated training and competence to use diagnostic topical ocular pharmaceutical agents as required by the Board pursuant to rule or regulation approved by the Board and adopted by the Department.

A certificate to use topical ocular pharmaceutical agents for diagnostic purposes previously issued by the Department that is current and valid on the effective date of this amendatory Act of 1995 is valid until its expiration date and entitles the holder of the certificate to use diagnostic topical ocular pharmaceutical agents as provided in this Act.

(b) Any licensed optometrist may apply to the Department, in the form the Department may prescribe, for a certificate to use therapeutic ocular pharmaceutical agents and the Department shall certify the applicant if:

(1) the applicant has received a certificate to use diagnostic topical ocular pharmaceutical agents under subsection (a);

(2) the applicant has received appropriate training and certification from a properly accredited institution of higher learning for the certificate; and

(3) the applicant has demonstrated training and competence to use therapeutic ocular pharmaceutical agents as required by the Board pursuant to rule or regulation approved by the Board and adopted by the Department.

All applicants for license renewal after January 1, 2006 must apply for and maintain certification to use therapeutic ocular pharmaceutical agents.

(c) For purposes of the Act, "diagnostic topical ocular pharmaceutical agents" means anesthetics, mydriatics, cycloplegics, and miotics used for diagnostic purposes as defined by the Board pursuant to rule approved by the Board and adopted by the Department.
For the purposes of the Act, "therapeutic ocular pharmaceutical agents" means the following when used for diagnostic or therapeutic purposes: topical anti-infective agents, topical anti-allergy agents, topical anti-glaucoma agents, topical anti-inflammatory agents, topical anesthetic agents, over the counter agents, non-narcotic oral analgesic agents, and mydriatic reversing agents.

A licensed optometrist who is therapeutically certified may remove superficial foreign bodies from the human eye and adnexa.

A licensed optometrist who is therapeutically certified may give orders for patient care related to the use of therapeutic ocular pharmaceutical agents to a nurse licensed to practice under Illinois law.

An optometrist’s certificate to use diagnostic topical ocular pharmaceutical agents shall be revoked or suspended by the Department upon recommendation of the Board based on the misuse of any diagnostic topical ocular pharmaceutical agent.

An optometrist’s certificate to use therapeutic ocular pharmaceutical agents shall be revoked or suspended by the Department upon recommendation of the Board based on the misuse of any therapeutic ocular pharmaceutical agent.

An optometrist’s license shall be revoked or suspended by the Department upon recommendation of the Board based upon either of the following causes:

1. grave or repeated misuse of any diagnostic or therapeutic ocular pharmaceutical agent; and
2. the use of any agent or procedure in the course of optometric practice by an optometrist not properly certified under this Section.

The provisions of Sections 26.2, 26.3, 26.5, 26.10, 26.11, 26.14, and 26.15 of this Act shall apply to all disciplinary proceedings brought under this Section.

The Director may temporarily suspend a certificate to use diagnostic topical ocular pharmaceuticals or a certificate to use therapeutic ocular pharmaceuticals or a license to practice optometry, without a hearing, simultaneously with the institution of proceedings for a hearing

New matter indicated by italics - deletions by strikeout
based upon a violation of subsection (f), (g), or (h) of this Section, if the Director finds that evidence in his or her possession indicates that the continued use of diagnostic topical ocular pharmaceuticals, or therapeutic ocular pharmaceuticals, or continued practice of optometry would constitute an immediate danger to the public. In the event that the Director temporarily suspends a certificate to use diagnostic topical ocular pharmaceuticals, therapeutic ocular pharmaceuticals, or a license to practice optometry without a hearing, a hearing by the Board shall be commenced within 15 days after suspension has occurred, and concluded without appreciable delay.

(k) The Director of the Department of Professional Regulation shall notify the Director of the Department of Public Health as to the categories of ocular pharmaceutical agents permitted for use by an optometrist. The Director of the Department of Public Health shall in turn notify every licensed pharmacist in the State of the categories of ocular pharmaceutical agents that can be utilized and prescribed by an optometrist.

(l) Nothing in this Act prohibits the use of diagnostic topical ocular pharmaceutical agents or therapeutic ocular pharmaceutical agents in the practice of optometry by optometrists certified for such use under this Section.

(225 ILCS 80/15.2 new)

Sec. 15.2. Limited optometry license. Any licensed optometrist who (i) was originally licensed under a predecessor Act prior to 1965 and (ii) was not certified to use therapeutic ocular pharmaceutical agents as of January 1, 2006, shall, upon application and payment of a non-prorated fee of $200, be issued a limited optometry license by the Department to practice optometry until January 1, 2007, as provided for in this Section.

A limited optometry licensee may not diagnose or treat eye disease, remove foreign bodies from the eye, or use or prescribe pharmaceutical agents, but shall have all other rights and responsibilities of a licensee under this Act.

New matter indicated by italics - deletions by strikeout
This Section is repealed on January 1, 2007.

(225 ILCS 80/16) (from Ch. 111, par. 3916)

(Section scheduled to be repealed on January 1, 2007)

Sec. 16. Renewal, reinstatement or restoration of licenses; military service. The expiration date and renewal period for each license and certificate issued under this Act shall be set by rule.

All renewal applicants shall provide proof of having met the requirements of continuing education set forth in the rules of the Department. The Department shall, by rule, provide for an orderly process for the reinstatement of licenses which have not been renewed due to failure to meet the continuing education requirements. The continuing education requirement may be waived for such good cause, including but not limited to illness or hardship, as defined by rules of the Department.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by registrants; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

Any optometrist who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have his or her license restored and by paying the required fees. Such proof of fitness may include evidence certifying to active lawful practice in another jurisdiction and must include proof of the completion of the continuing education requirements specified in the rules for the preceding license renewal period for the applicant's level of certification that has been completed during the 2 years prior to the application for license restoration.

The Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of his or her license and shall establish procedures and requirements for such restoration.

However, any optometrist whose license expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in

New matter indicated by italics - deletions by strikeout
training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training, or education, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

All licenses without "Therapeutic Certification" on March 31, 2006 shall be placed on non-renewed status and may only be renewed after the licensee meets those requirements established by the Department that may not be waived. (Source: P.A. 92-451, eff. 8-21-01; 92-750, eff. 1-1-03.)

(225 ILCS 80/17) (from Ch. 111, par. 3917) (Section scheduled to be repealed on January 1, 2007)

Sec. 17. Inactive status. Any optometrist who notifies the Department in writing on forms prescribed by the Department, may elect to place his or her license on an inactive status and shall be excused from payment of renewal fees until he or she notifies the Department in writing of his intent to restore his or her license.

Any optometrist requesting restoration from inactive status shall be required to pay the current renewal fee, to provide proof of completion of the continuing education requirements specified in the rules for the preceding license renewal period for the applicant’s level of certification that has been completed during the 2 years prior to the application for restoration, and to restore his or her license as provided by rule of the Department. All licenses without "Therapeutic Certification" that are on inactive status as of March 31, 2006 shall be placed on non-renewed status and may only be restored after the licensee meets those requirements established by the Department that may not be waived.

Any optometrist whose license is in an inactive status shall not practice optometry in the State of Illinois.

Any licensee who shall practice while his or her license is lapsed or on inactive status shall be considered to be practicing without a license.

New matter indicated by italics - deletions by strikeout
which shall be grounds for discipline under Section 24 subsection (a) of this Act.
(Source: P.A. 92-451, eff. 8-21-01.)

(225 ILCS 80/19) (from Ch. 111, par. 3919)
(Section scheduled to be repealed on January 1, 2007)

Sec. 19. Fees. The Department shall provide by rule, for a schedule of fees to be paid for licenses or certificates of registration by all applicants.

The (a) Except as provided in paragraph (b) below, the fees for the administration and enforcement of this Act, including but not limited to, original licensure and certification, renewal and restoration, shall be set by rule. The fees shall not be refundable.

(b) Applicants for examination shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of initial screening to determine eligibility and for providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/20) (from Ch. 111, par. 3920)
(Section scheduled to be repealed on January 1, 2007)

Sec. 20. Fund. All moneys received by the Department pursuant to this Act shall be deposited in the Optometric Licensing and Disciplinary Board Fund, which is hereby created as a special fund in the State Treasury, and shall be used for the administration of this Act, including: (a) by the Board in the exercise of its powers and performance of its duties, as such use is made by the Department with full consideration of all recommendations of the Board; (b) for costs directly related to license renewal of persons licensed under this Act; and (c) for direct and allocable indirect costs related to the public purposes of the Department of Financial and Professional Regulation. Subject to appropriation, moneys in the Optometric Licensing and Disciplinary Board Fund may be used for the Optometric Education Scholarship Program administered by the

New matter indicated by italics - deletions by strikeout
Illinois Student Assistance Commission pursuant to Section 65.70 of the Higher Education Student Assistance Act.

Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized under Section 2105-300 of the Department of Professional Regulation Law (20 ILCS 2105/2105-300).

Money in the Optometric Licensing and Disciplinary Board Fund may be invested and reinvested, with all earnings received from such investment to be deposited in the Optometric Licensing and Disciplinary Board Fund and used for the same purposes as fees deposited in such fund.

Any monies in the Optometric Examining and Disciplinary Board Fund on the effective date of this Act shall be transferred to the Optometric Licensing and Disciplinary Board Fund.

Any obligations of the Optometric Examining and Disciplinary Board Fund unpaid on the effective date of this Act shall be paid from the Optometric Licensing and Disciplinary Board Fund.

(225 ILCS 80/21) (from Ch. 111, par. 3921)

Sec. 21. The Department shall maintain a roster of the names and addresses of all licensees and certificate holders and of all persons whose licenses or certificates have been suspended or revoked. This roster shall be available upon written request and payment of the required fee.

(225 ILCS 80/23) (from Ch. 111, par. 3923)

Sec. 23. Practice by corporations. No license shall be issued by the Department to any corporation that (i) has a stated purpose that includes, or (ii) practices or holds itself out as available to practice, optometry or any of the functions described in Section 3 of the Act, unless it is organized under the Professional Service Corporation Act.

(225 ILCS 80/24) (from Ch. 111, par. 3924)

Sec. 24. Grounds for disciplinary action.

New matter indicated by italics - deletions by strikeout
(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper, including fines not to exceed $10,000 for each violation, with regard to any license for any one or combination of the following causes:

1. Violations of this Act, or of the rules promulgated hereunder.
2. Conviction of or entry of a plea of guilty to any crime under the laws of any U.S. jurisdiction thereof that is a felony or that is a misdemeanor of which an essential element is dishonesty, or of any crime that is directly related to the practice of the profession.
3. Making any misrepresentation for the purpose of obtaining a license.
4. Professional incompetence or gross negligence in the practice of optometry.
5. Gross malpractice, prima facie evidence of which may be a conviction or judgment of malpractice in any court of competent jurisdiction.
6. Aiding or assisting another person in violating any provision of this Act or rules.
7. Failing, within 60 days, to provide information in response to a written request made by the Department that has been sent by certified or registered mail to the licensee's last known address.
8. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
9. Habitual or excessive use or addiction to alcohol, narcotics, stimulants or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.
(10) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. This shall not be deemed to include (i) rent or other remunerations paid to an individual, partnership, or corporation by an optometrist for the lease, rental, or use of space, owned or controlled, by the individual, partnership, corporation or association, and (ii) the division of fees between an optometrist and related professional service providers with whom the optometrist practices in a professional corporation organized under Section 3.6 of the Professional Service Corporation Act.

(12) A finding by the Department that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(13) Abandonment of a patient.

(14) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with State agencies or departments.

(15) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(16) Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill, mental illness, or disability that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(17) Solicitation of professional services other than permitted advertising.

(18) Failure to provide a patient with a copy of his or her record or prescription in accordance with federal law upon the written request of the patient.

New matter indicated by italics - deletions by strikeout
(19) Conviction by any court of competent jurisdiction, either within or without this State, of any violation of any law governing the practice of optometry, conviction in this or another State of any crime that is a felony under the laws of this State or conviction of a felony in a federal court, if the Department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust.

(20) A finding that licensure has been applied for or obtained by fraudulent means.

(21) Continued practice by a person knowingly having an infectious or contagious disease.

(22) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or a neglected child as defined in the Abused and Neglected Child Reporting Act.

(23) Practicing or attempting to practice under a name other than the full name as shown on his or her license.

(24) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct or sexual exploitation, related to the licensee's practice.

(25) Maintaining a professional relationship with any person, firm, or corporation when the optometrist knows, or should know, that such person, firm, or corporation is violating this Act.

(26) Promotion of the sale of drugs, devices, appliances or goods provided for a client or patient in such manner as to exploit the patient or client for financial gain of the licensee.

(27) Using the title "Doctor" or its abbreviation without further qualifying that title or abbreviation with the word "optometry" or "optometrist".

(28) Use by a licensed optometrist of the word "infirmary", "hospital", "school", "university", in English or any other language,
in connection with the place where optometry may be practiced or demonstrated.

(29) Continuance of an optometrist in the employ of any person, firm or corporation, or as an assistant to any optometrist or optometrists, directly or indirectly, after his or her employer or superior has been found guilty of violating or has been enjoined from violating the laws of the State of Illinois relating to the practice of optometry, when the employer or superior persists in that violation.

(30) The performance of optometric service in conjunction with a scheme or plan with another person, firm or corporation known to be advertising in a manner contrary to this Act or otherwise violating the laws of the State of Illinois concerning the practice of optometry.

(31) Failure to provide satisfactory proof of having participated in approved continuing education programs as determined by the Board and approved by the Secretary Director. Exceptions for extreme hardships are to be defined by the rules of the Department.

(32) Willfully making or filing false records or reports in the practice of optometry, including, but not limited to false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(33) Gross and willful overcharging for professional services including filing false statements for collection of fees for which services are not rendered, including, but not limited to filing false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(34) In the absence of good reasons to the contrary, failure to perform a minimum eye examination as required by the rules of the Department.

New matter indicated by italics - deletions by strikeout
(35) Violation of the Health Care Worker Self-Referral Act. The Department may refuse to issue or may suspend the license or certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(a-5) In enforcing this Section, the Board upon a showing of a possible violation, may compel any individual licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order the examining physician or clinical psychologist to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or clinical psychologist. Eye examinations may be provided by a licensed and certified therapeutic optometrist. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until such time as the individual submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds an individual unable to practice because of the reasons set forth in this Section, the Board shall require such individual to submit to care, counseling, or treatment by physicians or clinical psychologists approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice, or in lieu of care, counseling, or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke, or...
otherwise discipline the license of the individual, or the Board may recommend to the Department to file a complaint to suspend, revoke, or otherwise discipline the license of the individual. Any individual whose license was granted pursuant to this Act, or continued, reinstated, renewed, disciplined, or supervised, subject to such conditions, terms, or restrictions, who shall fail to comply with such conditions, terms, or restrictions, shall be referred to the Secretary Director for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Board.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary Director that the licensee be allowed to resume his or her practice.

(Source: P.A. 89-702, eff. 7-1-97; 90-230, eff. 1-1-98; 90-655, eff. 7-30-98; revised 12-15-05.)

(225 ILCS 80/25) (from Ch. 111, par. 3925)
(Section scheduled to be repealed on January 1, 2007)
Sec. 25. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license

New matter indicated by italics - deletions by strikeout
or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 92-146, eff. 1-1-02.)

(225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

Sec. 26.1. Injunctions; criminal offenses; cease and desist orders.

(a) If any person violates the provision of this Act, the Secretary Director may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney of any county in which the action is brought, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person shall practice as an optometrist or hold himself or herself out as an optometrist without being licensed under the provisions of this Act then any licensed optometrist, any interested party or any person injured thereby may, in addition to the Secretary Director, petition for relief as provided in subsection (a) of this Section.

Whoever knowingly practices or offers to practice optometry in this State without being licensed for that purpose shall be guilty of a Class A misdemeanor and for each subsequent conviction, shall be guilty of a Class 4 felony. Notwithstanding any other provision of this Act, all criminal fines, monies, or other property collected or received by the Department under this Section or any other State or federal statute,
including, but not limited to, property forfeited to the Department under Section 505 of the Illinois Controlled Substances Act or Section 85 of the Methamphetamine Control and Community Protection Act, shall be deposited into the Optometric Licensing and Disciplinary Board Fund Professional Regulation Evidence Fund.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 94-556, eff. 9-11-05.)

(225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

(Section scheduled to be repealed on January 1, 2007)

Sec. 26.2. Investigation; notice. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license or certificate, at least 30 days prior to the date set for the hearing, notify the accused in writing of any charges made and the time and place for a hearing of the charges before the Board, direct him or her to file his or her written answer to the Board under oath within 20 days after the service on him or her of the notice and inform him or her that if he or she fails to file an answer default will be taken against him or her and his or her license or certificate may be suspended, revoked, placed on probationary status, or have other disciplinary action, including limiting the scope, nature or extent of his or her practice, as the Department may deem proper taken with regard thereto. Such written notice may be served by personal delivery or certified delivery or certified or registered mail to the Department. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the
Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence and argument as may be pertinent to the charges or to their defense. The Department may continue the hearing from time to time. At the discretion of the Secretary Director after having first received the recommendation of the Board, the accused person's license may be suspended, revoked, placed on probationary status, or whatever disciplinary action as the Secretary Director may deem proper, including limiting the scope, nature, or extent of said person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(Source: P.A. 89-702, eff. 7-1-97.)

Sec. 26.5. Subpoena; oaths. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

The Secretary Director, the hearing officer and any member of the Board designated by the Secretary Director shall each have power to administer oaths to witnesses at any hearing which the Department is authorized to conduct under this Act, and any other oaths required or authorized to be administered by the Department hereunder.

(Source: P.A. 89-702, eff. 7-1-97.)

Sec. 26.6. Findings of fact, conclusions of law, and recommendations. At the conclusion of the hearing the Board shall present

New matter indicated by italics - deletions by strikeout
to the **Secretary Director** a written report of its findings of fact, conclusions of law and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the **Secretary Director**.

The report of findings of fact, conclusions of law and recommendations of the Board shall be the basis for the Department's order. If the **Secretary Director** disagrees in any regard with the report of the Board, the **Secretary Director** may issue an order in contravention thereof. The **Secretary Director** shall provide within 60 days of taking such action a written report to the Board on any such deviation, and shall specify with particularity the reasons for said action in the final order. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

(Section scheduled to be repealed on January 1, 2007)

Sec. 26.7. Hearing officer. Notwithstanding the provisions of Section 26.6 of this Act, the **Secretary Director** shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for discipline of a license. The **Secretary Director** shall notify the Board of any such appointment. The hearing officer shall have full authority to conduct the hearing. The Board shall have the right to have at least one member present at any hearing conducted by such hearing officer. The hearing officer shall report his or her findings of fact, conclusions of law and recommendations to the Board and the **Secretary Director**. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law and recommendations to the **Secretary Director**. If the Board fails to present its report within the 60 day period, the **Secretary Director** shall issue an order based on the report of the
hearing officer. If the Secretary Director disagrees in any regard with the report of the Board or hearing officer, he or she may issue an order in contravention thereof. The Secretary Director shall provide a written explanation to the Board on any such deviation, and shall specify with particularity the reasons for such action in the final order.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/26.8) (from Ch. 111, par. 3926.8)
(Section scheduled to be repealed on January 1, 2007)
Sec. 26.8. Service of report; rehearing; order. In any case involving the discipline of a license, a copy of the Board's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial the Secretary Director may enter an order in accordance with this Act. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/26.9) (from Ch. 111, par. 3926.9)
(Section scheduled to be repealed on January 1, 2007)
Sec. 26.9. Substantial justice; rehearing. Whenever the Secretary Director is satisfied that substantial justice has not been done in the revocation, suspension or refusal to issue or renew a license, the Secretary Director may order a rehearing by the same or another hearing officer or by the Board.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/26.10) (from Ch. 111, par. 3926.10)
(Section scheduled to be repealed on January 1, 2007)
Sec. 26.10. Order or certified copy as prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, shall be prima facie proof that:

(a) the signature is the genuine signature of the Secretary Director;

(b) the Secretary Director is duly appointed and qualified;

and

(c) the Board and the members thereof are qualified to act.

(Source: P.A. 91-357, eff. 7-29-99.)

(225 ILCS 80/26.11) (from Ch. 111, par. 3926.11)

(Section scheduled to be repealed on January 1, 2007)

Sec. 26.11. At any time after the suspension or revocation of any license or certificate the Department may restore it to the accused person, unless after an investigation and a hearing, the Department determines that restoration is not in the public interest.

(Source: P.A. 85-896.)

(225 ILCS 80/26.12) (from Ch. 111, par. 3926.12)

(Section scheduled to be repealed on January 1, 2007)

Sec. 26.12. Upon the revocation or suspension of any license or certificate, the licensee or certificate holder shall forthwith surrender the license to the Department and if the licensee fails to do so, the Department shall have the right to seize the license or certificate.

(Source: P.A. 85-896.)

(225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

(Section scheduled to be repealed on January 1, 2007)

Sec. 26.13. Temporary suspension. The Secretary Director may temporarily suspend the license or certificate of an optometrist without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 26.2 of this Act, if the Secretary Director finds that evidence in his or her possession indicates that continuation in practice would constitute an imminent danger to the public. In the event that the Secretary Director suspends, temporarily, this license or certificate without a hearing, a hearing by the Department must be held within 30 days after

New matter indicated by italics - deletions by strikeout
such suspension has occurred, and be concluded without appreciable delay.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 80/28) (from Ch. 111, par. 3928)
(Section scheduled to be repealed on January 1, 2007)

Sec. 28. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.
(Source: P.A. 85-896.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved May 19, 2006.
Effective May 19, 2006.

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Illinois State Diabetes Commission Act.

Section 5. Illinois State Diabetes Commission. There is hereby established within the Department of Human Services the Illinois State Diabetes Commission. The Commission shall consist of members that are residents of this State and shall include an Executive Committee appointed by the Secretary of Human Services as provided by rule. The members of the Commission shall be appointed by the Secretary of Human Services as follows:

New matter indicated by italics - deletions by strikeout
(1) The Secretary of Human Services or the Secretary's designee, who shall serve as chairperson of the Commission.

(2) Physicians who are board certified in endocrinology, with at least one physician with expertise and experience in the treatment of childhood diabetes and at least one physician with expertise and experience in the treatment of adult onset diabetes.

(3) Health care professionals with expertise and experience in the prevention, treatment, and control of diabetes.

(4) Representatives of organizations or groups that advocate on behalf of persons suffering from diabetes.

(5) Representatives of voluntary health organizations or advocacy groups with an interest in the prevention, treatment, and control of diabetes.

(6) Members of the public who have been diagnosed with diabetes.

The Secretary of Human Services may appoint additional members deemed necessary and appropriate by the Secretary.

Section 10. Members; meetings. Members of the Commission shall be appointed by December 1, 2006. A member shall continue to serve until his or her successor is duly appointed and qualified.

Meetings shall be held 3 times per year or at the call of the Commission chairperson.

Section 15. Reimbursement. Members shall serve without compensation but shall, subject to appropriation, be reimbursed for reasonable and necessary expenses actually incurred in the performance of the member's official duties.

Section 20. Department support of Commission. The Department of Human Services shall provide administrative support and current staff as necessary for the effective operation of the Commission.

Section 25. Duties. The Commission shall perform all of the following duties:

(1) Hold public hearings to gather information from the general public on issues pertaining to the prevention, treatment, and control of diabetes.

New matter indicated by italics - deletions by strikeout
(2) Develop a strategy for the prevention, treatment, and control of diabetes in this State.

(3) Examine the needs of adults, children, racial and ethnic minorities, and medically underserved populations who have diabetes.

(4) Prepare and make available an annual report on the activities of the Commission to the Secretary of Human Services, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the Governor by June 30 of each year, beginning on June 30, 2007.

Section 30. Funding. The Department of Human Services may accept on behalf of the Commission any federal funds or gifts and donations from individuals, private organizations, and foundations and any other funds that may become available.

Section 35. Rules. The Secretary of Human Services may adopt rules to implement and administer this Act.

Section 90. Repeal. This Act is repealed on January 1, 2010.

Section 99. Effective date. This Act takes effect November 1, 2006.

Approved May 19, 2006.
Effective November 1, 2006.

PUBLIC ACT 94-0789
(Senate Bill No. 2582)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Income Tax Act is amended by changing Section 203 as follows:
(35 ILCS 5/203) (from Ch. 120, par. 2-203)
Sec. 203. Base income defined.

New matter indicated by italics - deletions by strikeout
(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

   (A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

   (B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

   (C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

   (D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

   (D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a
medical care savings account and the interest earned on the
account in the taxable year of a withdrawal pursuant to
subsection (b) of Section 20 of the Medical Care Savings
Account Act or subsection (b) of Section 20 of the Medical
Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31,
1997, an amount equal to any eligible remediation costs
that the individual deducted in computing adjusted gross
income and for which the individual claims a credit under
subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an
amount equal to the bonus depreciation deduction (30% of
the adjusted basis of the qualified property) taken on the
taxpayer's federal income tax return for the taxable year
under subsection (k) of Section 168 of the Internal Revenue
Code;

(D-16) If the taxpayer reports a capital gain or loss
on the taxpayer's federal income tax return for the taxable
year based on a sale or transfer of property for which the
taxpayer was required in any taxable year to make an
addition modification under subparagraph (D-15), then an
amount equal to the aggregate amount of the deductions
taken in all taxable years under subparagraph (Z) with
respect to that property.

The taxpayer is required to make the addition
modification under this subparagraph only once with
respect to any one piece of property;

(D-17) For taxable years ending on or after
December 31, 2004, an amount equal to the amount
otherwise allowed as a deduction in computing base
income for interest paid, accrued, or incurred, directly or
indirectly, to a foreign person who would be a member of
the same unitary business group but for the fact that foreign
person's business activity outside the United States is 80%
or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

New matter indicated by italics - deletions by strikeout
(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-18) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received

New matter indicated by italics - deletions by strikeout
by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a
preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-20) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College

New matter indicated by italics - deletions by strikeout
Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B); and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a),

New matter indicated by italics - deletions by strikeout
402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and

New matter indicated by italics - deletions by strikeout
railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance
of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been

New matter indicated by italics - deletions by strikeout
deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued

New matter indicated by italics - deletions by strikeout
to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2004, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). For taxable years beginning on or after January 1, 2005, a maximum of $10,000 contributed in the taxable year to (i) a College Savings Pool account under Section 16.5 of the State Treasurer Act or (ii) the Illinois Prepaid Tuition Trust Fund, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction
(30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(BB) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle;

New matter indicated by italics - deletions by strikeout
(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-13), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-14), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section
203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income
under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the
taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

New matter indicated by italics - deletions by strikeout
(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the

New matter indicated by italics - deletions by strikeout
application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(b)(2)(E-12) of this Act. As used in this

New matter indicated by italics - deletions by strikeout
subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a
contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)

New matter indicated by italics - deletions by strikeout
(2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an

New matter indicated by italics - deletions by strikeout
amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall
be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for
the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) On and after July 20, 1999, in the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year; the provisions of this subparagraph are exempt from the provisions of Section 250;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This
subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

New matter indicated by italics - deletions by strikeout
The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States

New matter indicated by italics - deletions by strikeout
is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, $600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, $300; and (iii) any other trust, $100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other
than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum

New matter indicated by italics - deletions by strikeout
of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all

New matter indicated by italics - deletions by strikeout
taxable years under subparagraph (R) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(G-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

New matter indicated by italics - deletions by strikeout
(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

New matter indicated by italics - deletions by strikeout
Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that
the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(1) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued,
or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

New matter indicated by italics - deletions by strikeout
(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the
provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for

New matter indicated by italics - deletions by strikeout
racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of

New matter indicated by italics - deletions by strikeout
the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

New matter indicated by italics - deletions by strikeout
(U) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(V) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).
(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

New matter indicated by italics - deletions by strikeout
(D-7) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:
   (i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or
   (ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:
      (a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

New matter indicated by italics - deletions by strikeout
(b) the transaction giving rise to the
interest expense between the taxpayer and
the foreign person did not have as a
principal purpose the avoidance of Illinois
income tax, and is paid pursuant to a
contract or agreement that reflects an arm's-
length interest rate and terms; or
(iii) the taxpayer can establish, based on
clear and convincing evidence, that the interest paid,
accrued, or incurred relates to a contract or
agreement entered into at arm's-length rates and
terms and the principal purpose for the payment is
not federal or Illinois tax avoidance; or
(iv) an item of interest paid, accrued, or
incurred, directly or indirectly, to a foreign person if
the taxpayer establishes by clear and convincing
evidence that the adjustments are unreasonable; or if
the taxpayer and the Director agree in writing to the
application or use of an alternative method of
apportionment under Section 304(f).
Nothing in this subsection shall preclude the
Director from making any other adjustment
otherwise allowed under Section 404 of this Act for
any tax year beginning after the effective date of
this amendment provided such adjustment is made
pursuant to regulation adopted by the Department
and such regulations provide methods and standards
by which the Department will utilize its authority
under Section 404 of this Act; and
(D-8) For taxable years ending on or after December
31, 2004, an amount equal to the amount of intangible
expenses and costs otherwise allowed as a deduction in
computing base income, and that were paid, accrued, or
incurred, directly or indirectly, to a foreign person who

New matter indicated by italics - deletions by strikeout
would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is

New matter indicated by italics - deletions by strikeout
subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department
and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as

New matter indicated by italics - deletions by strikeout
now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under

New matter indicated by italics - deletions by strikeout
subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17),

New matter indicated by italics - deletions by strikeout
(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

New matter indicated by italics - deletions by strikeout
803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution
from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b) (2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the

New matter indicated by italics - deletions by strikeout
Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of asset or business. Notwithstanding any other law to the contrary, if in prior years income from an asset or business has been classified as business income and in a later year is demonstrated to be non-business income, then all expenses, without limitation, deducted in such later year and in the 2 immediately preceding taxable years related to that asset or business that generated the non-business income shall be added back and recaptured as business income in the year of the disposition of the asset or business. Such amount shall be apportioned to Illinois using the greater of the apportionment fraction computed for the business under Section 304 of this Act for the taxable year or the average of the apportionment fractions computed for the business under Section 304 of this Act for the taxable year and for the 2 immediately preceding taxable years.

New matter indicated by italics - deletions by strikeout
(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

   (A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

   (B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

   (A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

   (B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of

New matter indicated by italics - deletions by strikeout
full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; 93-812, eff. 7-26-04; 93-840, eff. 7-30-04; revised 10-12-04.)

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

Approved May 19, 2006.
Effective May 19, 2006.
Section 5. The Civic Center Code is amended by changing Section 280-20 as follows:

(70 ILCS 200/280-20)

Sec. 280-20. Rights and powers. The Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and expositions grounds, convention or exhibition centers, civic auditoriums, including sites and parking areas and facilities therefor located within the metropolitan area and office buildings, if such buildings are acquired as part of the main auditorium complex;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, theatrical, sports, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas and facilities, grounds, centers and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(d-5) To sell the following real property and retain the proceeds from the sale: the 2 Rialto Square Building at the southeast corner of Chicago Street and Clinton Street, legally described as follows: Lot 1 and Lot 2 in Block 3 in East Juliet (now Joliet) in the City of Joliet in Will County, Illinois; and

(e) To enter into contracts treating any manner with the objects and purposes of this Article.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-25012 as follows:

Sec. 5-25012. Board of health. Except in those cases where a board of 10 or 12 members is provided for as authorized in this Section, each county health department shall be managed by a board of health consisting of 8 members appointed by the president or chairman of the county board, with the approval of the county board, for a 3 year term, except that of the first appointees 2 shall serve for one year, 2 for 2 years, 3 for 3 years and the term of the member appointed from the county board, as provided in this Section, shall be one year and shall continue until reappointment or until a successor is appointed. Each board of health which has 8 members, may have one additional member appointed by the president or chairman of the county board, with the approval of the county board. The additional member shall first be appointed within 90 days after the effective date of this amendatory Act for a term ending July 1, 2002.

The county health department in a county having a population of 200,000 or more may, if the county board, by resolution, so provides, be managed by a board of health consisting of 12 members appointed by the president or chairman of the county board, with the approval of the county board, for a 3 year term, except that of the first appointees 3 shall serve for

New matter indicated by italics - deletions by strikeout
one year, 4 for 2 years, 4 for 3 years and the term of the member appointed from the county board, as provided in this Section, shall be one year and shall continue until reappointment or until a successor is appointed. In counties with a population of 200,000 or more which have a board of health of 8 members, the county board may, by resolution, increase the size of the board of health to 12 members, in which case the 4 members added shall be appointed, as of the next anniversary of the present appointments, 2 for terms of 3 years, one for 2 years and one for one year.

The county board in counties with a population of more than 100,000 but less than 3,000,000 inhabitants and contiguous to any county with a metropolitan area with more than 1,000,000 inhabitants, may establish compensation for the board of health, as remuneration for their services as members of the board of health. Monthly compensation shall not exceed $200 except in the case of the president of the board of health whose monthly compensation shall not exceed $400.

When a county board of health consisting of 8 members assumes the responsibilities of a municipal department of public health, and both the county board and the city council adopt resolutions or ordinances to that effect, the county board may, by resolution or ordinance, increase the membership of the county board of health to 10 members. The additional 2 members shall initially be appointed by the mayor of the municipality, with the approval of the city council, each such member to serve for a term of 2 years; thereafter the successors shall be appointed by the president or chairman of the county board, with the approval of the county board, for terms of 2 years.

Each multiple-county health department shall be managed by a board of health consisting of 4 members appointed from each county by the president or chairman of the county board with the approval of the county board for a 3 year term, except that of the first appointees from each county one shall serve for one year, one for 2 years, one for 3 years and the term of the member appointed from the county board of each member county, as hereinafter provided, shall be one year and shall continue until reappointment or until a successor is appointed.
The term of office of original appointees shall begin on July 1 following their appointment, and the term of all members shall continue until their successors are appointed. All members shall serve without compensation but may be reimbursed for actual necessary expenses incurred in the performance of their duties. At least 2 members of each county board of health shall be physicians licensed in Illinois to practice medicine in all of its branches and at least one member shall be a dentist licensed in Illinois. In counties with a population under 500,000, one member shall be chosen from the county board or the board of county commissioners as the case may be. In counties with a population over 500,000, two members shall be chosen from the county board or the board of county commissioners as the case may be. At least one member from each county on each multiple-county board of health shall be a physician licensed in Illinois to practice medicine in all of its branches, one member from each county on each multiple-county board of health shall be chosen from the county board or the board of county commissioners, as the case may be, and at least one member of the board of health shall be a dentist licensed in Illinois. Whenever possible, at least one member shall have experience in the field of mental health. All members shall be chosen for their special fitness for membership on the board.

Any member may be removed for misconduct or neglect of duty by the chairman or president of the county board, with the approval of the county board, of the county which appointed him.

Vacancies shall be filled as in the case of appointment for a full term.

Notwithstanding any other provision of this Act to the contrary, a county with a population of 240,000 or more inhabitants that does not currently have a county health department may, by resolution of the county board, establish a board of health consisting of the members of such board. Such board of health shall be advised by a committee which shall consist of at least 5 members appointed by the president or chairman of the county board with the approval of the county board for terms of 3 years; except that of the first appointees at least 2 shall serve for 3 years, at least 2 shall serve for 2 years and at least one shall serve for one year. At least one

New matter indicated by italics - deletions by strikeout
member of the advisory committee shall be a physician licensed in Illinois to practice medicine in all its branches, at least one shall be a dentist licensed in Illinois, and one shall be a nurse licensed in Illinois. All members shall be chosen for their special fitness for membership on the advisory committee.

All members of a board established under this Section must be residents of the county, except that a member who is required to be a physician, dentist, or nurse may reside outside the county if no physician, dentist, or nurse, as applicable, who resides in the county is willing and able to serve.

(Source: P.A. 94-457, eff. 1-1-06.)

Passed in the General Assembly April 6, 2006.
Approved May 19, 2006.

PUBLIC ACT 94-0792
(Senate Bill No. 2898)

AN ACT concerning schools.

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

Section 5. The School Code is amended by changing Section 22-30 as follows:

(105 ILCS 5/22-30)
Sec. 22-30. Self-administration of asthma medication.
(a) In this Section:
"Epinephrine auto-injector" means a medical device for immediate self-administration by a person at risk of anaphylaxis.
"Medication" means a medicine, prescribed by (i) a physician licensed to practice medicine in all its branches, (ii) a physician assistant who has been delegated the authority to prescribe asthma medications by his or her supervising physician, or (iii) an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician that delegates the authority to prescribe asthma medications, for

New matter indicated by italics - deletions by strikeout
a pupil that pertains to the pupil's asthma and that has an individual prescription label.

"Self-administration" means a pupil's discretionary use of his or her prescribed asthma medication.

(b) A school, whether public or nonpublic, must permit the self-administration of medication by a pupil with asthma or the use of an epinephrine auto-injector by a pupil, provided that:

(1) the parents or guardians of the pupil provide to the school written authorization for the self-administration of medication or use of an epinephrine auto-injector; and

(2) the parents or guardians of the pupil provide to the school a written statement from the pupil's physician, physician assistant, or advanced practice registered nurse containing the following information:

(A) the name and purpose of the medication or epinephrine auto-injector;

(B) the prescribed dosage; and

(C) the time or times at which or the special circumstances under which the medication or epinephrine auto-injector is to be administered.

The information provided shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(c) The school district or nonpublic school must inform the parents or guardians of the pupil, in writing, that the school district or nonpublic school and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the self-administration of medication or use of an epinephrine auto-injector by the pupil. The parents or guardians of the pupil must sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the self-administration of medication or use of an epinephrine auto-injector by the pupil and that the parents or guardians must indemnify and hold harmless the school district or nonpublic school and its employees and agents against any claims, except a claim based on willful
and wanton conduct, arising out of the self-administration of medication or use of an epinephrine auto-injector by the pupil.

(d) The permission for self-administration of medication or use of an epinephrine auto-injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of this Section.

(e) Provided that the requirements of this Section are fulfilled, a pupil with asthma may possess and use his or her medication or a pupil may possess and use an epinephrine auto-injector (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property.

(Source: P.A. 92-402, eff. 8-16-01.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

Approved May 19, 2006.
Effective May 19, 2006.

PUBLIC ACT 94-0793
(Senate Bill No. 2899)

AN ACT making revisory changes relating to the renaming of the Bureau of the Budget and the Department of Commerce and Community Affairs.

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

New matter indicated by italics - deletions by strikeout
Section 1. Nature of this Act.
(a) Public Act 93-25 renamed the Bureau of the Budget as the Governor’s Office of Management and Budget. It also renamed the Department of Commerce and Community Affairs as the Department of Commerce and Economic Opportunity. This revisory Act updates references throughout the Illinois Compiled Statutes to bring them into conformity with these name changes.
(b) This revisory Act makes no substantive change in the law. It was prepared by the Legislative Reference Bureau in accordance with subsection (h) of Section 5.04 of the Legislative Reference Bureau Act (25 ILCS 135/5.04) and is exempt from the single subject rule under Article IV, Section 8(d) of the Illinois Constitution.

Section 5. The Regulatory Sunset Act is amended by changing Sections 5 and 6 as follows:
(5 ILCS 80/5) (from Ch. 127, par. 1905)
Sec. 5. Study and report. The Governor’s Office of Management and Budget shall study the performance of each regulatory agency and program scheduled for termination under this Act and report annually to the Governor the results of such study, including in the report recommendations with respect to those agencies and programs the Governor’s Office of Management and Budget determines should be terminated or continued by the State. The Governor shall review the report of the Governor’s Office of Management and Budget and in each even-numbered year make recommendations to the General Assembly on the termination or continuation of regulatory agencies and programs.
(Source: P.A. 92-85, eff. 7-12-01; revised 8-23-03.)
(5 ILCS 80/6) (from Ch. 127, par. 1906)
Sec. 6. Factors to be studied. In conducting the study required under Section 5, the Governor’s Office of Management and Budget shall consider, but is not limited to consideration of, the following factors in determining whether an agency or program should be recommended for termination or continuation:

New matter indicated by italics - deletions by strikeout
(1) The extent to which the agency or program has permitted qualified applicants to serve the public;
(2) The extent to which the trade, business, profession, occupation or industry being regulated is being administered in a nondiscriminatory manner both in terms of employment and the rendering of services;
(3) The extent to which the regulatory agency or program has operated in the public interest, and the extent to which its operation has been impeded or enhanced by existing statutes, procedures, and practices of any other department of State government, and any other circumstances, including budgetary, resource, and personnel matters;
(4) The extent to which the agency running the program has recommended statutory changes to the General Assembly that would benefit the public as opposed to the persons it regulates;
(5) The extent to which the agency or program has required the persons it regulates to report to it concerning the impact of rules and decisions of the agency or the impact of the program on the public regarding improved service, economy of service, and availability of service;
(6) The extent to which persons regulated by the agency or under the program have been required to assess problems in their industry that affect the public;
(7) The extent to which the agency or program has encouraged participation by the public in making its rules and decisions as opposed to participation solely by the persons it regulates and the extent to which such rules and decisions are consistent with statutory authority;
(8) The efficiency with which formal public complaints filed with the regulatory agency or under the program concerning persons subject to regulation have been processed to completion, by the executive director of the regulatory agencies or programs, by the Attorney General and by any other applicable department of State government; and

New matter indicated by italics - deletions by strikeout
Section 10. The Illinois Administrative Procedure Act is amended by changing Section 5-30 as follows:

Sec. 5-30. Regulatory flexibility. When an agency proposes a new rule or an amendment to an existing rule that may have an impact on small businesses, not for profit corporations, or small municipalities, the agency shall do each of the following:

(a) The agency shall consider each of the following methods for reducing the impact of the rulemaking on small businesses, not for profit corporations, or small municipalities. The agency shall reduce the impact by utilizing one or more of the following methods if it finds that the methods are legal and feasible in meeting the statutory objectives that are the basis of the proposed rulemaking.

(1) Establish less stringent compliance or reporting requirements in the rule for small businesses, not for profit corporations, or small municipalities.

(2) Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small businesses, not for profit corporations, or small municipalities.

(3) Consolidate or simplify the rule's compliance or reporting requirements for small businesses, not for profit corporations, or small municipalities.

(4) Establish performance standards to replace design or operational standards in the rule for small businesses, not for profit corporations, or small municipalities.

(5) Exempt small businesses, not for profit corporations, or small municipalities from any or all requirements of the rule.

(b) Before or during the notice period required under subsection (b) of Section 5-40, the agency shall provide an opportunity for small businesses, not for profit corporations, or small municipalities to

New matter indicated by italics - deletions by strikeout
participate in the rulemaking process. The agency shall utilize one or more of the following techniques. These techniques are in addition to other rulemaking requirements imposed by this Act or by any other Act.

(1) The inclusion in any advance notice of possible rulemaking of a statement that the rule may have an impact on small businesses, not for profit corporations, or small municipalities.

(2) The publication of a notice of rulemaking in publications likely to be obtained by small businesses, not for profit corporations, or small municipalities.

(3) The direct notification of interested small businesses, not for profit corporations, or small municipalities.

(4) The conduct of public hearings concerning the impact of the rule on small businesses, not for profit corporations, or small municipalities.

(5) The use of special hearing or comment procedures to reduce the cost or complexity of participation in the rulemaking by small businesses, not for profit corporations, or small municipalities.

(c) Before the notice period required under subsection (b) of Section 5-40, the Secretary of State shall provide to the Business Assistance Office of the Department of Commerce and Economic Opportunity Community Affairs a copy of any proposed rules or amendments accepted for publication. The Business Assistance Office shall prepare an impact analysis of the rule describing the rule's effect on small businesses whenever the Office believes, in its discretion, that an analysis is warranted or whenever requested to do so by 25 interested persons, an association representing at least 100 interested persons, the Governor, a unit of local government, or the Joint Committee on Administrative Rules. The impact analysis shall be completed within the notice period as described in subsection (b) of Section 5-40. Upon completion of the analysis the Business Assistance Office shall submit this analysis to the Joint Committee on Administrative Rules, any interested
person who requested the analysis, and the agency proposing the rule. The impact analysis shall contain the following:

(1) A summary of the projected reporting, recordkeeping, and other compliance requirements of the proposed rule.

(2) A description of the types and an estimate of the number of small businesses to which the proposed rule will apply.

(3) An estimate of the economic impact that the regulation will have on the various types of small businesses affected by the rulemaking.

(4) A description or listing of alternatives to the proposed rule that would minimize the economic impact of the rule. The alternatives must be consistent with the stated objectives of the applicable statutes and regulations.

(Source: P.A. 87-823; 88-667, eff. 9-16-94; revised 12-6-03.)

Section 15. The State Employees Group Insurance Act of 1971 is amended by changing Section 11 as follows:

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

Sec. 11. The amount of contribution in any fiscal year from funds other than the General Revenue Fund or the Road Fund shall be at the same contribution rate as the General Revenue Fund or the Road Fund. Contributions and payments for life insurance shall be deposited in the Group Insurance Premium Fund. Contributions and payments for health coverages and other benefits shall be deposited in the Health Insurance Reserve Fund. Federal funds which are available for cooperative extension purposes shall also be charged for the contributions which are made for retired employees formerly employed in the Cooperative Extension Service. In the case of departments or any division thereof receiving a fraction of its requirements for administration from the Federal Government, the contributions hereunder shall be such fraction of the amount determined under the provisions hereof and the remainder shall be contributed by the State.

Every department which has members paid from funds other than the General Revenue Fund shall cooperate with the Department of Central Management Services and the Governor's Office of Management and

New matter indicated by italics - deletions by strikeout
Budget Bureau of the Budget in order to assure that the specified proportion of the State's cost for group life insurance, the program of health benefits and other employee benefits is paid by such funds; except that contributions under this Act need not be paid from any other fund where both the Director of Central Management Services and the Director of the Governor's Office of Management and Budget Bureau of the Budget have designated in writing that the necessary contributions are included in the General Revenue Fund contribution amount.

Universities having employees who are totally compensated out of the following funds:

(1) Income Funds;
(2) Local auxiliary funds; and
(3) the Agricultural Premium Fund
shall not be required to submit such contribution for such employees.

For each person covered under this Act whose eligibility for such coverage is based upon the person's status as the recipient of a benefit under the Illinois Pension Code, which benefit is based in whole or in part upon service with the Toll Highway Authority, the Authority shall annually contribute a pro rata share of the State's cost for the benefits of that person.

(Source: P.A. 89-499, eff. 6-28-96; revised 8-23-03.)

Section 20. The State Employment Records Act is amended by changing Section 15 as follows:

(5 ILCS 410/15)
Sec. 15. Reported information.

(a) State agencies shall, if necessary, consult with the Office of the Comptroller and the Governor's Office of Management and Budget Bureau of the Budget to confirm the accuracy of information required by this Act. State agencies shall collect and maintain information and publish reports including but not limited to the following information arranged in the indicated categories:

(i) the total number of persons employed by the agency who are part of the State work force, as defined by this Act, and the number and statistical percentage of women, minorities, and

New matter indicated by italics - deletions by strikeout
physically disabled persons employed within the agency work force;

(ii) the total number of persons employed within the agency work force receiving levels of State remuneration within incremental levels of $10,000, and the number and statistical percentage of minorities, women, and physically disabled persons in the agency work force receiving levels of State remuneration within incremented levels of $10,000;

(iii) the number of open positions of employment or advancement in the agency work force, reported on a fiscal year basis;

(iv) the number and percentage of open positions of employment or advancement in the agency work force filled by minorities, women, and physically disabled persons, reported on a fiscal year basis;

(v) the total number of persons employed within the agency work force as professionals, and the number and percentage of minorities, women, and physically disabled persons employed within the agency work force as professional employees; and

(vi) the total number of persons employed within the agency work force as contractual service employees, and the number and percentage of minorities, women, and physically disabled persons employed within the agency work force as contractual services employees.

(b) The numbers and percentages of minorities required to be reported by this Section shall be identified by categories as Hispanic, African American, Asian American, and Native American. Data concerning women shall be reported on a minority and nonminority basis. The numbers and percentages of physically disabled persons required to be reported under this Section shall be identified by categories as male and female.

(c) To accomplish consistent and uniform classification and collection of information from each State agency, and to ensure full compliance and that all required information is provided, the Index

New matter indicated by italics - deletions by strikeout
Department of the Office of the Secretary of State, in consultation with the Department of Human Rights, the Department of Central Management Services, and the Office of the Comptroller, shall develop appropriate forms to be used by all State agencies subject to the reporting requirements of this Act.

All State agencies shall make the reports required by this Act using the forms developed under this subsection. The reports must be certified and signed by an official of the agency who is responsible for the information provided.

(Source: P.A. 87-1211; 88-126; revised 8-23-03.)

Section 25. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-15 as follows:

(15 ILCS 20/50-15) (was 15 ILCS 20/38.2)
Sec. 50-15. Department accountability reports.

(a) Beginning in the fiscal year which begins July 1, 1992, each department of State government as listed in Section 5-15 of the Departments of State Government Law (20 ILCS 5/5-15) shall submit an annual accountability report to the Bureau of the Budget (now Governor's Office of Management and Budget) at times designated by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). Each accountability report shall be designed to assist the Bureau (now Office) of the Budget in its duties under Sections 2.2 and 2.3 of the Governor's Office of Management and Budget Act and shall measure the department's performance based on criteria, goals, and objectives established by the department with the oversight and assistance of the Bureau (now Office) of the Budget. Each department shall also submit interim progress reports at times designated by the Director of the Bureau (now Office) of the Budget.

(b) (Blank).

(c) The Director of the Bureau (now Office) of the Budget shall select not more than 3 departments for a pilot program implementing the procedures of subsection (a) for budget requests for the fiscal years beginning July 1, 1990 and July 1, 1991, and each of the departments elected shall submit accountability reports for those fiscal years.

New matter indicated by italics - deletions by strikeout
By April 1, 1991, the Bureau (now Office) of the Budget shall recommend in writing to the Governor any changes in the budget review process established pursuant to this Section suggested by its evaluation of the pilot program. The Governor shall submit changes to the budget review process that the Governor plans to adopt, based on the report, to the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives.

(Source: P.A. 91-239, eff. 1-1-00; 92-850, eff. 8-26-02; revised 8-23-03.)

Section 30. The Illinois Literacy Act is amended by changing Section 20 as follows:

(15 ILCS 322/20)
Sec. 20. Illinois Literacy Council.

(a) The Council shall facilitate the improvement of literacy levels of Illinois citizens by providing a forum from which representatives from throughout the State can promote literacy, share expertise, and recommend policy.

(b) The Council shall be appointed by and be responsible to the Governor. The Secretary of State shall serve as chairman. The Council shall advise the Governor and other agencies on strategies that address the literacy needs of the State, especially with respect to the needs of workplace literacy, family literacy, program evaluation, public awareness, and public and private partnerships.

(c) The Council will determine its own procedures and the number, time, place, and conduct of its meetings. It shall meet at least 4 times a year. The Council may be assisted in its activities by the Literacy Office. Council members shall not receive compensation for their services.

(d) The Council's membership shall consist of representatives of public education, public and private sector employment, labor organizations, community literacy organizations, libraries, volunteer organizations, the Office of the Secretary of State, the Department of Commerce and Economic Opportunity Community Affairs, the Illinois Community College Board, the Department of Employment Security, the Department of Human Services, the State Board of Education, the Department of Corrections, and the Prairie State 2000 Authority.

New matter indicated by italics - deletions by strikeout
(e) The Council members representing State agencies shall act as an interagency coordinating committee to improve the system for delivery of literacy services, provide pertinent information and agency comments to Council members, and implement the recommendations forwarded by the Council and approved by the Governor.

(f) The Secretary of State, in consultation with the Council, shall expend moneys to perform Council functions as authorized by this Act from the Literacy Advancement Fund, a special fund hereby created in the State Treasury. All moneys received from an income tax checkoff for the Literacy Advancement Fund as provided in Section 507I of the Illinois Income Tax Act shall be deposited into the Fund.

(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)

Section 35. The State Comptroller Act is amended by changing Sections 9.02, 19, 21, and 22.2 as follows:

(15 ILCS 405/9.02) (from Ch. 15, par. 209.02)

Sec. 9.02. No warrant for the expenditure, disbursement, contract, administration, transfer or use of federal funds by any recipient State agency subject to the reporting requirement of Section 5.1 of the Governor's Office of Management and Budget Act "An Act to create a Bureau of the Budget and to define its powers and duties and to make an appropriation", approved April 16, 1969, as now or hereafter amended, shall be drawn by the Comptroller until the Comptroller receives certification from the recipient agency that such federal funds have been reported to the Bureau as required by that Section.

(Source: P.A. 82-173; revised 8-23-03.)

(15 ILCS 405/19) (from Ch. 15, par. 219)

Sec. 19. Financial records - monthly reports - forms. The comptroller shall maintain complete, accurate and current financial records relating to State funds and to other public funds and assets available to, encumbered or expended by each State agency, including trust funds or other moneys not subject to appropriation, setting out all revenues, charges against all funds, fund and appropriation balances, interfund transfers, warrants outstanding and assets and encumbrances, in a manner consistent

New matter indicated by italics - deletions by strikeout
with the uniform State accounting system prescribed by the comptroller. Such records shall be public records open to public inspection.

The Governor, Treasurer, Director of the Governor's Office of Management and Budget, Director of Central Management Services, Auditor General, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate shall have access to all records and reports received by the comptroller from State agencies and to all data and accounts maintained by the comptroller except as otherwise specifically provided by law. All other State executive officers and heads of State agencies shall have access to reports and accounts relating to their agency or office.

The Comptroller shall make a report to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Chairman and Minority Spokesman of each of the appropriations committees of the House of Representatives and the Senate giving notice within 10 days of the establishment of each fund or account consisting of funds not subject to appropriation by the General Assembly.

Each month the comptroller shall prepare a report summarizing by State agency and appropriation the above information in such form as will most clearly and accurately set out the current fiscal condition of the State.

In addition, each month the comptroller shall prepare a report by detail object account in such form as will most clearly present the status of such accounts.

The comptroller shall prescribe forms for the periodic reporting of financial accounts, transactions and other matters by State agencies, compatible with the reports required of the comptroller under this Section.

(Source: P.A. 82-789; revised 8-23-03.)

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

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

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

(a) To the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, and State Community College of East St. Louis under the jurisdiction of the Illinois Community College Board, not to exceed $200,000 for each campus.

(b) To the Department of Agriculture and the Department of Commerce and Economic Opportunity for the operation of overseas offices, not to exceed $200,000 for each Department for each overseas office.

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

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

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

New matter indicated by italics - deletions by strikeout
securities' book-entry system. This account shall not exceed $25,000.

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

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

(15 ILCS 405/22.2) (from Ch. 15, par. 222.2)

Sec. 22.2. Employees Suggestion Award Board. Upon request from the Employees Suggestion Award Board, the Comptroller and the Director of the Governor's Office of Management and Budget Bureau of the Budget may hold in reserve the amounts equal to the savings from the appropriate appropriation line item for the State agency involved. The term "reserve" for the purposes of this Section means that such funds shall not be expended nor obligated for the fiscal year designated by the Board.

(Source: P.A. 84-943; revised 8-23-03.)

Section 40. The Local Government Accounting Systems Act is amended by changing Section 2 as follows:

(15 ILCS 425/2) (from Ch. 15, par. 602)

Sec. 2. The State Comptroller shall publish manuals and operating procedures which may be used by units of local government in complying with accounting, auditing and reporting requirements. These manuals and procedures shall be designed to account for the various kinds and sizes of units of local government.

The manuals and operating procedures shall be reviewed by an advisory committee selected by the State Comptroller composed of persons from the Department of Commerce and Economic Opportunity Community Affairs, other interested State agencies, units of local government, associations of units of local government and other interested or concerned groups.

The State Comptroller shall provide or cooperate in educational and training programs to assist local governments in complying with accounting, auditing and reporting requirements.

(Source: P.A. 84-259; revised 12-6-03.)

Section 45. The Civil Administrative Code of Illinois is amended by changing Sections 5-330 and 5-530 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 5-330. In the Department of Commerce and Economic Opportunity Community Affairs. The Director of Commerce and Economic Opportunity Community Affairs shall receive an annual salary as set by the Governor from time to time or as set by the Compensation Review Board, whichever is greater.

The Assistant Director of Commerce and Economic Opportunity Community Affairs shall receive an annual salary as set by the Governor from time to time or as set by the Compensation Review Board, whichever is greater.

(Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16, eff. 6-28-01; revised 12-6-03.)

Sec. 5-530. In the Department of Agriculture and in cooperation with the Department of Commerce and Economic Opportunity Community Affairs. An Agricultural Export Advisory Committee composed of the following: 2 members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; 2 members of the Senate, to be appointed by the President of the Senate; the Director of Agriculture, who shall serve as Secretary of the Committee; and not more than 15 members to be appointed by the Governor. The members of the committee shall receive no compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties under this Act.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

Section 50. The Illinois Welfare and Rehabilitation Services Planning Act is amended by changing Section 3 as follows:

Sec. 3. On or before the first Friday in April of each odd-numbered year, each agency listed in subsection (a) of Section 4 shall prepare and cause to be submitted to the General Assembly a comprehensive plan providing for the best possible use of available resources for the development of the State's human resources and the provision of social services by the agency. In preparing that plan, each agency shall emphasize coordination and cooperation with other agencies listed in subsection (a)
of Section 4 regarding the pursuit of objectives it has in common with the other agencies. Each plan shall contain the information required by Section 6 and shall be prepared and submitted in conformity with Sections 7 through 9 of this Act. The Governor's Office of Management and Budget Bureau, or any other agency designated by that Office Bureau, may require that the agency plans required by this Act shall, before submission to the General Assembly, be submitted to it, or such other agency designated by it. The Office Bureau or the designated agency may review and coordinate the plans and submit them on behalf of the agencies concerned to the General Assembly.
(Source: P.A. 88-487; revised 8-23-03.)

Section 55. The Illinois Act on the Aging is amended by changing Section 8.01 as follows:

(20 ILCS 105/8.01) (from Ch. 23, par. 6108.01)
Sec. 8.01. Coordinating Committee; members. The Coordinating Committee of State Agencies Serving Older Persons shall consist of the Director of the Department on Aging or his or her designee as Chairman, the State Superintendent of Education or his or her designee, the Secretary of Human Services or his or her designee, the Secretary of Transportation or his or her designee, and the Directors, or the designee or designees of any or all of the Directors, of the following Departments or agencies: Labor; Veterans' Affairs; Public Health; Public Aid; Children and Family Services; Commerce and Economic Opportunity Community Affairs; Insurance; Revenue; Illinois Housing Development Authority; and Comprehensive State Health Planning.
(Source: P.A. 90-609, eff. 6-30-98; 91-61, eff. 6-30-99; revised 12-6-03.)

Section 60. The Department of Agriculture Law of the Civil Administrative Code of Illinois is amended by changing Section 205-40 as follows:

(20 ILCS 205/205-40) (was 20 ILCS 205/40.31)
Sec. 205-40. Export consulting service and standards. The Department, in cooperation with the Department of Commerce and Economic Opportunity Community Affairs and the Agricultural Export Advisory Committee, shall (1) provide a consulting service to those who
desire to export farm products, commodities, and supplies and guide them in their efforts to improve trade relations; (2) cooperate with agencies and instrumentalities of the federal government to develop export grade standards for farm products, commodities, and supplies produced in Illinois and adopt reasonable rules and regulations to ensure that exports of those products, commodities, and supplies comply with those standards; (3) upon request and after inspection of any such farm product, commodity, or supplies, certify compliance or noncompliance with those standards; (4) provide an informational program to existing and potential foreign importers of farm products, commodities, and supplies; (5) qualify for U. S. Department of Agriculture matching funds for overseas promotion of farm products, commodities, and supplies according to the federal requirements regarding State expenditures that are eligible for matching funds; and (6) provide a consulting service to persons who desire to export processed or value-added agricultural products and assist those persons in ascertaining legal and regulatory restrictions and market preferences that affect the sale of value-added agricultural products in foreign markets.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

Section 65. The Biotechnology Sector Development Act is amended by changing Section 10 as follows:

(20 ILCS 230/10)

Sec. 10. Sector program. The Department of Agriculture, in cooperation with the Department of Commerce and Economic Opportunity Community Affairs, shall establish a targeted sector program in the area of biotechnology. In fulfillment of this purpose, the Department of Agriculture is authorized to:

(a) Analyze on an ongoing basis the state of the biotechnology sector in Illinois, including, but not limited to, its strengths and weaknesses, its opportunities and risks, its emerging products, processes, and market niches, the commercialization of its related technology, its capital availability, its education and training needs, and its infrastructure development.

New matter indicated by italics - deletions by strikeout
(b) Work in conjunction with the Biotechnology Advisory Council created under this Act.
(c) Develop a resource guide for use in promoting the biotechnology sector in Illinois.
(d) Explore the feasibility of conducting seminars to provide both entrepreneurs and investors with information about the biotechnology sector in Illinois.
(e) Operate, internally or on a contractual basis, an equipment resource referral service to identify available surplus equipment that could be used by biotechnology entrepreneurs.

(Source: P.A. 88-584, eff. 8-12-94; revised 12-6-03.)

Section 70. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Sections 405-130, 405-295, 405-300, and 405-500 as follows:

(20 ILCS 405/405-130) (was 20 ILCS 405/67.28)

Sec. 405-130. State employees and retirees suggestion program.

(a) The Department shall assist in the implementation of a State Employees and Retirees Suggestion Award Program, to be administered by the Board created in subsection (b). The program shall encourage and reward improvements in the operation of State government that result in substantial monetary savings. Any State employee, including management personnel as defined by the Department, any annuitant under Article 14 of the Illinois Pension Code and any annuitant under Article 15 of that Code who receives a retirement or disability retirement annuity, but not including elected officials and departmental directors, may submit a cost-saving suggestion to the Board, which shall direct the suggestion to the appropriate department or agency without disclosing the identity of the suggester. A suggester may make a suggestion or include documentation on matters a department or agency considers confidential, except where prohibited by federal or State law; and no disciplinary or other negative action may be taken against the suggester unless there is a violation of federal or State law.

New matter indicated by italics - deletions by strikeout
Suggestions, including documentation, upon receipt, shall be given confidential treatment and shall not be subject to subpoena or be made public until the agency affected by it has had the opportunity to request continued confidentiality. The agency, if it requests continued confidentiality, shall attest that disclosure would violate federal or State law or rules and regulations pursuant to federal or State law or is a matter covered under Section 7 of the Freedom of Information Act. The Board shall make its decision on continued confidentiality and, if it so classifies the suggestion, shall notify the suggester and agency. A suggestion classified "continued confidential" shall nevertheless be evaluated and considered for award. A suggestion that the Board finds or the suggester states or implies constitutes a disclosure of information that the suggester reasonably believes evidences (1) a violation of any law, rule, or regulation or (2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety may be referred to the appropriate investigatory or law enforcement agency for consideration for investigation and action. The identity of the suggester may not be disclosed without the consent of the suggester during any investigation of the information and any related matters. Such a suggestion shall also be evaluated and an award made when appropriate. That portion of Board meetings that involves the consideration of suggestions classified "continued confidential" or being considered for that classification shall be closed meetings.

The Board may at its discretion make awards for those suggestions certified by agency or department heads as resulting in savings to the State of Illinois. Management personnel shall be recognized for their suggestions as the Board considers appropriate but shall not receive any monetary award. Annuitants and employees, other than employees who are management personnel, shall receive awards in accordance with the schedule below. Each award to employees other than management personnel and awards to annuitants shall be paid in one lump sum by the Board created in subsection (b). A monetary award may be increased by appropriation of the General Assembly.

New matter indicated by italics - deletions by strikeout
The amount of each award to employees other than management personnel and the award to annuitants shall be determined as follows:

- $1.00 to $5,000 savings............................................ an amount not to exceed $500.00 or a certificate of merit, or both, as determined by the Board
- more than $5,000 up to $20,000 savings................. $500 award
- more than $20,000 up to $100,000 savings...... $1,000 award
- more than $100,000 up to $200,000 savings..... $2,000 award
- more than $200,000 up to $300,000 savings..... $3,000 award
- more than $300,000 up to $400,000 savings..... $4,000 award
- more than $400,000................................................. $5,000 award

(b) There is created a State Employees and Retirees Suggestion Award Board to administer the program described in subsection (a). The Board shall consist of 8 members appointed 2 each by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives and, as ex-officio, non-voting members, the directors of the Governor's Office of Management and Budget and the Department. Each appointing authority shall designate one initial appointee to serve one year and one initial appointee to serve 2 years; subsequent terms shall be 2 years. Any vacancies shall be filled for the unexpired term by the original appointing authority and any member may be reappointed. Board members shall serve without compensation but may be reimbursed for expenses incurred in the performance of their duties. The Board shall annually elect a chairman from among its number, shall meet monthly or more frequently at the call of the chairman, and shall establish necessary procedures, guidelines, and criteria for the administration of the program. The Board shall annually report to the General Assembly by January 1 on the operation of the program, including
the nature and cost-savings of implemented suggestions, and any recommendations for legislative changes it deems appropriate. The General Assembly shall make an annual appropriation to the Board for payment of awards and the expenses of the Board, such as, but not limited to: travel of the members, preparation of publicity material, printing of forms and other matter, and contractual expenses.

(Source: P.A. 91-239, eff. 1-1-00; revised 8-23-03.)

Sec. 405-295. Decreased energy consumption. The Department may enter into contracts for equipment or services designed to decrease energy consumption in State programs and State owned or controlled buildings or equipment. Prior to entering into any such contract for a State owned building, the Department shall consult with the Executive Director of the Capital Development Board. The Department may consult with the Department of Commerce and Economic Opportunity Community Affairs regarding any aspect of energy consumption projects.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

Sec. 405-300. Lease or purchase of facilities; training programs.

(a) To lease or purchase office and storage space, buildings, land, and other facilities for all State agencies, authorities, boards, commissions, departments, institutions, and bodies politic and all other administrative units or outgrowths of the executive branch of State government except the Constitutional officers, the State Board of Education and the State colleges and universities and their governing bodies. However, before leasing or purchasing any office or storage space, buildings, land or other facilities in any municipality the Department shall survey the existing State-owned and State-leased property to make a determination of need.

The leases shall be for a term not to exceed 5 years, except that the leases may contain a renewal clause subject to acceptance by the State after that date or an option to purchase. The purchases shall be made through contracts that (i) may provide for the title to the property to transfer immediately to the State or a trustee or nominee for the benefit of the State, (ii) shall provide for the consideration to be paid in installments
to be made at stated intervals during a certain term not to exceed 30 years from the date of the contract, and (iii) may provide for the payment of interest on the unpaid balance at a rate that does not exceed a rate determined by adding 3 percentage points to the annual yield on United States Treasury obligations of comparable maturity as most recently published in the Wall Street Journal at the time such contract is signed.

The leases and purchase contracts shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent or purchase installments payable under the terms of the lease or purchase contract. Additionally, the purchase contract shall specify that title to the office and storage space, buildings, land, and other facilities being acquired under the contract shall revert to the Seller in the event of the failure of the General Assembly to appropriate suitable funds. However, this limitation on the term of the leases does not apply to leases to and with the Illinois Building Authority, as provided for in the Building Authority Act. Leases to and with that Authority may be entered into for a term not to exceed 30 years and shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease. These limitations do not apply if the lease or purchase contract contains a provision limiting the liability for the payment of the rentals or installments thereof solely to funds received from the Federal government.

(b) To lease from an airport authority office, aircraft hangar, and service buildings constructed upon a public airport under the Airport Authorities Act for the use and occupancy of the State Department of Transportation. The lease may be entered into for a term not to exceed 30 years.

(c) To establish training programs for teaching State leasing procedures and practices to new employees of the Department and to keep all employees of the Department informed about current leasing practices and developments in the real estate industry.

(d) To enter into an agreement with a municipality or county to construct, remodel, or convert a structure for the purposes of its serving as
a correctional institution or facility pursuant to paragraph (c) of Section 3-2-2 of the Unified Code of Corrections.

(e) To enter into an agreement with a private individual, trust, partnership, or corporation or a municipality or other unit of local government, when authorized to do so by the Department of Corrections, whereby that individual, trust, partnership, or corporation or municipality or other unit of local government will construct, remodel, or convert a structure for the purposes of its serving as a correctional institution or facility and then lease the structure to the Department for the use of the Department of Corrections. A lease entered into pursuant to the authority granted in this subsection shall be for a term not to exceed 30 years but may grant to the State the option to purchase the structure outright.

The leases shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease.

(f) On and after September 17, 1983, the powers granted to the Department under this Section shall be exercised exclusively by the Department, and no other State agency may concurrently exercise any such power unless specifically authorized otherwise by a later enacted law. This subsection is not intended to impair any contract existing as of September 17, 1983.

However, no lease for more than 10,000 square feet of space shall be executed unless the Director, in consultation with the Executive Director of the Capital Development Board, has certified that leasing is in the best interest of the State, considering programmatic requirements, availability of vacant State-owned space, the cost-benefits of purchasing or constructing new space, and other criteria as he or she shall determine. The Director shall not permit multiple leases for less than 10,000 square feet to be executed in order to evade this provision.

(g) To develop and implement, in cooperation with the Interagency Energy Conservation Committee, a system for evaluating energy consumption in facilities leased by the Department, and to develop energy consumption standards for use in evaluating prospective lease sites.

New matter indicated by italics - deletions by strikeout
(h) (1) After June 1, 1998 (the effective date of Public Act 90-520), the Department shall not enter into an agreement for the installment purchase or lease purchase of buildings, land, or facilities unless:

(A) the using agency certifies to the Department that the agency reasonably expects that the building, land, or facilities being considered for purchase will meet a permanent space need;

(B) the building or facilities will be substantially occupied by State agencies after purchase (or after acceptance in the case of a build to suit);

(C) the building or facilities shall be in new or like new condition and have a remaining economic life exceeding the term of the contract;

(D) no structural or other major building component or system has a remaining economic life of less than 10 years;

(E) the building, land, or facilities:

(i) is free of any identifiable environmental hazard or

(ii) is subject to a management plan, provided by the seller and acceptable to the State, to address the known environmental hazard;

(F) the building, land, or facilities satisfy applicable handicap accessibility and applicable building codes; and

(G) the State's cost to lease purchase or installment purchase the building, land, or facilities is less than the cost to lease space of comparable quality, size, and location over the lease purchase or installment purchase term.

(2) The Department shall establish the methodology for comparing lease costs to the costs of installment or lease purchases. The cost comparison shall take into account all relevant cost factors, including, but not limited to, debt service, operating and maintenance costs, insurance and risk costs, real estate taxes,

New matter indicated by italics - deletions by strikeout
reserves for replacement and repairs, security costs, and utilities. The methodology shall also provide:

(A) that the comparison will be made using level payment plans; and

(B) that a purchase price must not exceed the fair market value of the buildings, land, or facilities and that the purchase price must be substantiated by an appraisal or by a competitive selection process.

(3) If the Department intends to enter into an installment purchase or lease purchase agreement for buildings, land, or facilities under circumstances that do not satisfy the conditions specified by this Section, it must issue a notice to the Secretary of the Senate and the Clerk of the House. The notice shall contain (i) specific details of the State's proposed purchase, including the amounts, purposes, and financing terms; (ii) a specific description of how the proposed purchase varies from the procedures set forth in this Section; and (iii) a specific justification, signed by the Director, stating why it is in the State's best interests to proceed with the purchase. The Department may not proceed with such an installment purchase or lease purchase agreement if, within 60 calendar days after delivery of the notice, the General Assembly, by joint resolution, disapproves the transaction. Delivery may take place on a day and at an hour when the Senate and House are not in session so long as the offices of Secretary and Clerk are open to receive the notice. In determining the 60-day period within which the General Assembly must act, the day on which delivery is made to the Senate and House shall not be counted. If delivery of the notice to the 2 houses occurs on different days, the 60-day period shall begin on the day following the later delivery.

(4) On or before February 15 of each year, the Department shall submit an annual report to the Director of the Governor's Office of Management and Budget Bureau of the Budget and the General Assembly regarding installment purchases or lease purchases of buildings, land, or facilities that were entered into

New matter indicated by italics - deletions by strikeout
during the preceding calendar year. The report shall include a summary statement of the aggregate amount of the State's obligations under those purchases; specific details pertaining to each purchase, including the amounts, purposes, and financing terms and payment schedule for each purchase; and any other matter that the Department deems advisable.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Auditor General, the Speaker, the Minority Leader, and the Clerk of the House of Representatives and the President, the Minority Leader, and the Secretary of the Senate, the Chairs of the Appropriations Committees, and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 90-520, eff. 6-1-98; 91-239, eff. 1-1-00; revised 8-23-03.)

(20 ILCS 405/405-500)
Sec. 405-500. Matters relating to the Office of the Lieutenant Governor.

(a) It is the purpose of this Section to provide for the administration of the affairs of the Office of the Lieutenant Governor during a period when the Office of Lieutenant Governor is vacant.

It is the intent of the General Assembly that all powers and duties of the Lieutenant Governor assumed and exercised by the Director of Central Management Services, the Department of Central Management Services, or another Director, State employee, or State agency designated by the Governor under the provisions of Public Act 90-609 be reassumed by the Lieutenant Governor on January 11, 1999.

(b) Until January 11, 1999, while the office of Lieutenant Governor is vacant, the Director of Central Management Services shall assume and exercise the powers and duties given to the Lieutenant Governor under the Illinois Commission on Community Service Act, Section 46.53 of the Civil Administrative Code of Illinois (renumbered; now Section 605-75 of

New matter indicated by italics - deletions by strikeout
the Department of Commerce and Economic Opportunity Community Affairs Law, 20 ILCS 605/605-75) (relating to the Keep Illinois Beautiful program), Section 12-1 of the State Finance Act, the Gifts and Grants to Government Act, and the Illinois Distance Learning Foundation Act.

The Director of Central Management Services shall not assume or exercise the powers and duties given to the Lieutenant Governor under the Rural Bond Bank Act.

(c) Until January 11, 1999, while the office of Lieutenant Governor is vacant, the Department of Central Management Services shall assume and exercise the powers and duties given to the Office of the Lieutenant Governor under Section 2-3.112 of the School Code, the Illinois River Watershed Restoration Act, the Illinois Wildlife Prairie Park Act, Section 12-1 of the State Finance Act, and the Illinois Distance Learning Foundation Act.

(c-5) Notwithstanding subsection (c): (i) the Governor shall appoint an interim member, who shall be interim chairperson, of the Illinois River Coordinating Council while the office of the Lieutenant Governor is vacant until January 11, 1999 and (ii) the Governor shall appoint an interim member, who shall be interim chairperson, of the Illinois Wildlife Prairie Park Commission while the office of the Lieutenant Governor is vacant until January 11, 1999.

(d) Until January 11, 1999, while the office of Lieutenant Governor is vacant, the Department of Central Management Services may assume and exercise the powers and duties that have been delegated to the Lieutenant Governor by the Governor.

(e) Until January 11, 1999, while the office of Lieutenant Governor is vacant, appropriations to the Office of the Lieutenant Governor may be obligated and expended by the Department of Central Management Services, with the authorization of the Director of Central Management Services, for the purposes specified in those appropriations. These obligations and expenditures shall continue to be accounted for as obligations and expenditures of the Office of the Lieutenant Governor.

(f) Until January 11, 1999, while the office of Lieutenant Governor is vacant, all employees of the Office of the Lieutenant Governor who are

New matter indicated by italics - deletions by strikeout
needed to carry out the responsibilities of the Office are temporarily reassigned to the Department of Central Management Services. This reassignment shall not be deemed to constitute new employment or to change the terms or conditions of employment or the qualifications required of the employees, except that the reassigned employees shall be subject to supervision by the Department during the temporary reassignment period.

(g) Until January 11, 1999, while the office of Lieutenant Governor is vacant, the Department of Central Management Services shall temporarily assume and exercise the powers and duties of the Office of the Lieutenant Governor under contracts to which the Office of the Lieutenant Governor is a party. The assumption of rights and duties under this subsection shall not be deemed to change the terms or conditions of the contract.

The Department of Central Management Services may amend, extend, or terminate any such contract in accordance with its terms; may agree to terminate a contract at the request of the other party; and may, with the approval of the Governor, enter into new contracts on behalf of the Office of the Lieutenant Governor.

(h) The Governor may designate a State employee or director other than the Director of Central Management Services or a State agency other than the Department of Central Management Services to assume and exercise any particular power or duty that would otherwise be assumed and exercised by the Director of Central Management Services or the Department of Central Management Services under subsection (b), (c), or (d) of this Section.

Except as provided below, if the Governor designates a State employee or director other than the Director of Central Management Services or a State agency other than the Department of Central Management Services, that person or agency shall be responsible for those duties set forth in subsections (e), (f), and (g) that directly relate to the designation of duties under subsections (b), (c), and (d).

If the Governor's designation relates to duties of the Commission on Community Service or the Distance Learning Foundation, the Director

New matter indicated by italics - deletions by strikeout
of Central Management Services and the Department of Central Management Services may, if so directed by the Governor, continue to be responsible for those duties set forth in subsections (e), (f), and (g) relating to that designation.

(i) Business transacted under the authority of this Section by entities other than the Office of the Lieutenant Governor shall be transacted on behalf of and in the name of the Office of the Lieutenant Governor. Property of the Office of the Lieutenant Governor shall remain the property of that Office and may continue to be used by persons performing the functions of that Office during the vacancy period, except as otherwise directed by the Governor.

(Source: P.A. 90-609, eff. 6-30-98; 91-239, eff. 1-1-00; revised 1-17-04.)

Section 75. The Personnel Code is amended by changing Section 8a as follows:

(20 ILCS 415/8a) (from Ch. 127, par. 63b108a)

Sec. 8a. Jurisdiction

A - Classification and pay. For positions in the State service subject to the jurisdiction of the Department of Central Management Services with respect to the classification and pay:

(1) For the preparation, maintenance, and revision by the Director, subject to approval by the Commission, of a position classification plan for all positions subject to this Act, based upon similarity of duties performed, responsibilities assigned, and conditions of employment so that the same schedule of pay may be equitably applied to all positions in the same class. However, the pay of an employee whose position is reduced in rank or grade by reallocation because of a loss of duties or responsibilities after his appointment to such position shall not be required to be lowered for a period of one year after the reallocation of his position. Conditions of employment shall not be used as a factor in the classification of any position heretofore paid under the provisions of Section 1.22 of "An Act to standardize position titles and salary rates", approved June 30, 1943, as amended. Unless the Commission disapproves such classification plan within 60 days, or any revision thereof within 30 days, the Director shall allocate every such position to one of the classes in the plan. Any employee affected by the allocation of a position to a class shall, after

New matter indicated by italics - deletions by strikeout
filing with the Director of Central Management Services a written request for reconsideration thereof in such manner and form as the Director may prescribe, be given a reasonable opportunity to be heard by the Director. If the employee does not accept the allocation of the position, he shall then have the right of appeal to the Civil Service Commission.

(2) For a pay plan to be prepared by the Director for all employees subject to this Act after consultation with operating agency heads and the Director of the Governor's Office of Management and Budget Bureau of the Budget. Such pay plan may include provisions for uniformity of starting pay, an increment plan, area differentials, a delay not to exceed one year prior to the reduction of the pay of employees whose positions are reduced in rank or grade by reallocation because of a loss of duties or responsibilities after their appointments to such positions, prevailing rates of wages in those classifications in which employers are now paying or may hereafter pay such rates of wage and other provisions. Such pay plan shall become effective only after it has been approved by the Governor. Amendments to the pay plan shall be made in the same manner. Such pay plan shall provide that each employee shall be paid at one of the rates set forth in the pay plan for the class of position in which he is employed, subject to delay in the reduction of pay of employees whose positions are reduced in rank or grade by allocation as above set forth in this Section. Such pay plan shall provide for a fair and reasonable compensation for services rendered.

This section is inapplicable to the position of Assistant Director of Public Aid in the Department of Public Aid. The salary for this position shall be as established in "The Civil Administrative Code of Illinois", approved March 7, 1917, as amended.

(Source: P.A. 82-789; revised 8-23-03.)

Section 80. The Children and Family Services Act is amended by changing Section 34.10 as follows:

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

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

New matter indicated by italics - deletions by strikeout
(a) The legislature finds that the demand for quality child care far outweighs the number of safe, quality spaces for our children. The purpose of this Section is to increase the number of child care providers by:

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

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

(b) The Department of Human Services may from appropriations from the Child Care Development Block Grant establish a demonstration project to train individuals to become home child care providers who are able to establish and operate their own home-based child care facilities. The Department of Human Services is authorized to use funds for this purpose from the child care and development funds deposited into the Special Purposes Trust Fund as described in Section 12-10 of the Illinois Public Aid Code and, until October 1, 1998, the Child Care and Development Fund created by the 87th General Assembly. As an economic development program, the project's focus is to foster individual self-sufficiency through an entrepreneurial approach by the creation of new jobs and opening of new small home-based child care businesses. The demonstration project shall involve coordination among State and county governments and the private sector, including but not limited to: the community college system, the Departments of Labor and Commerce and Economic Opportunity Community Affairs, the State Board of Education, large and small private businesses, nonprofit programs, unions, and child care providers in the State.

The Department shall submit:

(1) a progress report on the demonstration project to the legislature by one year after the effective date of this amendatory Act of 1991; and

(2) a final evaluation report on the demonstration project, including findings and recommendations, to the legislature by one year after the due date of the progress report.

New matter indicated by italics - deletions by strikeout
(c) The Department of Human Services may from appropriations from the Child Care Development Block Grant provide grants to family child care providers and center based programs to convert and renovate existing facilities, to the extent permitted by federal law, so additional family child care homes and child care centers can be located in such facilities.

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

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

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

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

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

   (E) the applicant shall comply with any other requirement the Department may prescribe to ensure adherence to applicable federal, State, and county laws;

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

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

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

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

(B) agree that, if the facility is to be altered or improved, or is to be used by other groups, monies appropriated by this Section shall be used for renovating or improving the facility only to the proportionate extent that the floor space will be used by the child care program; and

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

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

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

New matter indicated by italics - deletions by strikeout
this Section and any other terms which the Department may require.
(Source: P.A. 89-507, eff. 7-1-97; 90-587, eff. 7-1-98; revised 12-6-03.)

Section 85. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-105, 605-112, 605-360, 605-415, 605-855, and 605-865 as follows:
(20 ILCS 605/605-105) (was 20 ILCS 605/46.35)
Sec. 605-105. Transfer from Department of Local Government Affairs.

(a) To assume all rights, powers, duties, and responsibilities of the former Department of Local Government Affairs not pertaining to its property taxation related functions. Personnel, books, records, property and funds pertaining to those non-taxation related functions are transferred to the Department, but any rights of employees or the State under the "Personnel Code" or any other contract or plan shall be unaffected by this transfer.

(b) After August 31, 1984 (the effective date of Public Act 83-1302), the power, formerly vested in the Department of Local Government Affairs and transferred to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), to administer the distribution of funds from the State treasury to reimburse counties where State penal institutions are located for the payment of assistant State's Attorneys' salaries under Section 7 of "An act concerning fees and salaries, and to classify the several counties of this state with reference thereto", approved March 29, 1872, as amended (repealed; now Section 4-2001 of the Counties Code, 55 ILCS 5/4-2001), shall be vested in the Department of Corrections pursuant to Section 3-2-2 of the Unified Code of Corrections.
(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)
(20 ILCS 605/605-112) (was 20 ILCS 605/46.34b)
Sec. 605-112. Transfer relating to the State Data Center. To assume from the Executive Office of the Governor, Bureau of the Budget (now Governor's Office of Management and Budget), on July 1, 1999, all

New matter indicated by italics - deletions by strikeout
personnel, books, records, papers, documents, property both real and personal, and pending business in any way pertaining to the State Data Center, established pursuant to a Memorandum of Understanding entered into with the Census Bureau pursuant to 15 U.S.C. Section 1525. All personnel transferred pursuant to this Section shall receive certified status under the Personnel Code.

(Source: P.A. 91-25, eff. 6-9-99; 92-16, eff. 6-28-01; revised 8-23-03.)

(20 ILCS 605/605-360) (was 20 ILCS 605/46.19a in part)

Sec. 605-360. Technology Innovation and Commercialization Grants-In-Aid Council. There is created within the Department a Technology Innovation and Commercialization Grants-in-Aid Council, which shall consist of 2 representatives of the Department of Commerce and Economic Opportunity Community Affairs, appointed by the Department; one representative of the Illinois Board of Higher Education, appointed by the Board; one representative of science or engineering, appointed by the Governor; two representatives of business, appointed by the Governor; one representative of small business, appointed by the Governor; one representative of the Department of Agriculture, appointed by the Director of Agriculture; and one representative of agribusiness, appointed by the Director of Agriculture. The Director of Commerce and Economic Opportunity Community Affairs shall appoint one of the Department's representatives to serve as chairman of the Council. The Council members shall receive no compensation for their services but shall be reimbursed for their expenses actually incurred by them in the performance of their duties under this Section. The Department shall provide staff services to the Council. The Council shall provide for review and evaluation of all applications received by the Department under Section 605-355 and make recommendations on those projects to be funded. The Council shall also assist the Department in monitoring the projects and in evaluating the impact of the program on technological innovation and business development within the State.

(Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00; revised 12-6-03.)

(20 ILCS 605/605-415)

New matter indicated by italics - deletions by strikeout
Sec. 605-415. Job Training and Economic Development Grant Program.

(a) Legislative findings. The General Assembly finds that:

(1) Despite the large number of unemployed job seekers, many employers are having difficulty matching the skills they require with the skills of workers; a similar problem exists in industries where overall employment may not be expanding but there is an acute need for skilled workers in particular occupations.

(2) The State of Illinois should foster local economic development by linking the job training of unemployed disadvantaged citizens with the workforce needs of local business and industry.

(3) Employers often need assistance in developing training resources that will provide work opportunities for disadvantaged populations.

(b) Definitions. As used in this Section:

"Community based provider" means a not-for-profit organization, with local boards of directors, that directly provides job training services.

"Disadvantaged persons" has the same meaning as in Titles II-A and II-C of the federal Job Training Partnership Act.

"Training partners" means a community-based provider and one or more employers who have established training and placement linkages.

(c) From funds appropriated for that purpose, the Department of Commerce and Economic Opportunity Community Affairs shall administer a Job Training and Economic Development Grant Program. The Director shall make grants to community-based providers. The grants shall be made to support the following:

(1) Partnerships between community-based providers and employers for the customized training of existing low-skilled, low-wage employees and newly hired disadvantaged persons.

(2) Partnerships between community-based providers and employers to develop and operate training programs that link the workforce needs of local industry with the job training of disadvantaged persons.

New matter indicated by italics - deletions by strikeout
(d) For projects created under paragraph (1) of subsection (c):
   (1) The Department shall give a priority to projects that include an in-kind match by an employer in partnership with a community-based provider and projects that use instructional materials and training instructors directly used in the specific industry sector of the partnership employer.
   (2) The partnership employer must be an active participant in the curriculum development and train primarily disadvantaged populations.

(e) For projects created under paragraph (2) of subsection (c):
   (1) Community based organizations shall assess the employment barriers and needs of local residents and work in partnership with local economic development organizations to identify the priority workforce needs of the local industry.
   (2) Training partners (that is, community-based organizations and employers) shall work together to design programs with maximum benefits to local disadvantaged persons and local employers.
   (3) Employers must be involved in identifying specific skill-training needs, planning curriculum, assisting in training activities, providing job opportunities, and coordinating job retention for people hired after training through this program and follow-up support.
   (4) The community-based organizations shall serve disadvantaged persons, including welfare recipients.

(f) The Department shall adopt rules for the grant program and shall create a competitive application procedure for those grants to be awarded beginning in fiscal year 1998. Grants shall be based on a performance based contracting system. Each grant shall be based on the cost of providing the training services and the goals negotiated and made a part of the contract between the Department and the training partners. The goals shall include the number of people to be trained, the number who stay in the program, the number who complete the program, the number who enter employment, their wages, and the number who retain

New matter indicated by italics - deletions by strikeout
employment. The level of success in achieving employment, wage, and retention goals shall be a primary consideration for determining contract renewals and subsequent funding levels. In setting the goals, due consideration shall be given to the education, work experience, and job readiness of the trainees; their barriers to employment; and the local job market. Periodic payments under the contracts shall be based on the degree to which the relevant negotiated goals have been met during the payment period.

(Source: P.A. 91-34, eff. 7-1-99; 91-239, eff. 1-1-00; 92-16, eff. 6-28-01; revised 12-6-03.)

(20 ILCS 605/605-855) (was 20 ILCS 605/46.32a in part)

Sec. 605-855. Grants to local coalitions and labor-management-community committees.

(a) The Director, with the advice of the Labor-Management-Community Cooperation Committee, shall have the authority to provide grants to employee coalitions or other coalitions that enhance or promote work and family programs and address specific community concerns, and to provide matching grants, grants, and other resources to establish or assist area labor-management-community committees and other projects that serve to enhance labor-management-community relations. The Department shall have the authority, with the advice of the Labor-Management-Community Cooperation Committee, to award grants or matching grants in the areas provided in subsections (b) through (g).

(b) Matching grants to existing local labor-management-community committees. To be eligible for matching grants pursuant to this subsection, local labor-management-community committees shall meet all of the following criteria:

1. Be a formal, not-for-profit organization structured for continuing service with voluntary membership.
2. Be composed of labor, management, and community representatives.
3. Service a distinct and identifiable geographic region.
4. Be staffed by a professional chief executive officer.

New matter indicated by italics - deletions by strikeout
(5) Have been established with the Department for at least 2 years.

(6) Operate in compliance with rules set forth by the Department with the advice of the Labor-Management-Community Cooperation Committee.

(7) Ensure that their efforts and activities are coordinated with relevant agencies, including but not limited to the following:

- Department of Commerce and Economic Opportunity
- Community Affairs
- Illinois Department of Labor
- Economic development agencies
- Planning agencies
- Colleges, universities, and community colleges
- U.S. Department of Labor
- Statewide Job Training Partnership Act entities or entities under any successor federal workforce training and development legislation.

Further, the purpose of the local labor-management-community committees will include, but not be limited to, the following:

(i) Enhancing the positive labor-management-community relationship within the State, region, community, and/or workplace.

(ii) Assisting in the retention, expansion, and attraction of businesses and jobs within the State through special training programs, gathering and disseminating information, and providing assistance in local economic development efforts as appropriate.

(iii) Creating and maintaining a regular nonadversarial forum for ongoing dialogue between labor, management, and community representatives to discuss and resolve issues of mutual concern outside the realm of the traditional collective bargaining process.

(iv) Acting as an intermediary for initiating local programs between unions and employers that would generally improve economic conditions in a region.

New matter indicated by italics - deletions by strikeout
(v) Encouraging, assisting, and facilitating the development of work-site and industry labor-management-community committees in the region.

Any local labor-management-community committee meeting these criteria may apply to the Department for annual matching grants, provided that the local committee contributes at least 25% in matching funds, of which no more than 50% shall be "in-kind" services. Funds received by a local committee pursuant to this subsection shall be used for the ordinary operating expenses of the local committee.

(c) Matching grants to local labor-management-community committees that do not meet all of the eligibility criteria set forth in subsection (b). However, to be eligible to apply for a grant under this subsection (c), the local labor-management-community committee, at a minimum, shall meet all of the following criteria:

1. Be composed of labor, management, and community representatives.

2. Service a distinct and identifiable geographic region.

3. Operate in compliance with the rules set forth by the Department with the advice of the Labor-Management-Community Cooperation Committee.

4. Ensure that its efforts and activities are directed toward enhancing the labor-management-community relationship within the State, region, community, and/or work place.

Any local labor-management-community committee meeting these criteria may apply to the Department for an annual matching grant, provided that the local committee contributes at least 25% in matching funds of which no more than 50% shall be "in-kind" services. Funds received by a local committee pursuant to this subsection (c) shall be used for the ordinary and operating expenses of the local committee. Eligible committees shall be limited to 3 years of funding under this subsection. With respect to those committees participating in this program prior to enactment of this amendatory Act of 1988 that fail to qualify under paragraph (1) of this subsection (c), previous years' funding shall be
counted in determining whether those committees have reached their funding limit under this subsection (c).

(d) Grants to develop and conduct specialized education and training programs of direct benefit to representatives of labor, management, labor-management-community committees and/or their staff. The type of education and training programs to be developed and offered will be determined and prioritized annually by the Department, with the advice of the Labor-Management-Community Cooperation Committee. The Department will develop and issue an annual request for proposals detailing the program specifications.

(e) Grants for research and development projects related to labor-management-community or employment-related family issues. The Department, with the advice of the Labor-Management-Community Cooperation Committee, will develop and prioritize annually the type and scope of the research and development projects deemed necessary.

(f) Grants of up to a maximum of $5,000 to support the planning of regional work, family, and community planning conferences that will be based on specific community concerns.

(g) Grants to initiate or support recently created employer-led coalitions to establish pilot projects that promote the understanding of the work and family issues and support local workforce dependent care services.

(h) The Department is authorized to establish applications and application procedures and promulgate any rules deemed necessary in the administration of the grants.

(Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99; 91-476, eff. 8-11-99; 92-16, eff. 6-28-01; revised 12-6-03.)

(20 ILCS 605/605-865)

Sec. 605-865. Family-friendly workplace initiative. The Department of Commerce and Economic Opportunity Community Affairs, with the advice of members of the business community, may establish a family-friendly workplace initiative. The Department may develop a program to annually collect information regarding the State's private eligible employers with 50 or fewer employees and private eligible

New matter indicated by italics - deletions by strikeout
employers with 51 or more employees in the State providing the most family-friendly benefits to their employees. The same program may be established for public employers. The criteria for determining eligible employers includes, but is not limited to, the following:

(1) consideration of the dependent care scholarship or discounts given by the employer;
(2) flexible work hours and schedules;
(3) time off for caring for sick or injured dependents;
(4) the provision of onsite or nearby dependent care;
(5) dependent care referral services; and
(6) in-kind contributions to community dependent care programs.

Those employers chosen by the Department may be recognized with annual "family-friendly workplace" awards and a Statewide information and advertising campaign publicizing the employers' awards, their contributions to family-friendly child care, and the methods they used to improve the dependent care experiences of their employees' families.

(Source: P.A. 93-478, eff. 8-8-03; revised 12-6-03.)

Section 90. The Business Assistance and Regulatory Reform Act is amended by changing Section 10 as follows:

(20 ILCS 608/10)

Sec. 10. Executive Office. There is created an Office of Business Permits and Regulatory Assistance (hereinafter referred to as "office") within the Department of Commerce and Community Affairs (now Department of Commerce and Community Opportunity) which shall consolidate existing programs throughout State government, provide assistance to businesses with fewer than 500 employees in meeting State requirements for doing business and perform other functions specified in this Act. By March 1, 1994, the office shall complete and file with the Governor and the General Assembly a plan for the implementation of this Act. Thereafter, the office shall carry out the provisions of this Act, subject to funding through appropriation.

(Source: P.A. 88-404; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
Section 95. The Center for Business Ownership Succession and Employee Ownership Act is amended by changing Section 2 as follows:

(20 ILCS 609/2)

Sec. 2. Center for Business Ownership Succession and Employee Ownership.

(a) There is created within the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) the Center for Business Ownership Succession and Employee Ownership.

The purpose of the Center is to foster greater awareness of the most effective techniques that facilitate business ownership succession and employee ownership with an emphasis on the retention and creation of job opportunities.

(b) The Center shall have the authority to do the following:

(1) Develop and disseminate materials to promote effective business ownership succession and employee ownership strategies.

(2) Provide counseling to individual companies and referral services to provide professional advisors expert in the field of business ownership succession and employee ownership.

(3) Plan, organize, sponsor, or conduct conferences and workshops on business ownership succession and employee ownership issues.

(4) Network and contract with local economic development agencies, business organizations, and professional advisors to accomplish the goals of the Center.

(5) Raise money from private sources to support the work of the Center.

(c) (Blank).

(Source: P.A. 91-583, eff. 1-1-00; revised 12-6-03.)

Section 100. The Corporate Headquarters Relocation Act is amended by changing Section 10 as follows:

(20 ILCS 611/10)

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

New matter indicated by italics - deletions by strikeout
"Corporate headquarters" means the building or buildings that the principal executive officers of an eligible business have designated as their principal offices and that has at least 250 employees who are principally located in that building or those buildings. The principal executive officers may include, by way of example and not of limitation, the chief executive officer, the chief operating officer, and other senior officer-level employees of the eligible business. "Corporate headquarters" may also include ancillary transportation facilities owned or leased by the eligible business whether or not physically adjacent to the principal office building or buildings used by the principal executive officers. The ancillary transportation facilities may include, but are not limited to, airplane hangars, heliports, fixed base operations, maintenance facilities, and other aviation-related facilities. All employees of the eligible business may count toward the satisfaction of the numeric requirement of this definition, including but not limited to support staff and other personnel who work in or from the office building or buildings or transportation facilities.

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

"Eligible business" means a business that: (i) is engaged in interstate or intrastate commerce; (ii) maintains its corporate headquarters in a state other than Illinois as of the effective date of this Act; (iii) had annual worldwide revenues of at least $25,000,000,000 for the year immediately preceding its application to the Department for the benefits authorized by this Act; and (iv) is prepared to commit contractually to relocating its corporate headquarters to the State of Illinois in consideration of the benefits authorized by this Act.

"Fund" means the Corporate Headquarters Relocation Assistance Fund.

"Qualifying project" means the relocation of the corporate headquarters of an eligible business from a location outside of Illinois to a location within Illinois, whether to an existing structure or otherwise.

New matter indicated by italics - deletions by strikeout
When the relocation involves an initial interim facility within Illinois and a subsequent further relocation within 5 years after the effective date of this Act to a permanent facility also within Illinois, all those activities collectively constitute a "qualifying project" under this Act.

"Relocation costs" means the expenses incurred by an eligible business for a qualifying project, including, but not limited to, the following: moving costs and related expenses; purchase of new or replacement equipment; outside professional fees and commissions; premiums for property and casualty insurance coverage; capital investment costs; financing costs; property assembly and development costs, including, but not limited to, the purchase, lease, and construction of equipment, buildings, and land, infrastructure improvements and site development costs, leasehold improvements costs, rehabilitation costs, and costs of studies, surveys, development of plans, and professional services costs such as architectural, engineering, legal, financial, planning, or other related services; "relocation costs", however, does not include moving costs associated with the relocation of the personal residences of the employees of the eligible business and does not include any costs that do not directly result from the relocation of the business to a location within Illinois. In determining whether costs directly result from the relocation of the business, the Department shall consider whether the costs would likely have been incurred by the business if it had not relocated from its original location.

(Source: P.A. 92-207, eff. 8-1-01; revised 12-6-03.)

Section 105. The Displaced Homemakers Assistance Act is amended by changing Sections 3 and 8 as follows:

(20 ILCS 615/3) (from Ch. 23, par. 3453)

Sec. 3. As used in this Act, unless the context clearly indicates otherwise:

(a) "Displaced homemaker" means a person who (1) has worked in the home for a substantial number of years providing unpaid household services for family members; (2) is not gainfully employed; (3) has difficulty in securing employment; and (4) was dependent on the income of another family member but is no longer supported by such income, or

New matter indicated by italics - deletions by strikeout
was dependent on federal assistance but is no longer eligible for such assistance.

(b) "Director" means the Director of Commerce and Economic Opportunity Community Affairs or its successor agency.

(Source: P.A. 81-1509; revised 12-6-03.)

Sec. 8. Transfer of powers and duties to the Department of Labor. On July 1, 1992, all powers and duties of the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) under this Act shall be transferred to the Department of Labor, and references in other Sections of this Act to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall be deemed to refer to the Department of Labor. All rules, standards and procedures adopted by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall continue in effect as the rules, standards and procedures of the Department of Labor, until they are modified or abolished by that Department.

(Source: P.A. 87-878; revised 12-6-03.)

Section 110. The Economic Development Area Tax Increment Allocation Act is amended by changing Section 3 as follows:

Sec. 3. Definitions. In this Act, words or terms shall have the following meanings unless the context or usage clearly indicates that another meaning is intended.

(a) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(b) "Economic development plan" means the written plan of a municipality which sets forth an economic development program for an economic development project area. Each economic development plan shall include but not be limited to (1) estimated economic development project costs, (2) the sources of funds to pay such costs, (3) the nature and term of any obligations to be issued by the municipality to pay such costs, (4) the most recent equalized assessed valuation of the economic

New matter indicated by italics - deletions by strikeout
development project area, (5) an estimate of the equalized assessed valuation of the economic development project area after completion of an economic development project, (6) the estimated date of completion of any economic development project proposed to be undertaken, (7) a general description of any proposed developer, user, or tenant of any property to be located or improved within the economic development project area, (8) a description of the type, structure and general character of the facilities to be developed or improved in the economic development project area, (9) a description of the general land uses to apply in the economic development project area, (10) a description of the type, class and number of employees to be employed in the operation of the facilities to be developed or improved in the economic development project area, and (11) a commitment by the municipality to fair employment practices and an affirmative action plan with respect to any economic development program to be undertaken by the municipality.

(c) "Economic development project" means any development project in furtherance of the objectives of this Act.

(d) "Economic development project area" means any improved or vacant area which (1) is located within or partially within or partially without the territorial limits of a municipality, provided that no area without the territorial limits of a municipality shall be included in an economic development project area without the express consent of the Department, acting as agent for the State, (2) is contiguous, (3) is not less in the aggregate than three hundred twenty acres, (4) is suitable for siting by any commercial, manufacturing, industrial, research or transportation enterprise of facilities to include but not be limited to commercial businesses, offices, factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial or commercial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or transportation facilities, whether or not such area has been used at any time for such facilities and whether or not the area has been used or is suitable for other uses, including commercial agricultural purposes, and (5) which has been approved and certified by the Department pursuant to this Act.

New matter indicated by italics - deletions by strikeout
(e) "Economic development project costs" mean and include the sum total of all reasonable or necessary costs incurred by a municipality incidental to an economic development project, including, without limitation, the following:

1. Costs of studies, surveys, development of plans and specifications, implementation and administration of an economic development plan, personnel and professional service costs for architectural, engineering, legal, marketing, financial, planning, police, fire, public works or other services, provided that no charges for professional services may be based on a percentage of incremental tax revenues;

2. Property assembly costs within an economic development project area, including but not limited to acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by such developer or other nongovernmental person;

3. Site preparation costs, including but not limited to clearance of any area within an economic development project area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading; and including installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public site improvements within or without an economic development project area which are essential to the preparation of the economic development project area for use in accordance with an economic development plan; and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by such developer or nongovernmental person;

4. Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of any existing buildings, improvements, and fixtures within an economic development project area, and specifically including payments to developers or other nongovernmental persons as reimbursement for such costs incurred by such developer or nongovernmental person;

New matter indicated by italics - deletions by strikeout
(5) Costs of construction within an economic development project area of public improvements, including but not limited to, buildings, structures, works, utilities or fixtures;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued hereunder which accrues during the estimated period of construction of any economic development project for which such obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of such obligations;

(7) All or a portion of a taxing district's capital costs resulting from an economic development project necessarily incurred or estimated to be incurred by a taxing district in the furtherance of the objectives of an economic development project, to the extent that the municipality by written agreement accepts and approves such costs;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law;

(9) The estimated tax revenues from real property in an economic development project area acquired by a municipality which, according to the economic development plan, is to be used for a private use and which any taxing district would have received had the municipality not adopted tax increment allocation financing for an economic development project area and which would result from such taxing district's levies made after the time of the adoption by the municipality of tax increment allocation financing to the time the current equalized assessed value of real property in the economic development project area exceeds the total initial equalized value of real property in said area;

(10) Costs of job training, advanced vocational or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by
employers located in an economic development project area, and further provided that when such costs are incurred by a taxing district or taxing districts other than the municipality they shall be set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Private financing costs incurred by developers or other nongovernmental persons in connection with an economic development project, and specifically including payments to developers or other nongovernmental persons as reimbursement for such costs incurred by such developer or other nongovernmental person, provided that:

(A) private financing costs shall be paid or reimbursed by a municipality only pursuant to the prior official action of the municipality evidencing an intent to pay or reimburse such private financing costs;

(B) except as provided in subparagraph (D), the aggregate amount of such costs paid or reimbursed by a municipality in any one year shall not exceed 30% of such costs paid or incurred by the developer or other nongovernmental person in that year;

(C) private financing costs shall be paid or reimbursed by a municipality solely from the special tax allocation fund established pursuant to this Act and shall not be paid or reimbursed from the proceeds of any obligations issued by a municipality;

(D) if there are not sufficient funds available in the special tax allocation fund in any year to make such payment or reimbursement in full, any amount of such interest cost remaining to be paid or reimbursed by a municipality shall accrue and be payable when funds are available in the special tax allocation fund to make such payment; and

New matter indicated by italics - deletions by strikeout
(E) in connection with its approval and certification of an economic development project pursuant to Section 5 of this Act, the Department shall review any agreement authorizing the payment or reimbursement by a municipality of private financing costs in its consideration of the impact on the revenues of the municipality and the affected taxing districts of the use of tax increment allocation financing.

(f) "Municipality" means a city, village or incorporated town.

(g) "Obligations" means any instrument evidencing the obligation of a municipality to pay money, including without limitation, bonds, notes, installment or financing contracts, certificates, tax anticipation warrants or notes, vouchers, and any other evidence of indebtedness.

(h) "Taxing districts" means counties, townships, municipalities, and school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(Source: P.A. 86-38; revised 12-6-03.)

Section 115. The Illinois Economic Opportunity Act is amended by changing Section 2 as follows:

(20 ILCS 625/2) (from Ch. 127, par. 2602)

Sec. 2. (a) The Director of Commerce and Economic Opportunity of the Department of Commerce & Community Affairs is authorized to administer the federal community services block program, low-income home energy assistance program, weatherization assistance program, emergency community services homeless grant program, and other federal programs that require or give preference to community action agencies for local administration in accordance with federal laws and regulations as amended. The Director shall provide financial assistance to community action agencies from community service block grant funds and other federal funds requiring or giving preference to community action agencies for local administration for the programs described in Section 4.

(b) Funds appropriated for use by community action agencies in community action programs shall be allocated annually to existing community action agencies or newly formed community action agencies.
by the Department of Commerce and Economic Opportunity Community Affairs. Allocations will be made consistent with duly enacted departmental rules.
(Source: P.A. 87-926; revised 12-6-03.)

Section 120. The Illinois Emergency Employment Development Act is amended by changing Sections 2, 3, 5, and 7 as follows:

(20 ILCS 630/2) (from Ch. 48, par. 2402)
Sec. 2. For the purposes of this Act, the following words have the meanings ascribed to them in this Section.
(a) "Coordinator" means the Illinois Emergency Employment Development Coordinator appointed under Section 3.
(b) "Eligible business" means a for-profit business.
(c) "Eligible employer" means an eligible nonprofit agency, or an eligible business.
(d) "Eligible job applicant" means a person who:
   A. (1) has been a resident of this State for at least one year; and (2) is unemployed; and (3) is not receiving and is not qualified to receive unemployment compensation or workers' compensation; and (4) is determined by the employment administrator to be likely to be available for employment by an eligible employer for the duration of the job; or
   B. Is otherwise eligible for services under the Job Training Partnership Act (29 USCA 1501 et seq.).

In addition, a farmer who resides in a county qualified under Federal Disaster Relief and who can demonstrate severe financial need may be considered unemployed under this subsection.

(e) "Eligible nonprofit agency" means an organization exempt from taxation under the Internal Revenue Code of 1954, Section 501(c)(3).
(f) "Employment administrator" means the Manager of the Department of Commerce and Economic Opportunity Community Affairs Job Training Programs Division or his or her designee.
(g) "Household" means a group of persons living at the same residence consisting of, at a maximum, spouses and the minor children of each.

New matter indicated by italics - deletions by strikeout
(h) "Program" means the Illinois Emergency Employment Development Program created by this Act consisting of temporary work relief projects in nonprofit agencies and new job creation in the private sector.

(i) "Service Delivery Area" means that unit or units of local government designated by the Governor pursuant to Title I, Part A, Section 102 of the Job Training Partnership Act (29 USCA et seq.).

(j) "Excess unemployed" means the number of unemployed in excess of 6.5% of the service delivery area population.

(k) "Private industry council" means governing body of each service delivery area created pursuant to Title I, Section 102 of the Job Training Partnership Act (29 USC 1501 et seq.).

(Source: P.A. 84-1399; revised 12-6-03.)

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

Sec. 3. (a) The governor shall appoint an Illinois Emergency Employment Development Coordinator to administer the provisions of this Act. The coordinator shall be within the Department of Commerce and Economic Opportunity Community Affairs, but shall be responsible directly to the governor. The coordinator shall have the powers necessary to carry out the purpose of the program.

(b) The coordinator shall:

(1) Coordinate the Program with other State agencies;
(2) Coordinate administration of the program with the general assistance program;
(3) Set policy regarding disbursement of program funds; and
(4) Perform general program marketing and monitoring functions.
(c) The coordinator shall administer the program within the Department of Commerce and Economic Opportunity Community Affairs. The Director of Commerce and Economic Opportunity Community Affairs shall provide administrative support services to the coordinator for the purposes of the program.
(d) The coordinator shall report to the Governor, the Illinois Job Training Coordinating Council and the General Assembly on a quarterly basis concerning (1) the number of persons employed under the program;
(2) the number and type of employers under the program; (3) the amount of money spent in each service delivery area for wages for each type of employment and each type of other expenses; (4) the number of persons who have completed participation in the program and their current employment, educational or training status; and (5) any information requested by the General Assembly or governor or deemed pertinent by the coordinator. Each report shall include cumulative information, as well as information for each quarter.

(e) Rules. The Director of Commerce and Economic Opportunity Community Affairs, with the advice of the coordinator, shall adopt rules for the administration and enforcement of this Act.

(Source: P.A. 84-1399; revised 12-6-03.)

(20 ILCS 630/5) (from Ch. 48, par. 2405)
Sec. 5. (a) Allocation of funds among eligible job applicants within a service delivery area shall be determined by the Private Industry Council for each such service delivery area. The Private Industry Council shall give priority to

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

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

(b) Allocation of funds among eligible employers within each service delivery area shall be determined by the Private Industry Council for each such area according to the priorities which the Director of Commerce and Economic Opportunity Community Affairs, upon recommendation of the coordinator, shall by rule establish. The Private Industry Council shall give priority to funding private sector jobs to the extent that businesses apply for funds.

(Source: P.A. 84-1399; revised 12-6-03.)

(20 ILCS 630/7) (from Ch. 48, par. 2407)
Sec. 7. (a) The Department of Commerce and Economic Opportunity Community Affairs shall publicize the program and shall provide staff assistance as requested by employment administrators in the screening of businesses and the collection of data.

New matter indicated by italics - deletions by strikeout
(b) The Director of Children and Family Services shall provide to each employment administrator lists of currently licensed local day care facilities, updated quarterly, to be available to all persons employed under the program.

(c) The Secretary of Human Services shall take all steps necessary to inform each applicant for public aid of the availability of the program.

(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)

Section 125. The Illinois Enterprise Zone Act is amended by changing Sections 3 and 12-2 as follows:

(20 ILCS 655/3) (from Ch. 67 1/2, par. 603)

Sec. 3. Definition. As used in this Act, the following words shall have the meanings ascribed to them, unless the context otherwise requires:

(a) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(b) "Enterprise Zone" means an area of the State certified by the Department as an Enterprise Zone pursuant to this Act.

(c) "Depressed Area" means an area in which pervasive poverty, unemployment and economic distress exist.

(d) "Designated Zone Organization" means an association or entity:

1. the members of which are substantially all residents of the Enterprise Zone;
2. the board of directors of which is elected by the members of the organization;
3. which satisfies the criteria set forth in Section 501(c) (3) or 501(c) (4) of the Internal Revenue Code; and
4. which exists primarily for the purpose of performing within such area or zone for the benefit of the residents and businesses thereof any of the functions set forth in Section 8 of this Act.

(e) "Agency" means each officer, board, commission and agency created by the Constitution, in the executive branch of State government, other than the State Board of Elections; each officer, department, board, commission, agency, institution, authority, university, body politic and corporate of the State; and each administrative unit or corporate outgrowth of the State government which is created by or pursuant to statute, other than units of local government and their officers, school districts and boards of election commissioners; each administrative unit or corporate

New matter indicated by italics - deletions by strikeout
outgrowth of the above and as may be created by executive order of the Governor. No entity shall be considered an "agency" for the purposes of this Act unless authorized by law to make rules or regulations.

(f) "Rule" means each agency statement of general applicability that implements, applies, interprets or prescribes law or policy, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the agency, (ii) intra-agency memoranda, or (iii) the prescription of standardized forms.

(Source: P.A. 85-162; revised 12-6-03.)

(20 ILCS 655/12-2) (from Ch. 67 1/2, par. 619)

Sec. 12-2. Definitions. Unless the context clearly requires otherwise:

(a) "Financial institution" means a trust company, a bank, a savings bank, a credit union, an investment bank, a broker, an investment trust, a pension fund, a building and loan association, a savings and loan association, an insurance company or any venture capital company which is authorized to do business in the State.

(b) "Participating lender" means any trust company, bank, savings bank, credit union, investment bank, broker, investment trust, pension fund, building and loan association, savings and loan association, insurance company or venture capital company approved by the Department which assumes a portion of the financing for a business project.

(c) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

(d) "Business" means a for-profit, legal entity located in an Illinois Enterprise Zone including, but not limited to, any sole proprietorship, partnership, corporation, joint venture, association or cooperative.

(e) "Loan" means an agreement or contract to provide a loan or other financial aid to a business.

(f) "Project" means any specific economic development activity of a commercial, industrial, manufacturing, agricultural, scientific, service or other business in an Enterprise Zone, the result of which yields an increase

New matter indicated by italics - deletions by strikeout
in jobs and may include the purchase or lease of machinery and equipment, the lease or purchase of real property or funds for infrastructure necessitated by site preparation, building construction or related purposes but does not include refinancing current debt.

(g) "Fund" means the Enterprise Zone Loan Fund created in Section 12-6.

(Source: P.A. 84-165; revised 12-6-03.)

Section 130. The Family Farm Assistance Act is amended by changing Section 15 as follows:

(20 ILCS 660/15) (from Ch. 5, par. 2715)
Sec. 15. Definitions. In this Act:
"Department" means the Illinois Department of Commerce and 
Economic Opportunity Community Affairs.
"Director" means the Director of Commerce and Economic Opportunity Community Affairs.
"Eligible farmer" means a person who is a resident of Illinois and has had more than $40,000 in gross sales of agricultural products during any one of the preceding 5 calendar years, and at that time owned or leased 60 acres or more of land used as a "farm" as that term is defined in Section 1-60 of the Property Tax Code.
"Farm family" means the eligible person, his or her legal spouse, and the eligible person's dependent children under the age of 19.
"Farm Worker" means an individual (including migrant and seasonal farm workers) who has worked on a farm on a full-time basis for at least one year and has been laid off due to reduced farm income.
"Program" means the Farm Family Assistance Program established under this Act.

(Source: P.A. 87-170; 88-670, eff. 12-2-94; revised 12-6-03.)

Section 135. The Local Planning Technical Assistance Act is amended by changing Section 10 as follows:

(20 ILCS 662/10)
Sec. 10. Definitions. In this Act:
"Comprehensive plan" means a regional plan adopted under Section 5-14001 of the Counties Code, an official comprehensive plan

New matter indicated by italics - deletions by strikeout
adopted under Section 11-12-6 of the Illinois Municipal Code, or a local land resource management plan adopted under Section 4 of the Local Land Resource Management Planning Act.

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Land development regulation" means any development or land use ordinance or regulation of a county or municipality including zoning and subdivision ordinances.

"Local government" or "unit of local government" means any city, village, incorporated town, or county.

"Subsidiary plan" means any portion of a comprehensive plan that guides development, land use, or infrastructure for a county or municipality or a portion of a county or municipality.

(Source: P.A. 92-768, eff. 8-6-02; revised 12-6-03.)

Section 140. The Illinois Promotion Act is amended by changing Sections 3 and 4b as follows:

(20 ILCS 665/3) (from Ch. 127, par. 200-23)

Sec. 3. Definitions. The following words and terms, whenever used or referred to in this Act, shall have the following meanings, except where the context may otherwise require:

(a) "Department" means the Department of Commerce and Economic Opportunity Community Affairs of the State of Illinois.

(b) "Local promotion group" means any non-profit corporation, organization, association, agency or committee thereof formed for the primary purpose of publicizing, promoting, advertising or otherwise encouraging the development of tourism in any municipality, county, or region of Illinois.

(c) "Promotional activities" means preparing, planning and conducting campaigns of information, advertising and publicity through such media as newspapers, radio, television, magazines, trade journals, moving and still photography, posters, outdoor signboards and personal contact within and without the State of Illinois; dissemination of information, advertising, publicity, photographs and other literature and material designed to carry out the purpose of this Act; and participation in

New matter indicated by italics - deletions by strikeout
and attendance at meetings and conventions concerned primarily with tourism, including travel to and from such meetings.

(d) "Municipality" means "municipality" as defined in Section 1-1-2 of the Illinois Municipal Code, as heretofore and hereafter amended.

(e) "Tourism" means travel 50 miles or more one-way or an overnight trip outside of a person's normal routine.

(20 ILCS 665/4b)

Sec. 4b. Coordinating Committee. There is created a Coordinating Committee of State agencies involved with tourism in the State of Illinois. The Committee shall consist of the Director of Commerce and Economic Opportunity Community Affairs as chairman, the Lieutenant Governor, the Secretary of Transportation or his or her designee, and the head executive officer or his or her designee of the following: the Lincoln Presidential Library; the Department of Natural Resources; the Department of Agriculture; the Illinois Arts Council; the Illinois Community College Board; the Board of Higher Education; and the Grape and Wine Resources Council. The Committee shall also include 4 members of the Illinois General Assembly, one of whom shall be named by the Speaker of the House of Representatives, one of whom shall be named by the Minority Leader of the House of Representatives, one of whom who shall be named by the President of the Senate, and one of whom shall be named by the Minority Leader of the Senate. The Committee shall meet at least quarterly and at other times as called by the chair. The Committee shall coordinate the promotion and development of tourism activities throughout State government.

(20 ILCS 685/1) (from Ch. 127, par. 47.21)

Sec. 1. The Department of Commerce and Economic Opportunity Community Affairs is authorized, with the consent in writing of the Governor, to acquire and accept by gift, grant, purchase, or in the manner provided for the exercise of the right of eminent domain under Article VII of the Illinois Constitution, real and personal property for the purpose of promoting and developing tourism in this State.
of the Code of Civil Procedure, as heretofore or hereafter amended, the fee
simple title or such lesser interest as may be desired to any and all lands,
buildings and grounds, including lands, buildings and grounds already
devoted to public use, required for construction, maintenance and
operation of a high energy BEV Particle Accelerator by the United States
Atomic Energy Commission, and for such other supporting land and
facilities as may be required or useful for such construction, and to take
whatever action may be necessary or desirable in connection with such
acquisition or in connection with preparing the property acquired for
transfer as provided in Section 3.
(Source: P.A. 82-783; revised 12-6-03.)

(20 ILCS 685/3) (from Ch. 127, par. 47.23)

Sec. 3. The Department of Commerce and Economic Opportunity
Community Affairs is authorized to lease, sell, give, donate, convey or
otherwise transfer the property acquired under this Act to the United States
Atomic Energy Commission.

No conveyance of real property or instrument transferring property
by the Department of Commerce and Economic Opportunity
Community Affairs to the United States Atomic Energy Commission, shall be executed
by the Department without the prior written approval of the Governor.
(Source: P.A. 81-1509; revised 12-6-03.)

Section 150. The Renewable Energy, Energy Efficiency, and Coal
Resources Development Law of 1997 is amended by changing Sections 6-3
and 6-6 as follows:

(20 ILCS 687/6-3)
(Section scheduled to be repealed on December 16, 2007)

Sec. 6-3. Renewable energy resources program.
(a) The Department of Commerce and Economic Opportunity
Community Affairs, to be called the "Department" hereinafter in this Law,
shall administer the Renewable Energy Resources Program to provide
grants, loans, and other incentives to foster investment in and the
development and use of renewable energy resources.
(b) The Department shall establish eligibility criteria for grants,
loans, and other incentives to foster investment in and the development

New matter indicated by italics - deletions by strikeout
and use of renewable energy resources. These criteria shall be reviewed annually and adjusted as necessary. The criteria should promote the goal of fostering investment in and the development and use, in Illinois, of renewable energy resources.

(c) The Department shall accept applications for grants, loans, and other incentives to foster investment in and the development and use of renewable energy resources.

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

(e) The Department shall conduct an annual study on the use and availability of renewable energy resources in Illinois. Each year, the Department shall submit a report on the study to the General Assembly. This report shall include suggestions for legislation which will encourage the development and use of renewable energy resources.

(f) As used in this Law, "renewable energy resources" includes energy from wind, solar thermal energy, photovoltaic cells and panels, dedicated crops grown for energy production and organic waste biomass, hydropower that does not involve new construction or significant expansion of hydropower dams, and other such alternative sources of environmentally preferable energy. "Renewable energy resources" does not include, however, energy from the incineration, burning or heating of waste wood, tires, garbage, general household, institutional and commercial waste, industrial lunchroom or office waste, landscape waste, or construction or demolition debris.

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

(Source: P.A. 92-12, eff. 7-1-01; revised 12-6-03.)

(20 ILCS 687/6-6)

(Section scheduled to be repealed on December 16, 2007)

Sec. 6-6. Energy efficiency program.

New matter indicated by italics - deletions by strikeout
(a) For the year beginning January 1, 1998, and thereafter as provided in this Section, each electric utility as defined in Section 3-105 of the Public Utilities Act and each alternative retail electric supplier as defined in Section 16-102 of the Public Utilities Act supplying electric power and energy to retail customers located in the State of Illinois shall contribute annually a pro rata share of a total amount of $3,000,000 based upon the number of kilowatt-hours sold by each such entity in the 12 months preceding the year of contribution. On or before May 1 of each year, the Illinois Commerce Commission shall determine and notify the Department of Commerce and Economic Opportunity Community Affairs of the pro rata share owed by each electric utility and each alternative retail electric supplier based upon information supplied annually to the Illinois Commerce Commission. On or before June 1 of each year, the Department of Commerce and Economic Opportunity Community Affairs shall send written notification to each electric utility and each alternative retail electric supplier of the amount of pro rata share they owe. These contributions shall be remitted to the Department of Revenue on or before June 30 of each year the contribution is due on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. The funds received pursuant to this Section shall be subject to the appropriation of funds by the General Assembly. The Department of Revenue shall place the funds remitted under this Section in a trust fund, that is hereby created in the State Treasury, called the Energy Efficiency Trust Fund. If an electric utility or alternative retail electric supplier does not remit its pro rata share to the Department of Revenue, the Department of Revenue must inform the Illinois Commerce Commission of such failure. The Illinois Commerce Commission may then revoke the certification of that electric utility or alternative retail electric supplier. The Illinois Commerce Commission may not renew the certification of any electric utility or alternative retail electric supplier that is delinquent in paying its pro rata share.

(b) The Department of Commerce and Economic Opportunity Community Affairs shall disburse the moneys in the Energy Efficiency Trust Fund to benefit residential electric customers through projects which

New matter indicated by italics - deletions by strikeout
the Department of Commerce and Economic Opportunity Community Affairs has determined will promote energy efficiency in the State of Illinois. The Department of Commerce and Economic Opportunity Community Affairs shall establish a list of projects eligible for grants from the Energy Efficiency Trust Fund including, but not limited to, supporting energy efficiency efforts for low-income households, replacing energy inefficient windows with more efficient windows, replacing energy inefficient appliances with more efficient appliances, replacing energy inefficient lighting with more efficient lighting, insulating dwellings and buildings, using market incentives to encourage energy efficiency, and such other projects which will increase energy efficiency in homes and rental properties.

(c) The Department of Commerce and Economic Opportunity Community Affairs shall establish criteria and an application process for this grant program.

(d) The Department of Commerce and Economic Opportunity Community Affairs shall conduct a study of other possible energy efficiency improvements and evaluate methods for promoting energy efficiency and conservation, especially for the benefit of low-income customers.

(e) The Department of Commerce and Economic Opportunity Community Affairs shall submit an annual report to the General Assembly evaluating the effectiveness of the projects and programs provided in this Section, and recommending further legislation which will encourage additional development and implementation of energy efficiency projects and programs in Illinois and other actions that help to meet the goals of this Section.

(Source: P.A. 92-707, eff. 7-19-02; revised 12-6-03.)

Section 155. The Illinois Resource Development and Energy Security Act is amended by changing Section 10 as follows:

(20 ILCS 688/10)

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

"Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
Section 160. The Illinois Renewable Fuels Development Program Act is amended by changing Section 10 as follows:

(20 ILCS 689/10)

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

"Biodiesel" means a renewable diesel fuel derived from biomass that is intended for use in diesel engines.

"Biodiesel blend" means a blend of biodiesel with petroleum-based diesel fuel in which the resultant product contains no less than 1% and no more than 99% biodiesel.

"Biomass" means non-fossil organic materials that have an intrinsic chemical energy content. "Biomass" includes, but is not limited to, soybean oil, other vegetable oils, and ethanol.

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Diesel fuel" means any product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without electric spark.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

"Ethanol" means a product produced from agricultural commodities or by-products used as a fuel or to be blended with other fuels for use in motor vehicles.

"Fuel" means fuel as defined in Section 1.19 of the Motor Fuel Tax Law.

"Gasohol" means motor fuel that is no more than 90% gasoline and at least 10% denatured ethanol that contains no more than 1.25% water by weight.

"Gasoline" means all products commonly or commercially known or sold as gasoline (including casing head and absorption or natural gasoline).

"Illinois agricultural product" means any agricultural commodity grown in Illinois that is used by a production facility to produce renewable fuel in Illinois, including, but not limited to, corn, barley, and soy beans.

New matter indicated by italics - deletions by strikeout
"Labor Organization" means any organization defined as a "labor organization" under Section 2 of the National Labor Relations Act (29 U.S.C. 152).

"Majority blended ethanol fuel" means motor fuel that contains no less than 70% and no more than 90% denatured ethanol and no less than 10% and no more than 30% gasoline.


"Owner" means any individual, sole proprietorship, limited partnership, co-partnership, joint venture, corporation, cooperative, or other legal entity, including its agents, that operates or will operate a plant located within the State of Illinois.

"Plant" means a production facility that produces a renewable fuel. "Plant" includes land, any building or other improvement on or to land, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in the processing of fuel from agricultural commodities or by-products.

"Renewable fuel" means ethanol, gasohol, majority blended ethanol fuel, biodiesel blend fuel, and biodiesel.

(Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03; revised 12-6-03.)

Section 165. The Rural Diversification Act is amended by changing Section 3 as follows:

(20 ILCS 690/3) (from Ch. 5, par. 2253)

Sec. 3. Definitions. The following words and phrases shall have the meaning ascribed to each of them in this Section unless the context clearly indicates otherwise:

(a) "Office" means the Office of Rural Community Development within the Illinois Department of Commerce and Economic Opportunity Community Affairs.

(b) "Rural business" means a business, including a cooperative, proprietorship, partnership, corporation or other entity, that is located in a municipality of 20,000 population or less, or in an unincorporated area of a county with a population of less than 350,000, but not in a municipality which is contiguous to a municipality or municipalities with a population

New matter indicated by italics - deletions by strikeout
greater than 20,000. The business must also be engaged in manufacturing, mining, agriculture, wholesale, transportation, tourism, or utilities or in research and development or services to these basic industrial sectors.

(c) "Agribusiness", for purpose of this Act, means a rural business that is defined as an agribusiness pursuant to the Illinois Finance Authority Act.

(d) "Rural diversification project" means financing to a rural business for a specific activity undertaken to promote: (i) the improvement and expansion of business and industry in rural areas; (ii) creation of entrepreneurial and self-employment businesses; (iii) industry or region wide research directed to profit oriented uses of rural resources, and (iv) value added agricultural supply, production processing or reprocessing facilities or operations and shall include but not be limited to agricultural diversification projects.

(e) "Financing" means direct loans at market or below market rate interest, grants, technical assistance contracts, or other means whereby monetary assistance is provided to or on behalf of rural business or agribusinesses for purposes of rural diversification.

(f) "Agricultural diversification project" means financing awarded to a rural business for a specific activity undertaken to promote diversification of the farm economy of this State through (i) profit oriented nonproduction uses of Illinois land resources, (ii) growth and development of new crops or livestock not customarily grown or produced in this State, or (iii) developments which emphasize a vertical integration of grain or livestock produced or raised in this State into a finished product for consumption or use. "New crops or livestock not customarily grown or produced in this State" does not include corn, soybeans, wheat, swine, or beef or dairy cattle. "Vertical integration of grain or livestock produced or raised in this State" includes any new or existing grain or livestock grown or produced in this State.

(Source: P.A. 93-205, eff. 1-1-04; revised 12-6-03.)

Section 170. The Small Business Advisory Act is amended by changing Section 5 as follows:

(20 ILCS 692/5)

New matter indicated by italics - deletions by strikeout
Sec. 5. Definitions. In this Act:

"Agency" means the same as in Section 1-20 of the Illinois Administrative Procedure Act.

"Joint Committee" means the Joint Committee on Administrative Rules.

"Small business" means any for profit entity, independently owned and operated, that grosses less than $4,000,000 per year or that has 50 or fewer full-time employees. For the purposes of this Act, a "small business" has its principal office in Illinois.

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 93-318, eff. 1-1-04; revised 12-6-03.)

Section 180. The Technology Advancement and Development Act is amended by changing Section 1003 as follows:

(20 ILCS 700/1003) (from Ch. 127, par. 3701-3)

Sec. 1003. Definitions. The following words and phrases, for the purposes of this Act, shall have the meanings respectively ascribed to them, except when the context otherwise requires, or except as otherwise provided in this Act:

"Advanced technology project" means any area of basic or applied research or development which is designed to foster greater knowledge or understanding, or which is designed for the purposes of improving, designing, developing, prototyping, producing or commercializing new products, techniques, processes or technical devices in present or emerging fields of health care and biomedical research, information and communication systems, computing and computer services, electronics, manufacturing, robotics and materials research, transportation and aerospace, agriculture and biotechnology, and finance and services.

"Business expense" includes working capital financing, the purchase or lease of machinery and equipment, or the lease or purchase of real property, including construction, renovation, or leasehold improvements, but does not include refinancing current debt.

"Business project" means any specific economic development activity of a commercial, industrial, manufacturing, agricultural, scientific,

New matter indicated by italics - deletions by strikeout
financial, service or other not-for-profit nature, which is expected to yield an increase in jobs or to result in the retention of jobs or an improvement in production efficiency.

"Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of the Illinois Department of Commerce and Economic Opportunity Community Affairs.

"Financial assistance" means a loan, investment, grant or the purchase of qualified securities or other means whereby financial aid is made to or on behalf of a business project or advanced technology project.

"Intermediary organization" means any participating organization including not-for-profit entities, for-profit entities, State development authorities, institutions of higher education, other public or private corporations, which may include the Illinois Coalition, or other entities necessary or desirable to further the purpose of this Act engaged by the Department through any contract, agreement, memorandum of understanding, or other cooperative arrangement to deliver programs authorized under this Act.

"Investment loan" means any loan structured so that the applicant repays the principal and interest and provides a qualified security investment to serve both as additional loan security and as an additional source of repayment.

"Loan" means acceptance of any note, bond, debenture, or evidence of indebtedness, whether unsecured or secured by a mortgage, pledge, deed of trust, or other lien on any property, or any certificate of, receipt for, participation in, or an option to any of the foregoing. A loan shall bear such interest rate, with such terms of repayment, secured by such collateral, with other terms and conditions, as the Department shall deem necessary or appropriate.

"Participating lender or investor" means any trust company, bank, savings bank, credit union, merchant bank, investment bank, broker, investment trust, pension fund, building and loan association, savings and loan association, insurance company, venture capital company or other institution, community or State development corporation, development

New matter indicated by italics - deletions by strikeout
authority authorized to do business by an Act of this State, or other public or private financing intermediary approved by the Department whose purposes include financing, promoting, or encouraging economic development financing.

"Qualified security investments" means any stock, convertible security, treasury stock, limited partnership interest, certificate of interest or participation in any profit sharing agreement, preorganization certificate or subscription, transferable share, investment contract, certificate of interest or participation in a patent or application or, in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing, but not including any instrument which contains voting rights or which can be converted to contain voting rights in the possession of the Department.

(Source: P.A. 91-476, eff. 8-11-99; revised 12-6-03.)

Section 185. The High Technology School-to-Work Act is amended by changing Section 10 as follows:

(20 ILCS 701/10)

Sec. 10. Definitions. In this Act:

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

"High technology occupations" mean scientific, technical, and engineering occupations including, but not limited to, the following occupational groups and detailed occupations: engineers; life and physical scientists; mathematical specialists; engineering and science technicians; computer specialists; and engineering, scientific, and computer managers.

"Local partnership" means a cooperative agreement between one or more employers, including employer associations, and one or more secondary or postsecondary schools established to operate a high technology school-to-work project. The partnerships must be employer-led and designed to respond to the high technology skill requirements of participating employers.

New matter indicated by italics - deletions by strikeout
Section 190. The Women's Business Ownership Act is amended by changing Section 5 as follows:

(20 ILCS 705/5)
(Section scheduled to be repealed on September 1, 2008)
Sec. 5. Women's Business Ownership Council. There is created within the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) the Women's Business Ownership Council. The Council shall consist of 9 members, with 5 persons appointed by the Governor, one of whom shall be the Director of the Department of Commerce and Economic Opportunity or his or her designee, one person appointed by the President of the Senate, one person appointed by the Minority Leader of the Senate, one person appointed by the Speaker of the House of Representatives, and one person appointed by the Minority Leader of the House of Representatives.

Appointed members shall be uniquely qualified by education, professional knowledge, or experience to serve on the Council and shall reflect the ethnic, cultural, and geographic diversity of the State. Of the 9 members, at least 5 shall be women business owners. For purposes of this Act, a woman business owner shall be defined as a woman who is either:
(a) the principal of a company or business concern, 51% of which is owned, operated, and controlled by women; or
(b) a senior officer or director of a company or business concern who also has either:

1. material responsibility for the daily operations and management of the overall company or business concern; or
2. material responsibility for the policy making of the company or business concern.

Of the initial appointments, members shall be randomly assigned to staggered terms; 3 members shall be appointed for a term of 3 years, 3 members shall be appointed for a term of 2 years, and 3 members shall be appointed for a term of 1 year. Upon the expiration of each member's term, a successor shall be appointed for a term of 3 years. In the case of a
vacancy in the office of any member, a successor shall be appointed for the remainder of the unexpired term by the person designated as responsible for making the appointment. No member shall serve more than 3 consecutive terms. Members shall serve without compensation but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

One of the members shall be designated as Chairperson by the Governor. In the event the Governor does not appoint the Chairperson within 60 days after the effective date of this Act, the Council shall convene and elect a Chairperson by a simple majority vote. Upon a vacancy in the position of Chairperson, the Governor shall have 30 days from the date of the resignation to appoint a new Chairperson. In the event the Governor does not appoint a new Chairperson within 30 days, the Council shall convene and elect a new Chairperson by a simple majority vote.

The first meeting of the Council shall be held within 90 days after the effective date of this Act. The Council shall meet quarterly and may hold other meetings on the call of the Chairperson. Five members shall constitute a quorum. The Council may adopt rules it deems necessary to govern its own procedures. The Department of Commerce and Economic Opportunity Community Affairs shall cooperate with the Council to fulfill the purposes of this Act and shall provide the Council with necessary staff and administrative support. The Council may apply for grants from the public and private sector and is authorized to accept grants, gifts, and donations, which shall be deposited into the Women's Business Ownership Fund.

(Source: P.A. 88-597, eff. 8-28-94; revised 10-29-04.)

Section 195. The Illinois Commission on Volunteerism and Community Service Act is amended by changing Section 7 as follows:

(20 ILCS 710/7)

Sec. 7. On the effective date of this amendatory Act of the 91st General Assembly, the authority, powers, and duties in this Act of the Department of Commerce and Community Affairs (now Department of

New matter indicated by italics - deletions by strikeout
(Source: P.A. 91-798, eff. 7-9-00; revised 12-6-03.)

Section 200. The Corporate Accountability for Tax Expenditures Act is amended by changing Section 5 as follows:

(20 ILCS 715/5)

Sec. 5. Definitions. As used in this Act:

"Base years" means the first 2 complete calendar years following the effective date of a recipient receiving development assistance.

"Date of assistance" means the commencement date of the assistance agreement, which date triggers the period during which the recipient is obligated to create or retain jobs and continue operations at the specific project site.

"Default" means that a recipient has not achieved its job creation, job retention, or wage or benefit goals, as applicable, during the prescribed period therefor.

"Department" means, unless otherwise noted, the Department of Commerce and Economic Opportunity Community Affairs or any successor agency.

"Development assistance" means (1) tax credits and tax exemptions (other than given under tax increment financing) given as an incentive to a recipient business organization pursuant to an initial certification or an initial designation made by the Department under the Economic Development for a Growing Economy Tax Credit Act and the Illinois Enterprise Zone Act, including the High Impact Business program, (2) grants or loans given to a recipient as an incentive to a business organization pursuant to the Large Business Development Program, the Business Development Public Infrastructure Program, or the Industrial Training Program, (3) the State Treasurer's Economic Program Loans, (4) the Illinois Department of Transportation Economic Development Program, and (5) all successor and subsequent programs and tax credits designed to promote large business relocations and expansions.

"Development assistance" does not include tax increment financing, assistance provided under the Illinois Enterprise Zone Act pursuant to

New matter indicated by italics - deletions by strikeout
local ordinance, participation loans, or financial transactions through statutorily authorized financial intermediaries in support of small business loans and investments or given in connection with the development of affordable housing.

"Development assistance agreement" means any agreement executed by the State granting body and the recipient setting forth the terms and conditions of development assistance to be provided to the recipient consistent with the final application for development assistance, including but not limited to the date of assistance, submitted to and approved by the State granting body.

"Full-time, permanent job" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "full-time, permanent job" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "full-time, permanent job" means a job in which the new employee works for the recipient at a rate of at least 35 hours per week.

"New employee" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "new employee" in either the legislation authorizing a program that constitutes economic development assistance under this Act nor in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "new employee" means a full-time, permanent employee who represents a net increase in the number of the recipient's employees statewide. "New employee" includes an employee who

New matter indicated by italics - deletions by strikeout
previously filled a new employee position with the recipient who was
rehired or called back from a layoff that occurs during or following the
base years.

The term "New Employee" does not include any of the following:

(1) An employee of the recipient who performs a job that
was previously performed by another employee in this State, if that
job existed in this State for at least 6 months before hiring the
employee.

(2) A child, grandchild, parent, or spouse, other than a
spouse who is legally separated from the individual, of any
individual who has a direct or indirect ownership interest of at least
5% in the profits, capital, or value of any member of the recipient.

"Part-time job" means either: (1) the definition therefor in the
legislation authorizing the programs described in the definition of
development assistance in the Act or (2) if there is no such definition, then
as defined in administrative rules implementing such legislation, provided
the administrative rules were in place prior to the effective date of this Act.
On and after the effective date of this Act, if there is no definition of "part-
time job" in either the legislation authorizing a program that constitutes
economic development assistance under this Act or in any administrative
rule implementing such legislation that was in place prior to the effective
date of this Act, then "part-time job" means a job in which the new
employee works for the recipient at a rate of less than 35 hours per week.

"Recipient" means any business that receives economic
development assistance. A business is any corporation, limited liability
company, partnership, joint venture, association, sole proprietorship, or
other legally recognized entity.

"Retained employee" means either: (1) the definition therefor in the
legislation authorizing the programs described in the definition of
development assistance in the Act or (2) if there is no such definition, then
as defined in administrative rules implementing such legislation, provided
the administrative rules were in place prior to the effective date of this Act.
On and after the effective date of this Act, if there is no definition of
"retained employee" in either the legislation authorizing a program that

New matter indicated by italics - deletions by strikeout
constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "retained employee" means any employee defined as having a full-time or full-time equivalent job preserved at a specific facility or site, the continuance of which is threatened by a specific and demonstrable threat, which shall be specified in the application for development assistance.

"Specific project site" means that distinct operational unit to which any development assistance is applied.

"State granting body" means the Department, any State department or State agency that provides development assistance that has reporting requirements under this Act, and any successor agencies to any of the preceding.

"Temporary job" means either: (1) the definition therefore in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "temporary job" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "temporary job" means a job in which the new employee is hired for a specific duration of time or season.

"Value of assistance" means the face value of any form of development assistance.

(Source: P.A. 93-552, eff. 8-20-03; revised 12-6-03.)

Section 205. The Department of Natural Resources Act is amended by changing Sections 1-5, 80-20, 80-25, 80-30, and 80-35 as follows:

(20 ILCS 801/1-5)

Sec. 1-5. Purpose. It is the purpose of this Act to change the name of the Department of Conservation to the Department of Natural Resources and to transfer to it various rights, powers, duties, and functions of the Department of Energy and Natural Resources, the Department of

New matter indicated by italics - deletions by strikeout
Mines and Minerals, the Abandoned Mined Lands Reclamation Council, and the Division of Water Resources of the Department of Transportation. This Act also transfers certain recycling, energy, and oil overcharge functions of the Department of Energy and Natural Resources to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) and certain functions of the Department of Conservation related to the Lincoln Monument to the Historic Preservation Agency. This Act consolidates and centralizes the programs and services now offered to citizens by these governmental bodies, resulting in more effective operation of these programs and services.

(Source: P.A. 89-50, eff. 7-1-95; 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 801/80-20)
Sec. 80-20. Transfer of powers.
(a) Except as otherwise provided in this Act, all of the rights, powers, and duties vested by law in the Department of Conservation or in any office, division, or bureau thereof are retained by the Department of Natural Resources.

All of the rights, powers, and duties vested by law in the Department of Conservation, or in any office, division, or bureau thereof, pertaining to the Lincoln Monument are transferred to the Historic Preservation Agency.

(b) Except as otherwise provided in this Act, all of the rights, powers, and duties vested by law in the Department of Energy and Natural Resources or in any office, division, or bureau thereof are transferred to the Department of Natural Resources.

All of the rights, powers, and duties vested by law in the Department of Energy and Natural Resources, or in any office, division, or bureau thereof, pertaining to recycling programs and solid waste management, energy conservation and alternative energy programs, coal development and marketing programs, and Exxon overcharge matters are transferred to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity).

New matter indicated by italics - deletions by strikeout
(c) All of the rights, powers, and duties vested by law in the Department of Mines and Minerals or in any office, division, or bureau thereof are transferred to the Department of Natural Resources.

(d) All of the rights, powers, and duties vested by law in the Abandoned Mined Lands Reclamation Council or in any office, division, or bureau thereof are transferred to the Department of Natural Resources.

(e) All of the rights, powers, and duties vested by law in the Division of Water Resources of the Department of Transportation or in any office, division, or bureau thereof are transferred to the Department of Natural Resources.

(Source: P.A. 89-50, eff. 7-1-95; 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 801/80-25)
Sec. 80-25. Transfer of personnel.
(a) Personnel employed by the Department of Conservation to perform functions that are retained within the Department of Natural Resources shall continue their service within the renamed Department.

(b) Personnel employed by the Department of Energy and Natural Resources, the Department of Mines and Minerals, the Abandoned Mined Lands Reclamation Council, or the Division of Water Resources of the Department of Transportation to perform functions that are transferred by this Act to the Department of Natural Resources are transferred to the Department of Natural Resources.

(c) Personnel employed by the Department of Energy and Natural Resources to perform functions that are transferred by this Act to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) are transferred to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity).

(d) Personnel employed by the abolished departments to perform functions that are not clearly classifiable within the areas referred to in this Section or who are employed to perform complex functions that are transferred in part to different departments under this Act shall be assigned and transferred to appropriate departments by the Director of Natural Resources.

New matter indicated by italics - deletions by strikeout
Resources, in consultation with the Director of Central Management Services.

(e) The rights of State employees, the State, and its agencies under the Personnel Code and applicable collective bargaining agreements and retirement plans are not affected by this Act.

(Source: P.A. 89-50, eff. 7-1-95; 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 801/80-30) (from 20 ILCS 801/35)
Sec. 80-30. Transfer of property.
(a) All books, records, documents, property (real and personal), unexpended appropriations, and pending business pertaining to the rights, powers, and duties transferred by this Act from the Department of Energy and Natural Resources, the Department of Mines and Minerals, the Abandoned Mined Lands Reclamation Council, and the Division of Water Resources of the Department of Transportation to the Department of Natural Resources shall be delivered and transferred to the Department of Natural Resources.

All books, records, documents, property (real and personal), unexpended appropriations, and pending business pertaining to the rights, powers, and duties retained from the Department of Conservation by the Department of Natural Resources shall be retained by the Department of Natural Resources.

(b) All books, records, documents, property (real and personal), unexpended appropriations, and pending business pertaining to the rights, powers, and duties transferred by this Act from the Department of Energy and Natural Resources to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall be delivered and transferred to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity).

(c) All books, records, documents, property (real and personal), unexpended appropriations, and pending business pertaining to the rights, powers, and duties transferred by this Act from the Department of Conservation to the Historic Preservation Agency shall be delivered and transferred to the Historic Preservation Agency.

New matter indicated by italics - deletions by strikeout
Sec. 80-35. Savings provisions.

(a) The rights, powers, and duties transferred to or retained in the Department of Natural Resources, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), and the Historic Preservation Agency by this Act shall be vested in and shall be exercised by them subject to the provisions of this Act.

(b) An act done by a successor department or agency, or an officer or employee thereof, in the exercise of the rights, powers, and duties transferred by this Act shall have the same legal effect as if done by the former department or division or the officers or employees thereof.

(c) The transfer of rights, powers, and duties to the Department of Natural Resources, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), and the Historic Preservation Agency under this Act does not invalidate any previous action taken by or in respect to any of their predecessor departments or divisions or their officers or employees. References to these predecessor departments or divisions or their officers or employees in any document, contract, agreement, or law shall, in appropriate contexts, be deemed to refer to the successor department, agency, officer, or employee.

(d) The transfer of powers and duties to the Department of Natural Resources, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), and the Historic Preservation Agency under this Act does not affect any person's rights, obligations, or duties, including any civil or criminal penalties applicable thereto, arising out of those transferred powers and duties.

(e) Whenever reports or notices are now required to be made or given or documents furnished or served by any person to or upon the departments or divisions, officers and employees transferred by this Act,

New matter indicated by italics - deletions by strikeout
they shall be made, given, furnished, or served in the same manner to or upon the successor department or agency, officer or employee.

(f) This Act does not affect any act done, ratified, or cancelled, any right occurring or established, or any action or proceeding had or commenced in an administrative, civil, or criminal cause before this Act takes effect. Any such action or proceeding still pending may be prosecuted and continued by the Department of Natural Resources, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), or the Historic Preservation Agency, as the case may be.

(g) This Act does not affect the legality of any rules that are in force on the effective date of this Act that have been duly adopted by any of the agencies reorganized under this Act. Those rules shall continue in effect until amended or repealed, except that references to a predecessor department shall, in appropriate contexts, be deemed to refer to the successor department or agency under this Act.

As soon as practicable after the effective date of this Act, the Department of Natural Resources, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), and the Historic Preservation Agency shall each propose and adopt under the Illinois Administrative Procedure Act any rules that may be necessary to consolidate and clarify the rules of their predecessor departments relating to matters transferred to them under this Act.

(Source: P.A. 89-50, eff. 7-1-95; 89-445, eff. 2-7-96; revised 12-6-03.)

Section 210. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Section 805-435 as follows:

(20 ILCS 805/805-435) (was 20 ILCS 805/63b2.5)

Sec. 805-435. Office of Conservation Resource Marketing. The Department shall maintain an Office of Conservation Resource Marketing. The Office shall conduct a program for marketing and promoting the use of conservation resources in Illinois with emphasis on recreation and tourism facilities. The Office shall coordinate its tourism promotion efforts with local community events and shall include a field staff which shall

New matter indicated by italics - deletions by strikeout
work with the Department of Commerce and Economic Opportunity Community Affairs and local officials to coordinate State and local activities for the purpose of expanding tourism and local economies. The Office shall develop, review, and coordinate brochures and information pamphlets for promoting the use of conservation resources. The Office shall conduct marketing research to identify organizations and target populations that can be encouraged to use Illinois recreation facilities for group events and the many tourist sites.

The Director shall submit an annual report to the Governor and the General Assembly summarizing the Office's activities and including its recommendations for improving the Department's tourism promotion and marketing programs for conservation resources.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

Section 215. The Interagency Wetland Policy Act of 1989 is amended by changing Section 2-1 as follows:

(20 ILCS 830/2-1) (from Ch. 96 1/2, par. 9702-1)

Sec. 2-1. Interagency Wetlands Committee. An Interagency Wetlands Committee, chaired by the Director of Natural Resources or his or her representative, is established. The Directors of the following agencies, or their respective representatives, shall serve as members of the Committee:

- Capital Development Board,
- Department of Agriculture,
- Department of Commerce and Economic Opportunity Community Affairs,
- Environmental Protection Agency,
- Department of Transportation, and
- Historic Preservation Agency.

The Interagency Wetlands Committee shall also include 2 additional persons with relevant expertise designated by the Director of Natural Resources.

The Interagency Wetlands Committee shall advise the Director in the administration of this Act. This will include:

New matter indicated by italics - deletions by strikeout
(a) Developing rules and regulations for the implementation and administration of this Act.

(b) Establishing guidelines for developing individual Agency Action Plans.

(c) Developing and adopting technical procedures for the consistent identification, delineation and evaluation of existing wetlands and quantification of their functional values and the evaluation of wetland restoration or creation projects.

(d) Developing a research program for wetland function, restoration and creation.

(e) Preparing reports, including:
   (1) A biennial report to the Governor and the General Assembly on the impact of State supported activities on wetlands.
   (2) A comprehensive report on the status of the State's wetland resources, including recommendations for additional programs, by January 15, 1991.

(f) Development of educational materials to promote the protection of wetlands.

(Source: P.A. 92-651, eff. 7-11-02; revised 12-6-03.)

Section 220. The Outdoor Recreation Resources Act is amended by changing Sections 2 and 2a as follows:

(20 ILCS 860/2) (from Ch. 105, par. 532)

Sec. 2. The Department of Natural Resources is authorized to have prepared, with the Department of Commerce and Economic Opportunity Community Affairs, and to maintain and keep up-to-date a comprehensive plan for the development of the outdoor recreation resources of the State.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 860/2a) (from Ch. 105, par. 532a)

Sec. 2a. The Historic Preservation Agency is authorized to have prepared with the Department of Commerce and Economic Opportunity Community Affairs and to maintain, and keep up-to-date a comprehensive plan for the preservation of the historically significant properties and interests of the State.

New matter indicated by italics - deletions by strikeout
Section 225. The Energy Conservation and Coal Development Act is amended by changing Sections 1 and 8 as follows:

Sec. 1. Definitions; transfer of duties.
(a) For the purposes of this Act, unless the context otherwise requires:

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

(b) As provided in Section 80-20 of the Department of Natural Resources Act, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall assume the rights, powers, and duties of the former Department of Energy and Natural Resources under this Act, except as those rights, powers, and duties are otherwise allocated or transferred by law.

Sec. 8. Illinois Coal Development Board.
(a) There shall be established as an advisory board to the Department, the Illinois Coal Development Board, hereinafter in this Section called the Board. The Board shall be composed of the following voting members: the Director of the Department, who shall be Chairman thereof; the Deputy Director of the Bureau of Business Development within the Department of Commerce and Economic Opportunity Community Affairs; the Director of Natural Resources or that Director's designee; the Director of the Office of Mines and Minerals within the Department of Natural Resources; 4 members of the General Assembly (one each appointed by the President of the Senate, the Senate Minority Leader, the Speaker of the House, and the House Minority Leader); and 8 persons appointed by the Governor, with the advice and consent of the Senate, including representatives of Illinois industries that are involved in the extraction, utilization or transportation of Illinois coal, persons

New matter indicated by italics - deletions by strikeout
representing financial or banking interests in the State, and persons experienced in international business and economic development. These members shall be chosen from persons of recognized ability and experience in their designated field. The members appointed by the Governor shall serve for terms of 4 years, unless otherwise provided in this subsection. The initial terms of the original appointees shall expire on July 1, 1985, except that the Governor shall designate 3 of the original appointees to serve initial terms that shall expire on July 1, 1983. The initial term of the member appointed by the Governor to fill the office created after July 1, 1985 shall expire on July 1, 1989. The initial terms of the members appointed by the Governor to fill the offices created by this amendatory Act of 1993 shall expire on July 1, 1995, and July 1, 1997, as determined by the Governor. A member appointed by a Legislative Leader shall serve for the duration of the General Assembly for which he or she is appointed, so long as the member remains a member of that General Assembly.

The Board shall meet at least annually or at the call of the Chairman. At any time the majority of the Board may petition the Chairman for a meeting of the Board. Nine members of the Board shall constitute a quorum. Members of the Board shall be reimbursed for actual and necessary expenses incurred while performing their duties as members of the Board from funds appropriated to the Department for such purpose.

(b) The Board shall provide advice and make recommendations on the following Department powers and duties:

(1) To develop an annual agenda which may include but is not limited to research and methodologies conducted for the purpose of increasing the utilization of Illinois' coal and other fossil fuel resources, with emphasis on high sulfur coal, in the following areas: coal extraction, preparation and characterization; coal technologies (combustion, gasification, liquefaction, and related processes); marketing; public awareness and education, as those terms are used in the Illinois Coal Technology Development Assistance Act; transportation; procurement of sites and issuance of permits; and environmental impacts.

New matter indicated by italics - deletions by strikeout
(2) To support and coordinate Illinois coal research, and to approve projects consistent with the annual agenda and budget for coal research and the purposes of this Act and to approve the annual budget and operating plan for administration of the Board.

(3) To promote the coordination of available research information on the production, preparation, distribution and uses of Illinois coal. The Board shall advise the existing research institutions within the State on areas where research may be necessary.

(4) To cooperate to the fullest extent possible with State and federal agencies and departments, independent organizations, and other interested groups, public and private, for the purposes of promoting Illinois coal resources.

(5) To submit an annual report to the Governor and the General Assembly outlining the progress and accomplishments made in the year, providing an accounting of funds received and disbursed, reviewing the status of research contracts, and furnishing other relevant information.

(6) To focus on existing coal research efforts in carrying out its mission; to make use of existing research facilities in Illinois or other institutions carrying out research on Illinois coal; as far as practicable, to make maximum use of the research facilities available at the Illinois State Geological Survey, the Coal Extraction and Utilization Research Center, the Illinois Coal Development Park and universities and colleges located within the State of Illinois; and to create a consortium or center which conducts, coordinates and supports coal research activities in the State of Illinois. Programmatic activities of such a consortium or center shall be subject to approval by the Department and shall be consistent with the purposes of this Act. The Department may authorize expenditure of funds in support of the administrative and programmatic operations of such a center or consortium consistent with its statutory authority. Administrative actions undertaken by
or for such a center or consortium shall be subject to the approval of the Department.

(7) To make a reasonable attempt, before initiating any research under this Act, to avoid duplication of effort and expense by coordinating the research efforts among various agencies, departments, universities or organizations, as the case may be.

(8) To adopt, amend and repeal rules, regulations and bylaws governing the Board's organization and conduct of business.

(9) To authorize the expenditure of monies from the Coal Technology Development Assistance Fund, the Public Utility Fund and other funds in the State Treasury appropriated to the Department, consistent with the purposes of this Act.

(10) To seek, accept, and expend gifts or grants in any form, from any public agency or from any other source. Such gifts and grants may be held in trust by the Department and expended at the direction of the Department and in the exercise of the Department's powers and performance of the Department's duties.

(11) To publish, from time to time, the results of Illinois coal research projects funded through the Department.

(12) To authorize loans from appropriations from the Build Illinois Bond Purposes Fund, the Build Illinois Bond Fund and the Illinois Industrial Coal Utilization Fund.

(13) To authorize expenditures of monies for coal development projects under the authority of Section 13 of the General Obligation Bond Act.

(c) The Board shall also provide advice and make recommendations on the following Department powers and duties:

(1) To create and maintain thorough, current and accurate records on all markets for and actual uses of coal mined in Illinois, and to make such records available to the public upon request.

(2) To identify all current and anticipated future technical, economic, institutional, market, environmental, regulatory and other impediments to the utilization of Illinois coal.

New matter indicated by italics - deletions by strikeout
(3) To monitor and evaluate all proposals and plans of public utilities related to compliance with the requirements of Title IV of the federal Clean Air Act Amendments of 1990, or with any other law which might affect the use of Illinois coal, for the purposes of (i) determining the effects of such proposals or plans on the use of Illinois coal, and (ii) identifying alternative plans or actions which would maintain or increase the use of Illinois coal.

(4) To develop strategies and to propose policies to promote environmentally responsible uses of Illinois coal for meeting electric power supply requirements and for other purposes.

(5) (Blank).

(Source: P.A. 89-445, eff. 2-7-96; 90-348, eff. 1-1-98; 90-454, eff. 8-16-97; revised 12-6-03.)

Section 230. The Illinois Coal and Energy Development Bond Act is amended by changing Sections 3, 3.1, 6, 8, 10, and 11 as follows:

(20 ILCS 1110/3) (from Ch. 96 1/2, par. 4103)

Sec. 3. The Department of Commerce and Economic Opportunity Community Affairs shall have the following powers and duties:

(a) To solicit, accept and expend gifts, grants or any form of assistance, from any source, including but not limited to, the federal government or any agency thereof;

(b) To enter into contracts, including, but not limited to, service contracts, with business, industrial, university, governmental or other qualified individuals or organizations to promote development of coal and other energy resources. Such contracts may be for, but are not limited to, the following purposes: (1) the commercial application of existing technology for development of coal resources, (2) to initiate or complete development of new technology for development of coal resources, and (3) for planning, design, acquisition, development, construction, improvement and financing a site or sites and facilities for establishing plants, projects or demonstrations for development of coal resources and research, development and demonstration of alternative forms of energy; and

(c) In the exercise of other powers granted it under this Act, to acquire property, real, personal or mixed, including any rights therein, by
exercise of the power of condemnation in accordance with the procedures provided for the exercise of eminent domain under Article VII of the Code of Civil Procedure, as amended, provided, however, the power of condemnation shall be exercised solely for the purposes of siting and/or rights of way and/or easements appurtenant to coal utilization and/or coal conversion projects. The Department shall not exercise its powers of condemnation until it has used reasonable good faith efforts to acquire such property before filing a petition for condemnation and may thereafter use such powers when it determines that such condemnation of property rights is necessary to avoid unreasonable delay or economic hardship to the progress of activities carried out in the exercise of powers granted under this Act. After June 30, 1985, the Department shall not exercise its power of condemnation for a project which does not receive State or U.S. Government funding. Before use of the power of condemnation for projects not receiving State or U.S. Government funding, the Department shall hold a public hearing to receive comments on the exercise of the power of condemnation. The Department shall use the information received at hearing in making its final decision on the exercise of the power of condemnation. The hearing shall be held in a location reasonably accessible to the public interested in the decision. The Department shall promulgate guidelines for the conduct of the hearing.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 1110/3.1) (from Ch. 96 1/2, par. 4103.1)
Sec. 3.1. The Department of Commerce and Economic Opportunity Community Affairs is authorized to enter into agreements with a county or counties and expend funds authorized by this Act for purposes set forth in the County Coal Processing Act.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 1110/6) (from Ch. 96 1/2, par. 4106)
Sec. 6. The Department of Commerce and Economic Opportunity Community Affairs is authorized to use $120,000,000 for the purposes specified in this Act. These funds shall be expended only for a grant to the owner of a generating station located in Illinois and having at least three coal-fired generating units with accredited summer capacity greater than

New matter indicated by italics - deletions by strikeout
500 megawatts each at such generating station as specifically authorized by this paragraph. Notwithstanding any of the other provisions of this Act, in considering the approval of projects to be funded under this Act, the Department of Commerce and Economic Opportunity Community Affairs shall give special consideration to projects which are designed to remove sulfur and other pollutants in the preparation and utilization of coal, and in the use and operation of electric utility generating plants and industrial facilities which utilize Illinois coal as their primary source of fuel. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) is directed to enter into a contract with the owner of a generating station located in Illinois and having at least three coal-fired generating units with accredited summer capability greater than 500 megawatts each at such generating station for a grant of $35,000,000 to be made by the State of Illinois to such owner to be used to pay costs of designing, acquiring, constructing, installing and testing facilities to reduce sulfur dioxide emissions at one such generating unit to allow that unit to meet the requirements of the Federal Clean Air Act Amendments of 1990 (P.L. 101-549) while continuing to use coal mined in Illinois as its source of fuel.

(Source: P.A. 91-583, eff. 1-1-00; revised 12-6-03.)

Sec. 8. Sale of bonds. The bonds shall be issued and sold from time to time in such amounts as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. The bonds shall be serial bonds in the denomination of $5,000 or some multiple thereof, shall be payable within 30 years from their date, shall bear interest payable annually or semiannually from their date at the rate of not more than 15% per annum, or such higher maximum rate as may be authorized by "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as amended, shall be dated, and shall be in such form as the Director of the Governor's Office of Management and Budget Bureau of the Budget shall fix and

New matter indicated by italics - deletions by strikeout
determine in the order authorizing the issuance and sale of the bonds, which order shall be approved by the Governor prior to the giving of notice of the sale of any of the bonds. These bonds shall be payable as to both principal and interest at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be fixed and determined by the Director of the Governor’s Office of Management and Budget Bureau of the Budget in the order authorizing the issuance and sale of such bonds. The bonds may be callable as fixed and determined by the Director of the Governor’s Office of Management and Budget Bureau of the Budget in the order authorizing the issuance and sale of the bonds; provided, however, that the State shall not pay a premium of more than 3% of the principal of any bonds so called.

(Source: P.A. 91-357, eff. 7-29-99; revised 8-23-03.)

(20 ILCS 1110/10) (from Ch. 96 1/2, par. 4110)

Sec. 10. Bond Proceeds.

The Bonds shall be sold from time to time by the Director of the Governor’s Office of Management and Budget Bureau of the Budget to the highest and best bidders, for not less than their par value, upon sealed bids, at not exceeding the maximum interest rate fixed in the order authorizing the issuance of the Bonds. The right to reject any and all bids may be reserved. The Secretary of State shall, from time to time, as the Bonds are to be sold, advertise in at least two daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago, for proposals to purchase the Bonds. Each of such advertisements for proposals shall be published once at least 10 days prior to the date of the opening of the bids. The executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of the Bonds shall be paid into the State Treasury. The proceeds of the Bonds shall be deposited in a separate fund known as the "Coal Development Fund", which separate fund is hereby created.

(Source: P.A. 78-1122; revised 8-23-03.)

(20 ILCS 1110/11) (from Ch. 96 1/2, par. 4111)
Sec. 11. Expenditure of funds. At all times, the proceeds from the sale of Bonds are subject to appropriation by the General Assembly and may be expended in such amounts and at such times as the Department of Commerce and Economic Opportunity Community Affairs, with the approval of the Illinois Energy Resources Commission, may deem necessary or desirable for the specific purposes contemplated by this Act.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 235. The Energy Conservation Act is amended by changing Section 4 as follows:
(20 ILCS 1115/4) (from Ch. 96 1/2, par. 7604)
Sec. 4. Technical Assistance Programs.
(a) The Department of Commerce and Economic Opportunity Community Affairs shall provide technical assistance in the development of thermal efficiency standards and lighting efficiency standards to units of local government, upon request by such unit.
(b) The Department shall provide technical assistance in the development of a program for energy efficiency in procurement to units of local government, upon request by such unit.
(c) The Technical Assistance Programs provided in this Section shall be supported by funds provided to the State pursuant to the federal "Energy Policy and Conservation Act of 1975" or other federal acts that provide funds for energy conservation efforts through the use of building codes.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 240. The Illinois Geographic Information Council Act is amended by changing Section 5-5 as follows:
(20 ILCS 1128/5-5)
Sec. 5-5. Council. The Illinois Geographic Information Council, hereinafter called the "Council", is created within the Department of Natural Resources.

The Council shall consist of 17 voting members, as follows: the Illinois Secretary of State, the Illinois Secretary of Transportation, the Directors of the Illinois Departments of Agriculture, Central Management Services, Commerce and Economic Opportunity Community Affairs,

New matter indicated by italics - deletions by strikeout
Nuclear Safety, Public Health, Natural Resources, and Revenue, the Directors of the Illinois Emergency Management Agency and the Illinois Environmental Protection Agency, the President of the University of Illinois, the Chairman of the Illinois Commerce Commission, plus 4 members of the General Assembly, one each appointed by the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate. An ex officio voting member may designate another person to carry out his or her duties on the Council.

In addition to the above members, the Governor may appoint up to 10 additional voting members, representing local, regional, and federal agencies, professional organizations, academic institutions, public utilities, and the private sector.

Members appointed by the Governor shall serve at the pleasure of the Governor.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95; 89-445, eff. 2-7-96; revised 12-6-03.)

Section 245. The Department of Human Services Act is amended by changing Sections 1-25 and 80-5 as follows:

(20 ILCS 1305/1-25)

Sec. 1-25. Unified electronic management and intake information and reporting system.

(a) The Department of Human Services shall implement and use a unified electronic management and intake information and reporting system. The Department may own and operate the system itself or use equipment, services, or facilities provided by private or other governmental entities under contract or agreement. The system shall be implemented as expeditiously as may be practical and, as originally implemented, shall comply as closely as possible with the plan approved by the Task Force on Human Services Consolidation under this Section.

(b) The Director of the Bureau of the Budget (now Governor's Office of Management and Budget), in consultation with the Task Force on Human Services Consolidation and the directors of the departments reorganized under this Act, shall prepare and submit to the Task Force by January 1, 1997 a plan for the development and implementation of the

New matter indicated by italics - deletions by strikeout
unified electronic management and intake information and reporting system.

The Task Force shall review the plan and, by February 1, 1997, shall either approve the plan in accordance with subsection (c) or return it to the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) with the Task Force's recommendations for change. If the plan is returned for change, the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) shall revise the plan and, by March 1, 1997, shall submit the revised plan to the Task Force for review and approval. If the Task Force does not approve the revised plan as submitted by the Director of the Bureau of the Budget, it may continue to work with the Director on a further (now Governor's Office of Management and Budget) her revision of the plan or it may adopt and approve a plan of its own.

(c) To approve a plan under this Section, the Task Force shall file with the Secretary of State a certified copy of the plan and a certified copy of a resolution approving the plan, adopted with the affirmative vote of at least 4 of the voting members of the Task Force.

(d) Until the Task Force on Human Services Consolidation approves a plan for the development and implementation of the unified electronic management and intake information and reporting system, no additional powers or duties (other than those provided in House Bill 2632 of the 89th General Assembly or this amendatory Act of 1996) shall be statutorily transferred from any agency to the Department.

(Source: P.A. 89-506, eff. 7-3-96; revised 8-23-03.)

(20 ILCS 1305/80-5)

Sec. 80-5. Task Force on Human Services Consolidation.

(a) There is hereby established a Task Force on Human Services Consolidation.

(b) The Task Force shall consist of 7 voting members, as follows: one person appointed by the Governor, who shall serve as chair of the Task Force; 2 members appointed by the President of the Senate, one of whom shall be designated a vice chair at the time of appointment; one member appointed by the Senate Minority Leader; 2 members appointed

New matter indicated by italics - deletions by strikeout
by the Speaker of the House of Representatives, one of whom shall be
designated a vice chair at the time of appointment; and one member
appointed by the House Minority Leader.

Members appointed by the legislative leaders shall be appointed for
the duration of the Task Force; in the event of a vacancy, the appointment
to fill the vacancy shall be made by the legislative leader of the same
house and party as the leader who made the original appointment. The
Governor may at any time terminate the service of the person appointed by
the Governor and reappoint a different person to serve as chair of the Task
Force.

The following persons (or their designees) shall serve, ex officio,
as nonvoting members of the Task Force: the Director of Public Health,
the Director of Public Aid, the Director of Children and Family Services,
the Director of the Governor’s Office of Management and Budget Bureau
of the Budget, and, until their offices are abolished, the Director of Mental
Health and Developmental Disabilities, the Director of Rehabilitation
Services, and the Director of Alcoholism and Substance Abuse. The
Governor may appoint up to 3 additional persons to serve as nonvoting
members of the Task Force; such persons shall be officers or employees of
a constitutional office or of a department or agency of the executive
branch.

The Task Force may begin to conduct business upon the
appointment of a majority of the voting members. If the chair has not been
appointed but both vice chairs have been appointed, the 2 vice chairs shall
preside jointly. If the chair has not been appointed and only one vice chair
has been appointed, that vice chair shall preside.

Members shall serve without compensation but may be reimbursed
for their expenses.

(c) The Task Force shall gather information and make
recommendations relating to the planning, organization, and
implementation of human services consolidation. The Task Force shall
work to assure that the human services delivery system meets and adheres
to the goals of quality, efficiency, accountability, and financial
responsibility; to make recommendations in keeping with those goals

New matter indicated by italics - deletions by strikeout
concerning the design, operation, and organizational structure of the new Department of Human Services; and to recommend any necessary implementing legislation.

The Task Force shall monitor the implementation of human service program reorganization and shall study its effect on the delivery of services to the citizens of Illinois. The Task Force shall make recommendations to the Governor and the General Assembly regarding future consolidation of human service programs and functions.

(d) The Task Force shall:

1. review and make recommendations on the organizational structure of the new Department of Human Services;
2. review and approve plans for a unified electronic management and intake information and reporting system as provided in Section 1-25, and monitor and guide the implementation of the system;
3. review and make recommendations on the consolidation or elimination of fragmented or duplicative programs;
4. monitor and make recommendations on how best to maximize future federal funding for the new Department of Human Services, specifically including consideration of any federal Medicaid, welfare, or block grant reform;
5. review and make recommendations on geographic regionalization;
6. review and make recommendations on development of common intake and client confidentiality processes;
7. review and make recommendations to foster effective community-based privatization;
8. obtain a management audit of the Department of Children and Family Services, to be completed and submitted to the Task Force no later than July 1, 1997; and
9. review any other appropriate matter and make recommendations to assure a high quality, efficient, accountable,
and financially responsible system for the delivery of human services to the people of Illinois.

(e) The Task Force may hire any necessary staff or consultants, enter into contracts, and make any expenditures necessary for carrying out its duties, all out of moneys appropriated for that purpose. Staff support services may be provided to the Task Force by the Office of the Governor, the agencies of State government directly involved in the reorganization of the delivery of human services, and appropriate legislative staff.

(f) The Task Force may establish an advisory committee to ensure maximum public participation in the Task Force's planning, organization, and implementation review process. If established, the advisory committee shall (1) advise and assist the Task Force in its duties, (2) help the Task Force to identify issues of public concern, and (3) meet at least quarterly.

(g) The Task Force shall submit preliminary reports of its findings and recommendations to the Governor and the General Assembly by February 1, 1997 and February 1, 1998 and a final report by January 1, 1999. It may submit other reports as it deems appropriate.

(h) The Task Force is abolished on February 1, 1999.

(Source: P.A. 89-506, eff. 7-3-96; revised 8-23-03.)

Section 250. The Illinois Guaranteed Job Opportunity Act is amended by changing Section 10 as follows:

(20 ILCS 1510/10)

Sec. 10. Definitions. As used in this Act:
"Department" means the Department of Commerce and Economic Community Affairs.
"Eligible area" means a county, township, municipality, or ward or precinct of a municipality.
"Participant" means an individual who is determined to be eligible under Section 25.
"Project" means the definable task or group of tasks which:
(1) will be carried out by a public agency, a private nonprofit organization, a private contractor, or a cooperative,
(2) (blank),
(3) will result in a specific product or accomplishment, and

New matter indicated by italics - deletions by strikeout
(4) would not otherwise be conducted with existing funds.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 93-46, eff. 7-1-03; revised 12-6-03.)

Section 260. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-45 as follows:

(20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)
Sec. 2605-45. Division of Administration. The Division of Administration shall exercise the following functions:

(1) Exercise the rights, powers, and duties vested in the Department by the Governor's Office of Management and Budget Act.

(2) Pursue research and the publication of studies pertaining to local law enforcement activities.

(3) Exercise the rights, powers, and duties vested in the Department by the Personnel Code.

(4) Operate an electronic data processing and computer center for the storage and retrieval of data pertaining to criminal activity.

(5) Exercise the rights, powers, and duties vested in the former Division of State Troopers by Section 17 of the State Police Act.

(6) Exercise the rights, powers, and duties vested in the Department by "An Act relating to internal auditing in State government", approved August 11, 1967 (repealed; now the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

(6.5) Exercise the rights, powers, and duties vested in the Department by the Firearm Owners Identification Card Act.

(7) Exercise other duties that may be assigned by the Director to fulfill the responsibilities and achieve the purposes of the Department.

(Source: P.A. 91-239, eff. 1-1-00; 91-760, eff. 1-1-01; revised 8-23-03.)

New matter indicated by italics - deletions by strikeout
Section 265. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Sections 2705-255, 2705-285, 2705-405, and 2705-435 as follows:

(20 ILCS 2705/2705-255) (was 20 ILCS 2705/49.14)
Sec. 2705-255. Appropriations from Build Illinois Bond Fund and Build Illinois Purposes Fund. Any expenditure of funds by the Department for interchanges, for access roads to and from any State or local highway in Illinois, or for other transportation capital improvements related to an economic development project pursuant to appropriations to the Department from the Build Illinois Bond Fund and the Build Illinois Purposes Fund shall be used for funding improvements related to existing or planned scientific, research, manufacturing, or industrial development or expansion in Illinois. In addition, the Department may use those funds to encourage and maximize public and private participation in those improvements. The Department shall consult with the Department of Commerce and Economic Opportunity Community Affairs prior to expending any funds for those purposes pursuant to appropriations from the Build Illinois Bond Fund and the Build Illinois Purposes Fund.
(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

(20 ILCS 2705/2705-285) (was 20 ILCS 2705/49.06b)
Sec. 2705-285. Ports and waterways. The Department has the power to undertake port and waterway development planning and studies of port and waterway development problems and to provide technical assistance to port districts and units of local government in connection with port and waterway development activities. The Department may provide financial assistance for the ordinary and contingent expenses of port districts upon the terms and conditions that the Department finds necessary to aid in the development of those districts.

The Department shall coordinate all its activities under this Section with the Department of Commerce and Economic Opportunity Community Affairs.
(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

(20 ILCS 2705/2705-405) (was 20 ILCS 2705/49.25b)

New matter indicated by italics - deletions by strikeout
Sec. 2705-405. Preparation of State Rail Plan. In preparation of the State Rail Plan under Section 2705-400, the Department shall consult with recognized railroad labor organizations, the Department of Commerce and Economic Opportunity Community Affairs, railroad management, affected units of local government, affected State agencies, and affected shipping interests.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

(20 ILCS 2705/2705-435) (was 20 ILCS 2705/49.25g-1)

Sec. 2705-435. Loans, grants, or contracts to rehabilitate, improve, or construct rail facilities; State Rail Freight Loan Repayment Fund. In addition to the powers under Section 105-430, the Department shall have the power to enter into agreements to loan or grant State funds to any railroad, unit of local government, rail user, or owner or lessee of a railroad right of way to rehabilitate, improve, or construct rail facilities.

For each project proposed for funding under this Section the Department shall, to the extent possible, give preference to cost effective projects that facilitate continuation of existing rail freight service. In the exercise of its powers under this Section, the Department shall coordinate its program with the industrial retention and attraction programs of the Department of Commerce and Economic Opportunity Community Affairs. No funds provided under this Section shall be expended for the acquisition of a right of way or rolling stock or for operating subsidies. The costs of a project funded under this Section shall be apportioned in accordance with the agreement of the parties for the project. Projects are eligible for a loan or grant under this Section only when the Department determines that the transportation, economic, and public benefits associated with a project are greater than the capital costs of that project incurred by all parties to the agreement and that the project would not have occurred without its participation. In addition, a project to be eligible for assistance under this Section must be included in a State plan for rail transportation and local rail service prepared by the Department. The Department may also expend State funds for professional engineering services to conduct feasibility studies of projects proposed for funding under this Section, to estimate the costs and material requirements for those projects, to provide for the

New matter indicated by italics - deletions by strikeout
design of those projects, including plans and specifications, and to conduct investigations to ensure compliance with the project agreements.

The Department, acting through the Department of Central Management Services, shall also have the power to let contracts for the purchase of railroad materials and supplies. The Department shall also have the power to let contracts for the rehabilitation, improvement, or construction of rail facilities. Any such contract shall be let, after due public advertisement, to the lowest responsible bidder or bidders, upon terms and conditions to be fixed by the Department. With regard to rehabilitation, improvement, or construction contracts, the Department shall also require the successful bidder or bidders to furnish good and sufficient bonds to ensure proper and prompt completion of the work in accordance with the provisions of the contracts.

In the case of an agreement under which State funds are loaned under this Section, the agreement shall provide the terms and conditions of repayment. The agreement shall provide for the security that the Department shall determine to protect the State's interest. The funds may be loaned with or without interest. Loaned funds that are repaid to the Department shall be deposited in a special fund in the State treasury to be known as the State Rail Freight Loan Repayment Fund. In the case of repaid funds deposited in the State Rail Freight Loan Repayment Fund, the Department shall, subject to appropriation, have the reuse of those funds and the interest accrued thereon, which shall also be deposited by the State Treasurer in the Fund, as the State share in other eligible projects under this Section. However, no expenditures from the State Rail Freight Loan Repayment Fund for those projects shall at any time exceed the total sum of funds repaid and deposited in the State Rail Freight Loan Repayment Fund and interest earned by investment by the State Treasurer which the State Treasurer shall have deposited in that Fund.

For the purposes of promoting efficient rail freight service, the Department may also provide technical assistance to railroads, units of local government or rail users, or owners or lessees of railroad rights-of-way.

New matter indicated by italics - deletions by strikeout
The Department shall take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation provided hereunder, including the power to sell, dispose, lease, or rent, upon terms and conditions determined by the Secretary to be appropriate, real or personal property that the Department may receive as a result thereof.

The Department is authorized to make reasonable rules and regulations consistent with law necessary to carry out the provisions of this Section.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)

Section 270. The Illinois Capital Budget Act is amended by changing Sections 1 and 4 as follows:

(20 ILCS 3010/1) (from Ch. 127, par. 3101)

Sec. 1. The Governor's Office of Management and Budget Bureau of the Budget shall coordinate the preparation of annually updated 5 year capital improvement programs and yearly capital budgets based on those programs, in cooperation with all State agencies requesting a capital appropriation.

(Source: P.A. 84-838; revised 8-23-03.)

(20 ILCS 3010/4) (from Ch. 127, par. 3104)

Sec. 4. (a) The Governor's Office of Management and Budget Bureau of the Budget shall be responsible for integrating the long range program plans of State agencies which request capital appropriations into capital plans. The Capital Development Board shall be responsible for developing needs based physical plant plans and technical review and survey of facilities. The Governor's Office of Management and Budget Bureau of the Budget shall also be responsible for providing funding and expenditure projections.

(b) The Capital Development Board shall be responsible for development and maintenance of a facility inventory of each State agency which requests a capital appropriation.

(c) Recommendations for capital funding shall be included in the annual budget based on the capital improvement project.

New matter indicated by italics - deletions by strikeout
(d) The capital improvement program shall be submitted to the General Assembly by the Governor as part of the annual State budget.
(Source: P.A. 84-838; revised 8-23-03.)

Section 275. The Capital Development Board Act is amended by changing Section 10.09-5 as follows:
(20 ILCS 3105/10.09-5)

Sec. 10.09-5. Standards for an energy code. To adopt rules, by January 1, 2004, implementing a statewide energy code for the construction or repair of State facilities described in Section 4.01. The energy code adopted by the Board shall incorporate standards promulgated by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc., (ASHRAE). In proposing rules, the Board shall consult with the Department of Commerce and Economic Opportunity Community Affairs.
(Source: P.A. 93-190, eff. 7-14-03; revised 12-6-03.)

Section 280. The Historic Preservation Agency Act is amended by changing Section 20 as follows:
(20 ILCS 3405/20)

Sec. 20. Freedom Trail Commission.
(a) Creation. The Freedom Trail Commission is created within the Agency. The budgeting, procurement, and related functions of the commission and administrative responsibilities for the staff of the commission shall be performed under the direction and supervision of the Agency.
(b) Membership. The commission shall consist of 16 members, appointed as soon as possible after the effective date of this amendatory Act of the 93rd General Assembly. The members shall be appointed as follows:
(1) one member appointed by the President of the Senate;
(2) one member appointed by the Senate Minority Leader;
(3) one member appointed by the Speaker of the House;
(4) one member appointed by the House Minority Leader;
(5) 9 members appointed by the Governor as follows:

New matter indicated by italics - deletions by strikeout
(i) 3 members from the academic community who are knowledgeable concerning African-American history; (ii) one public member who is actively involved in civil rights issues; (iii) one public member who is knowledgeable in the field of historic preservation; (iv) one public member who represents local communities in which the underground railroad had a significant presence; and (v) 3 members at large, one of whom shall be a representative of the DuSable Museum and one of whom shall be a representative of the Chicago Historical Society; 

(6) the Director of Commerce and Economic Opportunity Community Affairs, ex officio, or a designee of the Director; 

(7) the State Librarian, ex officio, or a designee of the State Library; and 

(8) the Director of the Historic Preservation Agency, ex officio, or a designee of that Agency. Appointed members shall serve at the pleasure of the appointing authority. 

(c) Election of chairperson; meetings. At its first meeting, the commission shall elect from among its members a chairperson and other officers it considers necessary or appropriate. After its first meeting, the commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 7 or more members. 

(d) Quorum. A majority of the members of the commission constitute a quorum for the transaction of business at a meeting of the commission. A majority of the members present and serving is required for official action of the commission. 

(e) Public meeting. The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the Open Meetings Act. 

(f) Freedom of information. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function is subject to the Freedom of Information Act. 

(g) Compensation. Members of the commission shall serve without compensation. However, members of the commission may be reimbursed
for their actual and necessary expenses incurred in the performance of their official duties as members of the commission.

(h) Duties. The commission shall do the following:

(1) Prepare a master plan to promote and preserve the history of the freedom trail and underground railroad in the State.

(2) Work in conjunction with State and federal authorities to sponsor commemorations, linkages, seminars, and public forums on the freedom trail and underground railroad in the State and in neighboring states.

(3) Assist in and promote the making of applications for inclusion in the national and State registers of historic places for significant historic places related to the freedom trail and the underground railroad in the State.

(4) Assist in developing and develop partnerships to seek public and private funds to carry out activities to protect, preserve, and promote the legacy of the freedom trail and the underground railroad in the State.

(5) Work with the Illinois State Board of Education to evaluate, conduct research concerning, and develop a curriculum for use in Illinois public schools regarding the underground railroad, with emphasis on the activities of the underground railroad within the State.


(Source: P.A. 93-487, eff. 8-8-03; revised 12-6-03.)

Section 285. The Small Business Surety Bond Guaranty Act is amended by changing Section 5 as follows:

(20 ILCS 3520/5)

Sec. 5. Definitions.

"Contract term" means the term of the private sector, government, or utility contract, including a maintenance or warranty period of up to 2 years from the date on which final payment under the contract is due.

"Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
"Fund" means the Small Business Surety Bond Guaranty Fund. "Principal" means (i) in the case of a bid bond, a person bidding for the award of a contract, or (ii) the person primarily liable to complete a contract for the obligee, or to make payments to other persons in respect of the contract, and for whose performance of his obligation the surety is bound under the terms of a payment or performance bond. A principal may be a prime contractor or a subcontractor.

"Program" means the Small Business Surety Bond Guaranty Program created by this Act.

(Source: P.A. 88-407; 88-665, eff. 9-16-94; revised 12-6-03.)

Section 290. The Illinois Investment and Development Authority Act is amended by changing Section 15 as follows:

(20 ILCS 3820/15)
Sec. 15. Creation of Illinois Investment and Development Authority; members.
(a) There is created a political subdivision, body politic and corporate, to be known as the Illinois Investment and Development Authority. The exercise by the Authority of the powers conferred by law shall be an essential public function. The governing powers of the Authority shall be vested in a body consisting of 11 members, including, as ex officio members, the Commissioner of Banks and Real Estate and the Director of Commerce and Economic Opportunity Community Affairs or their designees. The other 9 members of the Authority shall be appointed by the Governor, with the advice and consent of the Senate, and shall be designated "public members". The public members shall include representatives from banks and other private financial services industries, community development finance experts, small business development experts, and other community leaders. Not more than 6 members of the Authority may be of the same political party. The Chairperson of the Authority shall be designated by the Governor from among its public members.

(b) Six members of the Authority shall constitute a quorum. However, when a quorum of members of the Authority is physically present at the meeting site, other Authority members may participate in

New matter indicated by italics - deletions by strikeout
and act at any meeting through the use of a conference telephone or other communications equipment by means of which all persons participating in the meeting can hear each other. Participation in such meeting shall constitute attendance and presence in person at the meeting of the person or persons so participating. All official acts of the Authority shall require the approval of at least 5 members.

(c) Of the members initially appointed by the Governor pursuant to this Act, 3 shall serve until the third Monday in January, 2004, 3 shall serve until the third Monday in January, 2005, and 3 shall serve until the third Monday in January, 2006 and all shall serve until their successors are appointed and qualified. All successors shall hold office for a term of 3 years commencing on the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Each member appointed under this Section who is confirmed by the Senate shall hold office during the specified term and until his or her successor is appointed and qualified. In case of vacancy in the office when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate, when the Governor shall nominate such person to fill the office, and any person so nominated who is confirmed by the Senate, shall hold his or her office during the remainder of the term and until his or her successor is appointed and qualified.

(d) Members of the Authority shall not be entitled to compensation for their services as members, but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(e) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office, after service on the member of a copy of the written charges against him or her and an opportunity to be publicly heard in person or by counsel in his or her own defense upon not less than 10 days notice.

(Source: P.A. 92-864, eff. 6-1-03; revised 12-6-03.)

Section 295. The Illinois Building Commission Act is amended by changing Section 35 as follows:

New matter indicated by italics - deletions by strikeout
(20 ILCS 3918/35)
Sec. 35. Administration and enforcement of State building requirements. The Commission shall also suggest a long-term plan to improve administration and enforcement of State building requirements statewide. The plan shall include (i) recommendations for ways the Department of Commerce and Economic Opportunity Community Affairs could create a consolidated clearinghouse on all information concerning existing State building requirements, (ii) recommendations for a consistent format for State building requirements, (iii) recommendations for a system or procedure for updating existing State building requirements that shall include a procedure for input from the public, (iv) recommendations for a system or procedure for the review, approval, and appeal of building plans, and (v) recommendations for a system or procedure to enforce the State building requirements. The Commission shall submit its suggestions for creating the consolidated clearinghouse to the Department of Commerce and Economic Opportunity Community Affairs as soon as practical after the effective date of this Act.
(Source: P.A. 90-269, eff. 1-1-98; revised 12-6-03.)

Section 300. The Government Buildings Energy Cost Reduction Act of 1991 is amended by changing Sections 10 and 15 as follows:
(20 ILCS 3953/10) (from Ch. 96 1/2, par. 9810)
Sec. 10. Definitions. "Energy conservation project" and "project designed to reduce energy consumption and costs" mean any improvement, repair, alteration or betterment of any building or facility or any equipment, fixture or furnishing to be added to or used in any building or facility that the Director of Commerce and Economic Opportunity Community Affairs has determined will be a cost effective energy related project that will lower energy or utility costs in connection with the operation or maintenance of such building or facility, and will achieve energy cost savings sufficient to cover bond debt service and other project costs within 7 years from the date of project installation.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)
(20 ILCS 3953/15) (from Ch. 96 1/2, par. 9815)

New matter indicated by italics - deletions by strikeout
Sec. 15. Creation. There is created within State government the Interagency Energy Conservation Committee, hereinafter referred to as the Committee. The Committee shall be composed of the Secretary of Human Services and the Directors of the Department of Commerce and Economic Opportunity Community Affairs, the Department of Central Management Services, the Department of Corrections, the Illinois Board of Higher Education, and the Capital Development Board, or their designees. The Director of the Department of Commerce and Economic Opportunity Community Affairs shall serve as Committee chairman, and the Committee's necessary staff and resources shall be drawn from the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 89-445, eff. 2-7-96; 89-507, eff. 7-1-97; revised 12-6-03.)

Section 305. The Illinois Economic Development Board Act is amended by changing Sections 2, 3, and 4.5 as follows:

(20 ILCS 3965/2) (from Ch. 127, par. 3952)

Sec. 2. The Illinois Economic Development Board, referred to in this Act as the board, is hereby created within the Department of Commerce and Economic Opportunity Community Affairs. The board is charged with the responsibility of assisting the Department with creating a long-term economic development strategy for the State, designed to spur economic growth, enhance opportunities for core Illinois industries, encourage new job creation and investment, that is consistent with the preservation of the State's quality of life and environment.

(Source: P.A. 86-1430; revised 12-6-03.)

(20 ILCS 3965/3) (from Ch. 127, par. 3953)

Sec. 3. The board shall be composed of citizens from both the private and public sectors who are actively engaged in organizations and businesses that support economic expansion, industry enhancement and job creation. The board shall be composed of the following persons:

(a) the Governor or his or her designee;

(b) four members of the General Assembly, one each appointed by the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and House of Representatives;

New matter indicated by italics - deletions by strikeout
(c) 20 members appointed by the Governor including representatives of small business, minority owned companies, women owned companies, manufacturing, economic development professionals, and citizens at large.

(d) (blank);
(e) (blank);
(f) (blank);
(g) (blank);
(h) (blank);
(i) (blank);
(j) (blank);
(k) (blank);
(l) (blank);
(m) (blank).

The Director of the Department of Commerce and Economic Opportunity Community Affairs shall serve as an ex officio member of the board.

The Governor shall appoint the members of the board specified in subsections (c) through (m) of this Section, subject to the advice and consent of the Senate, within 30 days after the effective date of this Act. The first meeting of the board shall occur within 60 days after the effective date of this Act.

The Governor shall appoint a chairperson and a vice chairperson of the board. Members shall serve 2-year terms. The position of a legislative member shall become vacant if the member ceases to be a member of the General Assembly. A vacancy in a board position shall be filled by the original appointing authority.

The board shall include representation from each of the State's geographic areas.

The board shall meet quarterly or at the call of the chair and shall create subcommittees as needed to deal with specific issues and concerns. Members shall serve without compensation but may be reimbursed for expenses.

(Source: P.A. 91-476, eff. 8-11-99; revised 12-6-03.)
(20 ILCS 3965/4.5)
Sec. 4.5. Additional duties. In addition to those duties granted under Section 4, the Illinois Economic Development Board shall:

(1) Establish a Business Investment Location Development Committee for the purpose of making recommendations for designated economic development projects. At the request of the Board, the Director of Commerce and Economic Opportunity Community Affairs or his or her designee; the Director of the Governor's Office of Management and Budget Bureau of the Budget, or his or her designee; the Director of Revenue, or his or her designee; the Director of Employment Security, or his or her designee; and an elected official of the affected locality, such as the chair of the county board or the mayor, may serve as members of the Committee to assist with its analysis and deliberations.

(2) Establish a Business Regulatory Review Committee to generate private sector analysis, input, and guidance on methods of regulatory assistance and review. At the determination of the Board, individual small business owners and operators; national, State, and regional organizations representative of small firms; and representatives of existing State or regional councils of business may be designated as members of this Business Regulatory Review Committee.

(Source: P.A. 91-476, eff. 8-11-99; revised 8-23-03.)

Section 310. The Illinois Business Regulatory Review Act is amended by changing Sections 15-30 and 15-35 as follows:

(20 ILCS 3966/15-30)
Sec. 15-30. Advisory responsibilities of the Business Regulatory Review Committee. At the direction and request of the Board, the Committee shall provide the following advisory assistance:

(1) To advise the Office of the Governor regarding agency rulemaking and to offer recommendations that improve the State rulemaking process, which may include alternative standards that might be set for enforcement by regulatory agencies.

New matter indicated by italics - deletions by strikeout
(2) To advise the General Assembly about whether the State should adopt small business regulatory enforcement fairness legislation modeled after the equivalent federal legislation and regarding how Illinois laws compare with those of other states and how Illinois might implement reforms adopting the better or best practices of these other states.

(3) To advise the Department of Commerce and Economic Opportunity Community Affairs with the operations of the First Stop, small business regulatory review, and similar department programs.

(4) To advise relevant State agencies on the formulation of federally required State rules.

(Source: P.A. 91-476, eff. 8-11-99; revised 12-6-03.)

(20 ILCS 3966/15-35)
Sec. 15-35. Support for Committee. The Committee shall be provided staff support services by the Department of Commerce and Economic Opportunity Community Affairs, the Office of the Governor, and various regulatory agencies. Members of the Committee shall serve without compensation, but may be reimbursed for expenses.

(Source: P.A. 91-476, eff. 8-11-99; revised 12-6-03.)

Section 315. The Illinois River Watershed Restoration Act is amended by changing Section 15 as follows:

(20 ILCS 3967/15)
Sec. 15. Illinois River Coordinating Council.
(a) There is established the Illinois River Coordinating Council, consisting of 13 voting members to be appointed by the Governor. One member shall be the Lieutenant Governor who shall serve as a voting member and as chairperson of the Council. The Agency members of the Council shall include the Director, or his or her designee, of each of the following agencies: the Department of Agriculture, the Department of Commerce and Economic Opportunity Community Affairs, the Illinois Environmental Protection Agency, the Department of Natural Resources, and the Department of Transportation. In addition, the Council shall include one member representing Soil and Water Conservation Districts

New matter indicated by italics - deletions by strikeout
located within the Watershed of the Illinois River and its tributaries and 6 members representing local communities, not-for-profit organizations working to protect the Illinois River Watershed, business, agriculture, recreation, conservation, and the environment. The Governor may, at his or her discretion, appoint individuals representing federal agencies to serve as ex officio, non-voting members.

(b) Members of the Council shall serve 2-year terms, except that of the initial appointments, 5 members shall be appointed to serve 3-year terms and 4 members to serve one-year terms.

(c) The Council shall meet at least quarterly.

(d) The Office of the Lieutenant Governor shall be responsible for the operations of the Council. The Office may reimburse members of the Council for ordinary and contingent expenses incurred in the performance of Council duties.

(e) This Section is subject to the provisions of Section 405-500 of the Department of Central Management Services Law (20 ILCS 405/405-500).

(Source: P.A. 90-120, eff. 7-16-97; 90-609, eff. 6-30-98; 91-239, eff. 1-1-00; revised 12-6-03.)

Section 320. The Interagency Coordinating Committee on Transportation Act is amended by changing Section 15 as follows:

(20 ILCS 3968/15)

Sec. 15. Committee. The Illinois Coordinating Committee on Transportation is created and shall consist of the following members:

(1) The Governor or his or her designee.
(2) The Secretary of Transportation or his or her designee.
(3) The Secretary of Human Services or his or her designee.
(4) The Director of Aging or his or her designee.
(5) The Director of Public Aid or his or her designee.
(6) The Director of Commerce and Economic Opportunity

Community Affairs or his or her designee.
(7) A representative of the Illinois Rural Transit Assistance Center.
(8) A person who is a member of a recognized statewide organization representing older residents of Illinois.

New matter indicated by italics - deletions by strikeout
(9) A representative of centers for independent living.
(11) A representative of an existing transportation system that coordinates and provides transit services in a multi-county area for the Department of Transportation, Department of Human Services, Department of Commerce and Economic Opportunity Community Affairs, or Department on Aging.
(12) A representative of a statewide organization of rehabilitation facilities or other providers of services for persons with one or more disabilities.
(13) A representative of a community-based organization.
(14) A representative of the Department of Public Health.
(15) A representative of the Rural Partners.
(16) The Director of Employment Security or his or her designee.
(17) A representative of a statewide business association.

The Governor shall appoint the members of the Committee other than those named in paragraphs (1) through (6) and paragraph (16) of this Section. The Governor or his or her designee shall serve as chairperson of the Committee and shall convene the meetings of the Committee. The Secretary of Transportation and a representative of a community-based organization involved in transportation or their designees, shall serve as co-vice-chairpersons and shall be responsible for staff support for the committee.

(Source: P.A. 93-185, eff. 7-11-03; revised 12-6-03.)

Section 325. The Interagency Coordinating Council Act is amended by changing Section 2 as follows:

(20 ILCS 3970/2) (from Ch. 127, par. 3832)
Sec. 2. Interagency Coordinating Council. There is hereby created an Interagency Coordinating Council which shall be composed of the Directors, or their designees, of the Illinois Department of Children and Family Services, Illinois Department of Commerce and Economic

New matter indicated by italics - deletions by strikeout
Opportunity Community Affairs, Illinois Department of Corrections, Illinois Department of Employment Security, and Illinois Department of Public Aid; the Secretary of Human Services or his or her designee; the Executive Director, or a designee, of the Illinois Community College Board, the Board of Higher Education, and the Illinois Planning Council on Developmental Disabilities; the State Superintendent of Education, or a designee; and a designee representing the University of Illinois - Division of Specialized Care for Children. The Secretary of Human Services (or the member who is the designee for the Secretary of Human Services) and the State Superintendent of Education (or the member who is the designee for the State Superintendent of Education) shall be co-chairs of the Council. The co-chairs shall be responsible for ensuring that the functions described in Section 3 of this Act are carried out.

(Source: P.A. 92-452, eff. 8-21-01; revised 12-6-03.)

Section 330. The Illinois Manufacturing Technology Alliance Act is amended by changing Sections 4 and 15 as follows:

(a) The Illinois Manufacturing Technology Alliance shall be governed and operated by a Board of Directors consisting of 11 members: 5 public members who shall be representative of industries to be served by the Alliance; 2 public members who shall be researchers in manufacturing technologies; and 4 ex officio members who shall be the Director of the Department of Commerce and Economic Opportunity Community Affairs, the Chief Executive Officer of the Prairie State 2000 Authority, the Executive Director of the Board of Higher Education and the Executive Director of the Illinois Community College Board. An ex officio member may designate a representative to serve as a substitute when such member is unable to attend a meeting of the Board.

(b) The Governor, by and with the advice and consent of the Senate, shall appoint the 5 public members who are representative of industries to be served by the Alliance and the 2 public members who are researchers in manufacturing technologies. To the extent possible, 4 members of the 5 public members who are representatives of industries to

New matter indicated by italics - deletions by strikeout
be served by the Alliance shall be members of trade associations that are Alliance Partners.

A vacancy in the position of Board member shall occur upon resignation, death, conviction of a felony, or removal from office of a Director. The Governor may remove any public member from office on a formal finding of incompetence, neglect of duty or malfeasance in office. Within 30 days after the office of any appointed member becomes vacant for any reason, the Governor shall fill the vacancy for the unexpired term in the same manner as that in which appointments are made. If the Senate is not in session when the first appointments are made or when the Governor fills a vacancy, the Governor shall make temporary appointments until the next meeting of the Senate, when he shall nominate persons to be confirmed by the Senate.

(c) No more than 4 public members shall be of the same political party.

(d) Of those public members initially appointed to the Board, 4 Directors, no more than 2 of the same political party, shall be appointed to serve until July 1, 1993, and 3 Directors, not more than 2 of the same political party, shall be appointed to serve until July 1, 1991. Thereafter, each public member shall be appointed for a 4 year term, or until his successor is appointed and qualified. The terms of the public members initially appointed shall commence upon the appointment of all 7 public members.

(e) No public member may serve as a Director for an aggregate of more than 10 years.

(Source: P.A. 86-1015; revised 12-6-03.)

(20 ILCS 3990/15) (from Ch. 48, par. 2615)

Sec. 15. Relationship with other Agencies. The Alliance shall cooperate with the Department of Commerce and Economic Opportunity Community Affairs, the Board of Higher Education, the Illinois Community College Board, the Prairie State 2000 Authority and any other agency or authority of the State on any project or program that improves the competitiveness of small and medium size Illinois manufacturers. The

New matter indicated by italics - deletions by strikeout
policies and programs of the Alliance shall be consistent with economic development policies of this State.
(Source: P.A. 86-1015; revised 12-6-03.)

Section 335. The Illinois Council on Developmental Disabilities Law is amended by changing Sections 2004 and 2004.5 as follows:
(20 ILCS 4010/2004) (from Ch. 91 1/2, par. 1954)
(a) The council shall be composed of 38 voting members, 27 of whom shall be appointed by the Governor from residents of the State so as to ensure that the membership reasonably represents consumers of services to persons with developmental disabilities.
(b) Eleven voting members shall be the Directors of Public Aid, Public Health, Aging, Children and Family Services, the Guardianship and Advocacy Commission, the State protection and advocacy agency, the State Board of Education, the Division of Specialized Care for Children of the University of Illinois, and the State University Affiliated Program, or their designees, plus the Secretary of Human Services (or his or her designee) and one additional representative of the Department of Human Services designated by the Secretary.
(c) Nineteen voting members shall be persons with developmental disabilities, parents or guardians of such persons, or immediate relatives or guardians of persons with mentally impairing developmental disabilities. None of these members shall be employees of a State agency which receives funds or provides services under the federal Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987, managing employees of any other entity which services funds or provides services under the federal Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987, or persons with an ownership or control interest in such an entity. Of these members:
(1) At least 6 shall be persons with developmental disabilities and at least 6 shall be immediate relatives or guardians of persons with mentally impairing developmental disabilities; and
(2) One member shall be an immediate relative or guardian of an institutionalized or previously institutionalized person with a developmental disability.

(d) Eight voting members shall be representatives of local agencies, nongovernmental agencies and groups concerned with services to persons with developmental disabilities.

(e) The Governor shall consider nominations made by advocacy and community-based organizations.

(f) Of the initial members appointed by the Governor, 8 shall be appointed for terms of one year, 9 shall be appointed for terms of 2 years, and 9 shall be appointed for terms of 3 years. Thereafter, all members shall be appointed for terms of 3 years. No member shall serve more than 2 successive terms.

(g) Individual terms of office shall be chosen by lot at the initial meeting of the council.

(h) Vacancies in the membership shall be filled in the same manner as initial appointments. Appointments to fill vacancies occurring before the expiration of a term shall be for the remainder of the unexpired term.

(i) Members shall not receive compensation for their services, but shall be reimbursed for their actual expenses plus up to $50 a day for any loss of wages incurred in the performance of their duties.

(j) Total membership consists of the number of voting members, as defined in this Section, excluding any vacant positions. A quorum shall consist of a simple majority of total membership and shall be sufficient to constitute the transaction of business of the council unless stipulated otherwise in the bylaws of the council.

(k) The council shall meet at least quarterly.

(l) The Director of the Governor's Office of Management and Budget, or his or her designee, shall serve as a nonvoting member of the council.

(Source: P.A. 89-507, eff. 7-1-97; revised 8-23-03.)

(20 ILCS 4010/2004.5)

Sec. 2004.5. Council membership. The General Assembly intends that the reduction in the membership of the Council shall occur through
attrition between the effective date of this amendatory Act of the 91st General Assembly and January 1, 2001. In the event that the terms of 10 voting members have not expired by January 1, 2001, members of the Council serving on that date shall continue to serve until their terms expire.

(a) The membership of the Council must reasonably represent the diversity of this State. Not less than 60% of the Council's membership must be individuals with developmental disabilities, parents or guardians of children with developmental disabilities, or immediate relatives or guardians of adults with developmental disabilities who cannot advocate for themselves.

The Council must also include representatives of State agencies that administer moneys under federal laws that relate to individuals with developmental disabilities; the State University Center for Excellence in Developmental Disabilities Education, Research, and Service; the State protection and advocacy system; and representatives of local and non-governmental agencies and private non-profit groups concerned with services for individuals with developmental disabilities. The members described in this paragraph must have sufficient authority to engage in policy-making, planning, and implementation on behalf of the department, agency, or program that they represent. Those members may not take part in any discussion of grants or contracts for which their departments, agencies, or programs are grantees, contractors, or applicants and must comply with any other relevant conflict of interest provisions in the Council's policies or bylaws.

(b) Seventeen voting members, appointed by the Governor, must be persons with developmental disabilities, parents or guardians of persons with developmental disabilities, or immediate relatives or guardians of persons with mentally-impairing developmental disabilities. None of these members may be employees of a State agency that receives funds or provides services under the federal Developmental Disabilities Assistance and Bill of Rights Act of 1996 (42 U.S.C. 6000 et seq.), as now or hereafter amended, managing employees of any other entity that receives moneys or provides services under the federal Developmental Disabilities

New matter indicated by italics - deletions by strikeout
Assistance and Bill of Rights Act of 1996 (42 U.S.C. 6000 et seq.), as now or hereafter amended, or persons with an ownership interest in or a controlling interest in such an entity. Of the members appointed under this subsection (b):

(1) at least 6 must be persons with developmental disabilities;

(2) at least 6 must be parents, immediate relatives, or guardians of children and adults with developmental disabilities, including individuals with mentally-impairing developmental disabilities who cannot advocate for themselves; and

(3) 5 members must be a combination of persons described in paragraphs (1) and (2); at least one of whom must be (i) an immediate relative or guardian of an individual with a developmental disability who resides or who previously resided in an institution or (ii) an individual with a developmental disability who resides or who previously resided in an institution.

(c) Two voting members, appointed by the Governor, must be representatives of local and non-governmental agencies and private non-profit groups concerned with services for individuals with developmental disabilities.

(d) Nine voting members shall be the Director of Public Aid, or his or her designee; the Director of Aging, or his or her designee; the Director of Children and Family Services, or his or her designee; a representative of the State Board of Education; a representative of the State protection and advocacy system; a representative of the State University Center for Excellence in Developmental Disabilities Education, Research, and Service; representatives of the Office of Developmental Disabilities and the Office of Community Health and Prevention of the Department of Human Services (as the State's lead agency for Title V of the Social Security Act, 42 U.S.C. 701 et seq.) designated by the Secretary of Human Services; and a representative of the State entity that administers federal moneys under the federal Rehabilitation Act.

New matter indicated by italics - deletions by strikeout
(e) The Director of the Governor's Office of Management and Budget, or his or her designee, shall be a non-voting member of the Council.

(f) The Governor must provide for the timely rotation of members. Appointments to the Council shall be for terms of 3 years. Appointments to fill vacancies occurring before the expiration of a term shall be for the remainder of the term. Members shall serve until their successors are appointed.

The Council, at the discretion of the Governor, may coordinate and provide recommendations for new members to the Governor based upon their review of the Council's composition and on input received from other organizations and individuals representing persons with developmental disabilities, including the non-State agency members of the Council. The Council must, at least once each year, advise the Governor on the Council's membership requirements and vacancies, including rotation requirements.

No member may serve for more than 2 successive terms.

(g) Members may not receive compensation for their services, but shall be reimbursed for their reasonable expenses plus up to $50 per day for any loss of wages incurred in the performance of their duties.

(h) The total membership of the Council consists of the number of voting members, as defined in this Section, excluding any vacant positions. A quorum is a simple majority of the total membership and is sufficient to constitute the transaction of the business of the Council unless otherwise stipulated in the bylaws of the Council.

(i) The Council must meet at least quarterly.

(Source: P.A. 91-798, eff. 7-9-00; revised 8-23-03.)

Section 340. The Prairie State 2000 Authority Act is amended by changing Sections 7 and 12 as follows:

(20 ILCS 4020/7) (from Ch. 48, par. 1507)

Sec. 7. (a) The Prairie State 2000 Authority shall be governed and operated by a Board of Directors consisting of the State Treasurer, the Director of the Department of Commerce and Economic Opportunity, the Director of the Department of Community Affairs and the Director of the Department of Employment

New matter indicated by italics - deletions by strikeout
Security, or their respective designees, as ex officio members, and 4 public members who shall be appointed by the Governor with the advice and consent of the Senate and who shall be of high moral character and expert in educational or vocational training matters, employee benefits, or finance. Each public member shall be appointed for an initial term as provided in paragraph (b) of this Section. Thereafter, each public member shall hold office for a term of 4 years and until his successor has been appointed and assumes office. The Board shall elect a public member to be Chairman. A vacancy shall occur upon resignation, death, conviction of a felony, or removal from office of a Director. The Governor may remove any public member from office on a formal finding of incompetence, neglect of duty or malfeasance in office. Within 30 days after the office of any appointed member becomes vacant for any reason, the Governor shall fill the vacancy for the unexpired term in the same manner as that in which appointments are made. If the Senate is not in session when the first appointments are made or when the Governor fills a vacancy, the Governor shall make temporary appointments until the next meeting of the Senate, when he shall nominate persons to be confirmed by the Senate. No more than 2 public members shall be members of the same political party. Every public member's term shall commence on July 1, except for the terms of the public members initially appointed, whose terms shall commence upon the appointment of all 4 public members.

(b) The initial terms of public members shall be as follows:

(i) Two Directors not members of the same political party shall be appointed to serve until July 1, 1987;

(ii) Two Directors not members of the same political party shall be appointed to serve until July 1, 1985.

No public member may serve as a Director for an aggregate of more than 8 years. A Director appointed under this paragraph (b) shall serve until his successor shall have been appointed and assumes office.

(Source: P.A. 84-1090; revised 12-6-03.)

(20 ILCS 4020/12) (from Ch. 48, par. 1512)

Sec. 12. General Powers and Duties of the Board. Except as otherwise limited by this Act, the Board shall have all powers necessary to
meet its responsibilities and to carry out its purposes, including but not limited to the following powers:

(a) To sue and be sued.

(b) To establish and maintain petty cash funds as provided in Section 13.3 of "An Act in relation to State finance", approved June 10, 1919, as amended.

(c) To make, amend and repeal bylaws, rules, regulations and resolutions consistent with this Act.

(d) To make and execute all contracts and instruments necessary or convenient to the exercise of its powers.

(e) To exclusively control and manage the Authority and all monies donated, paid or appropriated for the relief or benefit of unemployed or inappropriately skilled workers.

(f) To order and direct the issuance of benefit vouchers provided for by this Act, signed by the Chairman and the Chief Executive Officer, to persons entitled thereto in amounts to which such persons are entitled under Section 14. The Board may designate any of its members, or any officer or employee of the Authority, to affix the signature of the Chairman and another to affix the signature of the Chief Executive Officer to the benefit vouchers.

(g) Upon determining that appropriate and sufficient educational or vocational training services are being provided by a participating educational or vocational training institution to the bearer of a voucher, to cause prompt payment of the amount stated on the face of the voucher to such participating educational or vocational training institution, on the condition that such amount shall not exceed the benefit levels to which the bearer is entitled.

(h) To undertake such studies with respect to job training which will assist the Authority in carrying out the purposes of this Act. The Board shall prepare a report on the feasibility of individual training accounts.

(i) To annually review the Prairie State 2000 Authority Program and the provisions of this Act and to make recommendations to the
Governor and the General Assembly regarding changes to this Act or some other Act to make improvements in the Program.

(j) To have an audit of the accounts of the Authority made annually by persons competent to perform such work and to provide a copy of such audit to the Auditor General who shall review such audit and make such other investigations and audits as he deems necessary, on the condition that the Auditor General shall each biennium conduct an audit independent of the audit conducted by the persons retained by the Board. The Board and the Auditor General shall report the findings revealed by their audits to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Minority Leaders of each house of the General Assembly.

(k) To prepare and submit a budget and request for appropriations for the necessary and contingent operating expenses of the Authority.

(l) To encourage participation in the Program by means of advertising, incentives, and other marketing devices with special attention to geographic areas with levels of unemployment or underemployment which are substantially above the statewide level of unemployment.

(m) To adopt, alter and use a corporate seal.

(n) To accept appropriations, grants and funds from the federal and State governments and any agency thereof and expend those monies in accordance with, and in furtherance of the purposes of, this Act.

(o) To enter into intergovernmental agreements with other governmental entities, including the Department of Employment Security and the Department of Commerce and Economic Opportunity Community Affairs, in order to implement and execute the powers and duties set forth in this Section and all other Sections of this Act.

(Source: P.A. 84-1090; revised 12-6-03.)

Section 345. The Fiscal Note Act is amended by changing Section 2 as follows:

(25 ILCS 50/2) (from Ch. 63, par. 42.32)

Sec. 2. The sponsor of each bill, referred to in Section 1, shall present a copy of the bill, with his request for a fiscal note, to the board, commission, department, agency, or other entity of the State which is to

New matter indicated by italics - deletions by strikeout
receive or expend the appropriation proposed or which is responsible for
collection of the revenue proposed to be increased or decreased, or to be
levied or provided for. The sponsor of a bill that amends the Mental
Health and Developmental Disabilities Code or the Developmental
Disability and Mental Disability Services Act shall present a copy of the
bill, with his or her request for a fiscal note, to the Department of Human
Services. The fiscal note shall be prepared by such board, commission,
department, agency, or other entity and furnished to the sponsor of the bill
within 5 calendar days thereafter; except that whenever, because of the
complexity of the measure, additional time is required for preparation of
the fiscal note, the board, commission, department, agency, or other entity
may so inform the sponsor of the bill and he may approve an extension of
the time within which the note is to be furnished, not to extend, however,
beyond June 15, following the date of the request. Whenever any measure
for which a fiscal note is required affects more than one State board,
commission, department, agency, or other entity, the board, commission,
department, agency, or other entity most affected by its provisions
according to the sponsor shall be responsible for preparation of the fiscal
note. Whenever any measure for which a fiscal note is required does not
affect a specific board, commission, department, agency or other such
entity, or does not amend the Mental Health and Developmental
Disabilities Code or the Developmental Disability and Mental Disability
Services Act, the sponsor of the measure shall be responsible for
preparation of the fiscal note.

In the case of bills having a potential fiscal impact on units of local
government, the fiscal note shall be prepared by the Department of
Commerce and Economic Opportunity Community Affairs. In the case of
bills having a potential fiscal impact on school districts, the fiscal note
shall be prepared by the State Superintendent of Education. In the case of
bills having a potential fiscal impact on community college districts, the
fiscal note shall be prepared by the Illinois Community College Board.
(Source: P.A. 92-567, eff. 1-1-03; revised 12-6-03.)

Section 350. The Home Rule Note Act is amended by changing
Sections 10 and 40 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 10. Preparation of the note. Upon the request of the sponsor of a bill described in Section 5, the Director of Commerce and Economic Opportunity Community Affairs or some person within the Department designated by the Director shall prepare a written note setting forth the information required by Section 5. The note shall be designated a home rule note and shall be furnished to the sponsor within 10 calendar days after the request, except that whenever, because of the complexity of the bill, additional time is required for the preparation of the note, the Department may so notify the sponsor and request an extension of time not to exceed 5 additional days within which to furnish the note. An extension may not, however, be beyond June 15 following the date of the request. (Source: P.A. 87-229; revised 12-6-03.)

Sec. 40. Confidentiality. The subject matter of bills submitted to the Director shall be kept in strict confidence by the Department of Commerce and Economic Opportunity Community Affairs, and no information relating to the bill or its home rule impact shall be divulged by any official or employee of the Department, except to the bill's sponsor or the sponsor's designee, before the bill's introduction in the General Assembly. (Source: P.A. 87-229; revised 12-6-03.)

Section 360. The State Finance Act is amended by changing Sections 6b-3, 6z-39, 6z-54, 8.14, 8.22, 8.23, 9.03, and 9.04 as follows:

Sec. 6b-3. There shall be paid into the State Housing Fund the moneys recovered from Land Clearance Commissions and Housing Authorities under the provisions of (1) Section 32 of the "Housing Authorities Act", approved March 19, 1934, as amended; (2) Section 9a of "An Act to facilitate the development and construction of housing, to provide governmental assistance therefor, and to repeal an Act herein named," approved July 2, 1947, as amended; and (3) Section 25a of the "Blighted Areas Redevelopment Act of 1947", approved July 2, 1947, as amended.

New matter indicated by italics - deletions by strikeout
The moneys in the State Housing Fund shall be used for grants in aid of housing, development, redevelopment projects, and any other programs compatible with the duties and obligations of the Department of Commerce and Economic Opportunity Community Affairs and local housing authorities or land clearance commissions and such funds may be allocated to those authorities and/or programs in accordance with the judgment of the Department of Commerce and Economic Opportunity Community Affairs except that no moneys may be retained in the fund beyond a period 36 months following their deposit. In any instance where moneys are accumulated in the State Housing Fund and not distributed in accordance with determination made by the Department of Commerce and Economic Opportunity Community Affairs within 36 months then such moneys shall be returned to the General Revenue Fund.

(Source: P.A. 81-1509; revised 12-6-03.)

(30 ILCS 105/6z-39)

Sec. 6z-39. Federal Financing Cost Reimbursement Fund. The Governor's Office of Management and Budget Bureau of the Budget shall be the State coordinator and representative with the United States Department of the Treasury for purposes of implementing the federal Cash Management Improvement Act of 1990.

The Governor's Office of Management and Budget Bureau of the Budget shall: negotiate Treasury-State agreements; develop and file annual reports; establish the net State liability; determine State agency shares of the net State liability; direct State agencies to pay or transfer moneys into the Federal Financing Cost Reimbursement Fund; and initiate payments of the net State liability to the U.S. Treasury out of the Federal Financing Cost Reimbursement Fund. Agencies shall make payments or transfers to the Federal Financing Cost Reimbursement Fund as directed by the Governor's Office of Management and Budget Bureau of the Budget and shall otherwise cooperate with the Governor's Office of Management and Budget Bureau of the Budget to implement the federal Cash Management Improvement Act of 1990.

(Source: P.A. 89-21, eff. 7-1-95; revised 8-23-03.)

(30 ILCS 105/6z-54)
Sec. 6z-54. The Energy Infrastructure Fund.

(a) The Energy Infrastructure Fund is created as a special fund in the State treasury.

(b) Money in the Energy Infrastructure Fund shall, if and when the State of Illinois issues any bonded indebtedness for financial assistance to new electric generating facilities, as provided in Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose.

In addition to other transfers to the General Obligation Bond Retirement and Interest Fund made pursuant to Section 15 of the General Obligation Bond Act, upon each delivery of bonds issued for financial assistance to new electric generating facilities under Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois, the State Comptroller shall compute and certify to the State Treasurer the total amount of principal and interest, and premium, if any, on such bonds during the then current and each succeeding fiscal year. On or before the last day of each month, the State Treasurer and the State Comptroller shall transfer from the Energy Infrastructure Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date.

(c) To the extent that moneys in the Energy Infrastructure Fund, in the opinion of the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget, are in excess of 125% of the maximum debt service in any fiscal year, such surplus shall, subject to appropriation, be used by the Department of Commerce and Economic Opportunity Community Affairs for financial assistance under other coal

New matter indicated by italics - deletions by strikeout
development programs administered by the Department, in accordance with the rules of the Department or for other State purposes subject to appropriation.

(Source: P.A. 92-12, eff. 7-1-01; 92-651, eff. 7-11-02; revised 8-23-03.)

(30 ILCS 105/8.14) (from Ch. 127, par. 144.14)
Sec. 8.14. Appropriations from the Public Utility Fund shall be made only to the Illinois Commerce Commission for ordinary and contingent expenses of the Commission in the administration of the Public Utilities Act, in the administration of the Electric Supplier Act, and in the administration of the Illinois Gas Pipeline Safety Act; to the Department of Natural Resources for the purpose of conducting studies concerning environmental pollution problems caused or contributed to by public utilities and the means for eliminating or abating those problems, in accordance with the functions of the Department as specified in the Environmental Protection Act; and to the Department of Commerce and Community Affairs for administration of energy programs, including those specified in the Comprehensive Solar Energy Act of 1977 and the Illinois Coal and Energy Development Bond Act. No money shall be transferred from the Public Utility Fund to any other fund.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(30 ILCS 105/8.22) (from Ch. 127, par. 144.22)
Sec. 8.22. Appropriations for the ordinary and contingent expenses of the Department of Commerce and Community Affairs may be made from the Intra-Agency Services Fund, provided that the State Comptroller and the State Treasurer shall, within a reasonable time after July 1 of each year, upon the direction of the Governor, transfer from the Intra-Agency Services Fund to the General Revenue Fund such amounts as the Governor has determined to be in excess of the amount required to meet the obligations of the Intra-Agency Services Fund.

(Source: P.A. 82-790; revised 12-6-03.)

(30 ILCS 105/8.23) (from Ch. 127, par. 144.23)
Sec. 8.23. Until October 30, 1983, all moneys held in the following Federal trust funds as of the effective date of this amendatory Act of 1982, for expenditures by the Department of Commerce and Community Affairs
(now Department of Commerce and Economic Opportunity) for general administration, shall be transferred to the Intra-Agency Services Trust Fund by the State Comptroller and the State Treasurer at the direction of the Department and with the approval of the Governor:

1. The Urban Planning Assistance Fund.
2. The Economic Opportunity Fund.
4. The Federal Industrial Services Fund.
5. The Federal Energy Administration Fund.
6. The Economic Development Services Fund.
7. The Human Services Support Fund.
8. The Local Government Affairs Federal Trust Fund.

(Source: P.A. 82-790; revised 12-6-03.)

Sec. 9.03. The certification on every State payroll voucher shall be as follows:

"I certify that the employees named, their respective indicated positions and service times, and appropriation to be charged, as shown on the accompanying payroll sheets are true, complete, correct and according to the provisions of law; that such employees are involved in decision making or have direct line responsibility to a person who has decision making authority concerning the objectives, functions, goals and policies of the organizational unit for which the appropriation was made; that the results of the work performed by these employees and that substantially all of their working time is directly related to the objectives, functions, goals, and policies of the organizational unit for which the appropriation is made; that all working time was expended in the service of the State; and that the employees named are entitled to payment in the amounts indicated. If applicable, the reporting requirements of Section 5.1 of the Governor's Office of Management and Budget Act "an Act to create the Bureau of the Budget and to define its powers and duties and to make an appropriation", approved April 16, 1969, as amended; have been met.

New matter indicated by italics - deletions by strikeout
(Date)                                                          (Signature)"
For departments under the Civil Administrative Code, the
foregoing certification shall be executed by the Chief Executive Officer of
the department from whose appropriation the payment will be made or his
designee, in addition to any other certifications or approvals which may be
required by law.

The foregoing certification shall not be required for expenditures
from amounts appropriated to the Comptroller for payment of the salaries
of State officers.
(Source: P.A. 82-790; revised 8-23-03.)
(30 ILCS 105/9.04) (from Ch. 127, par. 145e)
Sec. 9.04. The certification on behalf of the State agency on every
State voucher for goods and services other than a payroll or travel voucher
shall be as follows:
"I certify that the goods or services specified on this voucher were
for the use of this agency and that the expenditure for such goods or
services was authorized and lawfully incurred; that such goods or services
meet all the required standards set forth in the purchase agreement or
contract to which this voucher relates; and that the amount shown on this
voucher is correct and is approved for payment. If applicable, the reporting
requirements of Section 5.1 of the Governor's Office of Management and
Budget Act 'An Act to create the Bureau of the Budget and to define its
powers and duties and to make an appropriation', approved April 16, 1969;
as amended, have been met.

..................................................  ..................................................
(Date)                                                                                   (Signature)"
For departments under the Civil Administrative Code, the
foregoing certification shall be executed by the Chief Executive Officer of
the department from whose appropriation the payment will be made or his
designee, in addition to any other certifications or approvals which may be
required by law.
(Source: P.A. 82-790; revised 8-23-03.)

Section 365. The Federal Commodity Disbursement Act is
amended by changing Section 1 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 1. The Governor may receive and disburse funds and commodities made available by the federal government, or any agency thereof. In any case where such funds or commodities are made available to the State but no designation has been made by the federal government, or agency thereof, of the officer, department or agency of this State who or which shall be the receiving agency, the Governor may make such designation, and thereupon such officer, department or agency shall be authorized to receive and expend such funds and commodities for the purpose or purposes for which they are made available providing such officer, department or agency complies with the applicable requirements of Section 5.1 of the Governor's Office of Management and Budget Act "An Act to create a Bureau of the Budget and to define its powers and duties and to make an appropriation", approved April 16, 1969, as now or hereafter amended.

(Source: P.A. 80-1029; revised 8-23-03.)

Section 370. The General Obligation Bond Act is amended by changing Sections 7, 12, 13, 14, and 15 as follows:

(30 ILCS 330/7) (from Ch. 127, par. 657)

Sec. 7. Coal and Energy Development. The amount of $663,200,000 is authorized to be used by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) for coal and energy development purposes, pursuant to Sections 2, 3 and 3.1 of the Illinois Coal and Energy Development Bond Act, for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act, and for the purposes specified in Section 605-332 of the Department of Commerce and Economic Opportunity Law Community Affairs of the Civil Administrative Code of Illinois. Of this amount:

(a) $115,000,000 is for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State and for
the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act;

(b) $35,000,000 is for the purposes specified in Section 8.1 of the Energy Conservation and Coal Development Act and making a grant to the owner of a generating station located in Illinois and having at least three coal-fired generating units with accredited summer capability greater than 500 megawatts each at such generating station as provided in Section 6 of that Bond Act;

(c) $13,200,000 is for research, development and demonstration of forms of energy other than that derived from coal, either on or off State property; and

(d) $500,000,000 is for the purpose of providing financial assistance to new electric generating facilities as provided in Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

(Source: P.A. 92-13, eff. 6-22-01; revised 12-1-04.)

(30 ILCS 330/12) (from Ch. 127, par. 662)

Sec. 12. Allocation of Proceeds from Sale of Bonds.

(a) Proceeds from the sale of Bonds, authorized by Section 3 of this Act, shall be deposited in the separate fund known as the Capital Development Fund.

(b) Proceeds from the sale of Bonds, authorized by paragraph (a) of Section 4 of this Act, shall be deposited in the separate fund known as the Transportation Bond, Series A Fund.

(c) Proceeds from the sale of Bonds, authorized by paragraphs (b) and (c) of Section 4 of this Act, shall be deposited in the separate fund known as the Transportation Bond, Series B Fund.

(d) Proceeds from the sale of Bonds, authorized by Section 5 of this Act, shall be deposited in the separate fund known as the School Construction Fund.

(e) Proceeds from the sale of Bonds, authorized by Section 6 of this Act, shall be deposited in the separate fund known as the Anti-Pollution Fund.

New matter indicated by italics - deletions by strikeout
(f) Proceeds from the sale of Bonds, authorized by Section 7 of this Act, shall be deposited in the separate fund known as the Coal Development Fund.

(f-2) Proceeds from the sale of Bonds, authorized by Section 7.2 of this Act, shall be deposited as set forth in Section 7.2.

(f-5) Proceeds from the sale of Bonds, authorized by Section 7.5 of this Act, shall be deposited as set forth in Section 7.5.

(g) Proceeds from the sale of Bonds, authorized by Section 8 of this Act, shall be deposited in the Capital Development Fund.

(h) Subsequent to the issuance of any Bonds for the purposes described in Sections 2 through 8 of this Act, the Governor and the Director of the Governor's Office of Management and Budget of the Budget may provide for the reallocation of unspent proceeds of such Bonds to any other purposes authorized under said Sections of this Act, subject to the limitations on aggregate principal amounts contained therein. Upon any such reallocation, such unspent proceeds shall be transferred to the appropriate funds as determined by reference to paragraphs (a) through (g) of this Section.

(Source: P.A. 92-596, eff. 6-28-02; 93-2, eff. 4-7-03; revised 8-23-03.)

(30 ILCS 330/13) (from Ch. 127, par. 663)

Sec. 13. Appropriation of Proceeds from Sale of Bonds.

(a) At all times, the proceeds from the sale of Bonds issued pursuant to this Act are subject to appropriation by the General Assembly and, except as provided in Section 7.2, may be obligated or expended only with the written approval of the Governor, in such amounts, at such times, and for such purposes as the respective State agencies, as defined in Section 1-7 of the Illinois State Auditing Act, as amended, deem necessary or desirable for the specific purposes contemplated in Sections 2 through 8 of this Act.

(b) Proceeds from the sale of Bonds for the purpose of development of coal and alternative forms of energy shall be expended in such amounts and at such times as the Department of Commerce and Economic Opportunity Community Affairs, with the advice and recommendation of the Illinois Coal Development Board for coal

New matter indicated by italics - deletions by strikeout
development projects, may deem necessary and desirable for the specific purpose contemplated by Section 7 of this Act. In considering the approval of projects to be funded, the Department of Commerce and Economic Opportunity Community Affairs shall give special consideration to projects designed to remove sulfur and other pollutants in the preparation and utilization of coal, and in the use and operation of electric utility generating plants and industrial facilities which utilize Illinois coal as their primary source of fuel.

(c) Any monies received by any officer or employee of the state representing a reimbursement of expenditures previously paid from general obligation bond proceeds shall be deposited into the General Obligation Bond Retirement and Interest Fund authorized in Section 14 of this Act.

(Source: P.A. 93-2, eff. 4-7-03; revised 12-1-04.)

(30 ILCS 330/14) (from Ch. 127, par. 664)

Sec. 14. Repayment.

(a) To provide for the manner of repayment of Bonds, the Governor shall include an appropriation in each annual State Budget of monies in such amount as shall be necessary and sufficient, for the period covered by such budget, to pay the interest, as it shall accrue, on all Bonds issued under this Act, to pay and discharge the principal of such Bonds as shall, by their terms, fall due during such period, and to pay a premium, if any, on Bonds to be redeemed prior to the maturity date. Amounts included in such appropriations for the payment of interest on variable rate bonds shall be the maximum amounts of interest that may be payable for the period covered by the budget, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period. Amounts included in such appropriations for the payment of interest shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act.

(b) A separate fund in the State Treasury called the "General Obligation Bond Retirement and Interest Fund" is hereby created.

New matter indicated by italics - deletions by strikeout
(c) The General Assembly shall annually make appropriations to pay the principal of, interest on, and premium, if any, on Bonds sold under this Act from the General Obligation Bond Retirement and Interest Fund. Amounts included in such appropriations for the payment of interest on variable rate bonds shall be the maximum amounts of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period. Amounts included in such appropriations for the payment of interest shall include the amounts certified by the Director of the Governor's Office of Management and Budget Bureau of the Budget under subsection (b) of Section 9 of this Act.

If for any reason there are insufficient funds in either the General Revenue Fund or the Road Fund to make transfers to the General Obligation Bond Retirement and Interest Fund as required by Section 15 of this Act, or if for any reason the General Assembly fails to make appropriations sufficient to pay the principal of, interest on, and premium, if any, on the Bonds, as the same by their terms shall become due, this Act shall constitute an irrevocable and continuing appropriation of all amounts necessary for that purpose, and the irrevocable and continuing authority for and direction to the State Treasurer and the Comptroller to make the necessary transfers, as directed by the Governor, out of and disbursements from the revenues and funds of the State.

(d) If, because of insufficient funds in either the General Revenue Fund or the Road Fund, monies have been transferred to the General Obligation Bond Retirement and Interest Fund, as required by subsection (c) of this Section, this Act shall constitute the irrevocable and continuing authority for and direction to the State Treasurer and Comptroller to reimburse these funds of the State from the General Revenue Fund or the Road Fund, as appropriate, by transferring, at such times and in such amounts, as directed by the Governor, an amount to these funds equal to that transferred from them.

(Source: P.A. 93-9, eff. 6-3-03; revised 8-23-03.)

(30 ILCS 330/15) (from Ch. 127, par. 665)

New matter indicated by italics - deletions by strikeout
Sec. 15. Computation of Principal and Interest; transfers.

(a) Upon each delivery of Bonds authorized to be issued under this Act, the Comptroller shall compute and certify to the Treasurer the total amount of principal of, interest on, and premium, if any, on Bonds issued that will be payable in order to retire such Bonds and the amount of principal of, interest on and premium, if any, on such Bonds that will be payable on each payment date according to the tenor of such Bonds during the then current and each succeeding fiscal year. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of Section 14 of this Act. With respect to the interest payable, such certifications shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act.

On or before the last day of each month the State Treasurer and Comptroller shall transfer from (1) the Road Fund with respect to Bonds issued under paragraph (a) of Section 4 of this Act or Bonds issued for the purpose of refunding such bonds, and from (2) the General Revenue Fund, with respect to all other Bonds issued under this Act, to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on Bonds payable, by their terms on the next payment date divided by the number of full calendar months between the date of such Bonds and the first such payment date, and thereafter, divided by the number of months between each succeeding payment date after the first. Such computations and transfers shall be made for each series of Bonds issued and delivered. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of Section 14 of this Act. Computations

New matter indicated by italics - deletions by strikeout
of interest shall include the amounts certified by the Director of the 
Governor's Office of Management and Budget Bureau of the Budget under 
subsection (b) of Section 9 of this Act. Interest for which moneys have 
already been deposited into the capitalized interest account within the 
General Obligation Bond Retirement and Interest Fund shall not be 
included in the calculation of the amounts to be transferred under this 
subsection.

The transfer of monies herein and above directed is not required if 
moneys in the General Obligation Bond Retirement and Interest Fund are 
more than the amount otherwise to be transferred as herein above 
provided, and if the Governor or his authorized representative notifies the 
State Treasurer and Comptroller of such fact in writing.

(b) After the effective date of this Act, the balance of, and monies 
directed to be included in the Capital Development Bond Retirement and 
Interest Fund, Anti-Pollution Bond Retirement and Interest Fund, 
Transportation Bond, Series A Retirement and Interest Fund, 
Transportation Bond, Series B Retirement and Interest Fund, and Coal 
Development Bond Retirement and Interest Fund shall be transferred to 
and deposited in the General Obligation Bond Retirement and Interest 
Fund. This Fund shall be used to make debt service payments on the 
State's general obligation Bonds heretofore issued which are now 
outstanding and payable from the Funds herein listed as well as on Bonds 
issued under this Act.

(c) The unused portion of federal funds received for a capital 
facilities project, as authorized by Section 3 of this Act, for which monies 
from the Capital Development Fund have been expended shall be 
deposited upon completion of the project in the General Obligation Bond 
Retirement and Interest Fund. Any federal funds received as 
reimbursement for the completed construction of a capital facilities 
project, as authorized by Section 3 of this Act, for which monies from the 
Capital Development Fund have been expended shall be deposited in the 
General Obligation Bond Retirement and Interest Fund.

(Source: P.A. 93-2, eff. 4-7-03; 93-9, eff. 6-3-03; revised 8-23-03.)

New matter indicated by italics - deletions by strikeout
Section 385. The Metropolitan Civic Center Support Act is amended by changing Sections 2, 5, and 7 as follows:

(30 ILCS 355/2) (from Ch. 85, par. 1392)

Sec. 2. When used in this Act:
"Authority" means the River Forest Metropolitan Exposition, Auditorium and Office Building Authority, the Village Board of Trustees of the Village of Rosemont for the sole purposes of rehabilitating, developing and making improvements to the O'Hare Exposition Center, or any Metropolitan Exposition Auditorium and Office Building Authority, Metropolitan Exposition and Auditorium Authority or Civic Center Authority created prior to the effective date of this amendatory Act of 1983 or hereafter created pursuant to the statutes of the State of Illinois, except those created pursuant to the Metropolitan Pier and Exposition Authority Act.

"Bonds" means any limited obligation revenue bonds issued by the Department before July 1, 1989 and by the Bureau (now Office) on or after July 1, 1989 pursuant to Section 7 of this Act.

"Bond Fund" means the Illinois Civic Center Bond Fund, as provided in this Act.

"Bond Retirement Fund" means the Illinois Civic Center Bond Retirement and Interest Fund, as provided in this Act.

"Bond Sale Order" means any order authorizing the issuance and sale of Bonds, which order shall be approved by the Director of the Governor's Office of Management and Budget Bureau of the Budget.

"Budget Director" means the Director of the Governor's Office of Management and Budget Bureau of the Budget.

"Bureau" means the Bureau of the Budget, (now Governor's Office of Management and Budget).

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

"Local Bonds" means any bonds subject to State Financial Support under subparagraph (i) of paragraph (b) of subsection

New matter indicated by italics - deletions by strikeout
(3) of Section 4 of this Act.

"MEAOB Fund" means the Metropolitan Exposition, Auditorium and Office Building Fund, as provided in this Act.

"Office" means the Governor's Office of Management and Budget.

"State Financial Support" means either the payment of debt service on bonds issued by an Authority or a unit of local government or the grant to an Authority of the proceeds of Bonds issued by the Department before July 1, 1989 and by the Bureau (now Office) on or after July 1, 1989, all in accordance with subsection (3) of Section 4 of this Act.

(Source: P.A. 86-44; 87-895; revised 8-23-03.)

(30 ILCS 355/5) (from Ch. 85, par. 1395)

Sec. 5. To the extent that moneys in the MEAOB Fund, in the opinion of the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget, are in excess of 125% of the maximum debt service in any fiscal year, the Governor shall notify the Comptroller and the State Treasurer of that fact, who upon receipt of such notification shall transfer the excess moneys from the MEAOB Fund to the General Revenue Fund.

(Source: P.A. 84-245; 84-1106; revised 8-23-03.)

(30 ILCS 355/7) (from Ch. 85, par. 1397)

Sec. 7. The Department before July 1, 1989 and the Bureau (now Office) on and after July 1, 1989 are authorized to issue and sell Bonds in the total amount outstanding at any given time of $200,000,000, herein called "Bonds". Bonds may be issued for advance refunding of any or all bonds issued prior to July 1, 1985 by an Authority or a unit of local government subject to repayment from State financial support pursuant to subparagraph (i) of paragraph (b) of subsection (3) of Section 4 of this Act and for the purpose of providing State financial support to Authorities pursuant to subparagraph (ii) of paragraph (b) of subsection (3) of Section 4 of this Act. Notwithstanding the foregoing, Bonds shall be issued in a total amount outstanding at any given time not to exceed $10,000,000, which amount is included within and is not in addition to the $200,000,000 bond authorization under this Section, for the purpose of making construction and improvement grants by the Secretary of State, as

New matter indicated by italics - deletions by strikeout
State Librarian, to public libraries and library systems, and the Secretary of
State, as State Librarian, is authorized to make those grants from moneys
appropriated for those purposes. In addition to the $200,000,000 of Bonds
authorized above, bonds may be issued by the Bureau (now Office) on and
after July 1, 1989 to refund or advance refund previously issued Bonds if
the Budget Director determines that the refunding or advance refunding of
Bonds results in debt service savings to the State measured on a present
value basis.
(Source: P.A. 86-44; 86-1414; revised 8-23-03.)

Section 390. The School Construction Bond Act is amended by
changing Sections 4 and 6 as follows:
(30 ILCS 390/4) (from Ch. 122, par. 1204)
Sec. 4. The Bonds shall be issued and sold from time to time in
such amounts as directed by the Governor, upon recommendation by the
Director of the Governor's Office of Management and Budget Bureau of
the Budget. The Bonds shall be serial bonds and shall be in such form, in
the denomination of $5,000 or some multiple thereof, payable within 30
years from their date, bearing interest payable annually or semi-annually
from their date at the rate of not more than 7% per annum, and be dated as
shall be fixed and determined by the Director of the Governor's Office of
Management and Budget Bureau of the Budget in the order authorizing the
issuance and sale of the Bonds, which order shall be approved by the
Governor prior to the giving of notice of the sale of any of the Bonds. Said
Bonds shall be payable as to both principal and interest at such place or
places, within or without the State of Illinois, and may be made registrable
as to either principal or as to both principal and interest, as shall be fixed
and determined by the Director of the Governor's Office of Management and
Budget Bureau of the Budget in the order authorizing the issuance and
sale of such Bonds. The Bonds may be callable as fixed and determined by
the Director of the Governor's Office of Management and Budget Bureau of
the Budget in the order authorizing the issuance and sale of the Bonds;
provided however, that the State shall not pay a premium of more than 3%
of the principal of any Bonds so called.
(Source: P.A. 78-220; revised 8-23-03.)

New matter indicated by italics - deletions by strikeout
Sec. 6. The Bonds shall be sold from time to time by the Director of the Governor's Office of Management and Budget Bureau of the Budget to the highest and best bidders, for not less than their par value, upon sealed bids, at not exceeding the maximum interest rate fixed in the order authorizing the issuance of the Bonds, provided, that at no one time shall Bonds in excess of the amount of $150,000,000 be offered for sale. The right to reject any and all bids may be reserved. The Secretary of State shall, from time to time, as the Bonds are to be sold, advertise in at least two daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago, for proposals to purchase the Bonds. Each of such advertisements for proposals shall be published once at least 10 days prior to the date of the opening of the bids. The executed Bonds shall, upon payment therefore, be delivered to the purchaser, and the proceeds of the Bonds shall be paid into the State Treasury. The proceeds of the Bonds shall be deposited in a separate fund known as the "School Construction Fund", which separate fund is hereby created.

(Source: P.A. 78-220; revised 8-23-03.)

Section 393. The Transportation Bond Act is amended by changing Section 5 as follows:

Sec. 5. Prior to January 1, 1972, the proceeds from the sale of the Bonds shall be used by and under the direction of the Department of Aeronautics, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) and the Department of Public Works and Buildings, and thereafter such department or agency as shall be designated by law, subject to appropriation by the General Assembly, in such amounts and at such times as the respective department deems necessary or desirable for the purposes provided by Section 2 of this Act.

(Source: P.A. 81-1509; revised 12-6-03.)

Section 395. The Capital Development Bond Act of 1972 is amended by changing Sections 4 and 6 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 4. The Bonds shall be issued and sold from time to time in such amounts as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. The Bonds shall be serial bonds and shall be in such form, in the denomination of $5,000 or some multiple thereof, payable within thirty (30) years from their date, bearing interest payable annually or semiannually from their date at the rate of not more than seven per cent (7%) per annum, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget Bureau of the Budget in the order authorizing the issuance and sale of the Bonds, which order shall be approved by the Governor prior to the giving of notice of the sale of any of the Bonds. Said Bonds shall be payable as to both principal and interest at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be fixed and determined by the Director of the Governor's Office of Management and Budget Bureau of the Budget in the order authorizing the issuance and sale of such Bonds. The Bonds may be callable as fixed and determined by the Director of the Governor's Office of Management and Budget Bureau of the Budget in the order authorizing the issuance and sale of the Bonds; provided however, that the State shall not pay a premium of more than 3% of the principal of any Bonds so called.

(Source: P.A. 77-1916; revised 8-23-03.)

Sec. 6. The Bonds shall be sold from time to time by the Director of the Governor's Office of Management and Budget Bureau of the Budget to the highest and best bidders, for not less than their par value, upon sealed bids, at not exceeding the maximum interest rate fixed in the order authorizing the issuance of the Bonds, provided, that at no one time shall Bonds in excess of the amount of $150,000,000 be offered for sale. The right to reject any and all bids may be reserved. The Secretary of State shall, from time to time, as the Bonds are to be sold, advertise in at least two daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago, for proposals to purchase the Bonds. Each

New matter indicated by italics - deletions by strikeout
of such advertisements for proposals shall be published once at least 10 days prior to the date of the opening of the bids. The executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of the Bonds shall be paid into the State Treasury. The proceeds of the Bonds shall be deposited in a separate fund known as the "Capital Development Fund", which separate fund is hereby created.

(Source: P.A. 77-1916; revised 8-23-03.)

Section 400. The Build Illinois Bond Act is amended by changing Section 13 as follows:

(30 ILCS 425/13) (from Ch. 127, par. 2813)

Sec. 13. Computation of Principal and Interest; Transfer from Build Illinois Bond Account; Payment from Build Illinois Bond Retirement and Interest Fund. Upon each delivery of Bonds authorized to be issued under this Act, the trustee under the Master Indenture shall compute and certify to the Director of the Governor's Office of Management and Budget Bureau of the Budget, the Comptroller and the Treasurer (a) the total amount of the principal of and the interest and the premium, if any, on the Bonds then being issued and on Bonds previously issued and outstanding that will be payable in order to retire such Bonds at their stated maturities or mandatory sinking fund payment dates and (b) the amount of principal of and interest and premium, if any, on such Bonds that will be payable on each principal, interest and mandatory sinking fund payment date according to the tenor of such Bonds during the then current and each succeeding fiscal year. Such certifications shall include with respect to interest payable on Variable Rate Bonds the maximum amount of interest which may be payable for the relevant period after taking into account any credits permitted in the related indenture against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of Section 11 of this Act.

On or before June 20, 1993 and on or before each June 20 thereafter so long as Bonds remain outstanding, the trustee under the Master Indenture shall deliver to the Director of the Governor's Office of Management and Budget (formerly Bureau of the Budget), the Comptroller and the Treasurer a certificate setting forth the "Certified
Annual Debt Service Requirement" (hereinafter defined) for the next succeeding fiscal year. If Bonds are issued subsequent to the delivery of any such certificate, upon the issuance of such Bonds the trustee under the Master Indenture shall deliver a supplemental certificate setting forth the revisions, if any, in the Certified Annual Debt Service Requirement resulting from the issuance of such Bonds. The "Certified Annual Debt Service Requirement" for any fiscal year shall be an amount equal to (a) the aggregate amount of principal, interest and premium, if any, payable on outstanding Bonds during such fiscal year plus (b) the amount required to be deposited into any reserve fund securing such Bonds or for the purpose of retiring or defeasing such Bonds plus (c) the amount of any deficiencies in required transfers of amounts described in clauses (a) and (b) for any prior fiscal year, minus (d) the amount, if any, of such interest to be paid from Bond proceeds on deposit under any indenture; provided, however, that interest payable on Variable Rate Bonds shall be calculated at the maximum rate of interest which may be payable during such fiscal year after taking into account any credits permitted in the related indenture against the amount of such interest required to be appropriated for such period pursuant to subsection (c) of Section 11 of this Act.

In each month during fiscal years 1986 through 1993, the State Treasurer and Comptroller shall transfer, on the last day of such month, from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund and shall make payment from the Build Illinois Bond Retirement and Interest Fund to the trustee under the Master Indenture of an amount equal to 1/12 of 150% of the amount set forth below for each such fiscal year, plus any cumulative deficiency in such transfers and payments for prior months; provided that such transfers shall commence in October, 1985 and such amounts for fiscal year 1986 shall equal 1/9 of 150% of the amount set forth below for such fiscal year:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>1987</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>1988</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>1989</td>
<td>$54,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
provided that payments of such amounts from the Build Illinois Bond Retirement and Interest Fund to the trustee under the Master Indenture shall commence on the last day of the month in which Bonds are initially issued under this Act; and, further provided, that the first such payment to said trustee shall equal the entire amount then on deposit in the Build Illinois Bond Retirement and Interest Fund; and, further provided, that the aggregate amount of transfers and payments for any such fiscal year shall not exceed the amount set forth above for such fiscal year.

In each month in which Bonds are outstanding during fiscal year 1994 and each fiscal year thereafter, the State Treasurer and Comptroller shall transfer, on the last day of such month, from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund and shall make payment from the Build Illinois Bond Retirement and Interest Fund to the trustee under the Master Indenture of an amount equal to the greater of (a) 1/12th of 150% of the Certified Annual Debt Service Requirement or (b) the Tax Act Amount (as defined in Section 3 of the "Retailers' Occupation Tax Act", as amended) deposited in the Build Illinois Bond Account during such month, plus any cumulative deficiency in such transfers and payments for prior months; provided that such transfers and payments for any such fiscal year shall not exceed the greater of (a) the Certified Annual Debt Service Requirement or (b) the Tax Act Amount.

(Source: P.A. 91-53, eff. 6-30-99; revised 8-23-03.)

Section 405. The Retirement Savings Act is amended by changing Sections 4, 5, and 7 as follows:

(30 ILCS 430/4) (from Ch. 127, par. 3754)

Sec. 4. In order to provide investors with investment alternatives suitable for retirement purposes, and in furtherance of the public policy of this Act, bonds authorized by the provisions of the General Obligation Bond Act, as now or hereafter amended, in a total aggregate principal amount not to exceed $300,000,000, may be issued and sold from time to time.
time, and as often as practicable, as Retirement Savings Bonds in such amounts as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. Bonds to be issued and sold as Retirement Savings Bonds shall be designated by the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget as "General Obligation Retirement Savings Bonds" in the proceedings authorizing the issuance of such Bonds, and shall be subject to all of the terms and provisions of the General Obligation Bond Act, as now or hereafter amended, except that Retirement Savings Bonds may bear interest payable at such time or times and may be sold at such prices and in such manner as may be determined by the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget. If Retirement Savings Bonds are sold at public sale, the public sale procedures shall be as set forth in Section 11 of the General Obligation Bond Act, as now or hereafter amended. Retirement Savings Bonds may be sold at negotiated sale if the Director of the Governor's Office of Management and Budget Bureau of the Budget determines that a negotiated sale will result in either a more efficient and economic sale of such Bonds or greater access to such Bonds by investors who are residents of the State of Illinois. If any Retirement Savings Bonds are sold at a negotiated sale, the underwriter or underwriters to which such Bonds are sold shall (a) have an established retail presence in the State of Illinois or (b) in the judgment of the Director of the Governor's Office of Management and Budget Bureau of the Budget, have sufficient capability to make a broad distribution of such Bonds to investors resident in the State of Illinois. In determining the aggregate original principal amount of Retirement Savings Bonds that has been issued pursuant to this Act, the aggregate original principal amount of such Bonds issued and sold shall be taken into account. Any bond issued under this Act may be payable in one payment on a fixed date, or as determined appropriate by the Governor and Director of the Governor's Office of Management and Budget Bureau of the Budget.

(Source: P.A. 86-892; revised 8-23-03.)

(30 ILCS 430/5) (from Ch. 127, par. 3755)

New matter indicated by italics - deletions by strikeout
Sec. 5. Security of Retirement Savings Bonds. Any Retirement Savings Bonds issued under the General Obligation Bond Act, as now or hereafter amended, in accordance with this Act shall be direct, general obligations of the State of Illinois and subject to repayment as provided in the General Obligation Bond Act, as now or hereafter amended; however in the proceedings of the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget authorizing the issuance of Retirement Savings Bonds, such officials may covenant on behalf of the State with or for the benefit of the holders of such Bonds as to all matters deemed advisable by such officials, including the terms and conditions for creating and maintaining sinking funds, reserve funds and such other special funds as may be created in such proceedings, separate and apart from all other funds and accounts of the State, and such officials may make such other covenants as may be deemed necessary or desirable to assure the prompt payment of the principal of and interest on such Bonds. The transfers to and appropriations from the General Obligation Bond Retirement and Interest Fund required by the General Obligation Bond Act, as now or hereafter amended, shall be made to and from any fund or funds created pursuant to this Section for the payment of the principal of and interest on any Retirement Savings Bonds.
(Source: P.A. 86-892; revised 8-23-03.)

(30 ILCS 430/7) (from Ch. 127, par. 3757)

Sec. 7. In order to carry out the purposes of this Act, the Governor and Director of the Governor's Office of Management and Budget Bureau of the Budget may include within the proceedings authorizing the issuance of such Bonds, provisions or features deemed complementary to the purposes herein and to make such Bonds attractive to investors saving for retirement purposes. Such features, in the opinion of the Director of the Governor's Office of Management and Budget Bureau of the Budget, shall not adversely impact the State's cost of funds.

Since this type of retirement savings bond may not be appropriate for all persons, any advertisements regarding the sale of such Bonds, including bond prospectuses shall include statements to the effect that (a) these bonds may not be suitable for all investors and, (b) prior to purchase,

New matter indicated by italics - deletions by strikeout
it is recommended that all investors consult with a qualified advisor regarding the suitability of the bonds as investments for retirement purposes.
(Source: P.A. 86-892; revised 8-23-03.)

Section 410. The Human Services Provider Bond Reserve Payment Act is amended by changing Section 25 as follows:

(30 ILCS 435/25)

Sec. 25. Report. By November 1 of each year, every State agency shall report to the Governor’s Office of Management and Budget Bureau of the Budget and the Auditor General any direct payment to a bond paying agent made by the agency under this Act during the previous fiscal year.
(Source: P.A. 88-117; revised 8-23-03.)

Section 415. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 5 as follows:

(30 ILCS 575/5) (from Ch. 127, par. 132.605)

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

Sec. 5. Business Enterprise Council.

(1) To help implement, monitor and enforce the goals of this Act, there is created the Business Enterprise Council for Minorities, Females, and Persons with Disabilities, hereinafter referred to as the Council, composed of the Secretary of Human Services and the Directors of the Department of Human Rights, the Department of Commerce and Economic Opportunity Community Affairs, the Department of Central Management Services, the Department of Transportation and the Capital Development Board, or their duly appointed representatives. Ten individuals representing businesses that are minority or female owned or owned by persons with disabilities, 2 individuals representing the business community, and a representative of public universities shall be appointed by the Governor. These members shall serve 2 year terms and shall be eligible for reappointment. Any vacancy occurring on the Council shall also be filled by the Governor. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Members of the Council shall serve without compensation but shall be reimbursed for

New matter indicated by italics - deletions by strikeout
any ordinary and necessary expenses incurred in the performance of their duties.

The Director of the Department of Central Management Services shall serve as the Council chairperson and shall select, subject to approval of the council, a Secretary responsible for the operation of the program who shall serve as the Division Manager of the Business Enterprise for Minorities, Females, and Persons with Disabilities Division of the Department of Central Management Services.

The Director of each State agency and the chief executive officer of each State university shall appoint a liaison to the Council. The liaison shall be responsible for submitting to the Council any reports and documents necessary under this Act.

(2) The Council's authority and responsibility shall be to:

(a) Devise a certification procedure to assure that businesses taking advantage of this Act are legitimately classified as businesses owned by minorities, females, or persons with disabilities.

(b) Maintain a list of all businesses legitimately classified as businesses owned by minorities, females, or persons with disabilities to provide to State agencies and State universities.

(c) Review rules and regulations for the implementation of the program for businesses owned by minorities, females, and persons with disabilities.

(d) Review compliance plans submitted by each State agency and State university pursuant to this Act.

(e) Make annual reports as provided in Section 8f to the Governor and the General Assembly on the status of the program.

(f) Serve as a central clearinghouse for information on State contracts, including the maintenance of a list of all pending State contracts upon which businesses owned by minorities, females, and persons with disabilities may bid. At the Council's discretion, maintenance of the list may include 24-hour electronic access to the list along with the bid and application information.

New matter indicated by italics - deletions by strikeout
(g) Establish a toll free telephone number to facilitate information requests concerning the certification process and pending contracts.

(3) No premium bond rate of a surety company for a bond required of a business owned by a minority, female, or person with a disability bidding for a State contract shall be higher than the lowest rate charged by that surety company for a similar bond in the same classification of work that would be written for a business not owned by a minority, female, or person with a disability.

(4) Any Council member who has direct financial or personal interest in any measure pending before the Council shall disclose this fact to the Council and refrain from participating in the determination upon such measure.

(5) The Secretary shall have the following duties and responsibilities:

(a) To be responsible for the day-to-day operation of the Council.

(b) To serve as a coordinator for all of the State's programs for businesses owned by minorities, females, and persons with disabilities and as the information and referral center for all State initiatives for businesses owned by minorities, females, and persons with disabilities.

(c) To establish an enforcement procedure whereby the Council may recommend to the appropriate State legal officer that the State exercise its legal remedies which shall include (1) termination of the contract involved, (2) prohibition of participation by the respondent in public contracts for a period not to exceed one year, (3) imposition of a penalty not to exceed any profit acquired as a result of violation, or (4) any combination thereof. Such procedures shall require prior approval by Council.

(d) To devise appropriate policies, regulations and procedures for including participation by businesses owned by minorities, females, and persons with disabilities as prime contractors including, but not limited to, (i) encouraging the
inclusions of qualified businesses owned by minorities, females,
and persons with disabilities on solicitation lists, (ii) investigating
the potential of blanket bonding programs for small construction
jobs, (iii) investigating and making recommendations concerning
the use of the sheltered market process.

(e) To devise procedures for the waiver of the participation
goals in appropriate circumstances.

(f) To accept donations and, with the approval of the
Council or the Director of Central Management Services, grants
related to the purposes of this Act; to conduct seminars related to
the purpose of this Act and to charge reasonable registration fees;
and to sell directories, vendor lists and other such information to
interested parties, except that forms necessary to become eligible
for the program shall be provided free of charge to a business or
individual applying for the program.

(Source: P.A. 88-377; 88-597, eff. 8-28-94; 89-507, eff. 7-1-97; revised
11-3-04.)

Section 420. The Rural Economic Development Act is amended by
changing Sections 2-2, 2-3, and 2-4 as follows:

(30 ILCS 710/2-2) (from Ch. 5, par. 2202-2)
Sec. 2-2. The Department of Commerce and Economic
Opportunity Community Affairs shall administer programs providing
financial assistance in the form of interest subsidies or other forms as
allowed by federal law or regulation, court order, or federal administrative
order, to individuals and small businesses in rural areas served by rural
electric cooperatives for weatherization and energy conservation purposes.

For purposes of this Act, weatherization shall include, but not be
limited to, insulation, caulking, or weather stripping, adding storm doors
or storm windows, repairing or replacing broken windows or doors,
cleaning and minor repairs of heating systems, and installation of set-back
thermostats.

The Department of Commerce and Economic Opportunity
Community Affairs shall administer the interest subsidy program directed
to assist individual consumers. The financial assistance for individuals

New matter indicated by italics - deletions by strikeout
shall not exceed $2,000 and may be extended to individuals whose household gross income does not exceed 150 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.

Each Department administering a program under this Section shall develop the application procedures and terms of the assistance. Each Department shall make use of existing administrative procedures where such procedures are applicable.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(30 ILCS 710/2-3) (from Ch. 5, par. 2202-3)

Sec. 2-3. The Department of Commerce and Economic Opportunity Community Affairs shall administer a program demonstrating various alternative energy or energy conservation technologies appropriate for the rural areas of the State. Alternative energy shall include, but not be limited to, solar heating and cooling systems, photovoltaic systems, bioconversion, geothermal recycling and reuse of waste heat or energy, utilization of methane gas derived from industrial and agricultural by-products and other technologies identified by the Department.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(30 ILCS 710/2-4) (from Ch. 5, par. 2202-4)

Sec. 2-4. The Department of Commerce and Economic Opportunity Community Affairs shall provide educational materials, information and technical assistance to support energy conservation education programs designed to assist Illinois’ rural population in dealing with economic problems due to high energy costs.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 425. The Industrial Development Assistance Law is amended by changing Sections 2 and 3 as follows:

(30 ILCS 720/2) (from Ch. 85, par. 892)

Sec. 2. Declaration of policy. The General Assembly finds and declares as follows:

(A) That the health, safety, morals and general welfare of the people of this State are directly dependent upon the continual

New matter indicated by italics - deletions by strikeout
encouragement, development, growth and expansion of business, industry and commerce within the State.

(B) That unemployment, the spread of indigency, the heavy burden of public assistance and unemployment compensation can best be avoided by the promotion, attraction, stimulation, development and expansion of business, industry and commerce in the State.

Therefore, it is declared to be the policy of this State to promote the health, safety, morals and general welfare of its inhabitants through its Department of Commerce and Economic Opportunity Community Affairs by means of grants to be made to industrial development agencies which are or may be engaged in planning and promoting programs designed to stimulate the establishment of new or enlarged industrial, commercial and manufacturing enterprises within the counties served by such agencies.

(Source: P.A. 81-1509; revised 12-6-03.)

(30 ILCS 720/3) (from Ch. 85, par. 893)

Sec. 3. Definitions. "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Governing bodies" means, as to any county, municipality or township, the body empowered to enact ordinances or to adopt resolutions for the governance of such county, municipality or township.

"Industrial development agency" means any nonprofit corporation, organization, association or agency which shall be designated by proper resolution of the governing body of any county, concurred in by resolution of the governing bodies of municipalities or townships within said county having in the aggregate over 50% of the population of said county, as determined by the last preceding decennial United States Census, as the agency authorized to make application to and receive grants from the Department of Commerce and Economic Opportunity Community Affairs for the purposes specified in this Act. Any two or more counties may, by the procedures provided in this Act, designate a single industrial development agency to represent such counties for the purposes of this Act.

(Source: P.A. 81-1509; revised 12-6-03.)
Section 430. The Comprehensive Solar Energy Act of 1977 is amended by changing Section 1.2 as follows:

(30 ILCS 725/1.2) (from Ch. 96 1/2, par. 7303)

Sec. 1.2. Definitions. As used in this Act:

(a) "Solar Energy" means radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

(b) "Solar collector" means

(1) An assembly, structure, or design, including passive elements, used for gathering, concentrating, or absorbing direct or indirect solar energy, specially designed for holding a substantial amount of useful thermal energy and to transfer that energy to a gas, solid, or liquid or to use that energy directly; or

(2) A mechanism that absorbs solar energy and converts it into electricity; or

(3) A mechanism or process used for gathering solar energy through wind or thermal gradients; or

(4) A component used to transfer thermal energy to a gas, solid, or liquid, or to convert it into electricity.

(c) "Solar storage mechanism" means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector, for subsequent use.

(d) "Solar energy system" means

(1) (a) A complete assembly, structure, or design of a solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials;

(b) The design, materials, or elements of a system and its maintenance, operation, and labor components, and the necessary components, if any, of supplemental conventional energy systems designed or constructed to interface with a solar energy system; and

New matter indicated by italics - deletions by strikeout
(c) Any legal, financial, or institutional orders, certificates, or mechanisms, including easements, leases, and agreements, required to ensure continued access to solar energy, its source, or its use in a solar energy system, and including monitoring and educational elements of a demonstration project.

(2) "Solar energy system" does not include

(a) Distribution equipment that is equally usable in a conventional energy system except for such components of such equipment as are necessary for meeting the requirements of efficient solar energy utilization; and

(b) Components of a solar energy system that serve structural, insulating, protective, shading, aesthetic, or other non-solar energy utilization purposes, as defined in the regulations of the Department; and

(c) Any facilities of a public utility used to transmit or distribute gas or electricity.

(e) "Solar Skyspace" means

(1) The maximum three dimensional space extending from a solar energy collector to all positions of the sun necessary for efficient use of the collector.

(2) Where a solar energy system is used for heating purposes only, "solar skyspace" means the maximum three dimensional space extending from a solar energy collector to all positions of the sun between 9 a.m. and 3 p.m. Local Apparent Time from September 22 through March 22 of each year.

(3) Where a solar energy system is used for cooling purposes only, "solar skyspace" means the maximum three dimensional space extending from a solar energy collector to all positions of the sun between 8 a.m. and 4 p.m. Local Apparent Time from March 23 through September 21.

(f) "Solar skyspace easement" means

(1) a right, whether or not stated in the form of a restriction, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of any owner of land or solar

New matter indicated by italics - deletions by strikeout
skyspace or in any order of taking, appropriate to protect the solar skyspace of a solar collector at a particularly described location to forbid or limit any or all of the following where detrimental to access to solar energy.
   (a) structures on or above ground;
   (b) vegetation on or above the ground; or
   (c) other activity;
   (2) and which shall specifically describe a solar skyspace in three dimensional terms in which the activity, structures, or vegetation are forbidden or limited or in which such an easement shall set performance criteria for adequate collection of solar energy at a particular location.
   (g) "Conventional Energy System" shall mean an energy system utilizing fossil fuel, nuclear or hydroelectric energy and the components of such system, including transmission lines, burners, furnaces, tanks, boilers, related controls, distribution systems, room or area units and other components.
   (h) "Supplemental Conventional Energy System" shall mean a conventional energy system utilized for providing energy in conjunction with a solar energy system that provides not less than ten percent of the energy for the particular end use. "Supplemental Conventional Energy System" does not include any facilities of a public utility used to produce, transmit, distribute or store gas or electricity.
   (i) "Joint Solar Energy System" shall mean a solar energy system that supplies energy for structures or processes on more than one lot or in more than one condominium unit or leasehold, but not to the general public and involving at least two owners or users.
   (j) "Unit of Local Government" shall mean county, municipality, township, special districts, including school districts, and units designated as units of local government by law, which exercise limited governmental powers.
   (k) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs or its successor agency.
   (l) "Public Energy Supplier" shall mean

New matter indicated by italics - deletions by strikeout
(1) A public utility as defined in an Act concerning Public Utilities, approved June 29, 1921, as amended; or

(2) A public utility that is owned or operated by any political subdivision or municipal corporation of this State, or owned by such political subdivision or municipal corporation and operated by any of its lessees or operating agents; or

(3) An electric cooperative as defined in Section 10.19 of An Act concerning Public Utilities, approved June 29, 1921, as amended.

(m) "Energy Use Sites" shall mean sites where energy is or may be used or consumed for generating electricity or for heating or cooling gases, solids, liquids, or other materials and where solar energy may be used cost effectively, as defined in the regulations of the Department, consistent with the purposes of this Act.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 435. The Illinois Coal Technology Development Assistance Act is amended by changing Section 2 as follows:

(30 ILCS 730/2) (from Ch. 96 1/2, par. 8202)

Sec. 2. As used in this Act:

(a) "coal" or "coal resources" means Illinois coal or coal products extracted from the ground or reclaimed from the waste material produced by coal extraction operations;

(b) "coal demonstration and commercialization" means projects for the construction and operation of facilities to prove the scientific and engineering validity or the commercial application of a coal extraction, preparation, combustion, gasification, liquefaction or other synthetic process, environmental control, or transportation method;

(c) "coal research" means scientific investigations conducted for the purpose of increasing the utilization of coal resources and includes investigations in the areas of extraction, preparation, characterization, combustion, gasification, liquefaction and other synthetic processes, environmental control, marketing, transportation, procurement of sites, and environmental impacts;

New matter indicated by italics - deletions by strikeout
(d) "Fund" means the Coal Technology Development Assistance Fund;

(e) "Board" means the Illinois Coal Development Board or its successor;

(f) "Department" means the Department of Commerce and Economic Opportunity Community Affairs;

(g) "Public awareness and education" means programs of education, curriculum development, public service announcements, informational advertising and informing the news media on issues related to the use of Illinois coal, the coal industry and related developments. Public awareness and education shall be directed toward school age residents of the State, the citizens of the State and other interested parties.

(SOURCE: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 440. The Build Illinois Act is amended by changing Sections 8-2, 9-2, 9-4.1, 9-5.1, 9-11, 10-2, and 11-2 as follows:

(30 ILCS 750/8-2) (from Ch. 127, par. 2708-2)
Sec. 8-2. Definitions. As used in this Article:

(a) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

(b) "Local government" means any unit of local government as defined in Article VII, Section 1 of the 1970 Illinois Constitution.

(c) "Business retention, development or expansion project" means the expansion of an existing, for-profit commercial, industrial, manufacturing, scientific, agricultural or service business within Illinois, or the establishment of a new such business on a site within Illinois, so long as the business to be established is not relocating from another site within the State, unless the relocation of such a business will result in a substantial increase in employment or retention of an existing such business.

(d) "Public infrastructure" means local roads and streets, access roads, bridges, and sidewalks; waste disposal systems; water and sewer line extensions and water distribution and purification facilities, and sewage treatment facilities; rail or air or water port improvements; gas and electric utility facilities; transit capital facilities; development and

New matter indicated by italics - deletions by strikeout
improvement of publicly owned industrial and commercial sites, or other public capital improvements which are an essential precondition to a business retention, development or expansion project for the purposes of the Business Development Public Infrastructure Loan and Grant Program. "Public Infrastructure" also means capital acquisitions, construction, and improvements to other local facilities and sites, and associated permanent furnishings and equipment that are a necessary precondition to local health, safety and economic development for purposes of the Affordable Financing of Public Infrastructure Loan and Grant Program.

(e) "Local public entity" means any entity as defined by Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act.

(f) "Medical facility" and "public health clinic" mean any entity as defined by subsections (a) and (c), respectively, of Section 6-101 of the Local Governmental and Governmental Employees Tort Immunity Act.

(Source: P.A. 88-453; revised 12-6-03.)

(30 ILCS 750/9-2) (from Ch. 127, par. 2709-2)

Sec. 9-2. Definitions. The following terms, whenever used or referred to in this Article, shall have the following meanings ascribed to them, except where the context clearly requires otherwise:

(a) "Financial intermediary" means a community development corporation, a state development credit corporation, a development authority authorized to do business by an act of this State, or other public or private financing institution approved by the Department whose purpose includes financing, promoting, or encouraging economic development.

(b) "Participating lender" means any trust company, bank, savings bank, credit union, merchant bank, investment bank, broker, investment trust, pension fund, building and loan association, savings and loan association, insurance company, venture capital company or other institution approved by the Department which assumes a portion of the financing for a business project.

(c) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.
(d) "Small business" means any for-profit business in Illinois including, but not limited to, any sole proprietorship, partnership, corporation, joint venture, association or cooperative, which has, including its affiliates, less than 500 full time employees, or is determined by the Department to be not dominant in its field.

Business concerns are affiliates of one another when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party or parties controls or has the power to control both. Control can be exercised through common ownership, common management and contractual relationships.

(e) "Qualified security" means any note, stock, convertible security, treasury stock, bond, debenture, evidence of indebtedness, limited partnership interest, certificate of interest or participation in any profit-sharing agreement, preorganization certificate or subscription, transferable share, investment contract, certificate of deposit for a security, certificate of interest or participation in a patent or application therefor, or in royalty or other payments under such a patent or application, or, in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing, but not including any instrument which contains voting rights or can be converted to contain voting rights in the possession of the Department.

(f) "Loan agreement" means an agreement or contract to provide a loan or accept a mortgage or to purchase qualified securities or other means whereby financial aid is made available to a start-up, expanding, or mature, moderate risk small business.

(g) "Loan" means a loan or acceptance of a mortgage or the purchase of qualified securities or other means whereby financial aid is made to a start-up, expanding, or mature, moderate risk small business.

(h) "Equity investment agreement" means an agreement or contract to provide a loan or accept a mortgage or to purchase qualified securities or other means whereby financial aid is made available to or on behalf of a young, high risk, technology based small business.
(i) "Equity investment" means a loan or acceptance of a mortgage or the purchase of qualified securities or other means whereby financial aid is made to or on behalf of a young, high risk, technology based small business.

(j) "Project" means any specific economic development activity of a commercial, industrial, manufacturing, agricultural, scientific, service or other business, the result of which is expected to yield an increase in or retention of jobs or the modernization or improvement of competitiveness of firms and may include working capital financing, the purchase or lease of machinery and equipment, or the lease or purchase of real property but does not include refinancing current debt.

(k) "Technical assistance agreement" means an agreement or contract or other means whereby financial aid is made available to not-for-profit organizations for the purposes outlined in Section 9-6 of this Article.

(l) "Financial intermediary agreement" means an agreement or contract to provide a loan, investment, or other financial aid to a financial intermediary for the purposes outlined in Section 9-4.4 of this Article.

(m) "Equity intermediary agreement" means an agreement or contract to provide a loan, investment, or other financial aid to a financial intermediary for the purposes outlined in Section 9-5.3 of this Article.

(n) "Other investor" means a venture capital organization or association; an investment partnership, trust or bank; an individual, accounting partnership or corporation that invests funds, or any other entity which provides debt or equity financing for a business project.

(Source: P.A. 88-422; revised 12-6-03.)

(30 ILCS 750/9-4.1) (from Ch. 127, par. 2709-4.1)

Sec. 9-4.1. Applications for loans. All applications for loans to small businesses shall be submitted to the Department on forms and subject to filing fees prescribed by the Department. The Department shall conduct such investigation and obtain such information concerning the application as it considers necessary and diligent. Complete applications received by the Department shall be forwarded to a credit review committee consisting of persons experienced in business financing, and the Director of the Governor's Office of Management and Budget

New matter indicated by italics - deletions by strikeout
of the Budget or his designee, for a review and report concerning the advisability of approving the proposed loan. The review and report shall include facts about the company's history, job opportunities, stability of employment, past and present condition and structure, actual and pro-forma income statements, present and future market prospects and management qualifications, and any other facts deemed material to the financing request. The report shall include a reasoned opinion as to whether providing the financing would tend to fulfill the purposes of the Article. The report shall be advisory in nature only. The credit review committee shall be of such composition, act for such time, and have such powers as shall be specified by the Department.

After consideration of such report and after such other action as is deemed appropriate, the Department shall approve or deny the application. If the Department approves the application, its approval shall specify the amount of funds to be provided by the Department loan agreement provisions. The business applicant shall be promptly notified of such action by the Department.

(Source: P.A. 88-422; revised 8-23-03.)

(30 ILCS 750/9-5.1) (from Ch. 127, par. 2709-5.1)

Sec. 9-5.1. Applications for Illinois Equity Investments.

(a) All applications for the Illinois Equity Investments to or on behalf of small businesses shall be submitted to the Department on forms and subject to filing fees prescribed by the Department. For business project applications, the Department shall conduct such investigation and obtain such information concerning the application as it deems necessary and diligent. Complete applications received by the Department shall be forwarded to an outside credit review committee consisting of persons experienced in new venture equity financing and the Director of the Governor's Office of Management and Budget or the Director of the Bureau of the Budget, or his or her designee, for small business for a review and report concerning the advisability of approving the proposed investment. The review and report shall include facts about the company's history, job opportunities, stability of employment, past and present condition and structure, actual and pro-forma income statements, present and future market prospects and

New matter indicated by italics - deletions by strikeout
management qualifications, and any other facts deemed material to the financing request. The report shall be advisory in nature only and shall include a reasoned opinion as to whether providing the financing would tend to fulfill this purpose of the Act. Except for the Director of the Governor's Office of Management and Budget or his or her designee, the Department may utilize the services of existing outside organizations as the credit review committee.

(b) For equity intermediary agreements, applications may include, but shall not be limited to, history and mission of the applicant; needs to be served, which shall be consistent with the purpose of this subsection; products, services, and results expected from the effort; staffing, management, and operational procedures; and budget request and capitalization of the effort. The Department shall review the intermediary applications to determine the viability of the applicant, the consistency of the proposed project with the purposes of this Article, the economic benefits expected to be derived therefrom, the prospects for continuation of the project after Departmental assistance has been provided, and other issues that may be considered necessary.

(c) The Department shall, on the basis of the application, the report of the credit review committee, and any other appropriate information, prepare a report concerning the credit-worthiness of the proposed borrower or intermediary, the financial commitment of the participating lender or other investor, the manner in which the proposed small business or intermediary project will advance the economy of the State, and the soundness of the proposed equity investment or intermediary agreement. After consideration of such report and after such other action as it deems appropriate, the Department shall approve or deny the application. If the Department approves the application, its approval shall specify the amount of funds to be provided and the Department equity investment agreement provisions. The small business or intermediary applicant shall be promptly notified of such action by the Department.

(Source: P.A. 88-422; revised 8-23-03.)

(30 ILCS 750/9-11)

Sec. 9-11. Port Development Revolving Loan Program.

New matter indicated by italics - deletions by strikeout
(1) There is created in the State Treasury the Port Development Revolving Loan Fund, referred to in this Section as the Fund. Moneys in the Fund may be appropriated for the purposes of the Port Development Revolving Loan Program created by this Section to be administered by the Department of Commerce and Economic Opportunity in order to facilitate and enhance the utilization of Illinois' navigable waterways or the development of inland intermodal freight facilities or both. The Department may adopt rules for the administration of the Program.

The General Assembly may make appropriations for the purposes of the Program. Repayment of loans made to individual port districts shall be paid back into the Fund to establish an ongoing revolving loan fund to facilitate continuing port development activities in the State.

(2) Loan funds from the Program shall be made available to Illinois port districts on a competitive basis. In order to obtain assistance under the Program, a port district must submit a comprehensive application to the Department for consideration.

Projects eligible for funding under the Program must be intermodal facilities and within the scope of powers and responsibilities as granted in each port district's enabling legislation. Loan funds shall not be used for working capital or administrative purposes by the port district.

(3) The maximum amount which may be loaned from the Program to fund any one project is $3,000,000. Program funds may be used for up to 50% of an individual project financing. The balance of financing for an individual project must be secured by the respective district.

The maximum loan term shall be for 20 years with an interest rate of 5% per annum. Principal and interest payments shall be made on a semi-annual basis.

(4) In order to receive a loan from the Program, a port district must:

(a) demonstrate that the proposed project shall generate sufficient revenue to support amortization of the loan and be willing to pledge revenues from the project to loan repayment or

New matter indicated by italics - deletions by strikeout
(b) demonstrate that the port district can financially support debt service payments through general revenue sources of the port district and pledge the full faith and credit of the port district to loan repayment.

In order to achieve the requirement of paragraph (a) of this subsection (4), the port district may use guarantees provided under facility operating agreements or guaranteed facility use agreements from private concerns to demonstrate loan repayment ability.

Certain infrastructure facilities developed under the Program may be general use public facilities where there is not a definitive and guaranteed revenue stream to support the project, nevertheless the facilities are important to facilitate overall long term port development objectives. In such cases, the full faith and credit of the port district may be used as loan collateral.

(5) A loan agreement shall be executed between the port district and the State stipulating all of the terms and conditions of the loan. The Department shall release funds on a reimbursement basis for eligible costs of the project as incurred. The port district shall certify to the Department that expenses incurred during construction are in accordance with plans and specifications as approved by the Department. Funds may be drawn once per month during construction of the project.

(6) The loan agreement shall contain customary and usual loan default provisions in the event the port district fails to make the required payments. The loan agreement shall stipulate the State's recourse in curing any default.

In the event a port district becomes delinquent in payments to the State, that port district shall not be eligible for any future loans until the delinquency is remedied.

(7) Individual port district project applications shall include the following:

(a) Statement of purpose. A description of the project shall be submitted along with the project's anticipated overall effect on meeting port district objectives.

New matter indicated by italics - deletions by strikeout
(b) Project impact. The anticipated net effects of the project shall be enumerated. These impacts may include the economic impact to the State, employment impact, intermodal freight impacts, and environmental impacts.

(c) Cost estimates and preliminary project layout. The overall project development cost estimate and general site and or facility drawings.

(d) Proposed loan amount. A statement as to the amount proposed from the Program and the port district's intentions as to the source of other financing for the project.

(e) Business Proforma. A detailed business proforma must be supplied which estimates facility/project revenues as well as operating costs and debt service.

(f) Loan collateral and guarantees. The port district's intentions as to how it intends to collateralize the loan amount, including third party guarantees, pledging of project and facility revenue, or pledging general revenues of the district.

(8) The Department shall annually invite Illinois port districts to submit projects for consideration under the Program. The Department shall perform a cost/benefit analysis of each project to determine if a project meets minimum requirements for eligibility. Those applications which meet minimum criteria shall then be ranked by the overall net positive impact on the State.

(a) Minimum criteria shall include:
   (i) positive cost/benefit ratio;  
   (ii) demonstrated economic feasibility of the project; and
   (iii) the ability of the port district to repay the loan.

(b) Ranking criteria may include:
   (i) a cost/benefit ratio of project in relation to other projects;
   (ii) product tonnage to be handled;
   (iii) product value to be handled;
   (iv) soundness of business proposition;

New matter indicated by italics - deletions by strikeout
(v) positive intermodal impacts of Illinois transportation system;
(vi) meets overall State transportation objectives;
(vii) economic impact to the State; or
(viii) environmental benefits of the project.

Projects shall be selected according to their ranking up to the limit of available funds. Selected projects shall be invited to submit detailed plans, specifications, operating agreements, environmental clearances, evidence of property title, and other documentation as necessitated by the project. When the Department determines all necessary requirements are met and the remainder of the project financing is available, a loan agreement shall be executed and project development may commence.

(Source: P.A. 90-785, eff. 1-1-99; revised 12-6-03.)

(30 ILCS 750/10-2) (from Ch. 127, par. 2710-2)
Sec. 10-2. Definitions. Unless the context clearly requires otherwise:
(a) "Financial institution" means a trust company, a bank, a savings bank, a credit union, an investment bank, a broker, an investment trust, a pension fund, a building and loan association, a savings and loan association, an insurance company or any venture capital company which is authorized to do business in the State.
(b) "Participating lender" means any trust company, bank, savings bank, credit union, investment bank, broker, investment trust, pension fund, building and loan association, savings and loan association, insurance company or venture capital company approved by the Department which assumes a portion of the financing for a business project.
(c) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.
(d) "Business" means a for-profit, legal entity in Illinois including, but not limited to, any sole proprietorship, partnership, corporation, joint venture, association or cooperative.
(e) "Loan" means an agreement or contract to provide a loan or other financial aid to a business.

New matter indicated by italics - deletions by strikeout
(f) "Project" means any specific economic development activity of a commercial, industrial, manufacturing, agricultural, scientific, service or other business, the result of which yields an increase in jobs and may include the purchase or lease of machinery and equipment, the lease or purchase of real property or funds for infrastructure necessitated by site preparation, building construction or related purposes but does not include refinancing current debt.

(g) "Fund" means the Large Business Attraction Fund created in Section 10-4.

(Source: P.A. 84-109; revised 12-6-03.)

(30 ILCS 750/11-2) (from Ch. 127, par. 2711-2)

Sec. 11-2. Definitions. As used in this Article:

(a) "Small business incubator" or "Incubator" means a property described in Sections 11-7 and 11-8.

(b) "Community Advisory Board" or "Board" means a board created pursuant to Section 11-4.

(c) "Department" means the Illinois Department of Commerce and Economic Opportunity Community Affairs.

(d) "Educational institution" means a local school district, a private junior college or university, or a State supported community college or university within the State.

(e) "Local governmental unit" means a county, township, city, village or incorporated town within this State.

(f) "Non-profit organization" means local chambers of commerce, business and economic development corporations and associations, and such other similar organizations so designated by the Department.

(g) "Sponsor" means an educational institution, local governmental unit or non-profit organization which receives Department funds under this Article.

(h) "Costs of establishment" means the actual costs of acquisition, whether by lease, purchase or other devices, and of construction and renovation of the incubator.

(i) "Costs of administration" means the costs of wages or salary for the incubator manager and related clerical and administrative costs.

New matter indicated by italics - deletions by strikeout
Section 445. The Gang Control Grant Act is amended by changing Sections 1, 2, and 4 as follows:

(30 ILCS 755/1) (from Ch. 127, par. 3301)
Sec. 1. The purpose of this Act is to provide for grants to community groups in order to improve the quality of life in low and moderate income neighborhoods and to authorize the Department of Commerce and Economic Opportunity Community Affairs to administer such grants to such community groups.

(30 ILCS 755/2) (from Ch. 127, par. 3302)
Sec. 2. Definition. As used in this Act, the terms specified in this Section have the meanings ascribed to them in this Section.
   (a) "Community-based organization" means an organization certified by the Department as an eligible receiver of grants.
   (b) "Business entity" means a corporation, partnership or sole proprietorship engaged in producing goods or selling services or goods for a profit.
   (c) "Department" means Department of Commerce and Economic Opportunity Community Affairs.
   (d) "Neighborhood" means the area identified by a community-based organization as its geographically defined area containing the following characteristics:
      (1) a sense of belonging or identity that ties the residents to a given area;
      (2) social, cultural, political or economic activities around which residents of the area organize themselves;
      (3) the existence of cohesive organizations formed by residents; and
      (4) a history of acting or being treated as a distinct cohesive unit. The term neighborhood may include small municipalities of less than 10,000 population or rural areas which have these characteristics.

New matter indicated by italics - deletions by strikeout
Sec. 4. (a) No grants may be authorized unless the project for which the grant is made has been approved by the Department.

(b) Any community-based organization seeking to have a project approved for a grant must submit an application to the Department describing its potential contributors and the nature and benefit of the project, such as the number of youth to be served by the project, performance standards or benchmarks, and monetary benefits of the project such as additional non-State funds leveraged or new State or local taxes generated.

The application must also address how the following criteria will be met:

(1) The project must contribute to the self help efforts of the residents of the area involved.

(2) The project must involve the residents of the area in planning and implementing the project.

(3) The project must lack sufficient resources.

(4) The community-based organization must be fiscally responsible for the project.

(c) The project must provide alternatives to participation in gangs by juveniles in one of the following ways:

(1) by creating permanent jobs;

(2) by stimulating neighborhood business activity;

(3) by providing job training services;

(4) by providing youth recreation and athletic activities; or

(5) by strengthening any community-based organizations whose objectives are similar to those listed in items 1 through 4 above.

(d) If the community-based organization demonstrates its ability to meet the criteria in subsection (b), and will provide juvenile gang alternatives in 1 of the ways listed in subsection (c), the Department shall approve the organization's proposed projects and specify the amount of grant it is eligible to receive for such project. Comments from State elected officials representing the districts in which the project is proposed to be located shall be solicited by the Department in making the decision.
(e) Within 45 days of the receipt of an application, the Department shall give notice to the applicant as to whether the application has been approved or disapproved. If the Department disapproves the application, it shall specify the reasons for this decision and allow 60 days for the applicant to make amendments. The Department shall provide assistance upon request to applicants.

(f) On an annual basis, the community-based organization shall furnish a statement to the Department of Commerce and Economic Opportunity Affairs on the programmatic and financial status of any approved project and an audited financial statement of the project.

(Source: P.A. 85-633; revised 12-6-03.)

Section 450. The Eliminate the Digital Divide Law is amended by changing Section 5-5 as follows:

(30 ILCS 780/5-5)

Sec. 5-5. Definitions; descriptions. As used in this Article:

"Community-based organization" means a private not-for-profit organization that is located in an Illinois community and that provides services to citizens within that community and the surrounding area.

"Community technology centers" provide computer access and educational services using information technology. Community technology centers are diverse in the populations they serve and programs they offer, but similar in that they provide technology access to individuals, communities, and populations that typically would not otherwise have places to use computer and telecommunications technologies.

"Department" means the Department of Commerce and Economic Opportunity Affairs.

"National school lunch program" means a program administered by the U.S. Department of Agriculture and state agencies that provides free or reduced price lunches to economically disadvantaged children. A child whose family income is between 130% and 185% of applicable family size income levels contained in the nonfarm poverty guidelines prescribed by the Office of Management and Budget is eligible for a reduced price lunch. A child whose family income is 130% or less of applicable family size income levels contained in the nonfarm income poverty guidelines

New matter indicated by italics - deletions by strikeout
prescribed by the Office of Management and Budget is eligible for a free lunch.

"Telecommunications services" provided by telecommunications carriers include all commercially available telecommunications services in addition to all reasonable charges that are incurred by taking such services, such as state and federal taxes.

"Other special services" provided by telecommunications carriers include Internet access and installation and maintenance of internal connections in addition to all reasonable charges that are incurred by taking such services, such as state and federal taxes.

(Source: P.A. 91-704, eff. 7-1-00; revised 12-6-03.)

Section 455. The State Mandates Act is amended by changing Section 8 as follows:

(30 ILCS 805/8) (from Ch. 85, par. 2208)

Sec. 8. Exclusions, reimbursement, application, review, appeals, and adjudication.

(a) Exclusions: Any of the following circumstances inherent to, or associated with, a mandate shall exclude the State from reimbursement liability under this Act. If the mandate (1) accommodates a request from local governments or organizations thereof; (2) imposes additional duties of a nature which can be carried out by existing staff and procedures at no appreciable net cost increase; (3) creates additional costs but also provides offsetting savings resulting in no aggregate increase in net costs; (4) imposes a cost that is wholly or largely recovered from Federal, State or other external financial aid; (5) imposes additional annual net costs of less than $1,000 for each of the several local governments affected or less than $50,000, in the aggregate, for all local governments affected.

The failure of the General Assembly to make necessary appropriations shall relieve the local government of the obligation to implement any service mandates, tax exemption mandates, and personnel mandates, as specified in Section 6, subsections (b), (c), (d) and (e), unless the exclusion provided for in this Section are explicitly stated in the Act establishing the mandate. In the event that funding is not provided for a State-mandated program by the General Assembly, the local government
may implement or continue the program upon approval of its governing body. If the local government approves the program and funding is subsequently provided, the State shall reimburse the local governments only for costs incurred subsequent to the funding.

(b) Reimbursement Estimation and Appropriation Procedure.

(1) When a bill is introduced in the General Assembly, the Legislative Reference Bureau, hereafter referred to as the Bureau, shall determine whether such bill may require reimbursement to local governments pursuant to this Act. The Bureau shall make such determination known in the Legislative Synopsis and Digest.

In making the determination required by this subsection (b) the Bureau shall disregard any provision in a bill which would make inoperative the reimbursement requirements of Section 6 above, including an express exclusion of the applicability of this Act, and shall make the determination irrespective of any such provision.

(2) Any bill or amended bill which creates or expands a State mandate shall be subject to the provisions of "An Act requiring fiscal notes in relation to certain bills", approved June 4, 1965, as amended. The fiscal notes for such bills or amended bills shall include estimates of the costs to local government and the costs of any reimbursement required under this Act. In the case of bills having a potential fiscal impact on units of local government, the fiscal note shall be prepared by the Department. In the case of bills having a potential fiscal impact on school districts, the fiscal note shall be prepared by the State Superintendent of Education. In the case of bills having a potential fiscal impact on community college districts, the fiscal note shall be prepared by the Illinois Community College Board. Such fiscal note shall accompany the bill that requires State reimbursement and shall be prepared prior to any final action on such a bill by the assigned committee. However, if a fiscal note is not filed by the appropriate agency within 30 days of introduction of a bill, the bill can be heard in committee and advanced to the order of second reading. The bill

New matter indicated by italics - deletions by strikeout
shall then remain on second reading until a fiscal note is filed. A bill discharged from committee shall also remain on second reading until a fiscal note is provided by the appropriate agency.

(3) The estimate required by paragraph (2) above, shall include the amount estimated to be required during the first fiscal year of a bill's operation in order to reimburse local governments pursuant to Section 6, for costs mandated by such bill. In the event that the effective date of such a bill is not the first day of the fiscal year the estimate shall also include the amount estimated to be required for reimbursement for the next following full fiscal year.

(4) For the initial fiscal year, reimbursement funds shall be provided as follows: (i) any statute mandating such costs shall have a companion appropriation bill, and (ii) any executive order mandating such costs shall be accompanied by a bill to appropriate the funds therefor, or, alternatively an appropriation for such funds shall be included in the executive budget for the next following fiscal year.

In subsequent fiscal years appropriations for such costs shall be included in the Governor's budget or supplemental appropriation bills.

(c) Reimbursement Application and Disbursement Procedure.

(1) For the initial fiscal year during which reimbursement is authorized, each local government, or more than one local government wishing to join in filing a single claim, believing itself to be entitled to reimbursement under this Act shall submit to the Department, State Superintendent of Education or Illinois Community College Board within 60 days of the effective date of the mandate a claim for reimbursement accompanied by its estimate of the increased costs required by the mandate for the balance of the fiscal year. The Department, State Superintendent of Education or Illinois Community College Board shall review such claim and estimate, shall apportion the claim into 3 equal installments and shall direct the Comptroller to pay the installments at equal intervals throughout the remainder of the

New matter indicated by italics - deletions by strikeout
fiscal year from the funds appropriated for such purposes, provided that the Department, State Superintendent of Education or Illinois Community College Board may (i) audit the records of any local government to verify the actual amount of the mandated cost, and (ii) reduce any claim determined to be excessive or unreasonable.

(2) For the subsequent fiscal years, local governments shall submit claims as specified above on or before October 1 of each year. The Department, State Superintendent of Education or Illinois Community College Board shall apportion the claims into 3 equal installments and shall direct the Comptroller to pay the first installment upon approval of the claims, with subsequent installments to follow on January 1 and March 1, such claims to be paid from funds appropriated therefor, provided that the Department, State Superintendent of Education or Illinois Community College Board (i) may audit the records of any local governments to verify the actual amount of the mandated cost, (ii) may reduce any claim, determined to be excessive or unreasonable, and (iii) shall adjust the payment to correct for any underpayments or overpayments which occurred in the previous fiscal year.

(3) Any funds received by a local government pursuant to this Act may be used for any public purpose.

If the funds appropriated for reimbursement of the costs of local government resulting from the creation or expansion of a State mandate are less than the total of the approved claims, the amount appropriated shall be prorated among the local governments having approved claims.

(d) Appeals and Adjudication.

(1) Local governments may appeal determinations made by State agencies acting pursuant to subsection (c) above. The appeal must be submitted to the State Mandates Board of Review created by Section 9.1 of this Act within 60 days following the date of receipt of the determination being appealed. The appeal must include evidence as to the extent to which the mandate has been carried out in an effective manner and executed without recourse to
standards of staffing or expenditure higher than specified in the mandatory statute, if such standards are specified in the statute. The State Mandates Board of Review, after reviewing the evidence submitted to it, may increase or reduce the amount of a reimbursement claim. The decision of the State Mandates Board of Review shall be final subject to judicial review. However, if sufficient funds have not been appropriated, the Department shall notify the General Assembly of such cost, and appropriations for such costs shall be included in a supplemental appropriation bill.

(2) A local government may also appeal directly to the State Mandates Board of Review in those situations in which the Department of Commerce and Economic Opportunity Community Affairs does not act upon the local government's application for reimbursement or request for mandate determination submitted under this Act. The appeal must include evidence that the application for reimbursement or request for mandate determination was properly filed and should have been reviewed by the Department.

An appeal may be made to the Board if the Department does not respond to a local government's application for reimbursement or request for mandate determination within 120 days after filing the application or request. In no case, however, may an appeal be brought more than one year after the application or request is filed with the Department.

(Source: P.A. 89-304, eff. 8-11-95; 89-626, eff. 8-9-96; revised 12-6-03.)

Section 460. The Illinois Income Tax Act is amended by changing Section 211 as follows:

(35 ILCS 5/211)

Sec. 211. Economic Development for a Growing Economy Tax Credit. For tax years beginning on or after January 1, 1999, a Taxpayer who has entered into an Agreement under the Economic Development for a Growing Economy Tax Credit Act is entitled to a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act in an amount to be determined in the Agreement. If the Taxpayer is a
partnership or Subchapter S corporation, the credit shall be allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code. The Department, in cooperation with the Department of Commerce and Economic Opportunity Community Affairs, shall prescribe rules to enforce and administer the provisions of this Section. This Section is exempt from the provisions of Section 250 of this Act.

The credit shall be subject to the conditions set forth in the Agreement and the following limitations:

(1) The tax credit shall not exceed the Incremental Income Tax (as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act) with respect to the project.

(2) The amount of the credit allowed during the tax year plus the sum of all amounts allowed in prior years shall not exceed 100% of the aggregate amount expended by the Taxpayer during all prior tax years on approved costs defined by Agreement.

(3) The amount of the credit shall be determined on an annual basis. Except as applied in a carryover year pursuant to Section 211(4) of this Act, the credit may not be applied against any State income tax liability in more than 10 taxable years; provided, however, that (i) an eligible business certified by the Department of Commerce and Economic Opportunity Community Affairs under the Corporate Headquarters Relocation Act may not apply the credit against any of its State income tax liability in more than 15 taxable years and (ii) credits allowed to that eligible business are subject to the conditions and requirements set forth in Sections 5-35 and 5-45 of the Economic Development for a Growing Economy Tax Credit Act.

(4) The credit may not exceed the amount of taxes imposed pursuant to subsections (a) and (b) of Section 201 of this Act. Any credit that is unused in the year the credit is computed may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied

New matter indicated by italics - deletions by strikeout
to the earliest year for which there is a tax liability. If there are
credits from more than one tax year that are available to offset a
liability, the earlier credit shall be applied first.

(5) No credit shall be allowed with respect to any
Agreement for any taxable year ending after the Noncompliance
Date. Upon receiving notification by the Department of Commerce
and Economic Opportunity Community Affairs of the
noncompliance of a Taxpayer with an Agreement, the Department
shall notify the Taxpayer that no credit is allowed with respect to
that Agreement for any taxable year ending after the Noncompliance Date, as stated in such notification. If any credit
has been allowed with respect to an Agreement for a taxable year
ending after the Noncompliance Date for that Agreement, any
refund paid to the Taxpayer for that taxable year shall, to the extent
of that credit allowed, be an erroneous refund within the meaning
of Section 912 of this Act.

(6) For purposes of this Section, the terms
"Agreement", "Incremental Income Tax", and "Noncompliance
Date" have the same meaning as when used in the Economic Development
for a Growing Economy Tax Credit Act.
(Source: P.A. 91-476, eff. 8-11-99; 92-207, eff. 8-1-01; revised 12-6-03.)

Section 465. The Economic Development for a Growing Economy
Tax Credit Act is amended by changing Sections 5-5, 5-25, and 5-45 as
follows:

(35 ILCS 10/5-5)
Sec. 5-5. Definitions. As used in this Act:
"Agreement" means the Agreement between a Taxpayer and the
Department under the provisions of Section 5-50 of this Act.
"Applicant" means a Taxpayer that is operating a business located
or that the Taxpayer plans to locate within the State of Illinois and that is
engaged in interstate or intrastate commerce for the purpose of
manufacturing, processing, assembling, warehousing, or distributing
products, conducting research and development, providing tourism
services, or providing services in interstate commerce, office industries, or

New matter indicated by italics - deletions by strikeout
agricultural processing, but excluding retail, retail food, health, or professional services. "Applicant" does not include a Taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar nature located within the State are not closed or substantially reduced. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation provided that the Department determines that expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Committee" means the Illinois Business Investment Committee created under Section 5-25 of this Act within the Illinois Economic Development Board.

"Credit" means the amount agreed to between the Department and Applicant under this Act, but not to exceed the Incremental Income Tax attributable to the Applicant's project.

"Department" means the Department of Commerce and Economic Opportunity Community Affairs.

"Director" means the Director of Commerce and Economic Opportunity Community Affairs.

"Full-time Employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment.

"Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Employees under Article 7

New matter indicated by italics - deletions by strikeout
of the Illinois Income Tax Act arising from employment at a project that is
the subject of an Agreement.

"New Employee" means:

(a) A Full-time Employee first employed by a Taxpayer in
the project that is the subject of an Agreement and who is hired
after the Taxpayer enters into the tax credit Agreement.

(b) The term "New Employee" does not include:

(1) an employee of the Taxpayer who performs a
job that was previously performed by another employee, if
that job existed for at least 6 months before hiring the employee;

(2) an employee of the Taxpayer who was
previously employed in Illinois by a Related Member of the
Taxpayer and whose employment was shifted to the
Taxpayer after the Taxpayer entered into the tax credit
Agreement; or

(3) a child, grandchild, parent, or spouse, other than
a spouse who is legally separated from the individual, of
any individual who has a direct or an indirect ownership
interest of at least 5% in the profits, capital, or value of the
Taxpayer.

(c) Notwithstanding paragraph (1) of subsection (b), an
employee may be considered a New Employee under the
Agreement if the employee performs a job that was previously
performed by an employee who was:

(1) treated under the Agreement as a New
Employee; and

(2) promoted by the Taxpayer to another job.

(d) Notwithstanding subsection (a), the Department may
award Credit to an Applicant with respect to an employee hired
prior to the date of the Agreement if:

(1) the Applicant is in receipt of a letter from the
Department stating an intent to enter into a credit
Agreement;

New matter indicated by italics - deletions by strikeout
(2) the letter described in paragraph (1) is issued by the Department not later than 15 days after the effective date of this Act; and

(3) the employee was hired after the date the letter described in paragraph (1) was issued.

"Noncompliance Date" means, in the case of a Taxpayer that is not complying with the requirements of the Agreement or the provisions of this Act, the day following the last date upon which the Taxpayer was in compliance with the requirements of the Agreement and the provisions of this Act, as determined by the Director, pursuant to Section 5-65.

"Pass Through Entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Related Member" means a person that, with respect to the Taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the Taxpayer's outstanding stock.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the Taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the

New matter indicated by italics - deletions by strikeout
corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the Taxpayer.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a Related Member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability.

(Source: P.A. 91-476, eff. 8-11-99; 92-651, eff. 7-11-02; revised 12-6-03.)

(35 ILCS 10/5-25)

Sec. 5-25. Review of Application.

(a) In addition to those duties granted under the Illinois Economic Development Board Act, the Illinois Economic Development Board shall form a Business Investment Committee for the purpose of making recommendations for applications. At the request of the Board, the Director of Commerce and Economic Opportunity Community Affairs or his or her designee, the Director of the Governor's Office of Management and Budget Bureau of the Budget or his or her designee, the Director of Revenue or his or her designee, the Director of Employment Security or his or her designee, and an elected official of the affected locality, such as the chair of the county board or the mayor, may serve as members of the Committee to assist with its analysis and deliberations.

(b) At the Department's request, the Committee shall convene, make inquiries, and conduct studies in the manner and by the methods as it deems desirable, review information with respect to Applicants, and make recommendations for projects to benefit the State. In making its recommendation that an Applicant's application for Credit should or should not be accepted, which shall occur within a reasonable time frame
as determined by the nature of the application, the Committee shall determine that all the following conditions exist:

(1) The Applicant's project intends, as required by subsection (b) of Section 5-20 to make the required investment in the State and intends to hire the required number of New Employees in Illinois as a result of that project.

(2) The Applicant's project is economically sound and will benefit the people of the State of Illinois by increasing opportunities for employment and strengthen the economy of Illinois.

(3) That, if not for the Credit, the project would not occur in Illinois, which may be demonstrated by any means including, but not limited to, evidence the Applicant has multi-state location options and could reasonably and efficiently locate outside of the State, or demonstration that at least one other state is being considered for the project, or evidence the receipt of the Credit is a major factor in the Applicant's decision and that without the Credit, the Applicant likely would not create new jobs in Illinois, or demonstration that receiving the Credit is essential to the Applicant's decision to create or retain new jobs in the State.

(4) A cost differential is identified, using best available data, in the projected costs for the Applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs. The competing state's incentive programs shall include state, local, private, and federal funds available.

(5) The political subdivisions affected by the project have committed local incentives with respect to the project, considering local ability to assist.

(6) Awarding the Credit will result in an overall positive fiscal impact to the State, as certified by the Committee using the best available data.

(7) The Credit is not prohibited by Section 5-35 of this Act.

(Source: P.A. 91-476, eff. 8-11-99; revised 8-23-03.)

New matter indicated by italics - deletions by strikeout
(35 ILCS 10/5-45)
Sec. 5-45. Amount and duration of the credit.
(a) The Department shall determine the amount and duration of the credit awarded under this Act. The duration of the credit may not exceed 10 taxable years. The credit may be stated as a percentage of the Incremental Income Tax attributable to the applicant's project and may include a fixed dollar limitation.
(b) Notwithstanding subsection (a), and except as the credit may be applied in a carryover year pursuant to Section 211(4) of the Illinois Income Tax Act, the credit may be applied against the State income tax liability in more than 10 taxable years but not in more than 15 taxable years for an eligible business that (i) qualifies under this Act and the Corporate Headquarters Relocation Act and has in fact undertaken a qualifying project within the time frame specified by the Department of Commerce and Economic Opportunity Community Affairs under that Act, and (ii) applies against its State income tax liability, during the entire 15-year period, no more than 60% of the maximum credit per year that would otherwise be available under this Act.
(Source: P.A. 91-476, eff. 8-11-99; 92-207, eff. 8-1-01; revised 12-6-03.)

Section 475. The Use Tax Act is amended by changing Section 9 as follows:
(35 ILCS 105/9) (from Ch. 120, par. 439.9)
Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be

New matter indicated by italics - deletions by strikeout
taken with each such tax remittance instead of when such retailer files his periodic return. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;

New matter indicated by italics - deletions by strikeout
5. The amount of tax due;  
5-5. The signature of the taxpayer; and  
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1996, a taxpayer who has an average monthly tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.
Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an

New matter indicated by italics - deletions by strikeout
amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the

New matter indicated by italics - deletions by strikeout
preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarterly payment amount and quarterly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after

New matter indicated by italics - deletions by strikeout
December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

New matter indicated by italics - deletions by strikeout
In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in

New matter indicated by italics - deletions by strikeout
Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is

New matter indicated by italics - deletions by strikeout
required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be
deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside

New matter indicated by italics - deletions by strikeout
Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be

New matter indicated by italics - deletions by strikeout
immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute

New matter indicated by italics - deletions by strikeout
payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>119,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

New matter indicated by italics - deletions by strikeout
Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

New matter indicated by italics - deletions by strikeout
For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 91-37, eff. 7-1-99; 91-51, eff. 6-30-99; 91-101, eff. 7-12-99; 91-541, eff. 8-13-99; 91-872, eff. 7-1-00; 91-901, eff. 1-1-01; 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; revised 10-15-03.)

Section 480. The Service Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such period.

New matter indicated by italics - deletions by strikeout
calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar quarter.
laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarterly annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

New matter indicated by italics - deletions by strikeout
Such quarterly annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a servicemen may file his return, in the case of any servicemen who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such servicemen shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a servicemen collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the servicemen refunds the selling price thereof to the purchaser, such servicemen shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the servicemen may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such servicemen may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such servicemen. If the servicemen shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any servicemen filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such servicemen shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the servicemen has more than one business registered with the Department under separate registration hereunder, such servicemen shall not file each return that is due as a single return covering all such

New matter indicated by italics - deletions by strikeout
registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers'
Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any
fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
2007        119,000,000
2008        126,000,000
2009        132,000,000
2010        139,000,000
2011        146,000,000
2012        153,000,000
2013        161,000,000
2014        170,000,000
2015        179,000,000
2016        189,000,000
2017        199,000,000
2018        210,000,000
2019        221,000,000
2020        233,000,000
2021        246,000,000
2022        260,000,000
2023 and    275,000,000

each fiscal year
thereafter that bonds
are outstanding under
Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested

New matter indicated by italics - deletions by strikeout
for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

All remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.
Section 490. The Retailers' Occupation Tax Act is amended by changing Sections 1d, 1f, 1i, 1j.1, 1k, 1o, and 5l as follows:

(35 ILCS 120/1d) (from Ch. 120, par. 440d)

Sec. 1d. Subject to the provisions of Section 1f, all tangible personal property to be used or consumed within an enterprise zone established pursuant to the "Illinois Enterprise Zone Act", as amended, or subject to the provisions of Section 5.5 of the Illinois Enterprise Zone Act, all tangible personal property to be used or consumed by any High Impact Business, in the process of the manufacturing or assembly of tangible personal property for wholesale or retail sale or lease or in the process of graphic arts production if used or consumed at a facility which is a Department of Commerce and Economic Opportunity Community Affairs certified business and located in a county of more than 4,000 persons and less than 45,000 persons is exempt from the tax imposed by this Act. This exemption includes repair and replacement parts for machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property or in the process of graphic arts production if used or consumed at a facility which is a Department of Commerce and Economic Opportunity Community Affairs certified business and located in a county of more than 4,000 persons and less than 45,000 persons for wholesale or retail sale, or lease, and equipment, manufacturing or graphic arts fuels, material and supplies for the maintenance, repair or operation of such manufacturing or assembling or graphic arts machinery or equipment.

(35 ILCS 120/1f) (from Ch. 120, par. 440f)

Sec. 1f. Except for High Impact Businesses, the exemption stated in Sections 1d and 1e of this Act shall only apply to business enterprises which:

(1) either (i) make investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois or (ii) make investments which cause the retention of a minimum of 2000 full-time jobs in Illinois or (iii) make investments of a minimum of
$40,000,000 and retain at least 90% of the jobs in place on the date on which the exemption is granted and for the duration of the exemption; and

(2) are located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act; and

(3) are certified by the Department of Commerce and Economic Opportunity Community Affairs as complying with the requirements specified in clauses (1), (2) and (3).

Any business enterprise seeking to avail itself of the exemptions stated in Sections 1d or 1e, or both, shall make application to the Department of Commerce and Economic Opportunity Community Affairs in such form and providing such information as may be prescribed by the Department of Commerce and Economic Opportunity Community Affairs. However, no business enterprise shall be required, as a condition for certification under clause (4) of this Section, to attest that its decision to invest under clause (1) of this Section and to locate under clause (2) of this Section is predicated upon the availability of the exemptions authorized by Sections 1d or 1e.

The Department of Commerce and Economic Opportunity Community Affairs shall determine whether the business enterprise meets the criteria prescribed in this Section. If the Department of Commerce and Economic Opportunity Community Affairs determines that such business enterprise meets the criteria, it shall issue a certificate of eligibility for exemption to the business enterprise in such form as is prescribed by the Department of Revenue. The Department of Commerce and Economic Opportunity Community Affairs shall act upon such certification requests within 60 days after receipt of the application, and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity Community Affairs shall have the power to promulgate rules and regulations to carry out the provisions of this Section including the power to define the amounts and types of eligible investments not specified in this Section which business enterprises must make in order to receive the
exemptions stated in Sections 1d and 1e of this Act; and to require that any business enterprise that is granted a tax exemption repay the exempted tax if the business enterprise fails to comply with the terms and conditions of the certification.

Such certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of tangible personal property for which an exemption is granted by Section 1d or Section 1e, or both, together with a certification by the business enterprise that such tangible personal property is exempt from taxation under Section 1d or Section 1e and by indicating the exempt status of each subsequent purchase on the face of the purchase order.

The Department of Commerce and Economic Opportunity Community Affairs shall determine the period during which such exemption from the taxes imposed under this Act is in effect which shall not exceed 20 years.

(Source: P.A. 86-44; 86-1456; revised 12-6-03.)

(35 ILCS 120/1i) (from Ch. 120, par. 440i)

Sec. 1i. High Impact Service Facility means a facility used primarily for the sorting, handling and redistribution of mail, freight, cargo, or other parcels received from agents or employees of the handler or shipper for processing at a common location and redistribution to other employees or agents for delivery to an ultimate destination on an item-by-item basis, and which: (1) will make an investment in a business enterprise project of $100,000,000 dollars or more; (2) will cause the creation of at least 750 to 1,000 jobs or more in an enterprise zone established pursuant to the Illinois Enterprise Zone Act; and (3) is certified by the Department of Commerce and Economic Opportunity Community Affairs as contractually obligated to meet the requirements specified in divisions (1) and (2) of this paragraph within the time period as specified by the certification. Any business enterprise project applying for the exemption stated in this Section shall make application to the Department of Commerce and Economic Opportunity Community Affairs in such form and providing such information as may be prescribed by the Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
The Department of Commerce and Economic Opportunity Community Affairs shall determine whether the business enterprise project meets the criteria prescribed in this Section. If the Department of Commerce and Economic Opportunity Community Affairs determines that such business enterprise project meets the criteria, it shall issue a certificate of eligibility for exemption to the business enterprise in such form as is prescribed by the Department of Revenue. The Department of Commerce and Economic Opportunity Community Affairs shall act upon such certification requests within 60 days after receipt of the application, and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity Community Affairs shall have the power to promulgate rules and regulations to carry out the provisions of this Section and to require that any business enterprise that is granted a tax exemption repay the exempted tax if the business enterprise fails to comply with the terms and conditions of the certification.

The certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of machinery and equipment for which an exemption is granted by Section 1j of this Act, together with a certification by the business enterprise that such machinery and equipment is exempt from taxation under Section 1j of this Act and by indicating the exempt status of each subsequent purchase on the face of the purchase order.

The certification of eligibility for exemption shall be presented by the business enterprise to its supplier when making the purchase of jet fuel and petroleum products for which an exemption is granted by Section 1j.1 of this Act, together with a certification by the business enterprise that such jet fuel and petroleum product, are exempt from taxation under Section 1j.1 of this Act, and by indicating the exempt status of each subsequent purchase on the face of the purchase order.

The Department of Commerce and Economic Opportunity Community Affairs shall determine the period during which such exemption from the taxes imposed under this Act will remain in effect.

New matter indicated by italics - deletions by strikeout
Sec. 1j.1. Exemption; jet fuel used in the operation of high impact service facilities. Subject to the provisions of Section 1i of this Act, jet fuel and petroleum products sold to and used in the conduct of its business of sorting, handling and redistribution of mail, freight, cargo or other parcels in the operation of a high impact service facility, as defined in Section 1i of this Act, located within an enterprise zone established pursuant to the Illinois Enterprise Zone Act shall be exempt from the tax imposed by this Act, provided that the business enterprise has waived its right to a tax exemption of the charges imposed under Section 9-222.1 of the Public Utilities Act. The Department of Commerce and Economic Opportunity Community Affairs shall promulgate rules necessary to further define jet fuel and petroleum products sold to, used, and eligible for exemption in a high impact service facility. The minimum period for which an exemption from taxes is granted by this Section is 10 years, regardless of the duration of the enterprise zone in which the project is located.

Sec. 1k. Aircraft maintenance facility means a facility operated by an interstate carrier for hire that is used primarily for the maintenance, rebuilding or repair of aircraft, aircraft parts and auxiliary equipment owned or leased by that carrier and used by that carrier as rolling stock moving in interstate commerce, and which: (1) will make an investment by the interstate carrier for hire of $400,000,000 or more in an enterprise zone; (2) will cause the creation of at least 5,000 full-time jobs in that enterprise zone; (3) is located in a county with population not less than 150,000 and not more than 200,000 and that contains 3 enterprise zones as of December 31, 1990; (4) enters into a legally binding agreement with the Department of Commerce and Economic Opportunity Community Affairs to comply with clauses (1) and (2) of this paragraph within a time period specified in the rules and regulations promulgated pursuant to this Section; and (5) is certified by the Department of Commerce and Economic Opportunity Community Affairs.
Opportunity Community Affairs to be in compliance with clauses (1), (2), (3) and (4) of this Section. Any aircraft maintenance facility applying for the exemption stated in this Section shall make application to the Department of Commerce and Economic Opportunity Community Affairs in such form and providing such information as may be prescribed by the Department of Commerce and Economic Opportunity Community Affairs.

The Department of Commerce and Economic Opportunity Community Affairs shall determine whether the facility meets the criteria prescribed in this Section. If the Department of Commerce and Economic Opportunity Community Affairs determines that the facility meets the criteria, it shall issue a certificate of eligibility for exemption in the form prescribed by the Department of Revenue to the business enterprise operating the facility. The Department of Commerce and Economic Opportunity Community Affairs shall act upon certification request within 60 days after receipt of application, and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity Community Affairs shall promulgate rules and regulations to carry out the provisions of this Section, and to require that any business enterprise that is granted a tax exemption pay the exempted tax to the Department of Revenue if the business enterprise fails to comply with the terms and conditions of the certification, and pay all penalties and interest on that exempted tax as determined by the Department of Revenue.

The certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of machinery and equipment for which an exemption is granted by Section 1m or Section 1n of this Act, or both, together with a certification by the business enterprise that the machinery and equipment is exempt from taxation under Section 1m or 1n of this Act. The exempt status, if any, of each subsequent purchase shall be indicated on the face of the purchase order.

(Source: P.A. 86-1490; revised 12-6-03.)

(35 ILCS 120/1o)

Sec. 1o. Aircraft support center exemption.

New matter indicated by italics - deletions by strikeout
(a) For the purposes of this Act, "aircraft support center" means a support center operated by a carrier for hire that is used primarily for the maintenance, rebuilding, or repair of aircraft, aircraft parts, and auxiliary equipment, and which carrier:

(1) will make an investment of $30,000,000 or more at a federal Air Force Base located in this State;
(2) will cause the creation of at least 750 full-time jobs at a joint use military and civilian airport at that federal Air Force Base;
(3) enters into a legally binding agreement with the Department of Commerce and Economic Opportunity Community Affairs to comply with paragraphs (1) and (2) within a time period specified in the rules and regulations promulgated by the Department of Commerce and Economic Opportunity Community Affairs pursuant to this subsection; and
(4) is certified by the Department of Commerce and Economic Opportunity Community Affairs to be in compliance with paragraphs (1), (2), and (3).

Any aircraft support center applying for an exemption stated in this Section shall make application to the Department of Commerce and Economic Opportunity Community Affairs in such form and providing such information as may be prescribed by that Department. The Department of Commerce and Economic Opportunity Community Affairs shall determine whether the aircraft support center meets the criteria prescribed in this subsection. If the Department of Commerce and Economic Opportunity Community Affairs determines that the aircraft support center meets the criteria, it shall issue a certificate of eligibility for exemption in the form prescribed by the Department of Revenue to the carrier operating the aircraft support center. The Department of Commerce and Economic Opportunity Community Affairs shall act upon certification request within 60 days after receipt of application and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity Community Affairs shall promulgate rules and regulations to carry out the
provisions of this subsection and to require that any business operating an aircraft support center that is granted a tax exemption pay the exempted tax to the Department of Revenue if the business fails to comply with the terms and conditions of the certification and pay all penalties and interest on that exempted tax as determined by the Department of Revenue.

The certificate of eligibility for exemption shall be presented by the carrier operating an aircraft support center to its supplier when making the initial purchase of items for which an exemption is granted by this Section together with a certification by the business that the items are exempt from taxation under this Act. The exempt status, if any, of each subsequent purchase shall be indicated on the face of the purchase order.

(b) Subject to the provisions of this subsection, jet fuel and petroleum products used or consumed by any aircraft support center directly in the process of maintaining, rebuilding, or repairing aircraft is exempt from the tax imposed by this Act. The Department of Revenue shall promulgate any rules necessary to further define the items eligible for exemption.

(c) This Section is exempt from the provisions of Section 2-70.

(Source: P.A. 90-792, eff. 1-1-99; revised 12-6-03.)

(35 ILCS 120/5l) (from Ch. 120, par. 444l)

Sec. 5l. Beginning January 1, 1995, each retailer who makes a sale of building materials that will be incorporated into a High Impact Business location as designated by the Department of Commerce and Economic Opportunity Community Affairs under Section 5.5 of the Illinois Enterprise Zone Act may deduct receipts from such sales when calculating only the 6.25% State rate of tax imposed by this Act. Beginning on the effective date of this amendatory Act of 1995, a retailer may also deduct receipts from such sales when calculating any applicable local taxes. However, until the effective date of this amendatory Act of 1995, a retailer may file claims for credit or refund to recover the amount of any applicable local tax paid on such sales. No retailer who is eligible for the deduction or credit under Section 5k of this Act for making a sale of building materials to be incorporated into real estate in an enterprise zone

New matter indicated by italics - deletions by strikeout
by rehabilitation, remodeling or new construction shall be eligible for the
deduction or credit authorized under this Section.
(Source: P.A. 89-89, eff. 6-30-95; revised 12-6-03.)

Section 495. The Gas Use Tax Law is amended by changing
Section 5-10 as follows:

(35 ILCS 173/5-10)

Sec. 5-10. Imposition of tax. Beginning October 1, 2003, a tax is
imposed upon the privilege of using in this State gas obtained in a
purchase of out-of-state gas at the rate of 2.4 cents per therm or 5% of the
purchase price for the billing period, whichever is the lower rate. Such tax
rate shall be referred to as the "self-assessing purchaser tax rate".
Beginning with bills issued by delivering suppliers on and after October 1,
2003, purchasers may elect an alternative tax rate of 2.4 cents per therm to
be paid under the provisions of Section 5-15 of this Law to a delivering
supplier maintaining a place of business in this State. Such tax rate shall
be referred to as the "alternate tax rate". The tax imposed under this
Section shall not apply to gas used by business enterprises certified under
Section 9-222.1 of the Public Utilities Act, as amended, to the extent of
such exemption and during the period of time specified by the Department
of Commerce and Economic Opportunity Community Affairs.
(Source: P.A. 93-31, eff. 10-1-03; revised 12-6-03.)

Section 500. The Property Tax Code is amended by changing
Sections 10-5, 18-165, 29-10, and 29-15 as follows:

(35 ILCS 200/10-5)

Sec. 10-5. Solar energy systems; definitions. It is the policy of this
State that the use of solar energy systems should be encouraged because
they conserve nonrenewable resources, reduce pollution and promote the
health and well-being of the people of this State, and should be valued in
relation to these benefits.

(a) "Solar energy" means radiant energy received from the sun at
wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic
use.

(b) "Solar collector" means

New matter indicated by italics - deletions by strikeout
(1) An assembly, structure, or design, including passive elements, used for gathering, concentrating, or absorbing direct and indirect solar energy, specially designed for holding a substantial amount of useful thermal energy and to transfer that energy to a gas, solid, or liquid or to use that energy directly; or

(2) A mechanism that absorbs solar energy and converts it into electricity; or

(3) A mechanism or process used for gathering solar energy through wind or thermal gradients; or

(4) A component used to transfer thermal energy to a gas, solid, or liquid, or to convert it into electricity.

(c) "Solar storage mechanism" means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector, for subsequent use.

(d) "Solar energy system" means

(1)(A) A complete assembly, structure, or design of solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials;

(B) The design, materials, or elements of a system and its maintenance, operation, and labor components, and the necessary components, if any, of supplemental conventional energy systems designed or constructed to interface with a solar energy system; and

(C) Any legal, financial, or institutional orders, certificates, or mechanisms, including easements, leases, and agreements, required to ensure continued access to solar energy, its source, or its use in a solar energy system, and including monitoring and educational elements of a demonstration project.

(2) "Solar energy system" does not include

(A) Distribution equipment that is equally usable in a conventional energy system except for those components

New matter indicated by italics - deletions by strikeout
of the equipment that are necessary for meeting the requirements of efficient solar energy utilization; and

(B) Components of a solar energy system that serve structural, insulating, protective, shading, aesthetic, or other non-solar energy utilization purposes, as defined in the regulations of the Department of Commerce and Economic Opportunity Community Affairs.

(3) The solar energy system shall conform to the standards for those systems established by regulation of the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 88-455; 89-445, eff. 2-7-96; revised 12-6-03.)

(35 ILCS 200/18-165)

Sec. 18-165. Abatement of taxes.

(a) Any taxing district, upon a majority vote of its governing authority, may, after the determination of the assessed valuation of its property, order the clerk of that county to abate any portion of its taxes on the following types of property:

(1) Commercial and industrial.

(A) The property of any commercial or industrial firm, including but not limited to the property of (i) any firm that is used for collecting, separating, storing, or processing recyclable materials, locating within the taxing district during the immediately preceding year from another state, territory, or country, or having been newly created within this State during the immediately preceding year, or expanding an existing facility, or (ii) any firm that is used for the generation and transmission of electricity locating within the taxing district during the immediately preceding year or expanding its presence within the taxing district during the immediately preceding year by construction of a new electric generating facility that uses natural gas as its fuel, or any firm that is used for production operations at a new, expanded, or reopened coal mine within the taxing district, that has been certified as a High Impact Business

New matter indicated by italics - deletions by strikeout
by the Illinois Department of Commerce and Economic Opportunity Community Affairs. The property of any firm used for the generation and transmission of electricity shall include all property of the firm used for transmission facilities as defined in Section 5.5 of the Illinois Enterprise Zone Act. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000.

(A-5) Any property in the taxing district of a new electric generating facility, as defined in Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois. The abatement shall not exceed a period of 10 years. The abatement shall be subject to the following limitations:

(i) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $25,000,000 but less than $50,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 5% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 20% of the taxing district's taxes from the new electric generating facility;

(ii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $50,000,000 but less than $75,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 10% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 35% of the taxing district's taxes from the new electric generating facility;
(iii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $75,000,000 but less than $100,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 20% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 50% of the taxing district's taxes from the new electric generating facility;

(iv) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $100,000,000 but less than $125,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 30% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(v) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $125,000,000 but less than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 40% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(vi) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 50% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

New matter indicated by italics - deletions by strikeout
year of abatement, 60% of the taxing district's taxes from the new electric generating facility.

The abatement is not effective unless the owner of the new electric generating facility agrees to repay to the taxing district all amounts previously abated, together with interest computed at the rate and in the manner provided for delinquent taxes, in the event that the owner of the new electric generating facility closes the new electric generating facility before the expiration of the entire term of the abatement.

The authorization of taxing districts to abate taxes under this subdivision (a)(1)(A-5) expires on January 1, 2010.

(B) The property of any commercial or industrial development of at least 500 acres having been created within the taxing district. The abatement shall not exceed a period of 20 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $12,000,000.

(C) The property of any commercial or industrial firm currently located in the taxing district that expands a facility or its number of employees. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000. The abatement period may be renewed at the option of the taxing districts.

(2) Horse racing. Any property in the taxing district which is used for the racing of horses and upon which capital improvements consisting of expansion, improvement or replacement of existing facilities have been made since July 1, 1987. The combined abatements for such property from all taxing districts in any county shall not exceed $5,000,000 annually and shall not exceed a period of 10 years.
(3) Auto racing. Any property designed exclusively for the racing of motor vehicles. Such abatement shall not exceed a period of 10 years.

(4) Academic or research institute. The property of any academic or research institute in the taxing district that (i) is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code, (ii) operates for the benefit of the public by actually and exclusively performing scientific research and making the results of the research available to the interested public on a non-discriminatory basis, and (iii) employs more than 100 employees. An abatement granted under this paragraph shall be for at least 15 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $5,000,000.

(5) Housing for older persons. Any property in the taxing district that is devoted exclusively to affordable housing for older households. For purposes of this paragraph, "older households" means those households (i) living in housing provided under any State or federal program that the Department of Human Rights determines is specifically designed and operated to assist elderly persons and is solely occupied by persons 55 years of age or older and (ii) whose annual income does not exceed 80% of the area gross median income, adjusted for family size, as such gross income and median income are determined from time to time by the United States Department of Housing and Urban Development. The abatement shall not exceed a period of 15 years, and the aggregate amount of abated taxes for all taxing districts shall not exceed $3,000,000.

(6) Historical society. For assessment years 1998 through 2008, the property of an historical society qualifying as an exempt organization under Section 501(c)(3) of the federal Internal Revenue Code.

(7) Recreational facilities. Any property in the taxing district (i) that is used for a municipal airport, (ii) that is subject to a leasehold assessment under Section 9-195 of this Code and (iii)
which is sublet from a park district that is leasing the property from a municipality, but only if the property is used exclusively for recreational facilities or for parking lots used exclusively for those facilities. The abatement shall not exceed a period of 10 years.

(8) Relocated corporate headquarters. If approval occurs within 5 years after the effective date of this amendatory Act of the 92nd General Assembly, any property or a portion of any property in a taxing district that is used by an eligible business for a corporate headquarters as defined in the Corporate Headquarters Relocation Act. Instead of an abatement under this paragraph (8), a taxing district may enter into an agreement with an eligible business to make annual payments to that eligible business in an amount not to exceed the property taxes paid directly or indirectly by that eligible business to the taxing district and any other taxing districts for premises occupied pursuant to a written lease and may make those payments without the need for an annual appropriation. No school district, however, may enter into an agreement with, or abate taxes for, an eligible business unless the municipality in which the corporate headquarters is located agrees to provide funding to the school district in an amount equal to the amount abated or paid by the school district as provided in this paragraph (8). Any abatement ordered or agreement entered into under this paragraph (8) may be effective for the entire term specified by the taxing district, except the term of the abatement or annual payments may not exceed 20 years.

(b) Upon a majority vote of its governing authority, any municipality may, after the determination of the assessed valuation of its property, order the county clerk to abate any portion of its taxes on any property that is located within the corporate limits of the municipality in accordance with Section 8-3-18 of the Illinois Municipal Code.

(Source: P.A. 92-12, eff. 7-1-01; 92-207, eff. 8-1-01; 92-247, eff. 8-3-01; 92-651, eff. 7-11-02; 93-270, eff. 7-22-03; revised 12-6-03.)

(35 ILCS 200/29-10)
Sec. 29-10. State must be party to proceedings. No amount may be claimed from the State by or on behalf of any unit of local government for any local improvement made by special assessment or special tax that benefits, or is alleged to benefit, abutting property owned by the State unless the State has been made a party to all proceedings, has been given all notices, and has been afforded the same opportunities for hearing and for objecting to the assessment in the same manner and under the same conditions as provided in the law applicable to the making of the local improvement by special assessment or special tax by that unit of local government.

For the purposes of this Article, any notices required under applicable law must be sent by registered or certified mail to the Director of the Department or the other State officer having jurisdiction over the State property affected, to the Director of the Department of Commerce and Economic Opportunity Community Affairs, and to the Attorney General.

(Source: P.A. 86-933; 88-455; revised 12-6-03.)

(35 ILCS 200/29-15)

Sec. 29-15. Payment of assessment. When the Attorney General has certified to the Director of Commerce and Economic Opportunity Community Affairs that the amount, in the nature of a special assessment by which specified abutting State property has been benefited by a specified local improvement, has been determined in compliance with this Article, the Director shall, to the extent that appropriations are available for that purpose, voucher the amount of that assessment, or $25,000, whichever is less, for payment to the appropriate unit of local government. When the amount appropriated in any fiscal year for those purposes is insufficient to pay a special assessment totalling $25,000 or less in full, the balance of that special assessment shall be vouchered for payment from the appropriation for those purposes for the next succeeding fiscal year.

If the amount of the assessment exceeds $25,000, the Director of the Department or the other State officer having jurisdiction over the property affected shall include in the Department's budget for the next succeeding fiscal year a request for the appropriation of the amount by
which the assessment exceeds $25,000, plus interest, if any, which shall be vouchered for payment from that appropriation.
(Source: P.A. 86-933; 88-455; revised 12-6-03.)

Section 505. The Gas Revenue Tax Act is amended by changing Section 1 as follows:

(35 ILCS 615/1) (from Ch. 120, par. 467.16)

Sec. 1. For the purposes of this Act: "Gross receipts" means the consideration received for gas distributed, supplied, furnished or sold to persons for use or consumption and not for resale, and for all services (including the transportation or storage of gas for an end-user) rendered in connection therewith, and shall include cash, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials used, labor or service costs, or any other expense whatsoever. However, "gross receipts" shall not include receipts from:

(i) any minimum or other charge for gas or gas service where the customer has taken no therms of gas;
(ii) any charge for a dishonored check;
(iii) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment;
(iv) any charge for reconnection of service or for replacement or relocation of facilities;
(v) any advance or contribution in aid of construction;
(vi) repair, inspection or servicing of equipment located on customer premises;
(vii) leasing or rental of equipment, the leasing or rental of which is not necessary to distributing, furnishing, supplying, selling, transporting or storing gas;
(viii) any sale to a customer if the taxpayer is prohibited by federal or State constitution, treaty, convention, statute or court decision from recovering the related tax liability from such customer;
(ix) any charges added to customers' bills pursuant to the provisions of Section 9-221 or Section 9-222 of the Public Utilities

New matter indicated by italics - deletions by strikeout
Act, as amended, or any charges added to customers' bills by taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in such provisions of such Act; and

(x) prior to October 1, 2003, any charge for gas or gas services to a customer who acquired contractual rights for the direct purchase of gas or gas services originating from an out-of-state supplier or source on or before March 1, 1995, except for those charges solely related to the local distribution of gas by a public utility. This exemption includes any charge for gas or gas service, except for those charges solely related to the local distribution of gas by a public utility, to a customer who maintained an account with a public utility (as defined in Section 3-105 of the Public Utilities Act) for the transportation of customer-owned gas on or before March 1, 1995. The provisions of this amendatory Act of 1997 are intended to clarify, rather than change, existing law as to the meaning and scope of this exemption. This exemption (x) expires on September 30, 2003.

In case credit is extended, the amount thereof shall be included only as and when payments are received.

"Gross receipts" shall not include consideration received from business enterprises certified under Section 9-222.1 of the Public Utilities Act, as amended, to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity Community Affairs.

"Department" means the Department of Revenue of the State of Illinois.

"Director" means the Director of Revenue for the Department of Revenue of the State of Illinois.

"Taxpayer" means a person engaged in the business of distributing, supplying, furnishing or selling gas for use or consumption and not for resale.

New matter indicated by italics - deletions by strikeout
"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, limited liability company, or a receiver, trustee, guardian or other representative appointed by order of any court, or any city, town, county or other political subdivision of this State.

"Invested capital" means that amount equal to (i) the average of the balances at the beginning and end of each taxable period of the taxpayer's total stockholder's equity and total long-term debt, less investments in and advances to all corporations, as set forth on the balance sheets included in the taxpayer's annual report to the Illinois Commerce Commission for the taxable period; (ii) multiplied by a fraction determined under Sections 301 and 304(a) of the "Illinois Income Tax Act" and reported on the Illinois income tax return for the taxable period ending in or with the taxable period in question. However, notwithstanding the income tax return reporting requirement stated above, beginning July 1, 1979, no taxpayer's denominators used to compute the sales, property or payroll factors under subsection (a) of Section 304 of the Illinois Income Tax Act shall include payroll, property or sales of any corporate entity other than the taxpayer for the purposes of determining an allocation for the invested capital tax. This amendatory Act of 1982, Public Act 82-1024, is not intended to and does not make any change in the meaning of any provision of this Act, it having been the intent of the General Assembly in initially enacting the definition of "invested capital" to provide for apportionment of the invested capital of each company, based solely upon the sales, property and payroll of that company.

"Taxable period" means each period which ends after the effective date of this Act and which is covered by an annual report filed by the taxpayer with the Illinois Commerce Commission.

(Source: P.A. 93-31, eff. 10-1-03; revised 12-6-03.)

Section 510. The Public Utilities Revenue Act is amended by changing Section 1 as follows:

(35 ILCS 620/1) (from Ch. 120, par. 468)

Sec. 1. For the purposes of this Law:

New matter indicated by italics - deletions by strikeout
"Consumer Price Index" means the Consumer Price Index For All Urban Consumers for all items published by the United States Department of Labor; provided that if this index no longer exists, the Department of Revenue shall prescribe the use of a comparable, substitute index.

"Gross receipts" means the consideration received for electricity distributed, supplied, furnished or sold to persons for use or consumption and not for resale, and for all services (including the transmission of electricity for an end-user) rendered in connection therewith, and includes cash, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials used, labor or service costs, or any other expense whatsoever. However, "gross receipts" shall not include receipts from:

(i) any minimum or other charge for electricity or electric service where the customer has taken no kilowatt-hours of electricity;
(ii) any charge for a dishonored check;
(iii) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment;
(iv) any charge for reconnection of service or for replacement or relocation of facilities;
(v) any advance or contribution in aid of construction;
(vi) repair, inspection or servicing of equipment located on customer premises;
(vii) leasing or rental of equipment, the leasing or rental of which is not necessary to distributing, furnishing, supplying, selling or transporting electricity;
(viii) any sale to a customer if the taxpayer is prohibited by federal or State constitution, treaty, convention, statute or court decision from recovering the related tax liability from such customer; and
(ix) any charges added to customers' bills pursuant to the provisions of Section 9-221 or Section 9-222 of the Public Utilities Act, as amended, or any charges added to customers' bills by
taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amount specified in such provisions of such Act. In case credit is extended, the amount thereof shall be included only as and when payments are received.

"Gross receipts" shall not include consideration received from business enterprises certified under Section 9-222.1 of the Public Utilities Act, as amended, to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity Community Affairs.

"Department" means the Department of Revenue of the State of Illinois.

"Director" means the Director of Revenue for the Department of Revenue of the State of Illinois.

"Distributing electricity" means delivering electric energy to an end user over facilities owned, leased, or controlled by the taxpayer.

"Taxpayer" for purposes of the tax on the distribution of electricity imposed by this Act means an electric cooperative, an electric utility, or an alternative retail electric supplier (other than a person that is an alternative retail electric supplier solely pursuant to subsection (e) of Section 16-115 of the Public Utilities Act), as those terms are defined in the Public Utilities Act, engaged in the business of distributing electricity in this State for use or consumption and not for resale.

"Taxpayer" for purposes of the Public Utilities Revenue Tax means a person engaged in the business of distributing, supplying, furnishing or selling electricity for use or consumption and not for resale.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, limited liability company, or a receiver, trustee, guardian or other representative appointed by order of any court, or any city, town, county or other political subdivision of this State.

"Invested capital" in the case of an electric cooperative subject to the tax imposed by Section 2a.1 means an amount equal to the product determined by multiplying, (i) the average of the balances at the beginning

New matter indicated by italics - deletions by strikeout
and end of the taxable period of the taxpayer's total equity (including memberships, patronage capital, operating margins, non-operating margins, other margins and other equities), as set forth on the balance sheets included in the taxpayer's annual report to the United States Department of Agriculture Rural Utilities Services (established pursuant to the federal Rural Electrification Act of 1936, as amended), by (ii) the fraction determined under Sections 301 and 304(a) of the Illinois Income Tax Act, as amended, for the taxable period.

"Taxable period" means each calendar year which ends after the effective date of this Act. In the case of an electric cooperative subject to the tax imposed by Section 2a.1, "taxable period" means each calendar year ending after the effective date of this Act and covered by an annual report filed by the taxpayer with the United States Department of Agriculture Rural Utilities Services.

(Source: P.A. 90-561, eff. 1-1-98; revised 12-6-03.)

Section 515. The Telecommunications Excise Tax Act is amended by changing Section 2 as follows:

(35 ILCS 630/2) (from Ch. 120, par. 2002)

Sec. 2. As used in this Article, unless the context clearly requires otherwise:

(a) "Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in this State and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel termination point within this State, charges for the channel mileage between each channel termination point within this State, and charges for that portion of the interstate inter-office channel provided within Illinois. Charges for that portion of the interstate inter-office channel provided in

New matter indicated by italics - deletions by strikeout
Illinois shall be determined by the retailer as follows: (i) for interstate inter-office channels having 2 channel termination points, only one of which is in Illinois, 50% of the total charge imposed; or (ii) for interstate inter-office channels having more than 2 channel termination points, one or more of which are in Illinois, an amount equal to the total charge multiplied by a fraction, the numerator of which is the number of channel termination points within Illinois and the denominator of which is the total number of channel termination points. Prior to January 1, 2004, any method consistent with this paragraph or other method that reasonably apportions the total charges for interstate inter-office channels among the states in which channel terminations points are located shall be accepted as a reasonable method to determine the charges for that portion of the interstate inter-office channel provided within Illinois for that period. However, "gross charges" shall not include any of the following:

1. Any amounts added to a purchaser's bill because of a charge made pursuant to (i) the tax imposed by this Article; (ii) charges added to customers' bills pursuant to the provisions of Sections 9-221 or 9-222 of the Public Utilities Act, as amended, or any similar charges added to customers' bills by retailers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in such provisions of such Act; (iii) the tax imposed by Section 4251 of the Internal Revenue Code; (iv) 911 surcharges; or (v) the tax imposed by the Simplified Municipal Telecommunications Tax Act.

2. Charges for a sent collect telecommunication received outside of the State.

3. Charges for leased time on equipment or charges for the storage of data or information for subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment or accounting equipment and also includes the usage of computers under a time-sharing agreement.
(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified under Section 9-222.1 of the Public Utilities Act, as amended, to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity Community Affairs.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries when the tax imposed under this Article has already been paid to a retailer and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit for the corporation rendering such service.

(7) Bad debts. Bad debt means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectable, as determined under applicable federal income tax standards. If the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made.

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Amounts paid by telecommunications retailers under the Telecommunications Municipal Infrastructure Maintenance Fee Act.

(10) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii)
the retailer can reasonably identify the nontaxable charges on the 
retailer's books and records kept in the regular course of business. 
If the nontaxable charges cannot reasonably be identified, the gross 
charge from the sale of both taxable and nontaxable services or 
telecommunications billed on a combined basis shall be attributed 
to the taxable services or telecommunications. The burden of 
proving nontaxable charges shall be on the retailer of the 
telecommunications.

(b) "Amount paid" means the amount charged to the taxpayer's 
service address in this State regardless of where such amount is billed or 
paid.

(c) "Telecommunications", in addition to the meaning ordinarily 
and popularly ascribed to it, includes, without limitation, messages or 
information transmitted through use of local, toll and wide area telephone 
service; private line services; channel services; telegraph services; 
teletypewriter; computer exchange services; cellular mobile 
telecommunications service; specialized mobile radio; stationary two-way 
radio; paging service; or any other form of mobile and portable one-way or 
two-way communications; or any other transmission of messages or 
information by electronic or similar means, between or among points by 
wire, cable, fiber-optics, laser, microwave, radio, satellite or similar 
facilities. As used in this Act, "private line" means a dedicated non-traffic 
sensitive service for a single customer, that entitles the customer to 
exclusive or priority use of a communications channel or group of 
channels, from one or more specified locations to one or more other 
specified locations. The definition of "telecommunications" shall not 
include value added services in which computer processing applications 
are used to act on the form, content, code and protocol of the information 
for purposes other than transmission. "Telecommunications" shall not 
include purchases of telecommunications by a telecommunications service 
provider for use as a component part of the service provided by him to the 
ultimate retail consumer who originates or terminates the taxable end-to-
end communications. Carrier access charges, right of access charges, 
charges for use of inter-company facilities, and all telecommunications

New matter indicated by italics - deletions by strikeout
resold in the subsequent provision of, used as a component of, or
integrated into end-to-end telecommunications service shall be non-
taxable as sales for resale.

(d) "Interstate telecommunications" means all telecommunications
that either originate or terminate outside this State.

(e) "Intrastate telecommunications" means all telecommunications
that originate and terminate within this State.

(f) "Department" means the Department of Revenue of the State of
Illinois.

(g) "Director" means the Director of Revenue for the Department
of Revenue of the State of Illinois.

(h) "Taxpayer" means a person who individually or through his
agents, employees or permittees engages in the act or privilege of
originating or receiving telecommunications in this State and who incurs a
tax liability under this Article.

(i) "Person" means any natural individual, firm, trust, estate,
partnership, association, joint stock company, joint venture, corporation,
limited liability company, or a receiver, trustee, guardian or other
representative appointed by order of any court, the Federal and State
governments, including State universities created by statute or any city,
town, county or other political subdivision of this State.

(j) "Purchase at retail" means the acquisition, consumption or use
of telecommunication through a sale at retail.

(k) "Sale at retail" means the transmitting, supplying or furnishing
of telecommunications and all services and equipment provided in
connection therewith for a consideration to persons other than the Federal
and State governments, and State universities created by statute and other
than between a parent corporation and its wholly owned subsidiaries or
between wholly owned subsidiaries for their use or consumption and not
for resale.

(l) "Retailer" means and includes every person engaged in the
business of making sales at retail as defined in this Article. The
Department may, in its discretion, upon application, authorize the
collection of the tax hereby imposed by any retailer not maintaining a

New matter indicated by italics - deletions by strikeout
place of business within this State, who, to the satisfaction of the
Department, furnishes adequate security to insure collection and payment
of the tax. Such retailer shall be issued, without charge, a permit to collect
such tax. When so authorized, it shall be the duty of such retailer to collect
the tax upon all of the gross charges for telecommunications in this State
in the same manner and subject to the same requirements as a retailer
maintaining a place of business within this State. The permit may be
revoked by the Department at its discretion.

(m) "Retailer maintaining a place of business in this State", or any
like term, means and includes any retailer having or maintaining within
this State, directly or by a subsidiary, an office, distribution facilities,
transmission facilities, sales office, warehouse or other place of business,
or any agent or other representative operating within this State under the
authority of the retailer or its subsidiary, irrespective of whether such place
of business or agent or other representative is located here permanently or
temporarily, or whether such retailer or subsidiary is licensed to do
business in this State.

(n) "Service address" means the location of telecommunications
equipment from which the telecommunications services are originated or
at which telecommunications services are received by a taxpayer. In the
event this may not be a defined location, as in the case of mobile phones,
paging systems, maritime systems, service address means the customer's
place of primary use as defined in the Mobile Telecommunications
Sourcing Conformity Act. For air-to-ground systems and the like, service
address shall mean the location of a taxpayer's primary use of the
telecommunications equipment as defined by telephone number,
authorization code, or location in Illinois where bills are sent.

(o) "Prepaid telephone calling arrangements" mean the right to
exclusively purchase telephone or telecommunications services that must
be paid for in advance and enable the origination of one or more intrastate,
interstate, or international telephone calls or other telecommunications
using an access number, authorization code, or both, whether manually
or electronically dialed, for which payment to a retailer must be made in
advance, provided that, unless recharged, no further service is provided
once that prepaid amount of service has been consumed. Prepaid telephone calling arrangements include the recharge of a prepaid calling arrangement. For purposes of this subsection, "recharge" means the purchase of additional prepaid telephone or telecommunications services whether or not the purchaser acquires a different access number or authorization code. "Prepaid telephone calling arrangement" does not include an arrangement whereby a customer purchases a payment card and pursuant to which the service provider reflects the amount of such purchase as a credit on an invoice issued to that customer under an existing subscription plan.

(Source: P.A. 92-474, eff. 8-1-02; 92-526, eff. 1-1-03; 92-878, eff. 1-1-04; 93-286, 1-1-04; revised 12-6-03.)

Section 520. The Telecommunications Infrastructure Maintenance Fee Act is amended by changing Section 10 as follows:

(35 ILCS 635/10)
Sec. 10. Definitions.
(a) "Gross charges" means the amount paid to a telecommunications retailer for the act or privilege of originating or receiving telecommunications in this State and for all services rendered in connection therewith, valued in money whether paid in money or otherwise, including cash, credits, services, and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs, or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel termination point within this State, charges for the channel mileage between each channel termination point within this State, and charges for that portion of the interstate inter-office channel provided within Illinois. Charges for that portion of the interstate inter-office channel provided in Illinois shall be determined by the retailer as follows: (i) for interstate inter-office channels having 2 channel termination points, only one of which is in Illinois, 50% of the total charge imposed; or (ii) for interstate inter-office channels having more than 2 channel termination

New matter indicated by italics - deletions by strikeout
points, one or more of which are in Illinois, an amount equal to the total charge multiplied by a fraction, the numerator of which is the number of channel termination points within Illinois and the denominator of which is the total number of channel termination points. Prior to January 1, 2004, any method consistent with this paragraph or other method that reasonably apportions the total charges for interstate inter-office channels among the states in which channel terminations points are located shall be accepted as a reasonable method to determine the charges for that portion of the interstate inter-office channel provided within Illinois for that period. However, "gross charges" shall not include any of the following:

(1) Any amounts added to a purchaser's bill because of a charge made under: (i) the fee imposed by this Section, (ii) additional charges added to a purchaser's bill under Section 9-221 or 9-222 of the Public Utilities Act, (iii) the tax imposed by the Telecommunications Excise Tax Act, (iv) 911 surcharges, (v) the tax imposed by Section 4251 of the Internal Revenue Code, or (vi) the tax imposed by the Simplified Municipal Telecommunications Tax Act.

(2) Charges for a sent collect telecommunication received outside of this State.

(3) Charges for leased time on equipment or charges for the storage of data or information or subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment, or accounting equipment and also includes the usage of computers under a time-sharing agreement.

(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified under Section 9-222.1 of the Public Utilities Act to the extent of such exemption.
and during the period of time specified by the Department of Commerce and Economic Opportunity Community Affairs.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit other than a regulatory required profit for the corporation rendering such services.

(7) Bad debts ("bad debt" means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectible, as determined under applicable federal income tax standards; if the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made).

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of proving nontaxable charges shall be on the retailer of the telecommunications.

(a-5) "Department" means the Illinois Department of Revenue.

New matter indicated by italics - deletions by strikeout
(b) "Telecommunications" includes, but is not limited to, messages or information transmitted through use of local, toll, and wide area telephone service, channel services, telegraph services, teletypewriter service, computer exchange services, private line services, specialized mobile radio services, or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. Unless the context clearly requires otherwise, "telecommunications" shall also include wireless telecommunications as hereinafter defined. "Telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code, and protocol of the information for purposes other than transmission. "Telecommunications" shall not include purchase of telecommunications by a telecommunications service provider for use as a component part of the service provided by him or her to the ultimate retail consumer who originates or terminates the end-to-end communications. Retailer access charges, right of access charges, charges for use of intercompany facilities, and all telecommunications resold in the subsequent provision and used as a component of, or integrated into, end-to-end telecommunications service shall not be included in gross charges as sales for resale. "Telecommunications" shall not include the provision of cable services through a cable system as defined in the Cable Communications Act of 1984 (47 U.S.C. Sections 521 and following) as now or hereafter amended or through an open video system as defined in the Rules of the Federal Communications Commission (47 C.D.F. 76.1550 and following) as now or hereafter amended. Beginning January 1, 2001, prepaid telephone calling arrangements shall not be considered "telecommunications" subject to the tax imposed under this Act. For purposes of this Section, "prepaid telephone calling arrangements" means that term as defined in Section 2-27 of the Retailers' Occupation Tax Act.

(c) "Wireless telecommunications" includes cellular mobile telephone services, personal wireless services as defined in Section 704(C) of the Telecommunications Act of 1996 (Public Law No. 104-104) as now
or hereafter amended, including all commercial mobile radio services, and paging services.

(d) "Telecommunications retailer" or "retailer" or "carrier" means and includes every person engaged in the business of making sales of telecommunications at retail as defined in this Section. The Department may, in its discretion, upon applications, authorize the collection of the fee hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the fee. When so authorized, it shall be the duty of such retailer to pay the fee upon all of the gross charges for telecommunications in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State.

(e) "Retailer maintaining a place of business in this State", or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse, or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

(f) "Sale of telecommunications at retail" means the transmitting, supplying, or furnishing of telecommunications and all services rendered in connection therewith for a consideration, other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, when the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for sale.

(g) "Service address" means the location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received. If this is not a defined location, as in the case of wireless telecommunications, paging systems, maritime systems, service address means the customer's place of primary

New matter indicated by italics - deletions by strikeout
use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems, and the like, "service address" shall mean the location of the customer's primary use of the telecommunications equipment as defined by the location in Illinois where bills are sent.
(Source: P.A. 92-474, eff. 8-1-02; 92-526, eff. 1-1-03; 92-878, eff. 1-1-04; 93-286, eff. 1-1-04; revised 12-6-03.)

Section 525. The Simplified Municipal Telecommunications Tax Act is amended by changing Section 5-7 as follows:

(35 ILCS 636/5-7)

Sec. 5-7. Definitions. For purposes of the taxes authorized by this Act:

"Amount paid" means the amount charged to the taxpayer's service address in such municipality regardless of where such amount is billed or paid.

"Department" means the Illinois Department of Revenue.

"Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in such municipality and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel termination point within a municipality that has imposed a tax under this Section and charges for the portion of the inter-office channels provided within that municipality. Charges for that portion of the inter-office channel connecting 2 or more channel termination points, one or more of which is located within the jurisdictional boundary of such municipality, shall be determined by the retailer by multiplying an amount equal to the total charge for the inter-office channel by a fraction, the numerator of which is the number of channel termination points that are located within the jurisdictional boundary of the municipality and the denominator of
which is the total number of channel termination points connected by the inter-office channel. Prior to January 1, 2004, any method consistent with this paragraph or other method that reasonably apportions the total charges for inter-office channels among the municipalities in which channel termination points are located shall be accepted as a reasonable method to determine the taxable portion of an inter-office channel provided within a municipality for that period. However, "gross charge" shall not include any of the following:

(1) Any amounts added to a purchaser's bill because of a charge made pursuant to: (i) the tax imposed by this Act, (ii) the tax imposed by the Telecommunications Excise Tax Act, (iii) the tax imposed by Section 4251 of the Internal Revenue Code, (iv) 911 surcharges, or (v) charges added to customers' bills pursuant to the provisions of Section 9-221 or 9-222 of the Public Utilities Act, as amended, or any similar charges added to customers' bills by retailers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in those provisions of the Public Utilities Act.

(2) Charges for a sent collect telecommunication received outside of such municipality.

(3) Charges for leased time on equipment or charges for the storage of data or information for subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment or accounting equipment and also includes the usage of computers under a time-sharing agreement.

(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified as exempt under Section 9-222.1 of the Public Utilities Act to the extent of

New matter indicated by italics - deletions by strikeout
such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity Community Affairs.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries when the tax imposed under this Act has already been paid to a retailer and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit for the corporation rendering such service.

(7) Bad debts ("bad debt" means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectible, as determined under applicable federal income tax standards; if the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made).

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Amounts paid by telecommunications retailers under the Telecommunications Infrastructure Maintenance Fee Act.

(10) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of

New matter indicated by italics - deletions by strikeout
proving nontaxable charges shall be on the retailer of the telecommunications.

"Interstate telecommunications" means all telecommunications that either originate or terminate outside this State.

"Intrastate telecommunications" means all telecommunications that originate and terminate within this State.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other representative appointed by order of any court, the Federal and State governments, including State universities created by statute, or any city, town, county, or other political subdivision of this State.

"Purchase at retail" means the acquisition, consumption or use of telecommunications through a sale at retail.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section. The Department may, in its discretion, upon application, authorize the collection of the tax hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the tax. Such retailer shall be issued, without charge, a permit to collect such tax. When so authorized, it shall be the duty of such retailer to collect the tax upon all of the gross charges for telecommunications in this State in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State. The permit may be revoked by the Department at its discretion.

"Retailer maintaining a place of business in this State", or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or
temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

"Sale at retail" means the transmitting, supplying or furnishing of telecommunications and all services and equipment provided in connection therewith for a consideration, to persons other than the Federal and State governments, and State universities created by statute and other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries for their use or consumption and not for resale.

"Service address" means the location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received by a taxpayer. In the event this may not be a defined location, as in the case of mobile phones, paging systems, and maritime systems, service address means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems and the like, "service address" shall mean the location of a taxpayer's primary use of the telecommunications equipment as defined by telephone number, authorization code, or location in Illinois where bills are sent.

"Taxpayer" means a person who individually or through his or her agents, employees, or permittees engages in the act or privilege of originating or receiving telecommunications in a municipality and who incurs a tax liability as authorized by this Act.

"Telecommunications", in addition to the meaning ordinarily and popularly ascribed to it, includes, without limitation, messages or information transmitted through use of local, toll, and wide area telephone service, private line services, channel services, telegraph services, teletypewriter, computer exchange services, cellular mobile telecommunications service, specialized mobile radio, stationary two-way radio, paging service, or any other form of mobile and portable one-way or two-way communications, or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. As used in this Act, "private line" means a dedicated non-traffic
sensitive service for a single customer, that entitles the customer to exclusive or priority use of a communications channel or group of channels, from one or more specified locations to one or more other specified locations. The definition of "telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code, and protocol of the information for purposes other than transmission. "Telecommunications" shall not include purchases of telecommunications by a telecommunications service provider for use as a component part of the service provided by such provider to the ultimate retail consumer who originates or terminates the taxable end-to-end communications. Carrier access charges, right of access charges, charges for use of inter-company facilities, and all telecommunications resold in the subsequent provision of, used as a component of, or integrated into, end-to-end telecommunications service shall be non-taxable as sales for resale. Prepaid telephone calling arrangements shall not be considered "telecommunications" subject to the tax imposed under this Act. For purposes of this Section, "prepaid telephone calling arrangements" means that term as defined in Section 2-27 of the Retailers' Occupation Tax Act.

(Source: P.A. 92-526, eff. 7-1-02; 92-878, eff. 1-1-04; 93-286, eff. 1-1-04; revised 12-6-03.)

Section 530. The Electricity Excise Tax Law is amended by changing Sections 2-3 and 2-4 as follows:

(35 ILCS 640/2-3)

Sec. 2-3. Definitions. As used in this Law, unless the context clearly requires otherwise:

(a) "Department" means the Department of Revenue of the State of Illinois.

(b) "Director" means the Director of the Department of Revenue of the State of Illinois.

(c) "Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other
representative appointed by order of any court, or any city, town, village, county, or other political subdivision of this State.

(d) "Purchase price" means the consideration paid for the distribution, supply, furnishing, sale, transmission or delivery of electricity to a person for non-residential use or consumption (and for both residential and non-residential use or consumption in the case of electricity purchased from a municipal system or electric cooperative described in subsection (b) of Section 2-4) and not for resale, and for all services directly related to the production, transmission or distribution of electricity distributed, supplied, furnished, sold, transmitted or delivered for non-residential use or consumption, and includes transition charges imposed in accordance with Article XVI of the Public Utilities Act and instrument funding charges imposed in accordance with Article XVIII of the Public Utilities Act, as well as cash, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials used, labor or service costs, or any other expense whatsoever. However, "purchase price" shall not include consideration paid for:

(i) any charge for a dishonored check;
(ii) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment;
(iii) any charge for reconnection of service or for replacement or relocation of facilities;
(iv) any advance or contribution in aid of construction;
(v) repair, inspection or servicing of equipment located on customer premises;
(vi) leasing or rental of equipment, the leasing or rental of which is not necessary to furnishing, supplying or selling electricity;
(vii) any purchase by a purchaser if the supplier is prohibited by federal or State constitution, treaty, convention, statute or court decision from recovering the related tax liability from such purchaser; and

New matter indicated by italics - deletions by strikeout
(viii) any amounts added to purchasers' bills because of charges made pursuant to the tax imposed by this Law.

In case credit is extended, the amount thereof shall be included only as and when payments are made.

"Purchase price" shall not include consideration received from business enterprises certified under Section 9-222.1 or 9-222.1A of the Public Utilities Act, as amended, to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity or as provided by law.

(e) "Purchaser" means any person who acquires electricity for use or consumption and not for resale, for a valuable consideration.

(f) "Non-residential electric use" means any use or consumption of electricity which is not residential electric use.

(g) "Residential electric use" means electricity used or consumed at a dwelling of 2 or fewer units, or electricity for household purposes used or consumed at a building with multiple dwelling units where the electricity is registered by a separate meter for each dwelling unit.

(h) "Self-assessing purchaser" means a purchaser for non-residential electric use who elects to register with and to pay tax directly to the Department in accordance with Sections 2-10 and 2-11 of this Law.

(i) "Delivering supplier" means any person engaged in the business of delivering electricity to persons for use or consumption and not for resale, but not an entity engaged in the practice of resale and redistribution of electricity within a building prior to January 2, 1957, and who, in any case where more than one person participates in the delivery of electricity to a specific purchaser, is the last of the suppliers engaged in delivering the electricity prior to its receipt by the purchaser.

(j) "Delivering supplier maintaining a place of business in this State", or any like term, means any delivering supplier having or maintaining within this State, directly or by a subsidiary, an office, generation facility, transmission facility, distribution facility, sales office or other place of business, or any employee, agent or other representative operating within this State under the authority of such delivering supplier or such delivering supplier's subsidiary, irrespective of whether such place

New matter indicated by italics - deletions by strikeout
of business or agent or other representative is located in this State permanently or temporarily, or whether such delivering supplier or such delivering supplier's subsidiary is licensed to do business in this State.

(k) "Use" means the exercise by any person of any right or power over electricity incident to the ownership of that electricity, except that it does not include the generation, production, transmission, distribution, delivery or sale of electricity in the regular course of business or the use of electricity for such purposes.

(Source: P.A. 91-914, eff. 7-7-00; 92-310, eff. 8-9-01; revised 12-6-03.)

(35 ILCS 640/2-4)
Sec. 2-4. Tax imposed.
(a) Except as provided in subsection (b), a tax is imposed on the privilege of using in this State electricity purchased for use or consumption and not for resale, other than by municipal corporations owning and operating a local transportation system for public service, at the following rates per kilowatt-hour delivered to the purchaser:

(i) For the first 2000 kilowatt-hours used or consumed in a month: 0.330 cents per kilowatt-hour;
(ii) For the next 48,000 kilowatt-hours used or consumed in a month: 0.319 cents per kilowatt-hour;
(iii) For the next 50,000 kilowatt-hours used or consumed in a month: 0.303 cents per kilowatt-hour;
(iv) For the next 400,000 kilowatt-hours used or consumed in a month: 0.297 cents per kilowatt-hour;
(v) For the next 500,000 kilowatt-hours used or consumed in a month: 0.286 cents per kilowatt-hour;
(vi) For the next 2,000,000 kilowatt-hours used or consumed in a month: 0.270 cents per kilowatt-hour;
(vii) For the next 2,000,000 kilowatt-hours used or consumed in a month: 0.254 cents per kilowatt-hour;
(viii) For the next 5,000,000 kilowatt-hours used or consumed in a month: 0.233 cents per kilowatt-hour;
(ix) For the next 10,000,000 kilowatt-hours used or consumed in a month: 0.207 cents per kilowatt-hour;

New matter indicated by italics - deletions by strikeout
(x) For all electricity in excess of 20,000,000 kilowatt-hours used or consumed in a month: 0.202 cents per kilowatt-hour.

Provided, that in lieu of the foregoing rates, the tax is imposed on a self-assessing purchaser at the rate of 5.1% of the self-assessing purchaser's purchase price for all electricity distributed, supplied, furnished, sold, transmitted and delivered to the self-assessing purchaser in a month.

(b) A tax is imposed on the privilege of using in this State electricity purchased from a municipal system or electric cooperative, as defined in Article XVII of the Public Utilities Act, which has not made an election as permitted by either Section 17-200 or Section 17-300 of such Act, at the lesser of 0.32 cents per kilowatt hour of all electricity distributed, supplied, furnished, sold, transmitted, and delivered by such municipal system or electric cooperative to the purchaser or 5% of each such purchaser's purchase price for all electricity distributed, supplied, furnished, sold, transmitted, and delivered by such municipal system or electric cooperative to the purchaser, whichever is the lower rate as applied to each purchaser in each billing period.

(c) The tax imposed by this Section 2-4 is not imposed with respect to any use of electricity by business enterprises certified under Section 9-222.1 or 9-222.1A of the Public Utilities Act, as amended, to the extent of such exemption and during the time specified by the Department of Commerce and Economic Opportunity Community Affairs; or with respect to any transaction in interstate commerce, or otherwise, to the extent to which such transaction may not, under the Constitution and statutes of the United States, be made the subject of taxation by this State.

(Source: P.A. 90-561, eff. 8-1-98; 91-914, eff. 7-7-00; revised 12-6-03.)

Section 535. The Illinois Pension Code is amended by changing Sections 14-108.4 and 14-134 as follows:

(40 ILCS 5/14-108.4) (from Ch. 108 1/2, par. 14-108.4)
Sec. 14-108.4. State police early retirement incentives.

(a) To be eligible for the benefits provided in this Section, a person must:

New matter indicated by italics - deletions by strikeout
(1) be a member of this System who, on any day during October, 1992, is in active payroll status in a position of employment with the Department of State Police for which eligible creditable service is being earned under Section 14-110;
(2) have not previously retired under this Article;
(3) file a written application requesting the benefits provided in this Section with the Director of State Police and the Board on or before January 20, 1993;
(4) establish eligibility to receive a retirement annuity under Section 14-110 by January 31, 1993 (for which purpose any age enhancement or creditable service received under this Section may be used) and elect to receive the retirement annuity beginning not earlier than January 1, 1993 and not later than February 1, 1993, except that with the written permission of the Director of State Police, the effective date of the retirement annuity may be postponed to no later than July 1, 1993.

(b) An eligible person may establish up to 5 years of creditable service under this Article, in increments of one month, by making the contributions specified in subsection (c). In addition, for each month of creditable service established under this Section, a person's age at retirement shall be deemed to be one month older than it actually is.

The creditable service established under this Section shall be deemed eligible creditable service as defined in Section 14-110, and may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average compensation under Section 14-103.12, or the determination of compensation under this or any other Article of this Code.

The age enhancement established under this Section may be used for all purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of the level income option in Section 14-112, the reversionary annuity under Section 14-113, and the required distributions under Section 14-121.1. However, age enhancement established under this

New matter indicated by italics - deletions by strikeout
Section shall not be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section, a person must pay to the System an employee contribution to be determined by the System, based on the member's final rate of compensation and one-half of the total retirement contribution rate in effect for the member under subdivision (a)(3) of Section 14-133 on the date of withdrawal.

If the member receives a lump sum payment for accumulated vacation, sick leave and personal leave upon withdrawal from service, and the net amount of that lump sum payment is at least as great as the amount of the contribution required under this Section, the entire contribution (or so much of it as does not exceed the contribution limitations of Section 415 of the Internal Revenue Code of 1986) must be paid by the employee before the retirement annuity may become payable. If there is no such lump sum payment, or if it is less than the contribution required under this Section, the member may either pay the entire contribution before the retirement annuity becomes payable, or may instead make an initial payment before the retirement annuity becomes payable, equal to the net amount of the lump sum payment for accumulated vacation, sick leave and personal leave (or so much of it as does not exceed the contribution limitations of Section 415 of the Internal Revenue Code of 1986), and have the remaining amount due deducted from the retirement annuity in 24 equal monthly installments beginning in the month in which the retirement annuity takes effect.

However, if the net amount of the lump sum payment for accumulated vacation, sick leave and personal leave equals or exceeds the contribution required under this Section, but the required contribution exceeds an applicable contribution limitation contained in Section 415 of the Internal Revenue Code of 1986, then the amount of the contribution in excess of the Section 415 limitation shall instead be paid by the annuitant in January of 1994. If this additional amount is not paid as required, the retirement annuity shall be suspended until the required contribution is received.

New matter indicated by italics - deletions by strikeout
(d) Notwithstanding Section 14-111, an annuitant who has received any age enhancement or creditable service under this Section and who reenters service under this Article other than as a temporary employee shall thereby forfeit such age enhancement and creditable service, and become entitled to a refund of the contributions made pursuant to this Section.

(e) The Board shall determine the unfunded accrued liability created by the granting of early retirement benefits to State policemen under this Section, and shall certify the amount of that liability to the Department of State Police, the State Comptroller, the State Treasurer, and the Bureau of the Budget (now Governor's Office of Management and Budget) by June 1, 1993, or as soon thereafter as is practical. In addition to any other payments to the System required under this Code, the Department of State Police shall pay to the System the amount of that unfunded accrued liability, out of funds appropriated to the Department for that purpose, over a period of 7 years at the rate of 14.3% of the certified amount per year, plus interest on the unpaid balance at the actuarial rate as calculated and certified annually by the Board. Beginning in State fiscal year 1996, the liability created under this subsection (e) shall be included in the calculation of the required State contribution under Section 14-131 and no additional payments need be made under this subsection.

(Source: P.A. 87-1265; 88-593, eff. 8-22-94; revised 8-23-03.)

(40 ILCS 5/14-134) (from Ch. 108 1/2, par. 14-134)

Sec. 14-134. Board created. The retirement system created by this Article shall be a trust, separate and distinct from all other entities. The responsibility for the operation of the system and for making effective this Article is vested in a board of trustees.

The board shall consist of 7 trustees, as follows:

(a) the Director of the Governor's Office of Management and Budget; (b) the Comptroller; (c) one trustee, not a State employee, who shall be Chairman, to be appointed by the Governor for a 5 year term; (d) two members of the system, one of whom shall be an annuitant age 60 or over, having at least 8 years of creditable service, to be appointed by the Governor for terms of 5 years; (e) one member of the
system having at least 8 years of creditable service, to be elected from the contributing membership of the system by the contributing members as provided in Section 14-134.1; (f) one annuitant of the system who has been an annuitant for at least one full year, to be elected from and by the annuitants of the system, as provided in Section 14-134.1. The Director of the Governor's Office of Management and Budget and the Comptroller shall be ex-officio members and shall serve as trustees during their respective terms of office, except that each of them may designate another officer or employee from the same agency to serve in his or her place. However, no ex-officio member may designate a different proxy within one year after designating a proxy unless the person last so designated has become ineligible to serve in that capacity. Except for the elected trustees, any vacancy in the office of trustee shall be filled in the same manner as the office was filled previously.

A trustee shall serve until a successor qualifies, except that a trustee who is a member of the system shall be disqualified as a trustee immediately upon terminating service with the State.

Each trustee is entitled to one vote on the board, and 4 trustees shall constitute a quorum for the transaction of business. The affirmative votes of a majority of the trustees present, but at least 3 trustees, shall be necessary for action by the board at any meeting. The board's action of July 22, 1986, by which it amended the bylaws of the system to increase the number of affirmative votes required for board action from 3 to 4 (in response to Public Act 84-1028, which increased the number of trustees from 5 to 7), and the board's rejection, between that date and the effective date of this amendatory Act of 1993, of proposed actions not receiving at least 4 affirmative votes, are hereby validated.

The trustees shall serve without compensation, but shall be reimbursed from the funds of the system for all necessary expenses incurred through service on the board.

Each trustee shall take an oath of office that he or she will diligently and honestly administer the affairs of the system, and will not knowingly violate or willfully permit the violation of any of the provisions of law applicable to the system. The oath shall be subscribed to by the
trustee making it, certified by the officer before whom it is taken, and filed
with the Secretary of State. A trustee shall qualify for membership on the
board when the oath has been approved by the board.
(Source: P.A. 87-1265; revised 8-23-03.)

Section 540. The Regional Planning Commission Act is amended
by changing Section 1 as follows:

(50 ILCS 15/1) (from Ch. 85, par. 1021)
Sec. 1. Governing bodies of counties, cities, or other local
governmental units, when authorized by the Department of Commerce and
Economic Opportunity Community Affairs, may cooperate with the
governing bodies of the counties and cities or other governing bodies of
any adjoining state or states in the creation of a joint planning commission
where such cooperation has been authorized by law by the adjoining state
or states. Such a joint planning commission may be designated to be a
regional or metropolitan planning commission and shall have powers,
duties and functions as authorized by "An Act to provide for regional
planning and for the creation, organization and powers of regional
planning commissions", approved June 25, 1929, as heretofore or hereafter
amended, and, as agreed among the governing bodies. Such a planning
commission shall be a legal entity for all purposes.
(Source: P.A. 81-1509; revised 12-6-03.)

Section 545. The Local Government Financial Planning and
Supervision Act is amended by changing Sections 5 and 12 as follows:
(50 ILCS 320/5) (from Ch. 85, par. 7205)
Sec. 5. Establishment of commission.
(a) This subsection (a) applies through December 31, 1992.

(1) Upon receipt of a petition for establishment of a
financial planning and supervision commission, the Governor may
direct the establishment of such a commission if the Governor
determines that a fiscal emergency exists.

(2) Prior to making such determination, the Governor shall
give reasonable notice and opportunity for a hearing to all creditors
of the petitioning unit of local government who are subject to the
stay provisions of Section 7 of this Act. The determination shall be

New matter indicated by italics - deletions by strikeout
entered not less than 60 days after the filing of the petition. A determination of fiscal emergency by the Governor shall be a final administrative decision subject to the provisions of the Administrative Review Law. The court on such review may grant exceptions to the stay provisions of Section 7 of this Act as adequate protection of creditors' interests or equity may require. The commission shall convene within 30 days of the entry by the Governor of his or her determination of the fiscal emergency.

(3) (A) The Commission shall consist of 7 Directors.

(B) One Director shall be appointed by the chief executive officer of the unit of local government.

(C) One Director shall be appointed by the majority vote of the governing body of the unit of local government.

(D) Five Directors shall be appointed by the Governor, with the advice and consent of the Senate. The Governor shall select one of the Directors to serve as Chairperson during the term of his or her appointment. Of the initial Directors so appointed, 3 shall be appointed to serve for terms expiring 3 years from the date of their appointment, and 2 shall be appointed to serve for terms expiring 2 years from the date of their appointment. Thereafter, each Director appointed by the Governor shall be appointed to hold office for a term of 3 years and until his or her successor has been appointed as provided in Section 8-12-7 of the Illinois Municipal Code. Directors shall be eligible for reappointment. Any vacancy which shall arise shall be filled by appointment by the Governor, with the advice and consent of the Senate, for the unexpired term and until a successor Director has been appointed as provided in Section 8-12-7 of the Illinois Municipal Code. A vacancy shall occur upon resignation, death, conviction of a felony, or removal from office of a Director. A Director may be removed for incompetency, malfeasance, or neglect of duty at the instance of the Governor. If the
Senate is not in session or is in recess when appointments subject to its confirmation are made, the Governor shall make temporary appointments which shall be subject to subsequent Senate approval.

(b) This subsection (b) applies on and after January 1, 1993.

(1) Upon receipt of a petition for establishment of a financial planning and supervision commission, the Governor may direct the establishment of such a commission if the Governor determines that a fiscal emergency exists.

(2) Prior to making such determination, the Governor shall give reasonable notice and opportunity for a hearing to all creditors of the petitioning unit of local government. The determination shall be entered not less than 60 days after the filing of the petition. A determination of fiscal emergency by the Governor shall be a final administrative decision subject to the provisions of the Administrative Review Law. The court on such review may grant exceptions to the stay provisions of Section 7 of this Act as adequate protection of creditors' interests or equity may require. The commission shall convene within 30 days of the entry by the Governor of his or her determination of the fiscal emergency.

(3) A commission shall consist of 11 members:

   (A) Eight members as follows: the Governor, the State Comptroller, the Director of Revenue, the Director of the Governor's Office of Management and Budget Bureau of the Budget, the State Treasurer, the Executive Director of the Illinois Finance Authority, the Director of the Department of Commerce and Economic Opportunity Community Affairs and the presiding officer of the governing body of the unit of local government, or their respective designees. A designee, when present, shall be counted in determining whether a quorum is present at any meeting of the commission and may vote and participate in all proceedings and actions of the commission. The designations shall be in writing, executed by the member

New matter indicated by italics - deletions by strikeout
making the designation, and filed with the secretary of the commission. The designations may be changed from time to time in like manner, but due regard shall be given to the need for continuity. The Governor shall appoint a chairman of the commission from among the 8 members described in this subparagraph (A).

(B) Three members nominated and appointed as follows: the governing body and chief governing officer of the unit of local government shall submit in writing to the chairman of the commission the nomination of 5 persons agreed to by them and meeting the qualifications set forth in this Act. Nominations shall accompany the petition for establishment of the financial planning and supervision commission. If the chairman is not satisfied that at least 3 of the nominees are well qualified, he shall notify the governing body of the unit of local government to submit in writing, within 5 days, additional nominees, not exceeding 3. The chairman shall appoint 3 members from all the nominees so submitted or a lesser number that he considers well qualified. Each of the 3 appointed members shall serve for a term of one year, subject to removal by the chairman for misfeasance, nonfeasance or malfeasance in office. Upon the expiration of the term of an appointed member, or in the event of the death, resignation, incapacity or removal, or other ineligibility to serve of an appointed member, the chairman shall appoint a successor pursuant to the process of original appointment.

Each of the 3 appointed members shall be an individual:

(i) Who has knowledge and experience in financial matters, financial management, or business organization or operations, including experience in the private sector in management of business or financial enterprise, or in management consulting,
public accounting, or other professional activity; and

(ii) Who has not at any time during the 2 years preceding the date of appointment held any elected public office.

The governing body and chief governing officer of the unit of local government, to the extent possible, shall nominate members whose residency, office, or principal place of professional or business activity is situated within the unit of local government.

An appointed member of the commission shall not become a candidate for elected public office while serving as a member of the commission.

(4) Immediately after his appointment of the initial 3 appointed members of the commission, the chairman shall call the first meeting of the commission and shall cause written notice of the time, date and place of the first meeting to be given to each member of the commission at least 48 hours in advance of the meeting.

(5) The commission members shall select one of their number to serve as treasurer of the commission.

(Source: P.A. 93-205, eff. 1-1-04; revised 8-23-03.)

(50 ILCS 320/12) (from Ch. 85, par. 7212)

Sec. 12. Expenses incurred by commission. Any expense or obligation incurred by the financial planning and supervision commission under this Act shall be payable solely from appropriations made for that purpose by the General Assembly.

The commission is authorized to maintain monies appropriated for its use in a local account for such purposes to be held outside the State Treasury. Disbursements from this account shall require the approval and signatures of the chairman of the commission and the treasurer of the commission. The commission shall be authorized to request the State Comptroller and State Treasurer to issue State warrants against

New matter indicated by italics - deletions by strikeout
appropriations made for its use, in anticipation of commission expenses, for deposit into the local account.

The compensation and expenses of a financial advisor retained by the commission shall be paid from monies appropriated to the Department of Commerce and Economic Opportunity Community Affairs for that purpose. Those appropriations shall only be committed, obligated, and expended by the Department of Commerce and Economic Opportunity Community Affairs as the result of an order signed by the chairman of the commission identifying the selected "financial advisor" pursuant to subsection (c) of Section 6 of this Act and stating the maximum compensation awarded to the financial advisor under the contract. A copy of the order shall be filed with the State Comptroller prior to any disbursement of funds.

(Source: P.A. 86-1211; revised 12-6-03.)

Section 550. The Illinois Municipal Budget Law is amended by changing Section 2 as follows:

(50 ILCS 330/2) (from Ch. 85, par. 802)

Sec. 2. The following terms, unless the context otherwise indicates, have the following meaning:

(1) "Municipality" means and includes all municipal corporations and political subdivisions of this State, or any such unit or body hereafter created by authority of law, except the following: (a) The State of Illinois; (b) counties; (c) cities, villages and incorporated towns; (d) sanitary districts created under "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers", approved May 29, 1889, as amended; (e) forest preserve districts having a population of 500,000 or more, created under "An Act to provide for the creation and management of forest preserve districts and repealing certain Acts therein named", approved June 27, 1913, as amended; (f) school districts; (g) the Chicago Park District created under "An Act in relation to the creation, maintenance, operation and improvement of the Chicago Park District", approved, June 10, 1933, as amended; (h) park districts created under "The Park District Code", approved July 8, 1947, as amended; (i) the Regional Transportation Authority created under the "Regional Transportation

New matter indicated by italics - deletions by strikeout
Authority Act", enacted by the 78th General Assembly; and (j) the Illinois Sports Facilities Authority.

(2) "Governing body" means the corporate authorities, body, or other officer of the municipality authorized by law to raise revenue, appropriate funds, or levy taxes for the operation and maintenance thereof.

(3) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 85-1034; revised 12-6-03.)

Section 555. The Emergency Telephone System Act is amended by changing Section 13 as follows:

(50 ILCS 750/13) (from Ch. 134, par. 43)

Sec. 13. On or before February 16, 1979, and again on or before February 16, 1981, the Commission shall report to the General Assembly the progress in the implementation of systems required by this Act. Such reports shall contain his recommendations for additional legislation.

In December of 1979 and in December of 1980 the Commission, with the advice and assistance of the Attorney General, shall submit recommendations to the Bureau of the Budget (now Governor's Office of Management and Budget) and to the Governor specifying amounts necessary to further implement the organization of telephone systems specified in this Act during the succeeding fiscal year. The report specified in this paragraph shall contain, in addition, an estimate of the fiscal impact to local public agencies which will be caused by implementation of this Act.

By March 1 in 1979 and every even-numbered year thereafter, each telephone company shall file a report with the Commission and the General Assembly specifying, in such detail as the Commission has by rule or regulation required, the extent to which it has implemented a planned emergency telephone system and its projected further implementation of such a system.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative

New matter indicated by italics - deletions by strikeout
Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act. (Source: P.A. 84-1438; revised 8-23-03.)

Section 560. The Local Land Resource Management Planning Act is amended by changing Sections 3 and 8 as follows:

(50 ILCS 805/3) (from Ch. 85, par. 5803)

Sec. 3. Definitions. As used in this Act, the following words and phrases have the following meanings:

A. "Department" means the Department of Commerce and Economic Opportunity Community Affairs.
B. "Local Land Resource Management Plan" means a map of existing and generalized proposed land use and a policy statement in the form of words, numbers, illustrations, or other symbols of communication adopted by the municipal and county governing bodies. The Local Land Resource Management Plan may interrelate functional, visual and natural systems and activities relating to the use of land. It shall include but not be limited to sewer and water systems, energy distribution systems, recreational facilities, public safety facilities and their relationship to natural resources, air, water and land quality management or conservation programs within its jurisdiction. Such a plan shall be deemed to be "joint or compatible" when so declared by joint resolution of the affected municipality and county, or when separate plans have been referred to the affected municipality or county for review and suggestions, and such suggestions have been duly considered by the adopting jurisdiction and a reasonable basis for provisions of a plan that are contrary to the suggestions is stated in a resolution of the adopting jurisdiction.
C. "Land" means the earth, water and air, above, below or on the surface, and including any improvements or structures customarily regarded as land.
D. "Municipality" means any city, village or incorporated town.
E. "Unit of local government" means any county, municipality, township or special district which exercises limited governmental functions or provides services in respect to limited governmental subjects. (Source: P.A. 84-865; revised 12-6-03.)

(50 ILCS 805/8) (from Ch. 85, par. 5808)

Sec. 8. Planning Grants. (a) The Department of Commerce and Economic Opportunity Community Affairs may make annual grants to counties and municipalities to develop, update, administer and implement Local Land Resource Management Plans, as defined in this Act.

(b) A recipient local government may receive an initial grant to develop a plan after filing a resolution of intent to develop a plan. The plan shall be completed within 18 months of the receipt of the grant.

(c) The amount of the initial grant and the annual grant to be received by the recipient shall be based on the most recent updated U. S. Census at a rate of one dollar per person, but shall not be less than $20,000 and shall not exceed $100,000 per fiscal year.

(d) The Department of Commerce and Economic Opportunity Community Affairs may promulgate such rules and regulations establishing procedures for determining entitlement and eligible uses of such grants as it deems necessary for the purposes of this Act. (Source: P.A. 84-865; revised 12-6-03.)

Section 565. The County Economic Development Project Area Property Tax Allocation Act is amended by changing Section 3 as follows:

(55 ILCS 85/3) (from Ch. 34, par. 7003)

Sec. 3. Definitions. In this Act, words or terms shall have the following meanings unless the context usage clearly indicates that another meaning is intended.

(a) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(b) "Economic development plan" means the written plan of a county which sets forth an economic development program for an economic development project area. Each economic development plan shall include but not be limited to (1) estimated economic development project costs, (2) the sources of funds to pay such costs, (3) the nature and

New matter indicated by italics - deletions by strikeout
term of any obligations to be issued by the county to pay such costs, (4) the most recent equalized assessed valuation of the economic development project area, (5) an estimate of the equalized assessed valuation of the economic development project area after completion of the economic development plan, (6) the estimated date of completion of any economic development project proposed to be undertaken, (7) a general description of any proposed developer, user, or tenant of any property to be located or improved within the economic development project area, (8) a description of the type, structure and general character of the facilities to be developed or improved in the economic development project area, (9) a description of the general land uses to apply in the economic development project area, (10) a description of the type, class and number of employees to be employed in the operation of the facilities to be developed or improved in the economic development project area and (11) a commitment by the county to fair employment practices and an affirmative action plan with respect to any economic development program to be undertaken by the county.

(c) "Economic development project" means any development project in furtherance of the objectives of this Act.

(d) "Economic development project area" means any improved or vacant area which is located within the corporate limits of a county and which (1) is within the unincorporated area of such county, or, with the consent of any affected municipality, is located partially within the unincorporated area of such county and partially within one or more municipalities, (2) is contiguous, (3) is not less in the aggregate than 100 acres, (4) is suitable for siting by any commercial, manufacturing, industrial, research or transportation enterprise of facilities to include but not be limited to commercial businesses, offices, factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial or commercial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or transportation facilities, whether or not such area has been used at any time for such facilities and whether or not the area has been used or is suitable for such facilities and whether or not the area has been used or is suitable

New matter indicated by italics - deletions by strikeout
for other uses, including commercial agricultural purposes, and (5) which has been certified by the Department pursuant to this Act.

(e) "Economic development project costs" means and includes the sum total of all reasonable or necessary costs incurred by a county incidental to an economic development project, including, without limitation, the following:

(1) Costs of studies, surveys, development of plans and specifications, implementation and administration of an economic development plan, personnel and professional service costs for architectural, engineering, legal, marketing, financial, planning, sheriff, fire, public works or other services, provided that no charges for professional services may be based on a percentage of incremental tax revenue;

(2) Property assembly costs within an economic development project area, including but not limited to acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other non-governmental persons as reimbursement for property assembly costs incurred by such developer or other non-governmental person;

(3) Site preparation costs, including but not limited to clearance of any area within an economic development project area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading; and including installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public site improvements within or without an economic development project area which are essential to the preparation of the economic development project area for use in accordance with an economic development plan; and specifically including payments to developers or other non-governmental persons as reimbursement for site preparation costs incurred by such developer or non-governmental person;

New matter indicated by italics - deletions by strikeout
(4) Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of any existing buildings, improvements, and fixtures within an economic development project area, and specifically including payments to developers or other non-governmental persons as reimbursement for such costs incurred by such developer or non-governmental person;

(5) Costs of construction within an economic development project area of public improvements, including but not limited to, buildings, structures, works, improvements, utilities or fixtures;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued hereunder which accrues during the estimated period of construction of any economic development project for which such obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of such obligations;

(7) All or a portion of a taxing district's capital costs resulting from an economic development project necessarily incurred or estimated to be incurred by a taxing district in the furtherance of the objectives of an economic development project, to the extent that the county by written agreement accepts, approves and agrees to incur or to reimburse such costs;

(8) Relocation costs to the extent that a county determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law;

(9) The estimated tax revenues from real property in an economic development project area acquired by a county which, according to the economic development plan, is to be used for a private use and which any taxing district would have received had the county not adopted property tax allocation financing for an economic development project area and which would result from such taxing district's levies made after the time of the adoption by the county of property tax allocation financing to the time the

New matter indicated by italics - deletions by strikeout
current equalized assessed value of real property in the economic development project area exceeds the total initial equalized value of real property in that area;

(10) Costs of rebating ad valorem taxes paid by any developer or other nongovernmental person in whose name the general taxes were paid for the last preceding year on any lot, block, tract or parcel of land in the economic development project area, provided that:

(i) such economic development project area is located in an enterprise zone created pursuant to the Illinois Enterprise Zone Act;

(ii) such ad valorem taxes shall be rebated only in such amounts and for such tax year or years as the county and any one or more affected taxing districts shall have agreed by prior written agreement;

(iii) any amount of rebate of taxes shall not exceed the portion, if any, of taxes levied by the county or such taxing district or districts which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the economic development project area over and above the initial equalized assessed value of each property existing at the time property tax allocation financing was adopted for said economic development project area; and

(iv) costs of rebating ad valorem taxes shall be paid by a county solely from the special tax allocation fund established pursuant to this Act and shall be paid from the proceeds of any obligations issued by a county.

(11) Costs of job training, advanced vocational education or career education programs, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs.
education programs for persons employed or to be employed by employers located in an economic development project area, and further provided, that when such costs are incurred by a taxing district or taxing districts other than the county, they shall be set forth in a written agreement by or among the county and the taxing district or taxing districts, which agreement describes the program to be undertaken, including, but not limited to, the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Section 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20 and 10-23.3a of the School Code;

(12) Private financing costs incurred by developers or other non-governmental persons in connection with an economic development project, and specifically including payments to developers or other non-governmental persons as reimbursement for such costs incurred by such developer or other non-governmental persons provided that:

(A) private financing costs shall be paid or reimbursed by a county only pursuant to the prior official action of the county evidencing an intent to pay such private financing costs;

(B) except as provided in subparagraph (D) of this Section, the aggregate amount of such costs paid or reimbursed by a county in any one year shall not exceed 30% of such costs paid or incurred by such developer or other non-governmental person in that year;

(C) private financing costs shall be paid or reimbursed by a county solely from the special tax allocation fund established pursuant to this Act and shall
not be paid or reimbursed from the proceeds of any obligations issued by a county;

(D) if there are not sufficient funds available in the special tax allocation fund in any year to make such payment or reimbursement in full, any amount of such private financing costs remaining to be paid or reimbursed by a county shall accrue and be payable when funds are available in the special tax allocation fund to make such payment; and

(E) in connection with its approval and certification of an economic development project pursuant to Section 5 of this Act, the Department shall review any agreement authorizing the payment or reimbursement by a county of private financing costs in its consideration of the impact on the revenues of the county and the affected taxing districts of the use of property tax allocation financing.

(f) "Obligations" means any instrument evidencing the obligation of a county to pay money, including without limitation, bonds, notes, installment or financing contracts, certificates, tax anticipation warrants or notes, vouchers, and any other evidence of indebtedness.

(g) "Taxing districts" means municipalities, townships, counties, and school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other county corporations or districts with the power to levy taxes on real property.

(Source: P.A. 90-655, eff. 7-30-98; revised 12-6-03.)

Section 570. The Illinois Municipal Code is amended by changing Sections 8-11-2, 11-31.1-14, 11-48.3-29, 11-74.4-6, 11-74.4-8a, and 11-74.6-10 as follows:

(65 ILCS 5/8-11-2) (from Ch. 24, par. 8-11-2)
Sec. 8-11-2. The corporate authorities of any municipality may tax any or all of the following occupations or privileges:
1. (Blank).
2. Persons engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption within the corporate limits of a municipality of 500,000 or fewer population, and not for resale, at a rate not to exceed 5% of the gross receipts therefrom.

2a. Persons engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption within the corporate limits of a municipality of over 500,000 population, and not for resale, at a rate not to exceed 8% of the gross receipts therefrom. If imposed, this tax shall be paid in monthly payments.

3. The privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the municipality at rates not to exceed the following maximum rates, calculated on a monthly basis for each purchaser:

   (i) For the first 2,000 kilowatt-hours used or consumed in a month; 0.61 cents per kilowatt-hour;

   (ii) For the next 48,000 kilowatt-hours used or consumed in a month; 0.40 cents per kilowatt-hour;

   (iii) For the next 50,000 kilowatt-hours used or consumed in a month; 0.36 cents per kilowatt-hour;

   (iv) For the next 400,000 kilowatt-hours used or consumed in a month; 0.35 cents per kilowatt-hour;

   (v) For the next 500,000 kilowatt-hours used or consumed in a month; 0.34 cents per kilowatt-hour;

   (vi) For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.32 cents per kilowatt-hour;

   (vii) For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.315 cents per kilowatt-hour;

   (viii) For the next 5,000,000 kilowatt-hours used or consumed in a month; 0.31 cents per kilowatt-hour;

   (ix) For the next 10,000,000 kilowatt-hours used or consumed in a month; 0.305 cents per kilowatt-hour; and

New matter indicated by italics - deletions by strikeout
(x) For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month, 0.30 cents per kilowatt-hour.

If a municipality imposes a tax at rates lower than either the maximum rates specified in this Section or the alternative maximum rates promulgated by the Illinois Commerce Commission, as provided below, the tax rates shall be imposed upon the kilowatt hour categories set forth above with the same proportional relationship as that which exists among such maximum rates. Notwithstanding the foregoing, until December 31, 2008, no municipality shall establish rates that are in excess of rates reasonably calculated to produce revenues that equal the maximum total revenues such municipality could have received under the tax authorized by this subparagraph in the last full calendar year prior to the effective date of Section 65 of this amendatory Act of 1997; provided that this shall not be a limitation on the amount of tax revenues actually collected by such municipality.

Upon the request of the corporate authorities of a municipality, the Illinois Commerce Commission shall, within 90 days after receipt of such request, promulgate alternative rates for each of these kilowatt-hour categories that will reflect, as closely as reasonably practical for that municipality, the distribution of the tax among classes of purchasers as if the tax were based on a uniform percentage of the purchase price of electricity. A municipality that has adopted an ordinance imposing a tax pursuant to subparagraph 3 as it existed prior to the effective date of Section 65 of this amendatory Act of 1997 may, rather than imposing the tax permitted by this amendatory Act of 1997, continue to impose the tax pursuant to that ordinance with respect to gross receipts received from residential customers through July 31, 1999, and with respect to gross receipts from any non-residential customer until the first bill issued to such customer for delivery services in accordance with Section 16-104 of the Public Utilities Act but in

New matter indicated by italics - deletions by strikeout
no case later than the last bill issued to such customer before December 31, 2000. No ordinance imposing the tax permitted by this amendatory Act of 1997 shall be applicable to any non-residential customer until the first bill issued to such customer for delivery services in accordance with Section 16-104 of the Public Utilities Act but in no case later than the last bill issued to such non-residential customer before December 31, 2000.

4. Persons engaged in the business of distributing, supplying, furnishing, or selling water for use or consumption within the corporate limits of the municipality, and not for resale, at a rate not to exceed 5% of the gross receipts therefrom.

None of the taxes authorized by this Section may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which the business or privilege may not, under the constitution and statutes of the United States, be made the subject of taxation by this State or any political sub-division thereof; nor shall any persons engaged in the business of distributing, supplying, furnishing, selling or transmitting gas, water, or electricity, or using or consuming electricity acquired in a purchase at retail, be subject to taxation under the provisions of this Section for those transactions that are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by Section 8-11-1; nor shall any tax authorized by this Section be imposed upon any person engaged in a business or on any privilege unless the tax is imposed in like manner and at the same rate upon all persons engaged in businesses of the same class in the municipality, whether privately or municipally owned or operated, or exercising the same privilege within the municipality.

Any of the taxes enumerated in this Section may be in addition to the payment of money, or value of products or services furnished to the municipality by the taxpayer as compensation for the use of its streets, alleys, or other public places, or installation and maintenance therein, thereon or thereunder of poles, wires, pipes or other equipment used in the operation of the taxpayer's business.
(a) If the corporate authorities of any home rule municipality have adopted an ordinance that imposed a tax on public utility customers, between July 1, 1971, and October 1, 1981, on the good faith belief that they were exercising authority pursuant to Section 6 of Article VII of the 1970 Illinois Constitution, that action of the corporate authorities shall be declared legal and valid, notwithstanding a later decision of a judicial tribunal declaring the ordinance invalid. No municipality shall be required to rebate, refund, or issue credits for any taxes described in this paragraph, and those taxes shall be deemed to have been levied and collected in accordance with the Constitution and laws of this State.

(b) In any case in which (i) prior to October 19, 1979, the corporate authorities of any municipality have adopted an ordinance imposing a tax authorized by this Section (or by the predecessor provision of the "Revised Cities and Villages Act") and have explicitly or in practice interpreted gross receipts to include either charges added to customers' bills pursuant to the provision of paragraph (a) of Section 36 of the Public Utilities Act or charges added to customers' bills by taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in such paragraph (a) of Section 36 of that Act, and (ii) on or after October 19, 1979, a judicial tribunal has construed gross receipts to exclude all or part of those charges, then neither that municipality nor any taxpayer who paid the tax shall be required to rebate, refund, or issue credits for any tax imposed or charge collected from customers pursuant to the municipality's interpretation prior to October 19, 1979. This paragraph reflects a legislative finding that it would be contrary to the public interest to require a municipality or its taxpayers to refund taxes or charges attributable to the municipality's more inclusive interpretation of gross receipts prior to October 19, 1979, and is not intended to prescribe or limit judicial construction of this Section. The legislative finding set forth in this subsection does not apply to taxes imposed after the effective date of this amendatory Act of 1995.

(c) The tax authorized by subparagraph 3 shall be collected from the purchaser by the person maintaining a place of business in this State

New matter indicated by italics - deletions by strikeout
who delivers the electricity to the purchaser. This tax shall constitute a debt of the purchaser to the person who delivers the electricity to the purchaser and if unpaid, is recoverable in the same manner as the original charge for delivering the electricity. Any tax required to be collected pursuant to an ordinance authorized by subparagraph 3 and any such tax collected by a person delivering electricity shall constitute a debt owed to the municipality by such person delivering the electricity, provided, that the person delivering electricity shall be allowed credit for such tax related to deliveries of electricity the charges for which are written off as uncollectible, and provided further, that if such charges are thereafter collected, the delivering supplier shall be obligated to remit such tax. For purposes of this subsection (c), any partial payment not specifically identified by the purchaser shall be deemed to be for the delivery of electricity. Persons delivering electricity shall collect the tax from the purchaser by adding such tax to the gross charge for delivering the electricity, in the manner prescribed by the municipality. Persons delivering electricity shall also be authorized to add to such gross charge an amount equal to 3% of the tax to reimburse the person delivering electricity for the expenses incurred in keeping records, billing customers, preparing and filing returns, remitting the tax and supplying data to the municipality upon request. If the person delivering electricity fails to collect the tax from the purchaser, then the purchaser shall be required to pay the tax directly to the municipality in the manner prescribed by the municipality. Persons delivering electricity who file returns pursuant to this paragraph (c) shall, at the time of filing such return, pay the municipality the amount of the tax collected pursuant to subparagraph 3.

(d) For the purpose of the taxes enumerated in this Section:

"Gross receipts" means the consideration received for distributing, supplying, furnishing or selling gas for use or consumption and not for resale, and the consideration received for distributing, supplying, furnishing or selling water for use or consumption and not for resale, and for all services rendered in connection therewith valued in money, whether received in money or otherwise, including cash, credit, services and property of every kind and material and for all services rendered therewith,
and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials used, labor or service cost, or any other expenses whatsoever. "Gross receipts" shall not include that portion of the consideration received for distributing, supplying, furnishing, or selling gas or water to business enterprises described in paragraph (e) of this Section to the extent and during the period in which the exemption authorized by paragraph (e) is in effect or for school districts or units of local government described in paragraph (f) during the period in which the exemption authorized in paragraph (f) is in effect.

For utility bills issued on or after May 1, 1996, but before May 1, 1997, and for receipts from those utility bills, "gross receipts" does not include one-third of (i) amounts added to customers' bills under Section 9-222 of the Public Utilities Act, or (ii) amounts added to customers' bills by taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities described in Section 9-222 of the Public Utilities Act. For utility bills issued on or after May 1, 1997, but before May 1, 1998, and for receipts from those utility bills, "gross receipts" does not include two-thirds of (i) amounts added to customers' bills under Section 9-222 of the Public Utilities Act, or (ii) amount added to customers' bills by taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities described in Section 9-222 of the Public Utilities Act. For utility bills issued on or after May 1, 1998, and for receipts from those utility bills, "gross receipts" does not include (i) amounts added to customers' bills under Section 9-222 of the Public Utilities Act, or (ii) amounts added to customers' bills by taxpayers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities described in Section 9-222 of the Public Utilities Act.

For purposes of this Section "gross receipts" shall not include amounts added to customers' bills under Section 9-221 of the Public Utilities Act. This paragraph is not intended to nor does it make any change in the meaning of "gross receipts" for the purposes of this Section,
but is intended to remove possible ambiguities, thereby confirming the existing meaning of "gross receipts" prior to the effective date of this amendatory Act of 1995.

"Person" as used in this Section means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, limited liability company, municipal corporation, the State or any of its political subdivisions, any State university created by statute, or a receiver, trustee, guardian or other representative appointed by order of any court.

"Person maintaining a place of business in this State" shall mean any person having or maintaining within this State, directly or by a subsidiary or other affiliate, an office, generation facility, distribution facility, transmission facility, sales office or other place of business, or any employee, agent, or other representative operating within this State under the authority of the person or its subsidiary or other affiliate, irrespective of whether such place of business or agent or other representative is located in this State permanently or temporarily, or whether such person, subsidiary or other affiliate is licensed or qualified to do business in this State.

"Public utility" shall have the meaning ascribed to it in Section 3-105 of the Public Utilities Act and shall include alternative retail electric suppliers as defined in Section 16-102 of that Act.

"Purchase at retail" shall mean any acquisition of electricity by a purchaser for purposes of use or consumption, and not for resale, but shall not include the use of electricity by a public utility directly in the generation, production, transmission, delivery or sale of electricity.

"Purchaser" shall mean any person who uses or consumes, within the corporate limits of the municipality, electricity acquired in a purchase at retail.

(e) Any municipality that imposes taxes upon public utilities or upon the privilege of using or consuming electricity pursuant to this Section whose territory includes any part of an enterprise zone or federally designated Foreign Trade Zone or Sub-Zone may, by a majority vote of its corporate authorities, exempt from those taxes for a period not exceeding
20 years any specified percentage of gross receipts of public utilities received from, or electricity used or consumed by, business enterprises that:

(1) either (i) make investments that cause the creation of a minimum of 200 full-time equivalent jobs in Illinois, (ii) make investments of at least $175,000,000 that cause the creation of a minimum of 150 full-time equivalent jobs in Illinois, or (iii) make investments that cause the retention of a minimum of 1,000 full-time jobs in Illinois; and

(2) are either (i) located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act or (ii) Department of Commerce and Economic Opportunity Community Affairs designated High Impact Businesses located in a federally designated Foreign Trade Zone or Sub-Zone; and

(3) are certified by the Department of Commerce and Economic Opportunity Community Affairs as complying with the requirements specified in clauses (1) and (2) of this paragraph (e).

Upon adoption of the ordinance authorizing the exemption, the municipal clerk shall transmit a copy of that ordinance to the Department of Commerce and Economic Opportunity Community Affairs. The Department of Commerce and Economic Opportunity Community Affairs shall determine whether the business enterprises located in the municipality meet the criteria prescribed in this paragraph. If the Department of Commerce and Economic Opportunity Community Affairs determines that the business enterprises meet the criteria, it shall grant certification. The Department of Commerce and Economic Opportunity Community Affairs shall act upon certification requests within 30 days after receipt of the ordinance.

Upon certification of the business enterprise by the Department of Commerce and Economic Opportunity Community Affairs, the Department of Commerce and Economic Opportunity Community Affairs shall notify the Department of Revenue of the certification. The Department of Revenue shall notify the public utilities of the exemption status of the gross receipts received from, and the electricity used or

New matter indicated by italics - deletions by strikeout
consumed by, the certified business enterprises. Such exemption status shall be effective within 3 months after certification.

(f) A municipality that imposes taxes upon public utilities or upon the privilege of using or consuming electricity under this Section and whose territory includes part of another unit of local government or a school district may by ordinance exempt the other unit of local government or school district from those taxes.

(g) The amendment of this Section by Public Act 84-127 shall take precedence over any other amendment of this Section by any other amendatory Act passed by the 84th General Assembly before the effective date of Public Act 84-127.

(h) In any case in which, before July 1, 1992, a person engaged in the business of transmitting messages through the use of mobile equipment, such as cellular phones and paging systems, has determined the municipality within which the gross receipts from the business originated by reference to the location of its transmitting or switching equipment, then (i) neither the municipality to which tax was paid on that basis nor the taxpayer that paid tax on that basis shall be required to rebate, refund, or issue credits for any such tax or charge collected from customers to reimburse the taxpayer for the tax and (ii) no municipality to which tax would have been paid with respect to those gross receipts if the provisions of this amendatory Act of 1991 had been in effect before July 1, 1992, shall have any claim against the taxpayer for any amount of the tax.

(Source: P.A. 91-870, eff. 6-22-00; 92-474, eff. 8-1-02; 92-526, eff. 1-1-03; revised 12-6-03.)

(65 ILCS 5/11-31.1-14) (from Ch. 24, par. 11-31.1-14)

Sec. 11-31.1-14. Application for grants. Any municipality adopting this Division may make application to the Department of Commerce and Economic Opportunity Community Affairs for grants to help defray the cost of establishing and maintaining a code hearing department as provided in this Division. The application for grants shall be in the manner and form prescribed by the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 81-1509; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
(65 ILCS 5/11-48.3-29) (from Ch. 24, par. 11-48.3-29)

Sec. 11-48.3-29. The Authority shall receive financial support from the Department of Commerce and Economic Opportunity Community Affairs in the amounts that may be appropriated for such purpose.

(Source: P.A. 86-279; revised 12-6-03.)

(65 ILCS 5/11-74.4-6) (from Ch. 24, par. 11-74.4-6)

Sec. 11-74.4-6. (a) Except as provided herein, notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication at least twice, the first publication to be not more than 30 nor less than 10 days prior to the hearing in a newspaper of general circulation within the taxing districts having property in the proposed redevelopment project area. Notice by mailing shall be given by depositing such notice in the United States mails by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the project redevelopment area. Said notice shall be mailed not less than 10 days prior to the date set for the public hearing. If taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding 3 years as the owners of such property. For redevelopment project areas with redevelopment plans or proposed redevelopment plans that would require removal of 10 or more inhabited residential units or that contain 75 or more inhabited residential units, the municipality shall make a good faith effort to notify by mail all residents of the redevelopment project area. At a minimum, the municipality shall mail a notice to each residential address located within the redevelopment project area. The municipality shall endeavor to ensure that all such notices are effectively communicated and shall include (in addition to notice in English) notice in the predominant language other than English when appropriate.

(b) The notices issued pursuant to this Section shall include the following:

(1) The time and place of public hearing;
(2) The boundaries of the proposed redevelopment project area by legal description and by street location where possible;

New matter indicated by italics - deletions by strikeout
(3) A notification that all interested persons will be given an opportunity to be heard at the public hearing;

(4) A description of the redevelopment plan or redevelopment project for the proposed redevelopment project area if a plan or project is the subject matter of the hearing.

(5) Such other matters as the municipality may deem appropriate.

(c) Not less than 45 days prior to the date set for hearing, the municipality shall give notice by mail as provided in subsection (a) to all taxing districts of which taxable property is included in the redevelopment project area, project or plan and to the Department of Commerce and Economic Opportunity Community Affairs, and in addition to the other requirements under subsection (b) the notice shall include an invitation to the Department of Commerce and Economic Opportunity Community Affairs and each taxing district to submit comments to the municipality concerning the subject matter of the hearing prior to the date of hearing.

(d) In the event that any municipality has by ordinance adopted tax increment financing prior to 1987, and has complied with the notice requirements of this Section, except that the notice has not included the requirements of subsection (b), paragraphs (2), (3) and (4), and within 90 days of the effective date of this amendatory Act of 1991, that municipality passes an ordinance which contains findings that: (1) all taxing districts prior to the time of the hearing required by Section 11-74.4-5 were furnished with copies of a map incorporated into the redevelopment plan and project substantially showing the legal boundaries of the redevelopment project area; (2) the redevelopment plan and project, or a draft thereof, contained a map substantially showing the legal boundaries of the redevelopment project area and was available to the public at the time of the hearing; and (3) since the adoption of any form of tax increment financing authorized by this Act, and prior to June 1, 1991, no objection or challenge has been made in writing to the municipality in respect to the notices required by this Section, then the municipality shall be deemed to have met the notice requirements of this Act and all actions of the municipality taken in connection with such notices as were given

New matter indicated by italics - deletions by strikeout
are hereby validated and hereby declared to be legally sufficient for all purposes of this Act.

(e) If a municipality desires to propose a redevelopment plan for a redevelopment project area that would result in the displacement of residents from 10 or more inhabited residential units or for a redevelopment project area that contains 75 or more inhabited residential units, the municipality shall hold a public meeting before the mailing of the notices of public hearing as provided in subsection (c) of this Section. The meeting shall be for the purpose of enabling the municipality to advise the public, taxing districts having real property in the redevelopment project area, taxpayers who own property in the proposed redevelopment project area, and residents in the area as to the municipality's possible intent to prepare a redevelopment plan and designate a redevelopment project area and to receive public comment. The time and place for the meeting shall be set by the head of the municipality's Department of Planning or other department official designated by the mayor or city or village manager without the necessity of a resolution or ordinance of the municipality and may be held by a member of the staff of the Department of Planning of the municipality or by any other person, body, or commission designated by the corporate authorities. The meeting shall be held at least 14 business days before the mailing of the notice of public hearing provided for in subsection (c) of this Section.

Notice of the public meeting shall be given by mail. Notice by mail shall be not less than 15 days before the date of the meeting and shall be sent by certified mail to all taxing districts having real property in the proposed redevelopment project area and to all entities requesting that information that have registered with a person and department designated by the municipality in accordance with registration guidelines established by the municipality pursuant to Section 11-74.4-4.2. The municipality shall make a good faith effort to notify all residents and the last known persons who paid property taxes on real estate in a redevelopment project area. This requirement shall be deemed to be satisfied if the municipality mails, by regular mail, a notice to each residential address and the person or persons in whose name property taxes were paid on real property for the
last preceding year located within the redevelopment project area. Notice shall be in languages other than English when appropriate. The notices issued under this subsection shall include the following:

1. The time and place of the meeting.
2. The boundaries of the area to be studied for possible designation as a redevelopment project area by street and location.
3. The purpose or purposes of establishing a redevelopment project area.
5. The name, telephone number, and address of the person who can be contacted for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the development of the area to be studied.
6. Notification that all interested persons will be given an opportunity to be heard at the public meeting.
7. Such other matters as the municipality deems appropriate.

At the public meeting, any interested person or representative of an affected taxing district may be heard orally and may file, with the person conducting the meeting, statements that pertain to the subject matter of the meeting.

(Source: P.A. 91-478, eff. 11-1-99; revised 12-6-03.)

(65 ILCS 5/11-74.4-8a) (from Ch. 24, par. 11-74.4-8a)

Sec. 11-74.4-8a. (1) Until June 1, 1988, a municipality which has adopted tax increment allocation financing prior to January 1, 1987, may by ordinance (1) authorize the Department of Revenue, subject to appropriation, to annually certify and cause to be paid from the Illinois Tax Increment Fund to such municipality for deposit in the municipality's special tax allocation fund an amount equal to the Net State Sales Tax Increment and (2) authorize the Department of Revenue to annually notify the municipality of the amount of the Municipal Sales Tax Increment which shall be deposited by the municipality in the municipality's special tax allocation fund. Provided that for purposes of this Section no

New matter indicated by italics - deletions by strikeout
amendments adding additional area to the redevelopment project area which has been certified as the State Sales Tax Boundary shall be taken into account if such amendments are adopted by the municipality after January 1, 1987. If an amendment is adopted which decreases the area of a State Sales Tax Boundary, the municipality shall update the list required by subsection (3)(a) of this Section. The Retailers' Occupation Tax liability, Use Tax liability, Service Occupation Tax liability and Service Use Tax liability for retailers and servicemen located within the disconnected area shall be excluded from the base from which tax increments are calculated and the revenue from any such retailer or serviceman shall not be included in calculating incremental revenue payable to the municipality. A municipality adopting an ordinance under this subsection (1) of this Section for a redevelopment project area which is certified as a State Sales Tax Boundary shall not be entitled to payments of State taxes authorized under subsection (2) of this Section for the same redevelopment project area. Nothing herein shall be construed to prevent a municipality from receiving payment of State taxes authorized under subsection (2) of this Section for a separate redevelopment project area that does not overlap in any way with the State Sales Tax Boundary receiving payments of State taxes pursuant to subsection (1) of this Section.

A certified copy of such ordinance shall be submitted by the municipality to the Department of Commerce and Economic Opportunity Community Affairs and the Department of Revenue not later than 30 days after the effective date of the ordinance. Upon submission of the ordinances, and the information required pursuant to subsection 3 of this Section, the Department of Revenue shall promptly determine the amount of such taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in the redevelopment project area during the base year, and shall certify all the foregoing "initial sales tax amounts" to the municipality within 60 days of submission of the list required of subsection (3)(a) of this Section.

New matter indicated by italics - deletions by strikeout
If a retailer or serviceman with a place of business located within a redevelopment project area also has one or more other places of business within the municipality but outside the redevelopment project area, the retailer or serviceman shall, upon request of the Department of Revenue, certify to the Department of Revenue the amount of taxes paid pursuant to the Retailers' Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Municipal Service Occupation Tax Act at each place of business which is located within the redevelopment project area in the manner and for the periods of time requested by the Department of Revenue.

When the municipality determines that a portion of an increase in the aggregate amount of taxes paid by retailers and servicemen under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, or the Service Occupation Tax Act is the result of a retailer or serviceman initiating retail or service operations in the redevelopment project area by such retailer or serviceman with a resulting termination of retail or service operations by such retailer or serviceman at another location in Illinois in the standard metropolitan statistical area of such municipality, the Department of Revenue shall be notified that the retailers occupation tax liability, use tax liability, service occupation tax liability, or service use tax liability from such retailer's or serviceman's terminated operation shall be included in the base Initial Sales Tax Amounts from which the State Sales Tax Increment is calculated for purposes of State payments to the affected municipality; provided, however, for purposes of this paragraph "termination" shall mean a closing of a retail or service operation which is directly related to the opening of the same retail or service operation in a redevelopment project area which is included within a State Sales Tax Boundary, but it shall not include retail or service operations closed for reasons beyond the control of the retailer or serviceman, as determined by the Department.

If the municipality makes the determination referred to in the prior paragraph and notifies the Department and if the relocation is from a location within the municipality, the Department, at the request of the municipality, shall adjust the certified aggregate amount of taxes that

New matter indicated by italics - deletions by strikeout
constitute the Municipal Sales Tax Increment paid by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year using the same procedures as are employed to make the adjustment referred to in the prior paragraph. The adjusted Municipal Sales Tax Increment calculated by the Department shall be sufficient to satisfy the requirements of subsection (1) of this Section.

When a municipality which has adopted tax increment allocation financing in 1986 determines that a portion of the aggregate amount of taxes paid by retailers and servicemen under the Retailers Occupation Tax Act, Use Tax Act, Service Use Tax Act, or Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act, includes revenue of a retailer or serviceman which terminated retailer or service operations in 1986, prior to the adoption of tax increment allocation financing, the Department of Revenue shall be notified by such municipality that the retailers' occupation tax liability, use tax liability, service occupation tax liability or service use tax liability, from such retailer's or serviceman's terminated operations shall be excluded from the Initial Sales Tax Amounts for such taxes. The revenue from any such retailer or serviceman which is excluded from the base year under this paragraph, shall not be included in calculating incremental revenues if such retailer or serviceman reestablishes such business in the redevelopment project area.

For State fiscal year 1992, the Department of Revenue shall budget, and the Illinois General Assembly shall appropriate from the Illinois Tax Increment Fund in the State treasury, an amount not to exceed $18,000,000 to pay to each eligible municipality the Net State Sales Tax Increment to which such municipality is entitled.

Beginning on January 1, 1993, each municipality's proportional share of the Illinois Tax Increment Fund shall be determined by adding the annual Net State Sales Tax Increment and the annual Net Utility Tax Increment to determine the Annual Total Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the

New matter indicated by italics - deletions by strikeout
Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

Beginning in October, 1993, and each January, April, July and October thereafter, the Department of Revenue shall certify to the Treasurer and the Comptroller the amounts payable quarter annually during the fiscal year to each municipality under this Section. The Comptroller shall promptly then draw warrants, ordering the State Treasurer to pay such amounts from the Illinois Tax Increment Fund in the State treasury.

The Department of Revenue shall utilize the same periods established for determining State Sales Tax Increment to determine the Municipal Sales Tax Increment for the area within a State Sales Tax Boundary and certify such amounts to such municipal treasurer who shall transfer such amounts to the special tax allocation fund.

The provisions of this subsection (1) do not apply to additional municipal retailers' occupation or service occupation taxes imposed by municipalities using their home rule powers or imposed pursuant to Sections 8-11-1.3, 8-11-1.4 and 8-11-1.5 of this Act. A municipality shall not receive from the State any share of the Illinois Tax Increment Fund unless such municipality deposits all its Municipal Sales Tax Increment and the local incremental real property tax revenues, as provided herein, into the appropriate special tax allocation fund. If, however, a municipality has extended the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs by municipal ordinance to December 31, 2013 under subsection (n) of Section 11-74.4-3, then that municipality shall continue to receive from the State a share of the Illinois Tax Increment Fund so long as the municipality deposits, from any funds available, excluding funds in the special tax allocation fund, an amount equal to the municipal share of the real property tax increment revenues into the special tax allocation fund during the extension period. The amount to be deposited by the municipality in each of the tax years affected by the extension to December 31, 2013 shall be equal to the municipal share of the property tax increment deposited into the special tax allocation fund by the

New matter indicated by italics - deletions by strikeout
municipality for the most recent year that the property tax increment was
distributed. A municipality located within an economic development
project area created under the County Economic Development Project
Area Property Tax Allocation Act which has abated any portion of its
property taxes which otherwise would have been deposited in its special
tax allocation fund shall not receive from the State the Net Sales Tax
Increment.

(2) A municipality which has adopted tax increment allocation
financing with regard to an industrial park or industrial park conservation
area, prior to January 1, 1988, may by ordinance authorize the Department
of Revenue to annually certify and pay from the Illinois Tax Increment
Fund to such municipality for deposit in the municipality's special tax
allocation fund an amount equal to the Net State Utility Tax Increment.
Provided that for purposes of this Section no amendments adding
additional area to the redevelopment project area shall be taken into
account if such amendments are adopted by the municipality after January
1, 1988. Municipalities adopting an ordinance under this subsection (2) of
this Section for a redevelopment project area shall not be entitled to
payment of State taxes authorized under subsection (1) of this Section for
the same redevelopment project area which is within a State Sales Tax
Boundary. Nothing herein shall be construed to prevent a municipality
from receiving payment of State taxes authorized under subsection (1) of
this Section for a separate redevelopment project area within a State Sales
Tax Boundary that does not overlap in any way with the redevelopment
project area receiving payments of State taxes pursuant to subsection (2) of
this Section.

A certified copy of such ordinance shall be submitted to the
Department of Commerce and Economic Opportunity Community Affairs
and the Department of Revenue not later than 30 days after the effective
date of the ordinance.

When a municipality determines that a portion of an increase in the
aggregate amount of taxes paid by industrial or commercial facilities under
the Public Utilities Act, is the result of an industrial or commercial facility
initiating operations in the redevelopment project area with a resulting

New matter indicated by italics - deletions by strikeout
termination of such operations by such industrial or commercial facility at another location in Illinois, the Department of Revenue shall be notified by such municipality that such industrial or commercial facility's liability under the Public Utility Tax Act shall be included in the base from which tax increments are calculated for purposes of State payments to the affected municipality.

After receipt of the calculations by the public utility as required by subsection (4) of this Section, the Department of Revenue shall annually budget and the Illinois General Assembly shall annually appropriate from the General Revenue Fund through State Fiscal Year 1989, and thereafter from the Illinois Tax Increment Fund, an amount sufficient to pay to each eligible municipality the amount of incremental revenue attributable to State electric and gas taxes as reflected by the charges imposed on persons in the project area to which such municipality is entitled by comparing the preceding calendar year with the base year as determined by this Section. Beginning on January 1, 1993, each municipality's proportional share of the Illinois Tax Increment Fund shall be determined by adding the annual Net State Utility Tax Increment and the annual Net Utility Tax Increment to determine the Annual Total Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

A municipality shall not receive any share of the Illinois Tax Increment Fund from the State unless such municipality imposes the maximum municipal charges authorized pursuant to Section 9-221 of the Public Utilities Act and deposits all municipal utility tax incremental revenues as certified by the public utilities, and all local real estate tax increments into such municipality's special tax allocation fund.

(3) Within 30 days after the adoption of the ordinance required by either subsection (1) or subsection (2) of this Section, the municipality shall transmit to the Department of Commerce and Economic Opportunity Community Affairs and the Department of Revenue the following:

New matter indicated by italics - deletions by strikeout
(a) if applicable, a certified copy of the ordinance required by subsection (1) accompanied by a complete list of street names and the range of street numbers of each street located within the redevelopment project area for which payments are to be made under this Section in both the base year and in the year preceding the payment year; and the addresses of persons registered with the Department of Revenue; and, the name under which each such retailer or serviceman conducts business at that address, if different from the corporate name; and the Illinois Business Tax Number of each such person (The municipality shall update this list in the event of a revision of the redevelopment project area, or the opening or closing or name change of any street or part thereof in the redevelopment project area, or if the Department of Revenue informs the municipality of an addition or deletion pursuant to the monthly updates given by the Department.);

(b) if applicable, a certified copy of the ordinance required by subsection (2) accompanied by a complete list of street names and range of street numbers of each street located within the redevelopment project area, the utility customers in the project area, and the utilities serving the redevelopment project areas;

(c) certified copies of the ordinances approving the redevelopment plan and designating the redevelopment project area;

(d) a copy of the redevelopment plan as approved by the municipality;

(e) an opinion of legal counsel that the municipality had complied with the requirements of this Act; and

(f) a certification by the chief executive officer of the municipality that with regard to a redevelopment project area: (1) the municipality has committed all of the municipal tax increment created pursuant to this Act for deposit in the special tax allocation fund, (2) the redevelopment projects described in the redevelopment plan would not be completed without the use of State incremental revenues pursuant to this Act, (3) the

New matter indicated by italics - deletions by strikeout
NEW MUNICIPALITY

(4) The Department of Revenue upon receipt of the information set forth in paragraph (b) of subsection (3) shall immediately forward such information to each public utility furnishing natural gas or electricity to buildings within the redevelopment project area. Upon receipt of such information, each public utility shall promptly:

(a) provide to the Department of Revenue and the municipality separate lists of the names and addresses of persons within the redevelopment project area receiving natural gas or electricity from such public utility. Such list shall be updated as necessary by the public utility. Each month thereafter the public utility shall furnish the Department of Revenue and the municipality with an itemized listing of charges imposed pursuant to Sections 9-221 and 9-222 of the Public Utilities Act on persons within the redevelopment project area.

(b) determine the amount of charges imposed pursuant to Sections 9-221 and 9-222 of the Public Utilities Act on persons in the redevelopment project area during the base year, both as a result of State taxes on electricity and gas and as a result of State taxes on electricity and gas and certify such amounts both to the municipality and the Department of Revenue; and

(c) determine the amount of charges imposed pursuant to Sections 9-221 and 9-222 of the Public Utilities Act on persons in the redevelopment project area on a monthly basis during the base year, both as a result of State and municipal taxes on electricity and gas and certify such separate amounts both to the municipality and the Department of Revenue.
After the determinations are made in paragraphs (b) and (c), the public utility shall monthly during the existence of the redevelopment project area notify the Department of Revenue and the municipality of any increase in charges over the base year determinations made pursuant to paragraphs (b) and (c).

(5) The payments authorized under this Section shall be deposited by the municipal treasurer in the special tax allocation fund of the municipality, which for accounting purposes shall identify the sources of each payment as: municipal receipts from the State retailers occupation, service occupation, use and service use taxes; and municipal public utility taxes charged to customers under the Public Utilities Act and State public utility taxes charged to customers under the Public Utilities Act.

(6) Before the effective date of this amendatory Act of the 91st General Assembly, any municipality receiving payments authorized under this Section for any redevelopment project area or area within a State Sales Tax Boundary within the municipality shall submit to the Department of Revenue and to the taxing districts which are sent the notice required by Section 6 of this Act annually within 180 days after the close of each municipal fiscal year the following information for the immediately preceding fiscal year:

(a) Any amendments to the redevelopment plan, the redevelopment project area, or the State Sales Tax Boundary.

(b) Audited financial statements of the special tax allocation fund.

(c) Certification of the Chief Executive Officer of the municipality that the municipality has complied with all of the requirements of this Act during the preceding fiscal year.

(d) An opinion of legal counsel that the municipality is in compliance with this Act.

(e) An analysis of the special tax allocation fund which sets forth:

(1) the balance in the special tax allocation fund at the beginning of the fiscal year;
(2) all amounts deposited in the special tax allocation fund by source;

(3) all expenditures from the special tax allocation fund by category of permissible redevelopment project cost; and

(4) the balance in the special tax allocation fund at the end of the fiscal year including a breakdown of that balance by source. Such ending balance shall be designated as surplus if it is not required for anticipated redevelopment project costs or to pay debt service on bonds issued to finance redevelopment project costs, as set forth in Section 11-74.4-7 hereof.

(f) A description of all property purchased by the municipality within the redevelopment project area including:
   1. Street address
   2. Approximate size or description of property
   3. Purchase price
   4. Seller of property.

(g) A statement setting forth all activities undertaken in furtherance of the objectives of the redevelopment plan, including:
   1. Any project implemented in the preceding fiscal year
   2. A description of the redevelopment activities undertaken
   3. A description of any agreements entered into by the municipality with regard to the disposition or redevelopment of any property within the redevelopment project area or the area within the State Sales Tax Boundary.

(h) With regard to any obligations issued by the municipality:
   1. copies of bond ordinances or resolutions
   2. copies of any official statements

New matter indicated by italics - deletions by strikeout
3. an analysis prepared by financial advisor or underwriter setting forth: (a) nature and term of obligation; and (b) projected debt service including required reserves and debt coverage.

(i) A certified audit report reviewing compliance with this statute performed by an independent public accountant certified and licensed by the authority of the State of Illinois. The financial portion of the audit must be conducted in accordance with Standards for Audits of Governmental Organizations, Programs, Activities, and Functions adopted by the Comptroller General of the United States (1981), as amended. The audit report shall contain a letter from the independent certified public accountant indicating compliance or noncompliance with the requirements of subsection (q) of Section 11-74.4-3. If the audit indicates that expenditures are not in compliance with the law, the Department of Revenue shall withhold State sales and utility tax increment payments to the municipality until compliance has been reached, and an amount equal to the ineligible expenditures has been returned to the Special Tax Allocation Fund.

(6.1) After July 29, 1988 and before the effective date of this amendatory Act of the 91st General Assembly, any funds which have not been designated for use in a specific development project in the annual report shall be designated as surplus. No funds may be held in the Special Tax Allocation Fund for more than 36 months from the date of receipt unless the money is required for payment of contractual obligations for specific development project costs. If held for more than 36 months in violation of the preceding sentence, such funds shall be designated as surplus. Any funds designated as surplus must first be used for early redemption of any bond obligations. Any funds designated as surplus which are not disposed of as otherwise provided in this paragraph, shall be distributed as surplus as provided in Section 11-74.4-7.

(7) Any appropriation made pursuant to this Section for the 1987 State fiscal year shall not exceed the amount of $7 million and for the 1988 State fiscal year the amount of $10 million. The amount which shall
be distributed to each municipality shall be the incremental revenue to
which each municipality is entitled as calculated by the Department of
Revenue, unless the requests of the municipality exceed the appropriation,
then the amount to which each municipality shall be entitled shall be
prorated among the municipalities in the same proportion as the increment
to which the municipality would be entitled bears to the total increment
which all municipalities would receive in the absence of this limitation,
provided that no municipality may receive an amount in excess of 15% of
the appropriation. For the 1987 Net State Sales Tax Increment payable in
Fiscal Year 1989, no municipality shall receive more than 7.5% of the
total appropriation; provided, however, that any of the appropriation
remaining after such distribution shall be prorated among municipalities
on the basis of their pro rata share of the total increment. Beginning on
January 1, 1993, each municipality's proportional share of the Illinois Tax
Increment Fund shall be determined by adding the annual Net State Sales
Tax Increment and the annual Net Utility Tax Increment to determine the
Annual Total Increment. The ratio of the Annual Total Increment of each
municipality to the Annual Total Increment for all municipalities, as most
recently calculated by the Department, shall determine the proportional
shares of the Illinois Tax Increment Fund to be distributed to each
municipality.

(7.1) No distribution of Net State Sales Tax Increment to a
municipality for an area within a State Sales Tax Boundary shall exceed in
any State Fiscal Year an amount equal to 3 times the sum of the Municipal
Sales Tax Increment, the real property tax increment and deposits of funds
from other sources, excluding state and federal funds, as certified by the
city treasurer to the Department of Revenue for an area within a State
Sales Tax Boundary. After July 29, 1988, for those municipalities which
issue bonds between June 1, 1988 and 3 years from July 29, 1988 to
finance redevelopment projects within the area in a State Sales Tax
Boundary, the distribution of Net State Sales Tax Increment during the
16th through 20th years from the date of issuance of the bonds shall not
exceed in any State Fiscal Year an amount equal to 2 times the sum of the
Municipal Sales Tax Increment, the real property tax increment and deposits of funds from other sources, excluding State and federal funds.

(8) Any person who knowingly files or causes to be filed false information for the purpose of increasing the amount of any State tax incremental revenue commits a Class A misdemeanor.

(9) The following procedures shall be followed to determine whether municipalities have complied with the Act for the purpose of receiving distributions after July 1, 1989 pursuant to subsection (1) of this Section 11-74.4-8a.

(a) The Department of Revenue shall conduct a preliminary review of the redevelopment project areas and redevelopment plans pertaining to those municipalities receiving payments from the State pursuant to subsection (1) of Section 8a of this Act for the purpose of determining compliance with the following standards:

(1) For any municipality with a population of more than 12,000 as determined by the 1980 U.S. Census: (a) the redevelopment project area, or in the case of a municipality which has more than one redevelopment project area, each such area, must be contiguous and the total of all such areas shall not comprise more than 25% of the area within the municipal boundaries nor more than 20% of the equalized assessed value of the municipality; (b) the aggregate amount of 1985 taxes in the redevelopment project area, or in the case of a municipality which has more than one redevelopment project area, the total of all such areas, shall be not more than 25% of the total base year taxes paid by retailers and servicemen on transactions at places of business located within the municipality under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act. Redevelopment project areas created prior to 1986 are not subject to the above standards if their boundaries were not amended in 1986.

New matter indicated by italics - deletions by strikeout
(2) For any municipality with a population of 12,000 or less as determined by the 1980 U.S. Census: (a) the redevelopment project area, or in the case of a municipality which has more than one redevelopment project area, each such area, must be contiguous and the total of all such areas shall not comprise more than 35% of the area within the municipal boundaries nor more than 30% of the equalized assessed value of the municipality; (b) the aggregate amount of 1985 taxes in the redevelopment project area, or in the case of a municipality which has more than one redevelopment project area, the total of all such areas, shall not be more than 35% of the total base year taxes paid by retailers and servicemen on transactions at places of business located within the municipality under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act. Redevelopment project areas created prior to 1986 are not subject to the above standards if their boundaries were not amended in 1986.

(3) Such preliminary review of the redevelopment project areas applying the above standards shall be completed by November 1, 1988, and on or before November 1, 1988, the Department shall notify each municipality by certified mail, return receipt requested that either (1) the Department requires additional time in which to complete its preliminary review; or (2) the Department is issuing either (a) a Certificate of Eligibility or (b) a Notice of Review. If the Department notifies a municipality that it requires additional time to complete its preliminary investigation, it shall complete its preliminary investigation no later than February 1, 1989, and by February 1, 1989 it shall issue to each municipality either (a) a Certificate of Eligibility or (b) a Notice of Review. A redevelopment
project area for which a Certificate of Eligibility has been issued shall be deemed a "State Sales Tax Boundary."

(4) The Department of Revenue shall also issue a Notice of Review if the Department has received a request by November 1, 1988 to conduct such a review from taxpayers in the municipality, local taxing districts located in the municipality or the State of Illinois, or if the redevelopment project area has more than 5 retailers and has had growth in State sales tax revenue of more than 15% from calendar year 1985 to 1986.

(b) For those municipalities receiving a Notice of Review, the Department will conduct a secondary review consisting of: (i) application of the above standards contained in subsection (9)(a)(1)(a) and (b) or (9)(a)(2)(a) and (b), and (ii) the definitions of blighted and conservation area provided for in Section 11-74.4-3. Such secondary review shall be completed by July 1, 1989.

Upon completion of the secondary review, the Department will issue (a) a Certificate of Eligibility or (b) a Preliminary Notice of Deficiency. Any municipality receiving a Preliminary Notice of Deficiency may amend its redevelopment project area to meet the standards and definitions set forth in this paragraph (b). This amended redevelopment project area shall become the "State Sales Tax Boundary" for purposes of determining the State Sales Tax Increment.

(c) If the municipality advises the Department of its intent to comply with the requirements of paragraph (b) of this subsection outlined in the Preliminary Notice of Deficiency, within 120 days of receiving such notice from the Department, the municipality shall submit documentation to the Department of the actions it has taken to cure any deficiencies. Thereafter, within 30 days of the receipt of the documentation, the Department shall either issue a Certificate of Eligibility or a Final Notice of Deficiency. If the municipality fails to advise the Department of its intent to comply or fails to submit adequate documentation of such cure of

New matter indicated by italics - deletions by strikeout
deficiencies the Department shall issue a Final Notice of Deficiency that provides that the municipality is ineligible for payment of the Net State Sales Tax Increment.

(d) If the Department issues a final determination of ineligibility, the municipality shall have 30 days from the receipt of determination to protest and request a hearing. Such hearing shall be conducted in accordance with Sections 10-25, 10-35, 10-40, and 10-50 of the Illinois Administrative Procedure Act. The decision following the hearing shall be subject to review under the Administrative Review Law.

(e) Any Certificate of Eligibility issued pursuant to this subsection 9 shall be binding only on the State for the purposes of establishing municipal eligibility to receive revenue pursuant to subsection (1) of this Section 11-74.4-8a.

(f) It is the intent of this subsection that the periods of time to cure deficiencies shall be in addition to all other periods of time permitted by this Section, regardless of the date by which plans were originally required to be adopted. To cure said deficiencies, however, the municipality shall be required to follow the procedures and requirements pertaining to amendments, as provided in Sections 11-74.4-5 and 11-74.4-6 of this Act.

(10) If a municipality adopts a State Sales Tax Boundary in accordance with the provisions of subsection (9) of this Section, such boundaries shall subsequently be utilized to determine Revised Initial Sales Tax Amounts and the Net State Sales Tax Increment; provided, however, that such revised State Sales Tax Boundary shall not have any effect upon the boundary of the redevelopment project area established for the purposes of determining the ad valorem taxes on real property pursuant to Sections 11-74.4-7 and 11-74.4-8 of this Act nor upon the municipality's authority to implement the redevelopment plan for that redevelopment project area. For any redevelopment project area with a smaller State Sales Tax Boundary within its area, the municipality may annually elect to deposit the Municipal Sales Tax Increment for the redevelopment project area in the special tax allocation fund and shall

New matter indicated by italics - deletions by strikeout
certify the amount to the Department prior to receipt of the Net State Sales Tax Increment. Any municipality required by subsection (9) to establish a State Sales Tax Boundary for one or more of its redevelopment project areas shall submit all necessary information required by the Department concerning such boundary and the retailers therein, by October 1, 1989, after complying with the procedures for amendment set forth in Sections 11-74.4-5 and 11-74.4-6 of this Act. Net State Sales Tax Increment produced within the State Sales Tax Boundary shall be spent only within that area. However expenditures of all municipal property tax increment and municipal sales tax increment in a redevelopment project area are not required to be spent within the smaller State Sales Tax Boundary within such redevelopment project area.

(11) The Department of Revenue shall have the authority to issue rules and regulations for purposes of this Section. and regulations for purposes of this Section.

(12) If, under Section 5.4.1 of the Illinois Enterprise Zone Act, a municipality determines that property that lies within a State Sales Tax Boundary has an improvement, rehabilitation, or renovation that is entitled to a property tax abatement, then that property along with any improvements, rehabilitation, or renovations shall be immediately removed from any State Sales Tax Boundary. The municipality that made the determination shall notify the Department of Revenue within 30 days after the determination. Once a property is removed from the State Sales Tax Boundary because of the existence of a property tax abatement resulting from an enterprise zone, then that property shall not be permitted to be amended into a State Sales Tax Boundary.

(Source: P.A. 91-51, eff. 6-30-99; 91-478, eff. 11-1-99; 92-263, eff. 8-7-01; revised 12-6-03.)

(65 ILCS 5/11-74.6-10)
Sec. 11-74.6-10. Definitions.
(a) "Environmentally contaminated area" means any improved or vacant area within the boundaries of a redevelopment project area located within the corporate limits of a municipality when, (i) there has been a determination of release or substantial threat of release of a hazardous

New matter indicated by italics - deletions by strikeout
substance or pesticide, by the United States Environmental Protection Agency or the Illinois Environmental Protection Agency, or the Illinois Pollution Control Board, or any court, or a release or substantial threat of release which is addressed as part of the Pre-Notice Site Cleanup Program under Section 22.2(m) of the Illinois Environmental Protection Act, or a release or substantial threat of release of petroleum under Section 22.12 of the Illinois Environmental Protection Act, and (ii) which release or threat of release presents an imminent and substantial danger to public health or welfare or presents a significant threat to public health or the environment, and (iii) which release or threat of release would have a significant impact on the cost of redeveloping the area.

(b) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(c) "Industrial park" means an area in a redevelopment project area suitable for use by any manufacturing, industrial, research, or transportation enterprise, of facilities, including but not limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities. An industrial park may contain space for commercial and other use as long as the expected principal use of the park is industrial and is reasonably expected to result in the creation of a significant number of new permanent full time jobs. An industrial park may also contain related operations and facilities including, but not limited to, business and office support services such as centralized computers, telecommunications, publishing, accounting, photocopying and similar activities and employee services such as child care, health care, food service and similar activities. An industrial park may also include demonstration projects, prototype development, specialized training on developing technology, and pure research in any field related or adaptable to business and industry.

(d) "Research park" means an area in a redevelopment project area suitable for development of a facility or complex that includes research laboratories and related operations. These related operations may include,
but are not limited to, business and office support services such as centralized computers, telecommunications, publishing, accounting, photocopying and similar activities, and employee services such as child care, health care, food service and similar activities. A research park may include demonstration projects, prototype development, specialized training on developing technology, and pure research in any field related or adaptable to business and industry.

(e) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the corporate limits of a municipality or within 1 1/2 miles of the corporate limits of a municipality if the area is to be annexed to the municipality, if the area is zoned as industrial no later than the date on which the municipality by ordinance designates the redevelopment project area, and if the area includes improved or vacant land suitable for use as an industrial park or a research park, or both. To be designated as an industrial park conservation area, the area shall also satisfy one of the following standards:

(1) Standard One: The municipality must be a labor surplus municipality and the area must be served by adequate public and or road transportation for access by the unemployed and for the movement of goods or materials and the redevelopment project area shall contain no more than 2% of the most recently ascertained equalized assessed value of all taxable real properties within the corporate limits of the municipality after adjustment for all annexations associated with the establishment of the redevelopment project area or be located in the vicinity of a waste disposal site or other waste facility. The project plan shall include a plan for and shall establish a marketing program to attract appropriate businesses to the proposed industrial park conservation area and shall include an adequate plan for financing and construction of the necessary infrastructure. No redevelopment projects may be authorized by the municipality under Standard One of subsection (e) of this Section unless the project plan also provides for an employment training project that would prepare unemployed workers for work in the industrial park conservation

New matter indicated by italics - deletions by strikeout
area, and the project has been approved by official action of or is to be operated by the local community college district, public school district or state or locally designated private industry council or successor agency, or

(2) Standard Two: The municipality must be a substantial labor surplus municipality and the area must be served by adequate public and or road transportation for access by the unemployed and for the movement of goods or materials and the redevelopment project area shall contain no more than 2% of the most recently ascertained equalized assessed value of all taxable real properties within the corporate limits of the municipality after adjustment for all annexations associated with the establishment of the redevelopment project area. No redevelopment projects may be authorized by the municipality under Standard Two of subsection (e) of this Section unless the project plan also provides for an employment training project that would prepare unemployed workers for work in the industrial park conservation area, and the project has been approved by official action of or is to be operated by the local community college district, public school district or state or locally designated private industry council or successor agency.

(f) "Vacant industrial buildings conservation area" means an area containing one or more industrial buildings located within the corporate limits of the municipality that has been zoned industrial for at least 5 years before the designation of that area as a redevelopment project area by the municipality and is planned for reuse principally for industrial purposes. For the area to be designated as a vacant industrial buildings conservation area, the area shall also satisfy one of the following standards:

(1) Standard One: The area shall consist of one or more industrial buildings totaling at least 50,000 net square feet of industrial space, with a majority of the total area of all the buildings having been vacant for at least 18 months; and (A) the area is located in a labor surplus municipality or a substantial labor surplus municipality, or (B) the equalized assessed value of the

New matter indicated by italics - deletions by strikeout
properties within the area during the last 2 years is at least 25% lower than the maximum equalized assessed value of those properties during the immediately preceding 10 years.

(2) Standard Two: The area exclusively consists of industrial buildings or a building complex operated by a user or related users (A) that has within the immediately preceding 5 years either (i) employed 200 or more employees at that location, or (ii) if the area is located in a municipality with a population of 12,000 or less, employed more than 50 employees at that location and (B) either is currently vacant, or the owner has: (i) directly notified the municipality of the user's intention to terminate operations at the facility or (ii) filed a notice of closure under the Worker Adjustment and Retraining Notification Act.

(g) "Labor surplus municipality" means a municipality in which, during the 4 calendar years immediately preceding the date the municipality by ordinance designates an industrial park conservation area, the average unemployment rate was 1% or more over the State average unemployment rate for that same period of time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection (g), if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be: (i) for a municipality that is not in an urban county, the same as the unemployment rate in the principal county where the municipality is located or (ii) for a municipality in an urban county at that municipality's option, either the unemployment rate certified for the municipality by the Department after consultation with the Illinois Department of Labor or the federal Bureau of Labor Statistics, or the unemployment rate of the municipality as determined by the most recent federal census if that census was not dated more than 5 years prior to the date on which the determination is made.

(h) "Substantial labor surplus municipality" means a municipality in which, during the 5 calendar years immediately preceding the date the municipality by ordinance designates an industrial park conservation area,
the average unemployment rate was 2% or more over the State average unemployment rate for that same period of time as published in the United States Department of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection (h), if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be: (i) for a municipality that is not in an urban county, the same as the unemployment rate in the principal county in which the municipality is located; or (ii) for a municipality in an urban county, at that municipality's option, either the unemployment rate certified for the municipality by the Department after consultation with the Illinois Department of Labor or the federal Bureau of Labor Statistics, or the unemployment rate of the municipality as determined by the most recent federal census if that census was not dated more than 5 years prior to the date on which the determination is made.

(i) "Municipality" means a city, village or incorporated town.

(k) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality, which according to the redevelopment project or plan are to be used for a private use, that taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and that would result from levies made after the time of the adoption of tax increment allocation financing until the time the current equalized assessed value of real property in the redevelopment project area exceeds the total initial equalized assessed value of real property in that area.

(l) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate the conditions that qualified the redevelopment project area or redevelopment planning area, or both, as an environmentally contaminated area or industrial park.

New matter indicated by italics - deletions by strikeout
conservation area, or vacant industrial buildings conservation area, or combination thereof, and thereby to enhance the tax bases of the taxing districts that extend into the redevelopment project area or redevelopment planning area. On and after the effective date of this amendatory Act of the 91st General Assembly, no redevelopment plan may be approved or amended to include the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan must set forth in writing the bases for the municipal findings required in this subsection, the program to be undertaken to accomplish the objectives, including but not limited to: (1) an itemized list of estimated redevelopment project costs, (2) evidence indicating that the redevelopment project area or the redevelopment planning area, or both, on the whole has not been subject to growth and development through investment by private enterprise, (3) (i) in the case of an environmentally contaminated area, industrial park conservation area, or a vacant industrial buildings conservation area classified under either Standard One, or Standard Two of subsection (f) where the building is currently vacant, evidence that implementation of the redevelopment plan is reasonably expected to create a significant number of permanent full time jobs, (ii) in the case of a vacant industrial buildings conservation area classified under Standard Two (B)(i) or (ii) of subsection (f), evidence that implementation of the redevelopment plan is reasonably expected to retain a significant number of existing permanent full time jobs, and (iii) in the case of a combination of an environmentally contaminated area, industrial park conservation area, or vacant industrial buildings conservation area, evidence that the standards concerning the creation or retention of jobs for each area set forth in (i) or (ii) above are met, (4) an assessment of the financial impact of the redevelopment project area or the redevelopment planning area, or both, on the overlapping taxing bodies or any increased demand for services from any

New matter indicated by italics - deletions by strikeout
taxing district affected by the plan and any program to address such financial impact or increased demand, (5) the sources of funds to pay costs, (6) the nature and term of the obligations to be issued, (7) the most recent equalized assessed valuation of the redevelopment project area or the redevelopment planning area, or both, (8) an estimate of the equalized assessed valuation after redevelopment and the general land uses that are applied in the redevelopment project area or the redevelopment planning area, or both, (9) a commitment to fair employment practices and an affirmative action plan, (10) if it includes an industrial park conservation area, the following: (i) a general description of any proposed developer, (ii) user and tenant of any property, (iii) a description of the type, structure and general character of the facilities to be developed, and (iv) a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed, (11) if it includes an environmentally contaminated area, the following: either (i) a determination of release or substantial threat of release of a hazardous substance or pesticide or of petroleum by the United States Environmental Protection Agency or the Illinois Environmental Protection Agency, or the Illinois Pollution Control Board or any court; or (ii) both an environmental audit report by a nationally recognized independent environmental auditor having a reputation for expertise in these matters and a copy of the signed Review and Evaluation Services Agreement indicating acceptance of the site by the Illinois Environmental Protection Agency into the Pre-Notice Site Cleanup Program, (12) if it includes a vacant industrial buildings conservation area, the following: (i) a general description of any proposed developer, (ii) user and tenant of any building or buildings, (iii) a description of the type, structure and general character of the building or buildings to be developed, and (iv) a description of the type, class and number of new employees to be employed or existing employees to be retained in the operation of the building or buildings to be redeveloped, and (13) if property is to be annexed to the municipality, the terms of the annexation agreement.

No redevelopment plan shall be adopted by a municipality without findings that:

New matter indicated by italics - deletions by strikeout
(1) the redevelopment project area or redevelopment planning area, or both, on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed in accordance with public goals stated in the redevelopment plan without the adoption of the redevelopment plan;

(2) the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality or (ii) includes land uses that have been approved by the planning commission of the municipality;

(3) that the redevelopment plan is reasonably expected to create or retain a significant number of permanent full time jobs as set forth in paragraph (3) of subsection (l) above;

(4) the estimated date of completion of the redevelopment project and retirement of obligations incurred to finance redevelopment project costs is not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.6-35 is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted; a municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (4) as amended by this amendatory Act of the 91st General Assembly concerning ordinances adopted on or after January 15, 1981, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Law pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area;

New matter indicated by italics - deletions by strikeout
(5) in the case of an industrial park conservation area, that the municipality is a labor surplus municipality or a substantial labor surplus municipality and that the implementation of the redevelopment plan is reasonably expected to create a significant number of permanent full time new jobs and, by the provision of new facilities, significantly enhance the tax base of the taxing districts that extend into the redevelopment project area;

(6) in the case of an environmentally contaminated area, that the area is subject to a release or substantial threat of release of a hazardous substance, pesticide or petroleum which presents an imminent and substantial danger to public health or welfare or presents a significant threat to public health or environment, that such release or threat of release will have a significant impact on the cost of redeveloping the area, that the implementation of the redevelopment plan is reasonably expected to result in the area being redeveloped, the tax base of the affected taxing districts being significantly enhanced thereby, and the creation of a significant number of permanent full time jobs; and

(7) in the case of a vacant industrial buildings conservation area, that the area is located within the corporate limits of a municipality that has been zoned industrial for at least 5 years before its designation as a project redeveloped area, that it contains one or more industrial buildings, and whether the area has been designated under Standard One or Standard Two of subsection (f) and the basis for that designation.

(m) "Redevelopment project" means any public or private development project in furtherance of the objectives of a redevelopment plan. On and after the effective date of this amendatory Act of the 91st General Assembly, no redevelopment plan may be approved or amended to include the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this

New matter indicated by italics - deletions by strikeout
subsection, "recreational activities" is limited to mean camping and hunting.

(n) "Redevelopment project area" means a contiguous area designated by the municipality that is not less in the aggregate than 1 1/2 acres, and for which the municipality has made a finding that there exist conditions that cause the area to be classified as an industrial park conservation area, a vacant industrial building conservation area, an environmentally contaminated area or a combination of these types of areas.

(o) "Redevelopment project costs" means the sum total of all reasonable or necessary costs incurred or estimated to be incurred by the municipality, and any of those costs incidental to a redevelopment plan and a redevelopment project. These costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan, staff and professional service costs for architectural, engineering, legal, marketing, financial, planning, or other services, but no charges for professional services may be based on a percentage of the tax increment collected; except that on and after the effective date of this amendatory Act of the 91st General Assembly, no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement
shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.

(2) Property assembly costs within a redevelopment project area, including but not limited to acquisition of land and other real or personal property or rights or interests therein.

(3) Site preparation costs, including but not limited to clearance of any area within a redevelopment project area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading; and including installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public site improvements within or without a redevelopment project area which are essential to the preparation of the redevelopment project area for use in accordance with a redevelopment plan.

(4) Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of any existing public or private buildings, improvements, and fixtures within a redevelopment project area; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.

(5) Costs of construction within a redevelopment project area of public improvements, including but not limited to, buildings, structures, works, utilities or fixtures, except that on and

New matter indicated by italics - deletions by strikeout
after the effective date of this amendatory Act of the 91st General Assembly, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (4) unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to the effective date of this amendatory Act of the 91st General Assembly or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan.

(6) Costs of eliminating or removing contaminants and other impediments required by federal or State environmental laws, rules, regulations, and guidelines, orders or other requirements or those imposed by private lending institutions as a condition for approval of their financial support, debt or equity, for the redevelopment projects, provided, however, that in the event (i) other federal or State funds have been certified by an administrative agency as adequate to pay these costs during the 18 months after the adoption of the redevelopment plan, or (ii) the municipality has been reimbursed for such costs by persons legally responsible for them, such federal, State, or private funds shall, insofar as possible, be fully expended prior to the use of any revenues deposited in the special tax allocation fund of the municipality and any other such federal, State or private funds received shall be deposited in the fund. The municipality shall seek reimbursement of these costs from persons legally responsible for these costs and the costs of obtaining this reimbursement.

New matter indicated by italics - deletions by strikeout
(7) Costs of job training and retraining projects.

(8) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued under this Act including interest accruing during the estimated period of construction of any redevelopment project for which the obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related to those costs.

(9) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves those costs.

(10) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law.

(11) Payments in lieu of taxes.

(12) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, if those costs are: (i) related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) are incurred by a taxing district or taxing districts other than the municipality and are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the

New matter indicated by italics - deletions by strikeout
agreement. These costs include, specifically, the payment by community college districts of costs under Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs under Sections 10-22.20a and 10-23.3a of the School Code.

(13) The interest costs incurred by redevelopers or other nongovernmental persons in connection with a redevelopment project, and specifically including payments to redevelopers or other nongovernmental persons as reimbursement for such costs incurred by such redeveloper or other nongovernmental person, provided that:

(A) interest costs shall be paid or reimbursed by a municipality only pursuant to the prior official action of the municipality evidencing an intent to pay or reimburse such interest costs;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) except as provided in subparagraph (E), the aggregate amount of such costs paid or reimbursed by a municipality shall not exceed 30% of the total (i) costs paid or incurred by the redeveloper or other nongovernmental person in that year plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act;

(D) interest costs shall be paid or reimbursed by a municipality solely from the special tax allocation fund established pursuant to this Act and shall not be paid or reimbursed from the proceeds of any obligations issued by a municipality;

(E) if there are not sufficient funds available in the special tax allocation fund in any year to make such payment or reimbursement in full, any amount of such interest cost remaining to be paid or reimbursed by a
municipality shall accrue and be payable when funds are available in the special tax allocation fund to make such payment.

(14) The costs of construction of new privately owned buildings shall not be an eligible redevelopment project cost.

If a special service area has been established under the Special Service Area Tax Act, then any tax increment revenues derived from the tax imposed thereunder to the Special Service Area Tax Act may be used within the redevelopment project area for the purposes permitted by that Act as well as the purposes permitted by this Act.

(p) "Redevelopment Planning Area" means an area so designated by a municipality after the municipality has complied with all the findings and procedures required to establish a redevelopment project area, including the existence of conditions that qualify the area as an industrial park conservation area, or an environmentally contaminated area, or a vacant industrial buildings conservation area, or a combination of these types of areas, and adopted a redevelopment plan and project for the planning area and its included redevelopment project areas. The area shall not be designated as a redevelopment planning area for more than 5 years. At any time in the 5 years following that designation of the redevelopment planning area, the municipality may designate the redevelopment project area, or any portion of the redevelopment planning area, as a redevelopment project area without making additional findings or complying with additional procedures required for the creation of a redevelopment project area. An amendment of a redevelopment plan and project in accordance with the findings and procedures of this Act after the designation of a redevelopment planning area at any time within the 5 years after the designation of the redevelopment planning area shall not require new qualification of findings for the redevelopment project area to be designated within the redevelopment planning area.

The terms "redevelopment plan", "redevelopment project", and "redevelopment project area" have the definitions set out in subsections (l), (m), and (n), respectively.
(q) "Taxing districts" means counties, townships, municipalities, and school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(r) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and a direct result of the redevelopment project.

(s) "Urban county" means a county with 240,000 or more inhabitants.

(t) "Vacant area", as used in subsection (a) of this Section, means any parcel or combination of parcels of real property without industrial, commercial and residential buildings that has not been used for commercial agricultural purposes within 5 years before the designation of the redevelopment project area, unless that parcel is included in an industrial park conservation area.

(Source: P.A. 90-655, eff. 7-30-98; 91-474, eff. 11-1-99; revised 12-6-03.)

Section 575. The Metropolitan Pier and Exposition Authority Act is amended by changing Sections 10.1, 13.1, and 22.1 as follows:

(70 ILCS 210/10.1) (from Ch. 85, par. 1230.1)

Sec. 10.1. (a) The Authority is hereby authorized to provide for the issuance, from time to time, of refunding or advance refunding bonds for the purpose of refunding any bonds or notes then outstanding (herein collectively referred to as bonds) at or prior to maturity or on any redemption date, whether an entire issue or series, or one or more issues or series, or any portions or parts of any issue or series, which shall have been issued under the provisions of this Act.

(b) The proceeds of any such refunding bonds may be used to carry out one or more of the following purposes:

(1) To pay the principal amount of all outstanding bonds to be retired at maturity or redeemed prior to maturity;

New matter indicated by italics - deletions by strikeout
(2) To pay the total amount of any redemption premium incident to redemption of such outstanding bonds to be refunded;
(3) To pay the total amount of any interest accrued or to accrue to the date or dates of redemption or maturity of such outstanding bonds to be refunded;
(4) To pay any and all costs or expenses incident to such refunding;
(5) To establish reserves for the payment of such refunding bonds and the interest thereon.

(c) The issuance of refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the rights, duties and obligations of the Authority in respect of the same shall be governed by the provisions of this Act, insofar as the same may be applicable, and may in harmony therewith be augmented or supplemented by resolution or ordinance to conform to the facts and circumstances prevailing in each instance of issuance of such refunding bonds; provided that, with respect to refunding or advance refunding bonds issued before January 1, 1991, the Authority shall consult with the Illinois Governor's Office of Management and Budget (formerly Bureau of the Budget) to develop the structure of the proposed transaction.

After the adoption by the Board of an ordinance authorizing the issuance of such refunding bonds before January 1, 1991, and the execution of any proposal or contract relating to the sale thereof, the Authority shall prepare and deliver a report as soon as practical to the Director of the Governor's Office of Management and Budget (formerly Bureau of the Budget), the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives setting forth the amount of refunding bonds, the interest rate or rates, a schedule of estimated debt service requirements, the projected cost savings to the State, the method or manner of the sale and any participants therein, including underwriters, financial advisors, attorneys, accountants, trustees, printers, registrars and paying agents.

New matter indicated by italics - deletions by strikeout
(d) With reference to the investment of the proceeds of any such refunding bonds, the interest on which is exempt from tax under federal law, the Authority shall not authorize or anticipate investment earnings exceeding such as are authorized or permitted under prevailing federal laws, regulations and administrative rulings relating to arbitrage bonds.

(e) The proceeds of any such refunding bonds (together with any other funds available for application to refunding purposes, if so provided or permitted by ordinance authorizing the issuance of such refunding bonds or in a trust agreement securing the same) may be placed in trust to be applied to the purchase, retirement at maturity or redemption of the bonds to be refunded on such dates as may be determined by the Authority. Pending application thereof, the proceeds of such refunding bonds and such other available funds, if any, may be invested in direct obligations of, or obligations the principal thereof and the interest on which are unconditionally guaranteed by, the United States of America which shall mature, or which shall be subject to redemption by the holder thereof at its option not later than the respective date or dates when such proceeds and other available funds, if any, (either together with the interest accruing thereon or without considering the interest accruing thereon) will be required for the refunding purpose intended or authorized.

(f) Upon the deposit of the proceeds of the refunding bonds (together with any other funds available for application to refunding purposes, if so provided or permitted by ordinance authorizing the issuance of such refunding bonds or in a trust agreement securing the same) in an irrevocable trust pursuant to a trust agreement with a trustee requiring the trustee to satisfy the obligations of the Authority to timely redeem and retire the outstanding bonds for which the proceeds and other funds, if any, are deposited, in an amount sufficient to satisfy the obligation of the Authority to timely redeem and retire such outstanding bonds or upon the deposit in such irrevocable trust of direct obligations which, or obligations the principal and interest of which, are unconditionally guaranteed by the United States of America, in an amount sufficient to pay all principal and all interest accrued and to be accrued in respect of the bonds to be refunded from the reinvestment of such

New matter indicated by italics - deletions by strikeout
principal and interest, or in such amounts so that upon maturity (or upon optional redemption by the trustee) of such obligations amounts will be produced, taking into account investment earnings, on a timely basis sufficient to satisfy the obligations of the Authority to timely redeem and retire such outstanding bonds, and notwithstanding any provision of any ordinance or trust agreement authorizing the issuance of such outstanding bonds to the contrary, such outstanding bonds shall be deemed paid and no longer be deemed to be outstanding for purposes of such ordinance or trust agreement, and all rights and obligations of the bond holders and the Authority under such prior ordinance or trust agreement shall be deemed discharged, provided, however, that the holders of such outstanding bonds shall have an irrevocable and unconditional right to payment in full of all principal of and premium if any and interest on such outstanding bonds when due from the amounts on deposit in such trust. The trustee shall be any trust company or bank in the State of Illinois having the power of a trust company possessing capital and surplus of not less than $100,000,000.

(g) Bond proceeds on deposit in the construction fund, are authorized to be used to pay principal or interest on the refunded bonds and the Authority is authorized to issue bonds for the purpose of reimbursing its construction fund in the amount of the bond proceeds used in connection with the refunding issuance. That portion of the bond proceeds used to reimburse the construction fund shall be deemed refunding bonds for the purposes of this Act.
(Source: P.A. 87-733; revised 8-23-03.)

(70 ILCS 210/13.1) (from Ch. 85, par. 1233.1)

Sec. 13.1. There is hereby created the Metropolitan Fair and Exposition Authority Improvement Bond Fund and the Metropolitan Fair and Exposition Authority Completion Note Subordinate Fund in the State Treasury. All moneys transferred from the McCormick Place Account in the Build Illinois Fund to the Metropolitan Fair and Exposition Authority Improvement Bond Fund and all moneys transferred from the Metropolitan Fair and Exposition Authority Improvement Bond Fund to the Metropolitan Fair and Exposition Authority Completion Note

New matter indicated by italics - deletions by strikeout
Subordinate Fund may be appropriated by law for the purpose of paying the debt service requirements on all bonds and notes issued under this Section, including refunding bonds, (herein collectively referred to as bonds) to be issued by the Authority subsequent to July 1, 1984 in an aggregate amount (excluding the amount of any refunding bonds issued by the Authority subsequent to January 1, 1986), not to exceed $312,500,000, with such aggregate amount comprised of (i) an amount not to exceed $259,000,000 for the purpose of paying costs of the Project and (ii) the balance for the purpose of refunding those bonds of the Authority that were issued prior to July 1, 1984 and for the purpose of establishing necessary reserves on, paying capitalized interest on, and paying costs of issuance of bonds, other than refunding bonds issued subsequent to January 1, 1986, issued for those purposes, provided that any proceeds of bonds, other than refunding bonds issued subsequent to January 1, 1986, and interest or other investment earnings thereon not used for the purposes stated in items (i) and (ii) above shall be used solely to redeem outstanding bonds, other than bonds which have been refunded or advance refunded, of the Authority. The Authority will use its best efforts to cause all bonds issued pursuant to this Section, other than bonds which have been refunded or advance refunded, to be or to become on a parity with one another. Notwithstanding any provision of any prior ordinance or trust agreement authorizing the issuance of outstanding bonds payable or to become payable from the Metropolitan Fair and Exposition Authority Improvement Bond Fund, refunding or advance refunding bonds may be issued subsequent to January 1, 1986, payable from the Metropolitan Fair and Exposition Authority Improvement Bond Fund on a parity with any such prior bonds which remain outstanding provided, that in the event of any such partial refunding (i) the debt service requirements after such refunding for all bonds payable from the Metropolitan Fair and Exposition Authority Improvement Bond Fund issued after July 1, 1984, by the Authority which shall be outstanding after such refunding shall not have been increased by reason of such refunding in any then current or future fiscal year in which such prior outstanding bonds shall remain outstanding and (ii) such parity refunding bonds shall be deemed to be parity bonds.
issued to pay costs of the Project for purposes of such prior ordinance or trust agreement. It is hereby found and determined that (i) the issuance of such parity refunding bonds shall further the purposes of this Act and (ii) the contractual rights of the bondholders under any such prior ordinance or trust agreement will not be impaired or adversely affected by such issuance.

No amounts in excess of the sum of $250,000,000 plus all interest and other investment income earned prior to the effective date of this amendatory Act of 1985 on all proceeds of all bonds issued for the purpose of paying costs of the Project shall be obligated or expended with respect to the costs of the Project without prior written approval from the Director of the Governor's Office of Management and Budget Bureau of the Budget. Such approval shall be based upon factors including, but not limited to, the necessity, in relation to the Authority's ability to complete the Project and open the facility to the public in a timely manner, of incurring the costs, and the appropriateness of using bond funds for such purpose. The Director of the Governor's Office of Management and Budget Bureau of the Budget may, in his discretion, consider other reasonable factors in determining whether to approve payment of costs of the Project. The Authority shall furnish to the Governor's Office of Management and Budget Bureau of the Budget such information as may from time to time be requested. The Director of the Governor's Office of Management and Budget Bureau of the Budget or any duly authorized employee of the Governor's Office of Management and Budget Bureau of the Budget shall, for the purpose of securing such information, have access to, and the right to examine, all books, documents, papers and records of the Authority.

On the first day of each month commencing after July of 1984, moneys, if any, on deposit in the Metropolitan Fair and Exposition Authority Improvement Bond Fund shall, subject to appropriation by law, be paid in full to the Authority or upon its direction to the trustee or trustees for bond holders of bonds which by their terms are payable from the moneys received from the Metropolitan Fair and Exposition Authority Improvement Bond Fund issued by the Metropolitan Pier and Exposition

New matter indicated by italics - deletions by strikeout
Authority subsequent to July 1, 1984, for the purposes specified in the first paragraph of this Section and in Section 10.1 of this Act, such trustee or trustees having been designated pursuant to ordinance of the Authority, until an amount equal to 100% of the aggregate amount of such principal and interest in such fiscal year, including pursuant to sinking fund requirements, has been so paid and deficiencies in reserves established from bond proceeds shall have been remedied.

On the first day of each month commencing after October of 1985, moneys, if any, on deposit in the Metropolitan Fair and Exposition Authority Completion Note Subordinate Fund shall, subject to appropriation by law, be paid in full to the Authority or upon its direction to the trustee or trustees for bond holders of bonds issued by the Metropolitan Pier and Exposition Authority subsequent to September of 1985 which by their terms are payable from moneys received from the Metropolitan Fair and Exposition Authority Completion Note Subordinate Fund for the purposes specified in the first paragraph of this Section and in Section 10.1 of this Act, such trustee or trustees having been designated pursuant to ordinance of the Authority, until an amount equal to 100% of the aggregate amount of such principal and interest in such fiscal year, including pursuant to sinking fund requirements, has been so paid and deficiencies in reserves established from bond proceeds shall have been remedied.

The State of Illinois pledges to and agrees with the holders of the bonds of the Metropolitan Pier and Exposition Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Metropolitan Pier and Exposition Authority by this Act so as to impair the terms of any contract made by the Metropolitan Pier and Exposition Authority with such holders or in any way impair the rights and remedies of such holders until such bonds, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds of the Metropolitan Pier and Exposition Authority issued pursuant to this Act that the State will not

New matter indicated by italics - deletions by strikeout
limit or alter the basis on which State funds are to be paid to the Metropolitan Pier and Exposition Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Metropolitan Pier and Exposition Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds issued pursuant to this Section.

The State shall not be liable on bonds of the Metropolitan Pier and Exposition Authority issued under this Act, and such bonds shall not be a debt of the State, nor shall this Act be construed as a guarantee by the State of the debts of the Metropolitan Pier and Exposition Authority. The bonds shall contain a statement to such effect on the face thereof.

(Source: P.A. 86-17; 87-733; revised 8-23-03.)

(70 ILCS 210/22.1) (from Ch. 85, par. 1242.1)

Sec. 22.1. The Authority shall pass all ordinances and make all rules and regulations necessary to assure equal access for economically disadvantaged persons, including but not limited to persons eligible for assistance pursuant to the Job Training Partnership Act, to all positions of employment provided for by the Authority pursuant to Section 22 and to all positions of employment with any person performing any work for the Authority. The Authority shall submit a detailed employment report not later than March 1 of each year to the General Assembly. The Department of Commerce and Economic Opportunity Community Affairs shall monitor the Authority's compliance with this Section.

(Source: P.A. 83-1129; revised 12-6-03.)

Section 580. The Quad Cities Regional Economic Development Authority Act, approved September 22, 1987 is amended by changing Sections 4 and 19 as follows:

(70 ILCS 510/4) (from Ch. 85, par. 6204)

Sec. 4. (a) There is hereby created a political subdivision, body politic and municipal corporation named the Quad Cities Regional Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Rock Island, Henry, Knox, and Mercer counties in the State of Illinois and any navigable waters and air space located therein.

New matter indicated by italics - deletions by strikeout
(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 11 members including, as an ex officio member, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee. The other 10 members of the Authority shall be designated "public members", 6 of whom shall be appointed by the Governor with the advice and consent of the Senate. Of the 6 members appointed by the Governor, one shall be from a city within the Authority's territory with a population of 25,000 or more and the remainder shall be appointed at large. Of the 6 members appointed by the Governor, 2 members shall have business or finance experience. One member shall be appointed by each of the county board chairmen of Rock Island, Henry, Knox, and Mercer Counties with the advice and consent of the respective county board. All public members shall reside within the territorial jurisdiction of this Act. Six members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be a public member elected by the affirmative vote of not fewer than 6 members of the Authority. The term of the Chairman shall be one year.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Act, except (i) the terms of those members added by this amendatory Act of 1989 shall begin 30 days after the effective date of this amendatory Act of 1989 and (ii) the terms of those members added by this amendatory Act of the 92nd General Assembly shall begin 30 days after the effective date of this amendatory Act of the 92nd General Assembly. Of the 10 public members appointed pursuant to this Act, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1989, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1990, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1991, 2 (both of whom shall be
appointed by the Governor) shall serve until the third Monday in January, 1992, and 2 (one of whom shall be appointed by the Governor and one of whom shall be appointed by the county board chairman of Knox County) shall serve until the third Monday in January, 2004. The initial terms of the members appointed by the county board chairmen (other than the county board chairman of Knox County) shall be determined by lot. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority appointed by the Governor in case of incompetency, neglect of duty, or malfeasance in office. The Chairman of a county board may remove any public member of the Authority appointed by such Chairman in the case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Authority may engage
the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(70 ILCS 510/19) (from Ch. 85, par. 6219)

Sec. 19. Civic Center. The Authority shall commence a study to determine the feasibility of a civic center or other public assembly hall or arena to be located within the territorial jurisdiction of the Authority. This report shall address, at a minimum, marketing analysis, site availability, competition, funding sources available from the Department of Commerce and Economic Opportunity Community Affairs, and other matters deemed appropriate by the board.

(Source: P.A. 85-713; revised 12-6-03.)

Section 585. The Quad Cities Regional Economic Development Authority Act, certified December 30, 1987 is amended by changing Section 4 as follows:

(70 ILCS 515/4) (from Ch. 85, par. 6504)

Sec. 4. (a) There is hereby created a political subdivision, body politic and municipal corporation named the Quad Cities Regional Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Rock Island, Henry and Mercer counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 7 members including, as an ex officio member, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee. The other 8
members of the Authority shall be designated "public members", 3 of whom shall be appointed by the Governor with the advice and consent of the Senate. Of the 3 members appointed by the Governor, one shall be from a city within the Authority's territory with a population of 25,000 or more and the remainder shall be appointed at large. One member shall be appointed by each of the county board chairmen of Rock Island, Henry and Mercer counties with the advice and consent of the respective county board. All public members shall reside within the territorial jurisdiction of this Act. Four members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be a public member elected by the affirmative vote of not fewer than 4 members of the Authority. The term of the Chairman shall be one year.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Act. Of the 6 public members appointed pursuant to this Act, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1989, 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1990, and 2 (one of whom shall be appointed by the Governor) shall serve until the third Monday in January, 1991. The initial terms of the members appointed by the county board chairmen shall be determined by lot. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be
appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority appointed by the Governor in case of incompetency, neglect of duty, or malfeasance in office. The Chairman of a county board may remove any public member of the Authority appointed by such Chairman in the case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 85-988; revised 12-6-03.)

Section 590. The Southwestern Illinois Development Authority Act is amended by changing Section 4 as follows:

(70 ILCS 520/4) (from Ch. 85, par. 6154)
Sec. 4. (a) There is hereby created a political subdivision, body politic and municipal corporation named the Southwestern Illinois

New matter indicated by italics - deletions by strikeout
Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Madison, St. Clair, and Clinton counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 11 members including, as ex officio members, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee, and the Director of Central Management Services, or his or her designee. The other 9 members of the Authority shall be designated "public members", 4 of whom shall be appointed by the Governor with the advice and consent of the Senate, 2 of whom shall be appointed by the county board chairman of Madison County, 2 of whom shall be appointed by the county board chairman of St. Clair County, and one of whom shall be appointed by the county board chairman of Clinton County. All public members shall reside within the territorial jurisdiction of this Act. Six members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 4 members appointed by the county board chairmen.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Act. Of the 8 public members appointed pursuant to this Act, 3 shall serve until the third Monday in January, 1988, 3 shall serve until the third Monday in January, 1989, and 2 shall serve until the third Monday in January, 1990. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary
appointment until the next meeting of the Senate when a person shall be
nominated to fill such office, and any person so nominated who is
confirmed by the Senate shall hold office during the remainder of the term
and until a successor shall be appointed and qualified. Members of the
Authority shall not be entitled to compensation for their services as
members but shall be entitled to reimbursement for all necessary expenses
incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority
in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a
background in finance, including familiarity with the legal and procedural
requirements of issuing bonds, real estate or economic development and
administration. The Executive Director shall hold office at the discretion
of the Board. The Executive Director shall be the chief administrative and
operational officer of the Authority, shall direct and supervise its
administrative affairs and general management, shall perform such other
duties as may be prescribed from time to time by the members and shall
receive compensation fixed by the Authority. The Executive Director shall
attend all meetings of the Authority; however, no action of the Authority
shall be invalid on account of the absence of the Executive Director from a
meeting. The Authority may engage the services of such other agents and
employees, including attorneys, appraisers, engineers, accountants, credit
analysts and other consultants, as it may deem advisable and may prescribe
their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting
members for appointment by the Governor. Non-voting members shall be
persons of recognized ability and experience in one or more of the
following areas: economic development, finance, banking, industrial
development, small business management, real estate development,
community development, venture finance, organized labor or civic,
community or neighborhood organization. Non-voting members shall
serve at the pleasure of the Board. All non-voting members may attend
meetings of the Board and shall be reimbursed as provided in subsection
(c).

New matter indicated by italics - deletions by strikeout
(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the city of East St. Louis and on the economic development of the riverfront within the territorial jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Act, shall serve at the pleasure of the Board and shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 93-602, eff. 11-18-03; revised 12-6-03.)

Section 595. The Tri-County River Valley Development Authority Law is amended by changing Section 2004 as follows:

(70 ILCS 525/2004) (from Ch. 85, par. 7504)


(a) There is hereby created a political subdivision, body politic and municipal corporation named the Tri-County River Valley Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Peoria, Tazewell and Woodford counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 11 members including, as ex officio members, the Director of Commerce and Economic Opportunity Community Affairs, or his or her designee, and the Director of Natural Resources, or that Director's designee. The other 9 members of the Authority shall be designated "public members", 3 of whom shall be appointed by the Governor, 3 of whom shall be appointed one each by the county board chairmen of Peoria, Tazewell and Woodford counties and 3 of whom shall be appointed one each by the city councils of East Peoria, Pekin and Peoria. All public members shall reside within the territorial jurisdiction of this Act. Six members shall constitute a quorum. The public

New matter indicated by italics - deletions by strikeout
members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 6 members appointed by the county board chairmen and city councils.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Article. Of the 9 public members appointed pursuant to this Act, 3 shall serve until the third Monday in January 1992, 3 shall serve until the third Monday in January 1993, and 3 shall serve until the third Monday in January 1994. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board may appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other
duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting members for appointment by the Governor. Non-voting members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. Non-voting members shall serve at the pleasure of the Board. All non-voting members may attend meetings of the Board and may be reimbursed as provided in subsection (c).

(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Article, shall serve at the pleasure of the Board and shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 89-445, eff. 2-7-96; 90-655, eff. 7-30-98; revised 12-6-03.)

Section 600. The Upper Illinois River Valley Development Authority Act is amended by changing Section 4 as follows:

(70 ILCS 530/4) (from Ch. 85, par. 7154)

New matter indicated by italics - deletions by strikeout
Sec. 4. Establishment.

(a) There is hereby created a political subdivision, body politic and municipal corporation named the Upper Illinois River Valley Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, McHenry, and Marshall counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 20 members including, as ex officio members, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee, and the Director of the Department of Central Management Services, or his or her designee. The other 18 members of the Authority shall be designated "public members", 10 of whom shall be appointed by the Governor with the advice and consent of the Senate and 8 of whom shall be appointed one each by the county board chairmen of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, McHenry, and Marshall counties. All public members shall reside within the territorial jurisdiction of this Act. Eleven members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 8 members appointed by the county board chairmen.

(c) The terms of all initial members of the Authority shall begin 30 days after the effective date of this Act. Of the 14 public members appointed pursuant to this Act, 4 appointed by the Governor shall serve until the third Monday in January, 1992, 4 appointed by the Governor shall serve until the third Monday in January, 1993, one appointed by the Governor shall serve until the third Monday in January, 1994, one appointed by the Governor shall serve until the third Monday in January 1999, the member appointed by the county board chairman of LaSalle County shall serve until the third Monday in January, 1992, the members
appointed by the county board chairmen of Grundy County, Bureau County, Putnam County, and Marshall County shall serve until the third Monday in January, 1994, and the member appointed by the county board chairman of Kendall County shall serve until the third Monday in January, 1999. The initial members appointed by the chairmen of the county boards of Kane and McHenry counties shall serve until the third Monday in January, 2003. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and

New matter indicated by italics - deletions by strikeout
employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting members for appointment by the Governor. Non-voting members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. Non-voting members shall serve at the pleasure of the Board. All non-voting members may attend meetings of the Board and shall be reimbursed as provided in subsection (c).

(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Act, shall serve at the pleasure of the Board and shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 91-905, eff. 7-7-00; revised 12-6-03.)

Section 605. The Will-Kankakee Regional Development Authority Law is amended by changing Section 4 as follows:

(70 ILCS 535/4) (from Ch. 85, par. 7454)
Sec. 4. Establishment.
(a) There is hereby created a political subdivision, body politic and municipal corporation named the Will-Kankakee Regional Development Authority. The territorial jurisdiction of the Authority is that geographic
area within the boundaries of Will and Kankakee counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 10 members including, as an ex officio member, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee. The other 9 members of the Authority shall be designated "public members", 3 of whom shall be appointed by the Governor, 3 of whom shall be appointed by the county board chairman of Will County, and 3 of whom shall be appointed by the county board chairman of Kankakee County. All public members shall reside within the territorial jurisdiction of this Act. Six members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 6 members appointed by the county board chairmen.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Act. Of the 9 public members appointed pursuant to this Act, 3 shall serve until the third Monday in January 1992, 3 shall serve until the third Monday in January 1993, and 3 shall serve until the third Monday in January 1994. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as
members but may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board may appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting members for appointment by the Governor. Non-voting members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. Non-voting members shall serve at the pleasure of the Board. All non-voting members may attend meetings of the Board and may be reimbursed as provided in subsection (c).

(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Act, shall serve at the pleasure of the Board and shall be persons of recognized ability and

New matter indicated by italics - deletions by strikeout
experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 86-1481; revised 12-6-03.)

Section 610. The Northeastern Illinois Planning Act is amended by changing Sections 14, 35, 36, and 37 as follows:

(70 ILCS 1705/14) (from Ch. 85, par. 1114)

Sec. 14. All funds received for the use of the Commission shall be deposited in the name of the Commission, by the treasurer, in a depository approved by the Commission and shall be withdrawn or paid out only by check or draft upon the depository signed by any two of such Commissioners or Employees of the Commission as may be designated for this purpose by the Commission, provided further that funds appropriated to the Commission by the General Assembly shall be expended in accordance with a formal planning program and budget which has been reviewed by the Department of Commerce and Economic Opportunity Community Affairs. All persons so designated shall execute bonds with corporate sureties approved by the Commission in the same manner and amount as required of the treasurer.

In case any person whose signature appears upon any check or draft, issued pursuant to this Act, ceases (after attaching his signature) to hold his office before the delivery thereof to the payee, his signature nevertheless shall be valid and sufficient for all purposes with the same effect as if he had remained in office until delivery thereof.

(Source: P.A. 81-1509; revised 12-6-03.)

(70 ILCS 1705/35) (from Ch. 85, par. 1135)

Sec. 35. At the close of each fiscal year, the Commission shall prepare a complete report of its receipts and expenditures during the fiscal year, including such receipts and expenditures as authorized by Section 36 of this Act. Such report shall be prepared in detail, stating the particular

New matter indicated by italics - deletions by strikeout
amount received or expended, the name of the person from whom received or to whom expended, on what account, and for what purpose or purposes. A copy of this report shall be filed with the Governor, the Senate and the House of Representatives, and with the treasurer of each county included in the Counties Area. In addition, on or before December 31 of each even numbered year, the Commission shall prepare a report of its activities during the biennium indicating how its funds were expended, indicating the amount of the appropriation requested for the next biennium and explaining how the appropriation will be utilized to carry out its responsibilities. A copy of this report shall be filed with the Governor, the Senate and the House of Representatives, and the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 81-1509; revised 12-6-03.)

(70 ILCS 1705/36) (from Ch. 85, par. 1136)

Sec. 36. The Commission may accept and expend, for purposes consistent with the purposes of this Act, funds and money from any source, including grants, bequests, gifts or contributions made by a person, a unit of government, the State Government or the Federal Government.

The Commission is authorized to enter into agreements with any agency of the Federal government relating to grant-in-aid under Section 701 of the "Housing Act of 1954", being Public Law 560 of the Eighty-third Congress, approved August 2, 1954, as heretofore or hereafter amended, or under any other Act of Congress by which Federal funds may be made available for any activity of the Commission authorized by this Act. Application for federal planning grants submitted to the Federal Government shall be reviewed by the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 81-1509; revised 12-6-03.)

(70 ILCS 1705/37) (from Ch. 85, par. 1137)

Sec. 37. The Commission created by this Act shall cooperate with the Department of Commerce and Economic Opportunity Community Affairs, the units of government and with the plan commissions and regional planning commissions created by any unit of government and regional associations of municipalities within the area of operation of the

New matter indicated by italics - deletions by strikeout
Commission and any such plan commission, regional planning commission, regional association of municipalities or unit of government may furnish, sell or make available to the Commission created by this Act any of its data, charts, maps, reports or regulations relating to land use and development which the Commission may request.

The Commission created by this Act may cooperate with any planning agency of a sister State contiguous to the area of operation of the Commission to the end that plans for the development of urban areas in such sister State contiguous to the Counties Area may be integrated and coordinated so far as possible with the comprehensive plan and policies adopted by the Commission.

(Source: P.A. 81-1509; revised 12-6-03.)

Section 615. The Southwestern Illinois Metropolitan and Regional Planning Act is amended by changing Sections 5, 14, 35, and 37 as follows:

(70 ILCS 1710/5) (from Ch. 85, par. 1155)

Sec. 5. The corporate authorities of the Southwestern Illinois Metropolitan and Regional Planning Commission shall consist of commissioners selected as follows:

Eight commissioners appointed by the Governor, at least 4 of whom shall be elected officials of a unit of government and at least 7 of whom shall be residents of the Metropolitan and Regional Counties Area. No more than 4 of the Governor's appointees shall be of the same political party.

One member from among the Illinois Commissioners of the Bi-State Development Agency, elected by said commissioners of said Agency, provided that preference shall be given in this appointment to the Chairman or Vice Chairman of said Agency if either or both of those officers is an Illinois resident.

The Chairman or presiding officer of each statutory Port District existing or operating within the Metropolitan and Regional Counties Area, or a member of the governing board of each such Port District appointed by the Chairman or presiding officer thereof to serve in his stead.

New matter indicated by italics - deletions by strikeout
The President of the Metro-East Sanitary District or a member of the governing board of such District appointed by the President thereto to serve in his stead.

Two members from each of the county boards of counties within the Area of operation having a population of less than 100,000, such members to be appointed by the chairman or presiding officer of such counties and in such manner that one of the 2 members so appointed is the chairman or presiding officer of the relevant county board or an elected member of such board appointed to serve in the stead of such chairman or presiding officer.

Three members from each of the county boards of counties within the Area of operation having a population in excess of 100,000, such members to be appointed by the chairman or presiding officer of such counties and in such manner that one of the 3 members so appointed is the chairman or presiding officer of the relevant county board or an elected member of such board appointed to serve in the stead of such chairman or presiding officer; provided, further, that at least one member so appointed from each county having a population in excess of 100,000 shall be a resident in an area of such county outside any city, village or incorporated town, and at least one member so appointed from such counties shall be a resident of a city, village or incorporated town of such county.

The Mayor or Village Board President from each city, village or incorporated town in the Area of operation having 4,500 or more inhabitants, or a member of the Council or Village Board appointed by such Mayor or Board President to serve in his stead.

One Mayor or Village Board President in each county within the Area of operation from a city, village or incorporated town having fewer than 4,500 inhabitants to be selected by all Mayors or Village Board Presidents of such cities, villages or incorporated towns in each such county.

New matter indicated by italics - deletions by strikeout
Two members from each township-organized county in the Area of operation who shall be township supervisors appointed by the Chairman of the relevant county board in such a manner that one of the 2 shall represent a township having fewer than 4,500 inhabitants and one of the 2 shall represent a township having more than 4,500 inhabitants, provided that in the event no township in any such county has in excess of 4,500 inhabitants the supervisor of the township in such county which has the largest number of inhabitants shall be one of the 2 members so appointed by that county.

Two members from each commission-organized county in the Area of operation who shall be elected officials of either the county board or of a unit of government in such county and who shall be appointed by the Chairman of the County Board of such county.

The President of the Southwestern Illinois Council of Mayors or a Mayor of a community within the Area of operation appointed by such President to serve in his stead.

One member from among the Illinois members of the East-West Gateway Coordinating Council, elected by said members of said council, provided preference shall be given in this appointment to the Chairman or Vice Chairman of said Council if either or both of those officers is an Illinois resident.

Each selecting authority shall give notice of his, or her, or its selections to each other selecting authority, to the Executive Director of the Commission, and to the Secretary of State. Selections or appointments to be made for the first time pursuant to this amendatory Act of 1975 shall be made no later than October 1, 1975 and notice given thereon by that date.

In addition to the commissioners provided for above, the following shall also be commissioners selected or appointed and notice thereon given as contemplated by the preceding paragraph:

Two members from each county in the Area of operation who shall be a chairman of a county planning commission, a
chairman of a municipal planning commission, or a county engineer, such members to be appointed by the Chairman of the County Board.

The regional superintendent of schools for each educational service region located in whole or in part within the Area of operation.

The President of Southern Illinois University at Edwardsville or a person appointed by him to serve in his stead.

The Director of Commerce and Economic Opportunity Community Affairs or a person appointed by him to serve in his stead.

The district highway engineer for the Illinois Department of Transportation.


One representative from each County within the Area of operation who shall be other than an elected official and who shall be appointed by the Chairman of each County Board, provided that each representative so appointed shall be from disadvantaged or minority groups within the County's population.

Five Commissioners, appointed by the President of the Commission, with the concurrence of the Executive Committee, one to be selected from each of 5 civic, fraternal, cultural or religious organizations which meet all of the following criteria:

1. has a written charter or constitution and written bylaws;
2. has filed or is eligible to file articles of incorporation pursuant to the General Not for Profit Corporation Act;
3. has been in existence for at least 5 years; and
4. is generally recognized as being substantially representative of the minority population within the Commission's area of operation.

New matter indicated by italics - deletions by strikeout
The Commission shall develop a fair and reasonable procedure for determining the organizations from which appointments will be made.

Within 30 days after selection and before entering upon the duties of his or her office, each commissioner shall take and subscribe to the constitutional oath of office and file it with the Secretary of State.

The Commission shall maintain a level of minority membership equal to or greater than proportionate level of minority population which exists within the area of the Commission.

(Source: P.A. 87-217; revised 12-6-03.)

(70 ILCS 1710/14) (from Ch. 85, par. 1164)

Sec. 14. All funds received for the use of the Commission shall be deposited in the name of the Commission by the treasurer, in a depository approved by the Commission and shall be withdrawn or paid out only by check or draft upon the depository signed by any two of such Commissioners or employees of the Commission as may be designated for this purpose by the Commission, provided further that funds appropriated to the Commission by the General Assembly shall not be expended except in accordance with a formal planning program and budget which has been reviewed and approved by the Department of Commerce and Economic Opportunity Community Affairs. All persons so designated shall execute bonds with corporate sureties approved by the Commission in the same manner and amount as required of the treasurer, and in such amount as determined by the Commission.

In case any person whose signature appears upon any check or draft, issued pursuant to this Act, ceases (after attaching his signature) to hold his office before the delivery thereof to the payee, his signature nevertheless shall be valid and sufficient for all purposes with the same effect as if he had remained in office until delivery thereof.

(Source: P.A. 82-944; revised 12-6-03.)

(70 ILCS 1710/35) (from Ch. 85, par. 1185)

Sec. 35. At the close of each fiscal year, the Commission shall prepare a complete report of its receipts and expenditures during the fiscal year. A copy of this report shall be filed with the Governor and with the treasurer of each county included in the Metropolitan and Regional

New matter indicated by italics - deletions by strikeout
Counties. In addition, on or before December 31 of each even numbered year, the Commission shall prepare jointly with the Department of Commerce and Economic Opportunity Community Affairs, a report of its activities during the biennium indicating how its funds were expended, indicating the amount of the appropriation requested for the next biennium and explaining how the appropriation will be utilized to carry out its responsibilities. A copy of this report shall be filed with the Governor, the Senate and the House of Representatives.
(Source: P.A. 81-1509; revised 12-6-03.)

(70 ILCS 1710/37) (from Ch. 85, par. 1187)

Sec. 37. The Commission created by this Act shall cooperate with the Department of Commerce and Economic Opportunity Community Affairs, the units of government and with the plan commissions and regional planning commissions created by any unit of government and regional associations of municipalities within the area of operation of the Commission and any such plan commission, regional planning commission, regional association of municipalities or unit of government may furnish, sell or make available to the Commission created by this Act any of its data, charts, maps, reports or regulations relating to land use and development which the Commission may request.

The Commission created by this Act may cooperate with any planning agency in the State of Illinois, or with any planning agency of a sister State contiguous to the area of operation of the Commission to the end that plans for the development of urban areas in such sister State contiguous to the Metropolitan and Regional Counties Area may be integrated and coordinated so far as possible with the comprehensive and functional plans and policies adopted by the Commission.
(Source: P.A. 82-944; revised 12-6-03.)

Section 620. The Regional Transportation Authority Act is amended by changing Section 4.04 as follows:

(70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

Sec. 4.04. Issuance and Pledge of Bonds and Notes.

(a) The Authority shall have the continuing power to borrow money and to issue its negotiable bonds or notes as provided in this

New matter indicated by italics - deletions by strikeout
Section. Unless otherwise indicated in this Section, the term "notes" also includes bond anticipation notes, which are notes which by their terms provide for their payment from the proceeds of bonds thereafter to be issued. Bonds or notes of the Authority may be issued for any or all of the following purposes: to pay costs to the Authority or a Service Board of constructing or acquiring any public transportation facilities (including funds and rights relating thereto, as provided in Section 2.05 of this Act); to repay advances to the Authority or a Service Board made for such purposes; to pay other expenses of the Authority or a Service Board incident to or incurred in connection with such construction or acquisition; to provide funds for any transportation agency to pay principal of or interest or redemption premium on any bonds or notes, whether as such amounts become due or by earlier redemption, issued prior to the date of this amendatory Act by such transportation agency to construct or acquire public transportation facilities or to provide funds to purchase such bonds or notes; and to provide funds for any transportation agency to construct or acquire any public transportation facilities, to repay advances made for such purposes, and to pay other expenses incident to or incurred in connection with such construction or acquisition; and to provide funds for payment of obligations, including the funding of reserves, under any self-insurance plan or joint self-insurance pool or entity.

In addition to any other borrowing as may be authorized by this Section, the Authority may issue its notes, from time to time, in anticipation of tax receipts of the Authority or of other revenues or receipts of the Authority, in order to provide money for the Authority or the Service Boards to cover any cash flow deficit which the Authority or a Service Board anticipates incurring. Any such notes are referred to in this Section as "Working Cash Notes". No Working Cash Notes shall be issued for a term of longer than 18 months. Proceeds of Working Cash Notes may be used to pay day to day operating expenses of the Authority or the Service Boards, consisting of wages, salaries and fringe benefits, professional and technical services (including legal, audit, engineering and other consulting services), office rental, furniture, fixtures and equipment, insurance premiums, claims for self-insured amounts under insurance

New matter indicated by italics - deletions by strikeout
policies, public utility obligations for telephone, light, heat and similar items, travel expenses, office supplies, postage, dues, subscriptions, public hearings and information expenses, fuel purchases, and payments of grants and payments under purchase of service agreements for operations of transportation agencies, prior to the receipt by the Authority or a Service Board from time to time of funds for paying such expenses. In addition to any Working Cash Notes that the Board of the Authority may determine to issue, the Suburban Bus Board, the Commuter Rail Board or the Board of the Chicago Transit Authority may demand and direct that the Authority issue its Working Cash Notes in such amounts and having such maturities as the Service Board may determine.

Notwithstanding any other provision of this Act, any amounts necessary to pay principal of and interest on any Working Cash Notes issued at the demand and direction of a Service Board or any Working Cash Notes the proceeds of which were used for the direct benefit of a Service Board or any other Bonds or Notes of the Authority the proceeds of which were used for the direct benefit of a Service Board shall constitute a reduction of the amount of any other funds provided by the Authority to that Service Board. The Authority shall, after deducting any costs of issuance, tender the net proceeds of any Working Cash Notes issued at the demand and direction of a Service Board to such Service Board as soon as may be practicable after the proceeds are received. The Authority may also issue notes or bonds to pay, refund or redeem any of its notes and bonds, including to pay redemption premiums or accrued interest on such bonds or notes being renewed, paid or refunded, and other costs in connection therewith. The Authority may also utilize the proceeds of any such bonds or notes to pay the legal, financial, administrative and other expenses of such authorization, issuance, sale or delivery of bonds or notes or to provide or increase a debt service reserve fund with respect to any or all of its bonds or notes. The Authority may also issue and deliver its bonds or notes in exchange for any public transportation facilities, (including funds and rights relating thereto, as provided in Section 2.05 of this Act) or in exchange for outstanding bonds or notes of the Authority,

New matter indicated by italics - deletions by strikeout
including any accrued interest or redemption premium thereon, without advertising or submitting such notes or bonds for public bidding.

(b) The ordinance providing for the issuance of any such bonds or notes shall fix the date or dates of maturity, the dates on which interest is payable, any sinking fund account or reserve fund account provisions and all other details of such bonds or notes and may provide for such covenants or agreements necessary or desirable with regard to the issue, sale and security of such bonds or notes. The rate or rates of interest on its bonds or notes may be fixed or variable and the Authority shall determine or provide for the determination of the rate or rates of interest of its bonds or notes issued under this Act in an ordinance adopted by the Authority prior to the issuance thereof, none of which rates of interest shall exceed that permitted in the Bond Authorization Act. Interest may be payable at such times as are provided for by the Board. Bonds and notes issued under this Section may be issued as serial or term obligations, shall be of such denomination or denominations and form, including interest coupons to be attached thereto, be executed in such manner, shall be payable at such place or places and bear such date as the Authority shall fix by the ordinance authorizing such bond or note and shall mature at such time or times, within a period not to exceed forty years from the date of issue, and may be redeemable prior to maturity with or without premium, at the option of the Authority, upon such terms and conditions as the Authority shall fix by the ordinance authorizing the issuance of such bonds or notes. No bond anticipation note or any renewal thereof shall mature at any time or times exceeding 5 years from the date of the first issuance of such note. The Authority may provide for the registration of bonds or notes in the name of the owner as to the principal alone or as to both principal and interest, upon such terms and conditions as the Authority may determine. The ordinance authorizing bonds or notes may provide for the exchange of such bonds or notes which are fully registered, as to both principal and interest, with bonds or notes which are registerable as to principal only. All bonds or notes issued under this Section by the Authority other than those issued in exchange for property or for bonds or notes of the Authority shall be sold at a price which may be at a premium or discount

New matter indicated by italics - deletions by strikeout
but such that the interest cost (excluding any redemption premium) to the Authority of the proceeds of an issue of such bonds or notes, computed to stated maturity according to standard tables of bond values, shall not exceed that permitted in the Bond Authorization Act. The Authority shall notify the Governor's Office of Management and Budget Bureau of the Budget and the State Comptroller at least 30 days before any bond sale and shall file with the Governor's Office of Management and Budget Bureau of the Budget and the State Comptroller a certified copy of any ordinance authorizing the issuance of bonds at or before the issuance of the bonds. After December 31, 1994, any such bonds or notes shall be sold to the highest and best bidder on sealed bids as the Authority shall deem. As such bonds or notes are to be sold the Authority shall advertise for proposals to purchase the bonds or notes which advertisement shall be published at least once in a daily newspaper of general circulation published in the metropolitan region at least 10 days before the time set for the submission of bids. The Authority shall have the right to reject any or all bids. Notwithstanding any other provisions of this Section, Working Cash Notes or bonds or notes to provide funds for self-insurance or a joint self-insurance pool or entity may be sold either upon competitive bidding or by negotiated sale (without any requirement of publication of intention to negotiate the sale of such Notes), as the Board shall determine by ordinance adopted with the affirmative votes of at least 7 Directors. In case any officer whose signature appears on any bonds, notes or coupons authorized pursuant to this Section shall cease to be such officer before delivery of such bonds or notes, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery. Neither the Directors of the Authority nor any person executing any bonds or notes thereof shall be liable personally on any such bonds or notes or coupons by reason of the issuance thereof.

(c) All bonds or notes of the Authority issued pursuant to this Section shall be general obligations of the Authority to which shall be pledged the full faith and credit of the Authority, as provided in this Section. Such bonds or notes shall be secured as provided in the authorizing ordinance, which may, notwithstanding any other provision of

New matter indicated by italics - deletions by strikeout
this Act, include in addition to any other security, a specific pledge or assignment of and lien on or security interest in any or all tax receipts of the Authority and on any or all other revenues or moneys of the Authority from whatever source, which may by law be utilized for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by the ordinance of the Authority authorizing the issuance of such bonds or notes. Any such pledge, assignment, lien or security interest for the benefit of holders of bonds or notes of the Authority shall be valid and binding from the time the bonds or notes are issued without any physical delivery or further act and shall be valid and binding as against and prior to the claims of all other parties having claims of any kind against the Authority or any other person irrespective of whether such other parties have notice of such pledge, assignment, lien or security interest. The obligations of the Authority incurred pursuant to this Section shall be superior to and have priority over any other obligations of the Authority.

The Authority may provide in the ordinance authorizing the issuance of any bonds or notes issued pursuant to this Section for the creation of, deposits in, and regulation and disposition of sinking fund or reserve accounts relating to such bonds or notes. The ordinance authorizing the issuance of any bonds or notes pursuant to this Section may contain provisions as part of the contract with the holders of the bonds or notes, for the creation of a separate fund to provide for the payment of principal and interest on such bonds or notes and for the deposit in such fund from any or all the tax receipts of the Authority and from any or all such other moneys or revenues of the Authority from whatever source which may by law be utilized for debt service purposes, all as provided in such ordinance, of amounts to meet the debt service requirements on such bonds or notes, including principal and interest, and any sinking fund or reserve fund account requirements as may be provided by such ordinance, and all expenses incident to or in connection with such fund and accounts or the payment of such bonds or notes. Such ordinance may also provide limitations on the issuance of additional bonds or notes of the Authority. No such bonds or notes of the Authority shall constitute a
debt of the State of Illinois. Nothing in this Act shall be construed to enable the Authority to impose any ad valorem tax on property.

(d) The ordinance of the Authority authorizing the issuance of any bonds or notes may provide additional security for such bonds or notes by providing for appointment of a corporate trustee (which may be any trust company or bank having the powers of a trust company within the state) with respect to such bonds or notes. The ordinance shall prescribe the rights, duties and powers of the trustee to be exercised for the benefit of the Authority and the protection of the holders of such bonds or notes. The ordinance may provide for the trustee to hold in trust, invest and use amounts in funds and accounts created as provided by the ordinance with respect to the bonds or notes. The ordinance may provide for the assignment and direct payment to the trustee of any or all amounts produced from the sources provided in Section 4.03 of this Act and provided in Section 6z-17 of "An Act in relation to State finance", approved June 10, 1919, as amended. Upon receipt of notice of any such assignment, the Department of Revenue and the Comptroller of the State of Illinois shall thereafter, notwithstanding the provisions of Section 4.03 of this Act and Section 6z-17 of "An Act in relation to State finance", approved June 10, 1919, as amended, provide for such assigned amounts to be paid directly to the trustee instead of the Authority, all in accordance with the terms of the ordinance making the assignment. The ordinance shall provide that amounts so paid to the trustee which are not required to be deposited, held or invested in funds and accounts created by the ordinance with respect to bonds or notes or used for paying bonds or notes to be paid by the trustee to the Authority.

(e) Any bonds or notes of the Authority issued pursuant to this Section shall constitute a contract between the Authority and the holders from time to time of such bonds or notes. In issuing any bond or note, the Authority may include in the ordinance authorizing such issue a covenant as part of the contract with the holders of the bonds or notes, that as long as such obligations are outstanding, it shall make such deposits, as provided in paragraph (c) of this Section. It may also so covenant that it shall impose and continue to impose taxes, as provided in Section 4.03 of
this Act and in addition thereto as subsequently authorized by law, sufficient to make such deposits and pay the principal and interest and to meet other debt service requirements of such bonds or notes as they become due. A certified copy of the ordinance authorizing the issuance of any such obligations shall be filed at or prior to the issuance of such obligations with the Comptroller of the State of Illinois and the Illinois Department of Revenue.

(f) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(g) (1) Except as provided in subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act, the Authority shall not at any time issue, sell or deliver any bonds or notes (other than Working Cash Notes) pursuant to this Section which will cause it to have issued and outstanding at any time in excess of $800,000,000 of such bonds and notes (other than Working Cash Notes). The Authority shall not at any time issue, sell or deliver any Working Cash Notes pursuant to this Section which will cause it to have issued and outstanding at any time in excess of $100,000,000 of Working Cash Notes. Bonds or notes which are being paid or retired by such issuance, sale or delivery of bonds or notes, and bonds or notes for which sufficient funds have been deposited with the paying agency of such

New matter indicated by italics - deletions by strikeout
bonds or notes to provide for payment of principal and interest thereon or to provide for the redemption thereof, all pursuant to the ordinance authorizing the issuance of such bonds or notes, shall not be considered to be outstanding for the purposes of the first two sentences of this subsection.

(2) In addition to the authority provided by paragraphs (1) and (3), the Authority is authorized to issue, sell and deliver bonds or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$100,000,000 is authorized to be issued on or after January 1, 1990;

an additional $100,000,000 is authorized to be issued on or after January 1, 1991;

an additional $100,000,000 is authorized to be issued on or after January 1, 1992;

an additional $100,000,000 is authorized to be issued on or after January 1, 1993;

an additional $100,000,000 is authorized to be issued on or after January 1, 1994; and

the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects as of January 1, 1994, shall be $500,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement Projects under this subdivision (g)(2), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(3) In addition to the authority provided by paragraphs (1) and (2), the Authority is authorized to issue, sell, and deliver bonds

New matter indicated by italics - deletions by strikeout
or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$260,000,000 is authorized to be issued on or after January 1, 2000;

an additional $260,000,000 is authorized to be issued on or after January 1, 2001;

an additional $260,000,000 is authorized to be issued on or after January 1, 2002;

an additional $260,000,000 is authorized to be issued on or after January 1, 2003;

an additional $260,000,000 is authorized to be issued on or after January 1, 2004; and

the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects pursuant to this paragraph (3) as of January 1, 2004 shall be $1,300,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement projects under this subdivision (g)(3), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(h) The Authority, subject to the terms of any agreements with noteholders or bondholders as may then exist, shall have power, out of any funds available therefor, to purchase notes or bonds of the Authority, which shall thereupon be cancelled.

(i) In addition to any other authority granted by law, the State Treasurer may, with the approval of the Governor, invest or reinvest, at a price not to exceed par, any State money in the State Treasury which is not needed for current expenditures due or about to become due in Working Cash Notes.

New matter indicated by italics - deletions by strikeout
Section 625. The School Code is amended by changing Sections 2-3.92, 10-20.19c, and 34-18.15 as follows:

(105 ILCS 5/2-3.92) (from Ch. 122, par. 2-3.92)
Sec. 2-3.92. Recognition of drug-free schools and communities. To create a Drug-Free Illinois, and maintain that high standard, the State shall recognize those outstanding schools, communities and businesses which are free of drugs. The State Board of Education shall initiate and maintain an annual Governor's Recognition Program for those premier organizations meeting and exceeding stated criteria. The State Board of Education, in consultation with the Department of Commerce and Economic Opportunity Community Affairs and the Department of Human Services, shall set criteria for implementation of this program.

(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)
(105 ILCS 5/10-20.19c) (from Ch. 122, par. 10-20.19c)
Sec. 10-20.19c. Recycled paper and paper products.
(a) Definitions. As used in this Section, the following terms shall have the meanings indicated, unless the context otherwise requires:
"Deinked stock" means paper that has been processed to remove inks, clays, coatings, binders and other contaminants.
"High grade printing and writing papers" includes offset printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock and cotton fiber papers.
"Paper and paper products" means high grade printing and writing papers, tissue products, newsprint, unbleached packaging and recycled paperboard.
"Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded.
"Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer materials,

New matter indicated by italics - deletions by strikeout
envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material", however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extraction or woodcutting processes, or forest residues such as bark.

"Recycled paperboard" includes paperboard products, folding cartons and pad backings.

"Tissue products" includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags and brown papers. These products shall also be unscented and shall not be colored.

"Unbleached packaging" includes corrugated and fiber storage boxes.

(b) Wherever economically and practically feasible, as determined by the school board, the school board, all public schools and attendance centers within a school district, and their school supply stores shall procure recycled paper and paper products as follows:

1. Beginning July 1, 1992, at least 10% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;
2. Beginning July 1, 1995, at least 25% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;
3. Beginning July 1, 1999, at least 40% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;
4. Beginning July 1, 2001, at least 50% of the total dollar value of paper and paper products purchased by school boards,
public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;

(5) Beginning upon the effective date of this amendatory Act of 1992, all paper purchased by the board of education, public schools and attendance centers for publication of student newspapers shall be recycled newsprint. The amount purchased shall not be included in calculating the amounts specified in paragraphs (1) through (4).

(c) Paper and paper products purchased from private sector vendors pursuant to printing contracts are not considered paper and paper products for the purposes of subsection (b), unless purchased under contract for the printing of student newspapers.

(d) (1) Wherever economically and practically feasible, the recycled paper and paper products referred to in subsection (b) shall contain postconsumer or recovered paper materials as specified by paper category in this subsection:

(i) Recycled high grade printing and writing paper shall contain at least 50% recovered paper material. Such recovered paper material, until July 1, 1994, shall consist of at least 20% deinked stock or postconsumer material; and beginning July 1, 1994, shall consist of at least 25% deinked stock or postconsumer material; and beginning July 1, 1996, shall consist of at least 30% deinked stock or postconsumer material; and beginning July 1, 1998, shall consist of at least 40% deinked stock or postconsumer material; and beginning July 1, 2000, shall consist of at least 50% deinked stock or postconsumer material.

(ii) Recycled tissue products, until July 1, 1994, shall contain at least 25% postconsumer material; and beginning July 1, 1994, shall contain at least 30% postconsumer material; and beginning July 1, 1996, shall contain at least 35% postconsumer material; and beginning July 1, 1998, shall contain at least 40% postconsumer

New matter indicated by italics - deletions by strikeout
material; and beginning July 1, 2000, shall contain at least 45% postconsumer material.

(iii) Recycled newsprint, until July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1994, shall contain at least 50% postconsumer material; and beginning July 1, 1996, shall contain at least 60% postconsumer material; and beginning July 1, 1998, shall contain at least 70% postconsumer material; and beginning July 1, 2000, shall contain at least 80% postconsumer material.

(iv) Recycled unbleached packaging, until July 1, 1994, shall contain at least 35% postconsumer material; and beginning July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1996, shall contain at least 45% postconsumer material; and beginning July 1, 1998, shall contain at least 50% postconsumer material; and beginning July 1, 2000, shall contain at least 55% postconsumer material.

(v) Recycled paperboard, until July 1, 1994, shall contain at least 80% postconsumer material; and beginning July 1, 1994, shall contain at least 85% postconsumer material; and beginning July 1, 1996, shall contain at least 90% postconsumer material; and beginning July 1, 1998, shall contain at least 95% postconsumer material.

(2) For the purposes of this Section, "postconsumer material" includes:

(i) paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed waste paper, tabulating cards, and used cordage; and

(ii) all paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

New matter indicated by italics - deletions by strikeout
(3) For the purposes of this Section, "recovered paper material" includes:
   (i) postconsumer material;
   (ii) dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and
   (iii) finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

   (e) Nothing in this Section shall be deemed to apply to art materials, nor to any newspapers, magazines, text books, library books or other copyrighted publications which are purchased or used by any school board or any public school or attendance center within a school district, or which are sold in any school supply store operated by or within any such school or attendance center, other than newspapers written, edited or produced by students enrolled in the school district, public school or attendance center.

   (f) The State Board of Education, in coordination with the Departments of Central Management Services and Commerce and Economic Opportunity Community Affairs, may adopt such rules and regulations as it deems necessary to assist districts in carrying out the provisions of this Section.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(105 ILCS 5/34-18.15) (from Ch. 122, par. 34-18.15)
Sec. 34-18.15. Recycled paper and paper products.

(a) Definitions. As used in this Section, the following terms shall have the meanings indicated, unless the context otherwise requires:

New matter indicated by italics - deletions by strikeout
"Deinked stock" means paper that has been processed to remove inks, clays, coatings, binders and other contaminants.

"High grade printing and writing papers" includes offset printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock and cotton fiber papers.

"Paper and paper products" means high grade printing and writing papers, tissue products, newsprint, unbleached packaging and recycled paperboard.

"Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded.

"Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer materials, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material", however, does not include fibrous waste generated during the manufacturing process as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extraction or woodcutting processes, or forest residues such as bark.

"Recycled paperboard" includes paperboard products, folding cartons and pad backings.

"Tissue products" includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags and brown papers. These products shall also be unscented and shall not be colored.

"Unbleached packaging" includes corrugated and fiber storage boxes.

(b) Wherever economically and practically feasible, as determined by the board of education, the board of education, all public schools and
attendance centers within the school district, and their school supply stores shall procure recycled paper and paper products as follows:

(1) Beginning July 1, 1992, at least 10% of the total dollar value of paper and paper products purchased by the board of education, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;

(2) Beginning July 1, 1995, at least 25% of the total dollar value of paper and paper products purchased by the board of education, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;

(3) Beginning July 1, 1999, at least 40% of the total dollar value of paper and paper products purchased by the board of education, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;

(4) Beginning July 1, 2001, at least 50% of the total dollar value of paper and paper products purchased by the board of education, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products;

(5) Beginning upon the effective date of this amendatory Act of 1992, all paper purchased by the board of education, public schools and attendance centers for publication of student newspapers shall be recycled newsprint. The amount purchased shall not be included in calculating the amounts specified in paragraphs (1) through (4).

(c) Paper and paper products purchased from private sector vendors pursuant to printing contracts are not considered paper and paper products for the purposes of subsection (b), unless purchased under contract for the printing of student newspapers.

(d)(1) Wherever economically and practically feasible, the recycled paper and paper products referred to in subsection (b) shall contain postconsumer or recovered paper materials as specified by paper category in this subsection:

(i) Recycled high grade printing and writing paper shall contain at least 50% recovered paper material. Such recovered
paper material, until July 1, 1994, shall consist of at least 20% deinked stock or postconsumer material; and beginning July 1, 1994, shall consist of at least 25% deinked stock or postconsumer material; and beginning July 1, 1996, shall consist of at least 30% deinked stock or postconsumer material; and beginning July 1, 1998, shall consist of at least 40% deinked stock or postconsumer material; and beginning July 1, 2000, shall consist of at least 50% deinked stock or postconsumer material.

(ii) Recycled tissue products, until July 1, 1994, shall contain at least 25% postconsumer material; and beginning July 1, 1994, shall contain at least 30% postconsumer material; and beginning July 1, 1996, shall contain at least 35% postconsumer material; and beginning July 1, 1998, shall contain at least 40% postconsumer material; and beginning July 1, 2000, shall contain at least 45% postconsumer material.

(iii) Recycled newsprint, until July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1994, shall contain at least 50% postconsumer material; and beginning July 1, 1996, shall contain at least 60% postconsumer material; and beginning July 1, 1998, shall contain at least 70% postconsumer material; and beginning July 1, 2000, shall contain at least 80% postconsumer material.

(iv) Recycled unbleached packaging, until July 1, 1994, shall contain at least 35% postconsumer material; and beginning July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1996, shall contain at least 45% postconsumer material; and beginning July 1, 1998, shall contain at least 50% postconsumer material; and beginning July 1, 2000, shall contain at least 55% postconsumer material.

(v) Recycled paperboard, until July 1, 1994, shall contain at least 80% postconsumer material; and beginning July 1, 1994, shall contain at least 85% postconsumer material; and beginning July 1, 1996, shall contain at least 90% postconsumer material; and
beginning July 1, 1998, shall contain at least 95% postconsumer material.

(2) For the purposes of this Section, "postconsumer material" includes:

(i) paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed waste paper, tabulating cards, and used cordage; and

(ii) all paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

(3) For the purpose of this Section, "recovered paper material" includes:

(i) postconsumer material;

(ii) dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and

(iii) finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

(e) Nothing in this Section shall be deemed to apply to art materials, nor to any newspapers, magazines, text books, library books or other copyrighted publications which are purchased or used by the board of education or any public school or attendance center within the school district, or which are sold in any school supply store operated by or within any such school or attendance center, other than newspapers written, edited or produced by students enrolled in the school district, public school or attendance center.
(f) The State Board of Education, in coordination with the Departments of Central Management Services and Commerce and Economic Opportunity Community Affairs, may adopt such rules and regulations as it deems necessary to assist districts in carrying out the provisions of this Section.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 630. The School District Educational Effectiveness and Fiscal Efficiency Act is amended by changing Sections 3 and 5 as follows:

(105 ILCS 205/3) (from Ch. 122, par. 873)

Sec. 3. Awarding of grants.

Applications for grants shall be made annually to the Office of the Superintendent of Public Instruction on forms provided by that office. The Superintendent and the Director of the Governor's Office of Management and Budget Bureau of the Budget shall select applicants to receive grants and shall, insofar as possible, distribute grants to elementary, secondary and unit districts of diverse size and representative of every region of the State. Preference will be given to districts that have committed or are planning to commit additional local funds toward the development of such a system.

In determining the amount of each grant, the Superintendent of Public Instruction and the Director of the Governor's Office of Management and Budget Bureau of the Budget shall give consideration to the size of the district and the extent to which the district has previously instituted procedures similar to those described in this Act.

(Source: P.A. 77-2191; revised 8-23-03.)

(105 ILCS 205/5) (from Ch. 122, par. 875)

Sec. 5. Rules and regulations. The Superintendent of Public Instruction in consultation with the Director of the Governor's Office of Management and Budget Bureau of the Budget shall adopt such rules and regulations necessary to implement this Act.

(Source: P.A. 77-2191; revised 8-23-03.)

Section 635. The Adult Education Reporting Act is amended by changing Section 1 as follows:

(105 ILCS 410/1) (from Ch. 122, par. 1851)

New matter indicated by italics - deletions by strikeout
Sec. 1. As used in this Act, "agency" means: the Departments of Corrections, Public Aid, Commerce and Economic Opportunity Community Affairs, Human Services, and Public Health; the Secretary of State; the Illinois Community College Board; and the Administrative Office of the Illinois Courts. On and after July 1, 2001, "agency" includes the State Board of Education and does not include the Illinois Community College Board.
(Source: P.A. 91-830, eff. 7-1-00; revised 12-6-03.)

Section 640. The Conservation Education Act is amended by changing Section 3 as follows:
(105 ILCS 415/3) (from Ch. 122, par. 698.3)
Sec. 3. Advisory Board.
(a) An Advisory Board is hereby established consisting of the Director of Agriculture, the Director of Natural Resources, the Director of the Environmental Protection Agency, the State Superintendent of Education, the Director of Commerce and Economic Opportunity Community Affairs, the Director of Public Health, the Director of Nuclear Safety, the Director of the University of Illinois Cooperative Extension Service, and 4 members to be appointed by the Governor. The appointed members shall consist of: a representative of the colleges and universities of the State of Illinois, a member of a soil conservation district within the State of Illinois, a classroom teacher who has won the Conservation Teacher of the Year Award, and a representative of business and industry. All appointive members shall be appointed for terms of 3 years except when an appointment is made to fill a vacancy, in which case the appointment shall be made by the Governor for the unexpired term of the position vacant. In selecting the appointive members of the Advisory Board, the Governor shall give due consideration to the recommendations of such professional organizations as are concerned with the conservation education program. Members of the Advisory Board shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the administration of the Act. Each of the members serving ex officio may designate a person to serve in his or her place.

New matter indicated by italics - deletions by strikeout
(b) The Advisory Board shall select its own Chairman, establish rules and procedures not inconsistent with this Act and shall keep a record of matters transpiring at all meetings. The Board shall hold regular meetings at least 4 times each year and special meetings shall be held at the call of the Chairman or any 3 members of the Board. All matters coming before the Board shall be decided by a majority vote of those present at any meeting.

(c) The Advisory Board from time to time shall make recommendations concerning the conservation education program within the State of Illinois.

(Source: P.A. 92-229, eff. 8-2-01; revised 12-6-03.)

Section 645. The Vocational Education Act is amended by changing Section 2.1 as follows:

(105 ILCS 435/2.1) (from Ch. 122, par. 697.1)

Sec. 2.1. Gender Equity Advisory Committee.

(a) The Superintendent of the State Board of Education shall appoint a Gender Equity Advisory Committee of at least 9 members to advise and consult with the State Board of Education and the gender equity coordinator in all aspects relating to ensuring that all students have equal educational opportunities to pursue high wage, high skill occupations leading to economic self-sufficiency.

(b) Membership shall include without limitation one regional gender equity coordinator, 2 State Board of Education employees, the Department of Labor's Displaced Homemaker Program Manager, and 5 citizen appointees who have expertise in one or more of the following areas: nontraditional training and placement, service delivery to single parents, service delivery to displaced homemakers, service delivery to female teens, business and industry experience, and Education-to-Careers experience. Membership also may include employees from the Department of Commerce and Economic Opportunity Community Affairs, the Department of Human Services, and the Illinois Community College Board who have expertise in one or more of the areas listed in this subsection (b) for the citizen appointees. Appointments shall be made
taking into consideration expertise of services provided in secondary, postsecondary and community based programs.

(c) Members shall initially be appointed to one year terms commencing in January 1, 1990, and thereafter to two year terms commencing on January 1 of each odd numbered year. Vacancies shall be filled as prescribed in subsection (b) for the remainder of the unexpired term.

(d) Each newly appointed committee shall elect a Chair and Secretary from its members. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties. The Committee shall meet at least bi-annually and at other times at the call of the Chair or at the request of the gender equity coordinator.

(Source: P.A. 91-304, eff. 1-1-00; revised 12-6-03.)

Section 650. The Board of Higher Education Act is amended by changing Sections 9.12 and 9.25 as follows:

(110 ILCS 205/9.12) (from Ch. 144, par. 189.12)

Sec. 9.12. To encourage the coordination of research and service programs in the several State universities to furnish assistance to the communities and citizens of this State in meeting special economic needs arising from the removal or termination of substantial industrial or commercial operations and the waste of human and economic resources which often results from such removal.

Such programs may include assistance in identifying opportunities for the replacement of the lost operations, in determining the economic feasibility of the various opportunities available, and in the development of new products or services suitable for production in the particular facility made available by the relocation.

The Department of Commerce and Economic Opportunity Community Affairs may assist the universities by providing, with the assistance of the Board, a system for referring particular economic problems to the most appropriate research and service program.

(Source: P.A. 82-783; revised 12-6-03.)

(110 ILCS 205/9.25)

New matter indicated by italics - deletions by strikeout
Sec. 9.25. Feasibility study; Parks College. The Department of Commerce and Economic Opportunity Community Affairs along with the Board of Higher Education shall conduct an economic and educational feasibility study for the future development of Parks College in Cahokia, Illinois.

(Source: P.A. 89-279, eff. 1-1-96; 89-626, eff. 8-9-96; revised 12-6-03.)

Section 655. The Southern Illinois University Management Act is amended by changing Section 6.6 as follows:

(110 ILCS 520/6.6)

Sec. 6.6. The Illinois Ethanol Research Advisory Board.

(a) There is established the Illinois Ethanol Research Advisory Board (the "Advisory Board").

(b) The Advisory Board shall be composed of 13 members including: the President of Southern Illinois University who shall be Chairman; the Director of Commerce and Economic Opportunity Community Affairs; the Director of Agriculture; the President of the Illinois Corn Growers Association; the President of the National Corn Growers Association; the President of the Renewable Fuels Association; the Dean of the College of Agricultural, Consumer, and Environmental Science, University of Illinois at Champaign-Urbana; and 6 at-large members appointed by the Governor representing the ethanol industry, growers, suppliers, and universities.

(c) The 6 at-large members shall serve a term of 4 years. The Advisory Board shall meet at least annually or at the call of the Chairman. At any time a majority of the Advisory Board may petition the Chairman for a meeting of the Board. Seven members of the Advisory Board shall constitute a quorum.

(d) The Advisory Board shall:

(1) Review the annual operating plans and budget of the National Corn-to-Ethanol Research Pilot Plant.

(2) Advise on research and development priorities and projects to be carried out at the Corn-to-Ethanol Research Pilot Plant.

New matter indicated by italics - deletions by strikeout
(3) Advise on policies and procedures regarding the management and operation of the ethanol research pilot plant. This may include contracts, project selection, and personnel issues.

(4) Develop bylaws.

(5) Submit a final report to the Governor and General Assembly outlining the progress and accomplishments made during the year along with a financial report for the year.

(e) The Advisory Board established by this Section is a continuation, as changed by the Section, of the Board established under Section 8a of the Energy Conservation and Coal Act and repealed by this amendatory Act of the 92nd General Assembly. (Source: P.A. 92-736, eff. 7-25-02; revised 12-6-03.)

Section 660. The Illinois State University Law is amended by changing Section 20-115 as follows:

(110 ILCS 675/20-115)
Sec. 20-115. Illinois Institute for Entrepreneurship Education.

(a) There is created, effective July 1, 1997, within the State at Illinois State University, the Illinois Institute for Entrepreneurship Education, hereinafter referred to as the Institute.

(b) The Institute created under this Section shall commence its operations on July 1, 1997 and shall have a board composed of 15 members representative of education, commerce and industry, government, or labor, appointed as follows: 2 members shall be appointees of the Governor, one of whom shall be a minority or female person as defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; one member shall be an appointee of the President of the Senate; one member shall be an appointee of the Minority Leader of the Senate; one member shall be an appointee of the Speaker of the House of Representatives; one member shall be an appointee of the Minority Leader of the House of Representatives; 2 members shall be appointees of Illinois State University; one member shall be an appointee of the Board of Higher Education; one member shall be an appointee of the State Board of Education; one member shall be an appointee of the Department of Commerce and Economic Opportunity

New matter indicated by italics - deletions by strikeout
Community Affairs; one member shall be an appointee of the Illinois chapter of Economics America; and 3 members shall be appointed by majority vote of the other 12 appointed members to represent business owner-entrepreneurs. Each member shall have expertise and experience in the area of entrepreneurship education, including small business and entrepreneurship. The majority of voting members must be from the private sector. The members initially appointed to the board of the Institute created under this Section shall be appointed to take office on July 1, 1997 and shall by lot determine the length of their respective terms as follows: 5 members shall be selected by lot to serve terms of one year, 5 members shall be selected by lot to serve terms of 2 years, and 5 members shall be selected by lot to serve terms of 3 years. Subsequent appointees shall each serve terms of 3 years. The board shall annually select a chairperson from among its members. Each board member shall serve without compensation but shall be reimbursed for expenses incurred in the performance of his or her duties.

(c) The purpose of the Institute shall be to foster the growth and development of entrepreneurship education in the State of Illinois. The Institute shall help remedy the deficiencies in the preparation of entrepreneurship education teachers, increase the quality and quantity of entrepreneurship education programs, improve instructional materials, and prepare personnel to serve as leaders and consultants in the field of entrepreneurship education and economic development. The Institute shall promote entrepreneurship as a career option, promote and support the development of innovative entrepreneurship education materials and delivery systems, promote business, industry, and education partnerships, promote collaboration and involvement in entrepreneurship education programs, encourage and support in-service and preservice teacher education programs within various educational systems, and develop and distribute relevant materials. The Institute shall provide a framework under which the public and private sectors may work together toward entrepreneurship education goals. These goals shall be achieved by bringing together programs that have an impact on entrepreneurship
education to achieve coordination among agencies and greater efficiency in the expenditure of funds.

(d) Beginning July 1, 1997, the Institute shall have the following powers subject to State and Illinois State University Board of Trustees regulations and guidelines:

(1) To employ and determine the compensation of an executive director and such staff as it deems necessary;
(2) To own property and expend and receive funds and generate funds;
(3) To enter into agreements with public and private entities in the furtherance of its purpose; and
(4) To request and receive the cooperation and assistance of all State departments and agencies in the furtherance of its purpose.

(e) The board of the Institute shall be a policy making body with the responsibility for planning and developing Institute programs. The Institute, through the Board of Trustees of Illinois State University, shall annually report to the Governor and General Assembly by January 31 as to its activities and operations, including its findings and recommendations.

(f) Beginning on July 1, 1997, the Institute created under this Section shall be deemed designated by law as the successor to the Illinois Institute for Entrepreneurship Education, previously created and existing under Section 2-11.5 of the Public Community College Act until its abolition on July 1, 1997 as provided in that Section. On July 1, 1997, all financial and other records of the Institute so abolished and all of its property, whether real or personal, including but not limited to all inventory and equipment, shall be deemed transferred by operation of law to the Illinois Institute for Entrepreneurship Education created under this Section 20-115. The Illinois Institute for Entrepreneurship Education created under this Section 20-115 shall have, with respect to the predecessor Institute so abolished, all authority, powers, and duties of a successor agency under Section 10-15 of the Successor Agency Act.

(Source: P.A. 90-278, eff. 7-31-97; revised 12-6-03.)

Section 665. The Baccalaureate Savings Act is amended by changing Sections 4, 5, and 8 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 4. Issuance and Sale of College Savings Bonds. In order to provide investors with investment alternatives to enhance their financial access to Institutions of Higher Education located in the State of Illinois, and in furtherance of the public policy of this Act, bonds authorized by the provisions of the General Obligation Bond Act, in a total aggregate original principal amount not to exceed $2,200,000,000 may be issued and sold from time to time, and as often as practicable, as College Savings Bonds in such amounts as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. Bonds to be issued and sold as College Savings Bonds shall be designated by the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget as "General Obligation College Savings Bonds" in the proceedings authorizing the issuance of such Bonds, and shall be subject to all of the terms and provisions of the General Obligation Bond Act, except that College Savings Bonds may bear interest payable at such time or times and may be sold at such prices and in such manner as may be determined by the Governor and the Director of the Governor's Office of Management and Budget Bureau of the Budget and except as otherwise provided in this Act. If College Savings Bonds are sold at public sale, the public sale procedures shall be as set forth in Section 11 of the General Obligation Bond Act. College Savings Bonds may be sold at negotiated sale if the Director of the Governor's Office of Management and Budget Bureau of the Budget determines that a negotiated sale will result in either a more efficient and economic sale of such Bonds or greater access to such Bonds by investors who are residents of the State of Illinois. If any College Savings Bonds are sold at a negotiated sale, the underwriter or underwriters to which such Bonds are sold shall (a) be organized, incorporated or have their principal place of business in the State of Illinois, or (b) in the judgment of the Director of the Governor's Office of Management and Budget Bureau of the Budget, have sufficient capability to make a broad distribution of such Bonds to investors resident in the State of Illinois. In determining the aggregate principal amount of College Savings Bonds,
Savings Bonds that have been issued pursuant to this Act, the aggregate original principal amount of such Bonds issued and sold shall be taken into account. Any bond issued under this Act shall be payable in one payment on a fixed date, unless the Governor and the Director of the Bureau of the Budget determine otherwise.

(Source: P.A. 90-1, eff. 2-20-97; 91-53, eff. 6-30-99; revised 8-23-03.)

Sec. 5. Security of College Savings Bonds. Any College Savings Bonds issued under the General Obligation Bond Act in accordance with this Act shall be direct, general obligations of the State of Illinois and subject to repayment as provided in the General Obligation Bond Act; however, in the proceedings of the Governor and the Director of the Bureau of the Budget authorizing the issuance of College Savings Bonds, such officials may covenant on behalf of the State with or for the benefit of the holders of such Bonds as to all matters deemed advisable by such officials, including the terms and conditions for creating and maintaining sinking funds, reserve funds and such other special funds as may be created in such proceedings, separate and apart from all other funds and accounts of the State, and such officials may make such other covenants as may be deemed necessary or desirable to assure the prompt payment of the principal of and interest on such Bonds. The transfers to and appropriations from the General Obligation Bond Retirement and Interest Fund required by the General Obligation Bond Act shall be made at such times and in such amounts as shall be determined by the Governor and the Director of the Bureau of the Budget and shall be made to and from any fund or funds created pursuant to this Section for the payment of the principal of and interest on any College Savings Bonds.

(Source: P.A. 87-144; revised 8-23-03.)

Sec. 8. Grant Program. The proceedings of the Governor and the Director of the Bureau of
the Budget authorizing the issuance of College Savings Bonds shall also provide for a grant program of additional financial incentives to be provided to holders of such Bonds to encourage the enrollment of students at Institutions of Higher Education located in the State of Illinois. The Grant Program of financial incentives shall be administered by the State Scholarship Commission pursuant to administrative rules promulgated by the Commission. Such financial incentives shall be in such forms as determined by the Governor and the Director of the Governor's Office of Management and Budget at the time of the authorization of such College Savings Bonds and may include, among others, supplemental payments to the holders of such Bonds at maturity to be applied to tuition costs at institutions of higher education located in the State of Illinois. The Commission may establish, by rule, administrative procedures and eligibility criteria for the Grant Program, provided such rules are consistent with the purposes of this Act. The Commission may require bond holders, institutions of higher education and other necessary parties to assist in the determination of eligibility for financial incentives under the Grant Program. All grants shall be subject to annual appropriation of funds for such purpose by the General Assembly. Such financial incentives shall be provided only if, in the sole judgment of the Director of the Governor's Office of Management and Budget, the cost of such incentives shall not cause the cost to the State of the proceeds of the College Savings Bonds being sold to be increased by more than 1/2 of 1%. No such financial incentives shall be paid to assist in the financing of the education of a student (i) in a school or department of divinity for any religious denomination or (ii) pursuing a course of study consisting of training to become a minister, priest, rabbi or other professional person in the field of religion.

(Source: P.A. 86-168; revised 8-23-03.)

Section 670. The Higher Education Student Assistance Act is amended by changing Section 75 as follows:

(110 ILCS 947/75)

Sec. 75. College savings programs.

New matter indicated by italics - deletions by strikeout
(a) Purpose. The General Assembly finds and hereby declares that for the benefit of the people of the State of Illinois, the conduct and increase of their commerce, the protection and enhancement of their welfare, the development of continued prosperity and the improvement of their health and living conditions, it is essential that all citizens with the intellectual ability and motivation be able to obtain a higher education. The General Assembly further finds that rising tuition costs, increasingly restrictive eligibility criteria for existing federal and State student aid programs and other trends in higher education finance have impeded access to a higher education for many middle-income families; and that to remedy these concerns, it is of utmost importance that families be provided with investment alternatives to enhance their financial access to institutions of higher education. It is the intent of this Section to establish College Savings Programs appropriate for families from various income groups, to encourage Illinois families to save and invest in anticipation of their children's education, and to encourage enrollment in institutions of higher education, all in execution of the public policy set forth above and elsewhere in this Act.

(b) The Commission is authorized to develop and provide a program of college savings instruments to Illinois citizens. The program shall be structured to encourage parents to plan ahead for the college education of their children and to permit the long-term accumulation of savings which can be used to finance the family's share of the cost of a higher education. Income, up to $2,000 annually per account, which is derived by individuals from investments made in accordance with College Savings Programs established under this Section shall be free from all taxation by the State and its political subdivisions, except for estate, transfer, and inheritance taxes.

(c) The Commission is authorized to contract with private financial institutions and other businesses, individuals, and other appropriate parties to establish and operate the College Savings Programs. The Commission may negotiate contracts with private financial and investment companies, establish College Savings Programs, and monitor the vendors administering the programs in whichever manner the Commission
determines is best suited to accomplish the purposes of this Section. The Auditor General shall periodically review the operation of the College Savings Programs and shall advise the Commission and the General Assembly of his findings.

(d) In determining the type of instruments to be offered, the Commission shall consult with, and receive the assistance of, the Illinois Board of Higher Education, the Governor's Office of Management and Budget Bureau of the Budget, the State Board of Investments, the Governor, and other appropriate State agencies and private parties.

(e) The Commission shall market and promote the College Savings Programs to the citizens of Illinois.

(f) The Commission shall assist the State Comptroller and State Treasurer in establishing a payroll deduction plan through which State employees may participate in the College Savings Programs. The Department of Labor, Department of Employment Security, Department of Revenue, and other appropriate agencies shall assist the Commission in educating Illinois employers about the College Savings Programs, and shall assist the Commission in securing employers' participation in a payroll deduction plan and other initiatives which maximize participation in the College Savings Programs.

(g) The Commission shall examine means by which the State, through a series of matching contributions or other incentives, may most effectively encourage Illinois families to participate in the College Savings Programs. The Commission shall report its conclusions and recommendations to the Governor and General Assembly no later than February 15, 1990.

(h) The College Savings Programs established pursuant to this Section shall not be subject to the provisions of the Illinois Administrative Procedure Act. The Commission shall provide that appropriate disclosures are provided to all citizens who participate in the College Savings Programs.

(Source: P.A. 87-997; revised 8-23-03.)

Section 675. The Illinois Prepaid Tuition Act is amended by changing Section 20 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 20. Investment Advisory Panel. The Illinois prepaid tuition program shall be administered by the Illinois Student Assistance Commission, with advice and counsel from an investment advisory panel appointed by the Commission. The Illinois prepaid tuition program shall be administratively housed within the Commission, and the investment advisory panel shall have such duties as are specified in this Act.

The investment advisory panel shall consist of 7 members who are appointed by the Commission, including one recommended by the State Treasurer, one recommended by the State Comptroller, one recommended by the Director of the Governor's Office of Management and Budget, and one recommended by the Executive Director of the Board of Higher Education. Each panel member shall possess knowledge, skill, and experience in at least one of the following areas of expertise: accounting, actuarial practice, risk management, or investment management. Members shall serve 3-year terms except that, in making the initial appointments, the Commission shall appoint 2 members to serve for 2 years, 2 members to serve for 3 years, and 3 members to serve for 4 years. Any person appointed to fill a vacancy on the panel shall be appointed in a like manner and shall serve for only the unexpired term. Investment advisory panel members shall be eligible for reappointment and shall serve until a successor is appointed and confirmed. Panel members shall serve without compensation but shall be reimbursed for expenses. Before being installed as a member of the investment advisory panel, each nominee shall file verified written statements of economic interest with the Secretary of State as required by the Illinois Governmental Ethics Act and with the Board of Ethics as required by Executive Order of the Governor.

The investment advisory panel shall meet at least twice annually. At least once each year the Commission Chairman shall designate a time and place at which the investment advisory panel shall meet publicly with the Illinois Student Assistance Commission to discuss issues and concerns relating to the Illinois prepaid tuition program.

(Source: P.A. 90-546, eff. 12-1-97; 91-669, eff. 1-1-00; revised 8-23-03.)

New matter indicated by italics - deletions by strikeout
Section 680. The Public Utilities Act is amended by changing Sections 9-222.1, 9-222.1A, 13-301.1, 13-301.2, 15-401, and 16-111.1 as follows:

(220 ILCS 5/9-222.1) (from Ch. 111 2/3, par. 9-222.1)
Sec. 9-222.1. A business enterprise which is located within an area designated by a county or municipality as an enterprise zone pursuant to the Illinois Enterprise Zone Act or located in a federally designated Foreign Trade Zone or Sub-Zone shall be exempt from the additional charges added to the business enterprise's utility bills as a pass-on of municipal and State utility taxes under Sections 9-221 and 9-222 of this Act, to the extent such charges are exempted by ordinance adopted in accordance with paragraph (e) of Section 8-11-2 of the Illinois Municipal Code in the case of municipal utility taxes, and to the extent such charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity Community Affairs in the case of State utility taxes, provided such business enterprise meets the following criteria:

(1) it either (i) makes investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois; (ii) makes investments of at least $175,000,000 which cause the creation of a minimum of 150 full-time equivalent jobs in Illinois; or (iii) makes investments which cause the retention of a minimum of 1,000 full-time jobs in Illinois; and

(2) it is either (i) located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act or (ii) it is located in a federally designated Foreign Trade Zone or Sub-Zone and is designated a High Impact Business by the Department of Commerce and Economic Opportunity Community Affairs; and

(3) it is certified by the Department of Commerce and Economic Opportunity Community Affairs as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity Community Affairs shall determine the period during which such exemption from the charges imposed under Section 9-222 is in effect.

New matter indicated by italics - deletions by strikeout
which shall not exceed 30 years or the certified term of the enterprise zone, whichever period is shorter.

The Department of Commerce and Economic Opportunity Community Affairs shall have the power to promulgate rules and regulations to carry out the provisions of this Section including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments which business enterprises must make in order to receive State utility tax exemptions pursuant to Sections 9-222 and 9-222.1 of this Act; to approve such utility tax exemptions for business enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions repay the exempted tax should the business enterprise fail to comply with the terms and conditions of the certification. However, no business enterprise shall be required, as a condition for certification under clause (3) of this Section, to attest that its decision to invest under clause (1) of this Section and to locate under clause (2) of this Section is predicated upon the availability of the exemptions authorized by this Section.

A business enterprise shall be exempt, in whole or in part, from the pass-on charges of municipal utility taxes imposed under Section 9-221, only if it meets the criteria specified in clauses (1) through (3) of this Section and the municipality has adopted an ordinance authorizing the exemption under paragraph (e) of Section 8-11-2 of the Illinois Municipal Code. Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity Community Affairs, the Department of Commerce and Economic Opportunity Community Affairs shall notify the Department of Revenue of such certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the pass-on charges of State and municipal utility taxes. Such exemption status shall be effective within 3 months after certification of the business enterprise.

(Source: P.A. 91-567, eff. 8-14-99; 92-777, eff. 1-1-03; revised 12-6-03.)
(220 ILCS 5/9-222.1A)

New matter indicated by italics - deletions by strikeout
Sec. 9-222.1A. High impact business. Beginning on August 1, 1998 and thereafter, a business enterprise that is certified as a High Impact Business by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) is exempt from the tax imposed by Section 2-4 of the Electricity Excise Tax Law, if the High Impact Business is registered to self-assess that tax, and is exempt from any additional charges added to the business enterprise's utility bills as a pass-on of State utility taxes under Section 9-222 of this Act, to the extent the tax or charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity Community Affairs for State utility taxes, provided the business enterprise meets the following criteria:

(1) (A) it intends either (i) to make a minimum eligible investment of $12,000,000 that will be placed in service in qualified property in Illinois and is intended to create at least 500 full-time equivalent jobs at a designated location in Illinois; or (ii) to make a minimum eligible investment of $30,000,000 that will be placed in service in qualified property in Illinois and is intended to retain at least 1,500 full-time equivalent jobs at a designated location in Illinois; or

(B) it meets the criteria of subdivision (a)(3)(B), (a)(3)(C), or (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act;

(2) it is designated as a High Impact Business by the Department of Commerce and Economic Opportunity Community Affairs; and

(3) it is certified by the Department of Commerce and Economic Opportunity Community Affairs as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity Community Affairs shall determine the period during which the exemption from the Electricity Excise Tax Law and the charges imposed under Section 9-222 are in effect, which shall not exceed 20 years from the date
of initial certification, and shall specify the percentage of the exemption from those taxes or additional charges.

The Department of Commerce and Economic Opportunity Community Affairs is authorized to promulgate rules and regulations to carry out the provisions of this Section, including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments that business enterprises must make in order to receive State utility tax exemptions or exemptions from the additional charges imposed under Section 9-222 and this Section; to approve such utility tax exemptions for business enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions or exemptions from additional charges under Section 9-222 repay the exempted amount if the business enterprise fails to comply with the terms and conditions of the certification.

Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity Community Affairs, the Department of Commerce and Economic Opportunity Community Affairs shall notify the Department of Revenue of the certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the tax or pass-on charges of State utility taxes. The exemption status shall take effect within 3 months after certification of the business enterprise.

(Source: P.A. 91-914, eff. 7-7-00; 92-12, eff. 7-1-01; revised 12-6-03.)

(220 ILCS 5/13-301.1) (from Ch. 111 2/3, par. 13-301.1)
(Sec. 13-301.1. Universal Telephone Service Assistance Program.
(a) The Commission shall by rule or regulation establish a Universal Telephone Service Assistance Program for low income residential customers. The program shall provide for a reduction of access line charges, a reduction of connection charges, or any other alternative to increase accessibility to telephone service that the Commission deems advisable subject to the availability of funds for the program as provided

New matter indicated by italics - deletions by strikeout
in subsection (d). The Commission shall establish eligibility requirements for benefits under the program.

(b) The Commission shall adopt rules providing for enhanced enrollment for eligible consumers to receive lifeline service. Enhanced enrollment may include, but is not limited to, joint marketing, joint application, or joint processing with the Low-Income Home Energy Assistance Program, the Medicaid Program, and the Food Stamp Program. The Department of Human Services, the Department of Public Aid, and the Department of Commerce and Economic Opportunity Community Affairs, upon request of the Commission, shall assist in the adoption and implementation of those rules. The Commission and the Department of Human Services, the Department of Public Aid, and the Department of Commerce and Economic Opportunity Community Affairs may enter into memoranda of understanding establishing the respective duties of the Commission and the Departments in relation to enhanced enrollment.

(c) In this Section, "lifeline service" means a retail local service offering described by 47 C.F.R. Section 54.401(a), as amended.

(d) The Commission shall require by rule or regulation that each telecommunications carrier providing local exchange telecommunications services notify its customers that if the customer wishes to participate in the funding of the Universal Telephone Service Assistance Program he may do so by electing to contribute, on a monthly basis, a fixed amount that will be included in the customer's monthly bill. The customer may cease contributing at any time upon providing notice to the telecommunications carrier providing local exchange telecommunications services. The notice shall state that any contribution made will not reduce the customer's bill for telecommunications services. Failure to remit the amount of increased payment will reduce the contribution accordingly. The Commission shall specify the monthly fixed amount or amounts that customers wishing to contribute to the funding of the Universal Telephone Service Assistance Program may choose from in making their contributions. Every telecommunications carrier providing local exchange telecommunications services shall remit the amounts contributed in
ac

accordance with the terms of the Universal Telephone Service Assistance Program.
(Source: P.A. 92-22, eff. 6-30-01; revised 9-28-05.)
(220 ILCS 5/13-301.2)
(Section scheduled to be repealed on July 1, 2007)
Sec. 13-301.2. Program to Foster Elimination of the Digital Divide.
The Commission shall require by rule that each telecommunications carrier providing local exchange telecommunications service notify its end-user customers that if the customer wishes to participate in the funding of the Program to Foster Elimination of the Digital Divide he or she may do so by electing to contribute, on a monthly basis, a fixed amount that will be included in the customer's monthly bill. The obligations imposed in this Section shall not be imposed upon a telecommunications carrier for any of its end-users subscribing to the services listed below: (1) private line service which is not directly or indirectly used for the origination or termination of switched telecommunications service, (2) cellular radio service, (3) high-speed point-to-point data transmission at or above 9.6 kilobits, (4) the provision of telecommunications service by a company or person otherwise subject to subsection (c) of Section 13-202 to a telecommunications carrier, which is incidental to the provision of service subject to subsection (c) of Section 13-202; (5) pay telephone service; or (6) interexchange telecommunications service. The customer may cease contributing at any time upon providing notice to the telecommunications carrier. The notice shall state that any contribution made will not reduce the customer's bill for telecommunications services. Failure to remit the amount of increased payment will reduce the contribution accordingly. The Commission shall specify the monthly fixed amount or amounts that customers wishing to contribute to the funding of the Program to Foster Elimination of the Digital Divide may choose from in making their contributions. A telecommunications carrier subject to this obligation shall remit the amounts contributed by its customers to the Department of Commerce and Economic Opportunity Community Affairs for deposit in the Digital

New matter indicated by italics - deletions by strikeout
Divide Elimination Fund at the intervals specified in the Commission rules.
(Source: P.A. 92-22, eff. 6-30-01; 93-358, eff. 1-1-04; revised 9-28-05.)
(220 ILCS 5/15-401)
Sec. 15-401. Licensing.
(a) No person shall operate as a common carrier by pipeline unless the person possesses a certificate in good standing authorizing it to operate as a common carrier by pipeline. No person shall begin or continue construction of a pipeline or other facility, other than the repair or replacement of an existing pipeline or facility, for use in operations as a common carrier by pipeline unless the person possesses a certificate in good standing.

(b) Requirements for issuance. The Commission, after a hearing, shall grant an application for a certificate authorizing operations as a common carrier by pipeline, in whole or in part, to the extent that it finds that the application was properly filed; a public need for the service exists; the applicant is fit, willing, and able to provide the service in compliance with this Act, Commission regulations, and orders; and the public convenience and necessity requires issuance of the certificate.

In its determination of public convenience and necessity for a proposed pipeline or facility designed or intended to transport crude oil and any alternate locations for such proposed pipeline or facility, the Commission shall consider, but not be limited to, the following:

(1) any evidence presented by the Illinois Environmental Protection Agency regarding the environmental impact of the proposed pipeline or other facility;

(2) any evidence presented by the Illinois Department of Transportation regarding the impact of the proposed pipeline or facility on traffic safety, road construction, or other transportation issues;

(3) any evidence presented by the Department of Natural Resources regarding the impact of the proposed pipeline or facility on any conservation areas, forest preserves, wildlife preserves, wetlands, or any other natural resource;

New matter indicated by italics - deletions by strikeout
(4) any evidence of the effect of the pipeline upon the economy, infrastructure, and public safety presented by local governmental units that will be affected by the proposed pipeline or facility;

(5) any evidence of the effect of the pipeline upon property values presented by property owners who will be affected by the proposed pipeline or facility;

(6) any evidence presented by the Department of Commerce and Economic Opportunity Community Affairs regarding the current and future economic effect of the proposed pipeline or facility including, but not limited to, property values, employment rates, and residential and business development; and

(7) any evidence presented by any other State agency that participates in the proceeding.

In its written order, the Commission shall address all of the evidence presented, and if the order is contrary to any of the evidence, the Commission shall state the reasons for its determination with regard to that evidence. The provisions of this amendatory Act of 1996 apply to any certificate granted or denied after the effective date of this amendatory Act of 1996.

(c) Duties and obligations of common carriers by pipeline. Each common carrier by pipeline shall provide adequate service to the public at reasonable rates and without discrimination. (Source: P.A. 89-42, eff. 1-1-96; 89-573, eff. 7-30-96; revised 12-6-03.)

(220 ILCS 5/16-111.1)

Sec. 16-111.1. Illinois Clean Energy Community Trust.

(a) An electric utility which has sold or transferred generating facilities in a transaction to which subsection (k) of Section 16-111 applies is authorized to establish an Illinois clean energy community trust or foundation for the purposes of providing financial support and assistance to entities, public or private, within the State of Illinois including, but not limited to, units of State and local government, educational institutions, corporations, and charitable, educational, environmental and community organizations, for programs and projects that benefit the public by

New matter indicated by italics - deletions by strikeout
improving energy efficiency, developing renewable energy resources, supporting other energy related projects that improve the State's environmental quality, and supporting projects and programs intended to preserve or enhance the natural habitats and wildlife areas of the State. Provided, however, that the trust or foundation funds shall not be used for the remediation of environmentally impaired property. The trust or foundation may also assist in identifying other energy and environmental grant opportunities.

(b) Such trust or foundation shall be governed by a declaration of trust or articles of incorporation and bylaws which shall, at a minimum, provide that:

(1) There shall be 6 voting trustees of the trust or foundation, one of whom shall be appointed by the Governor, one of whom shall be appointed by the President of the Illinois Senate, one of whom shall be appointed by the Minority Leader of the Illinois Senate, one of whom shall be appointed by the Speaker of the Illinois House of Representatives, one of whom shall be appointed by the Minority Leader of the Illinois House of Representatives, and one of whom shall be appointed by the electric utility establishing the trust or foundation, provided that the voting trustee appointed by the utility shall be a representative of a recognized environmental action group selected by the utility. The Governor shall designate one of the 6 voting trustees to serve as chairman of the trust or foundation, who shall serve as chairman of the trust or foundation at the pleasure of the Governor. In addition, there shall be 4 non-voting trustees, one of whom shall be appointed by the Director of the Department of the Department of Commerce and Economic Opportunity Community Affairs, one of whom shall be appointed by the Director of the Illinois Environmental Protection Agency, one of whom shall be appointed by the Director of the Department of Natural Resources, and one of whom shall be appointed by the electric utility establishing the trust or foundation, provided that the non-voting trustee appointed by the utility shall

New matter indicated by italics - deletions by strikeout
bring financial expertise to the trust or foundation and shall have appropriate credentials therefor.

(2) All voting trustees and the non-voting trustee with financial expertise shall be entitled to compensation for their services as trustees, provided, however, that no member of the General Assembly and no employee of the electric utility establishing the trust or foundation serving as a voting trustee shall receive any compensation for his or her services as a trustee, and provided further that the compensation to the chairman of the trust shall not exceed $25,000 annually and the compensation to any other trustee shall not exceed $20,000 annually. All trustees shall be entitled to reimbursement for reasonable expenses incurred on behalf of the trust in the performance of their duties as trustees. All such compensation and reimbursements shall be paid out of the trust.

(3) Trustees shall be appointed within 30 days after the creation of the trust or foundation and shall serve for a term of 5 years commencing upon the date of their respective appointments, until their respective successors are appointed and qualified.

(4) A vacancy in the office of trustee shall be filled by the person holding the office responsible for appointing the trustee whose death or resignation creates the vacancy, and a trustee appointed to fill a vacancy shall serve the remainder of the term of the trustee whose resignation or death created the vacancy.

(5) The trust or foundation shall have an indefinite term, and shall terminate at such time as no trust assets remain.

(6) The trust or foundation shall be funded in the minimum amount of $250,000,000, with the allocation and disbursement of funds for the various purposes for which the trust or foundation is established to be determined by the trustees in accordance with the declaration of trust or the articles of incorporation and bylaws; provided, however, that this amount may be reduced by up to $25,000,000 if, at the time the trust or foundation is funded, a corresponding amount is contributed by the electric utility.
establishing the trust or foundation to the Board of Trustees of Southern Illinois University for the purpose of funding programs or projects related to clean coal and provided further that $25,000,000 of the amount contributed to the trust or foundation shall be available to fund programs or projects related to clean coal.

(7) The trust or foundation shall be authorized to employ an executive director and other employees, to enter into leases, contracts and other obligations on behalf of the trust or foundation, and to incur expenses that the trustees deem necessary or appropriate for the fulfillment of the purposes for which the trust or foundation is established, provided, however, that salaries and administrative expenses incurred on behalf of the trust or foundation shall not exceed $500,000 in the first fiscal year after the trust or foundation is established and shall not exceed $1,000,000 in each subsequent fiscal year.

(8) The trustees may create and appoint advisory boards or committees to assist them with the administration of the trust or foundation, and to advise and make recommendations to them regarding the contribution and disbursement of the trust or foundation funds.

(c)(1) In addition to the allocation and disbursement of funds for the purposes set forth in subsection (a) of this Section, the trustees of the trust or foundation shall annually contribute funds in amounts set forth in subparagraph (2) of this subsection to the Citizens Utility Board created by the Citizens Utility Board Act; provided, however, that any such funds shall be used solely for the representation of the interests of utility consumers before the Illinois Commerce Commission, the Federal Energy Regulatory Commission, and the Federal Communications Commission and for the provision of consumer education on utility service and prices and on benefits and methods of energy conservation. Provided, however, that no part of such funds shall be used to support (i) any lobbying activity, (ii) activities related to fundraising, (iii) advertising or other marketing efforts regarding a particular utility, or (iv) solicitation of support for, or

New matter indicated by italics - deletions by strikeout
advocacy of, a particular position regarding any specific utility or a utility's docketed proceeding.

(2) In the calendar year in which the trust or foundation is first funded, the trustees shall contribute $1,000,000 to the Citizens Utility Board within 60 days after such trust or foundation is established; provided, however, that such contribution shall be made after December 31, 1999. In each of the 6 calendar years subsequent to the first contribution, if the trust or foundation is in existence, the trustees shall contribute to the Citizens Utility Board an amount equal to the total expenditures by such organization in the prior calendar year, as set forth in the report filed by the Citizens Utility Board with the chairman of such trust or foundation as required by subparagraph (3) of this subsection. Such subsequent contributions shall be made within 30 days of submission by the Citizens Utility Board of such report to the Chairman of the trust or foundation, but in no event shall any annual contribution by the trustees to the Citizens Utility Board exceed $1,000,000. Following such 7-year period, an Illinois statutory consumer protection agency may petition the trust or foundation for contributions to fund expenditures of the type identified in paragraph (1), but in no event shall annual contributions by the trust or foundation for such expenditures exceed $1,000,000.

(3) The Citizens Utility Board shall file a report with the chairman of such trust or foundation for each year in which it expends any funds received from the trust or foundation setting forth the amount of any expenditures (regardless of the source of funds for such expenditures) for: (i) the representation of the interests of utility consumers before the Illinois Commerce Commission, the Federal Energy Regulatory Commission, and the Federal Communications Commission, and (ii) the provision of consumer education on utility service and prices and on benefits and methods of energy conservation. Such report shall separately state the total amount of expenditures for the purposes or activities

New matter indicated by italics - deletions by strikeout
identified by items (i) and (ii) of this paragraph, the name and address of the external recipient of any such expenditure, if applicable, and the specific purposes or activities (including internal purposes or activities) for which each expenditure was made. Any report required by this subsection shall be filed with the chairman of such trust or foundation no later than March 31 of the year immediately following the year for which the report is required.

(d) In addition to any other allocation and disbursement of funds in this Section, the trustees of the trust or foundation shall contribute an amount up to $125,000,000 (1) for deposit into the General Obligation Bond Retirement and Interest Fund held in the State treasury to assist in the repayment on general obligation bonds issued under subsection (d) of Section 7 of the General Obligation Bond Act, and (2) for deposit into funds administered by agencies with responsibility for environmental activities to assist in payment for environmental programs. The amount required to be contributed shall be provided to the trustees in a certification letter from the Director of the Bureau of the Budget that shall be provided no later than August 1, 2003. The payment from the trustees shall be paid to the State no later than December 31st following the receipt of the letter.

(Source: P.A. 93-32, eff. 6-20-03; revised 12-6-03.)

Section 685. The Surface Coal Mining Land Conservation and Reclamation Act is amended by changing Section 1.05 as follows:

(225 ILCS 720/1.05) (from Ch. 96 1/2, par. 7901.05)

Sec. 1.05. Interagency Committee. There is created the Interagency Committee on Surface Mining Control and Reclamation, which shall consist of the Director (or Division Head) of each of the following State agencies: (a) the Department of Agriculture, (b) the Environmental Protection Agency, (c) the Department of Commerce and Economic Opportunity Community Affairs, and (d) any other State Agency designated by the Director as having a programmatic role in the review or regulation of mining operations and reclamation whose comments are expected by the Director to be relevant and of material benefit to the

New matter indicated by italics - deletions by strikeout
process of reviewing permit applications under this Act. The Interagency Committee on Surface Mining Control and Reclamation shall be abolished on June 30, 1997. Beginning July 1, 1997, all programmatic functions formerly performed by the Interagency Committee on Surface Mining Control and Reclamation shall be performed by the Office of Mines and Minerals within the Department of Natural Resources, except as otherwise provided by Section 9.04 of this Act.

(Source: P.A. 89-445, eff. 2-7-96; 90-490, eff. 8-17-97; revised 12-6-03.)

Section 695. The Liquor Control Act of 1934 is amended by changing Section 12-1 as follows:

(235 ILCS 5/12-1)
Sec. 12-1. Grape and Wine Resources Council.

(a) There is hereby created the Grape and Wine Resources Council, which shall have the powers and duties specified in this Article and all other powers necessary and proper to execute the provisions of this Article.

(b) The Council shall consist of 17 members including:

(1) The Director of the Illinois Department of Agriculture, ex officio, or the Director's designee.

(2) The Dean of the SIU College of Agriculture, or the Dean's designee.

(3) The Dean of the University of Illinois College of Agriculture, or the Dean's designee.

(4) An expert in enology or food science and nutrition to be named by the Director of the Illinois Department of Agriculture from nominations submitted jointly by the Deans of the Colleges of Agriculture at Southern Illinois University and the University of Illinois.

(5) An expert in marketing to be named by the Director of the Illinois Department of Agriculture from nominations submitted jointly by the Deans of the Colleges of Agriculture at Southern Illinois University and the University of Illinois.

(6) An expert in viticulture to be named by the Director of the Illinois Department of Agriculture from nominations submitted

New matter indicated by italics - deletions by strikeout
jointly by the Deans of the Colleges of Agriculture at Southern Illinois University and the University of Illinois.  

(7) A representative from the Illinois Division of Tourism, to be named by the Director of the Illinois Department of Commerce and Economic Opportunity Community Affairs.  

(8) Six persons to be named by the Director of the Illinois Department of Agriculture from nominations from the President of the Illinois Grape Growers and Vintners Association, of whom 3 shall be grape growers and 3 shall be vintners.  

(9) Four persons, one of whom shall be named by the Speaker of the House of Representatives, one of whom shall be named by the Minority Leader of the House of Representatives, one of whom shall be named by the President of the Senate, and one of whom shall be named by the Minority Leader of the Senate. Members of the Council shall receive no compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties. The Council's Chair shall be the Dean of the College of Agriculture at the University where the Council is housed.  

(c) The Council shall be housed at Southern Illinois University at Carbondale, which shall maintain a collaborative relationship with the University of Illinois at Champaign. (Source: P.A. 90-77, eff. 7-8-97; revised 12-6-03.)  

Section 700. The Illinois Public Aid Code is amended by changing Section 9A-3 as follows:  

(305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)  
Sec. 9A-3. Establishment of Program and Level of Services.  
(a) The Illinois Department shall establish and maintain a program to provide recipients with services consistent with the purposes and provisions of this Article. The program offered in different counties of the State may vary depending on the resources available to the State to provide a program under this Article, and no program may be offered in some counties, depending on the resources available. Services may be provided directly by the Illinois Department or through contract. References to the Illinois Department or staff of the Illinois Department shall include
contractors when the Illinois Department has entered into contracts for these purposes. The Illinois Department shall provide each recipient who participates with such services available under the program as are necessary to achieve his employability plan as specified in the plan.

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

(Source: P.A. 92-111, eff. 1-1-02; 93-598, eff. 8-26-03; revised 12-6-03.)

Section 705. The Energy Assistance Act is amended by changing Sections 3, 4, 5, 8, and 13 as follows:

(305 ILCS 20/3) (from Ch. 111 2/3, par. 1403)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

(a) the terms defined in Sections 3-101 through 3-121 of The Public Utilities Act have the meanings ascribed to them in that Act;

(b) "Department" means the Department of Commerce and Economic Opportunity Community Affairs;

(c) "energy provider" means any utility, municipal utility, cooperative utility, or any other corporation or individual which provides winter energy services;

(d) "winter" means the period from November 1 of any year through April 30 of the following year.

(Source: P.A. 86-127; 87-14; revised 12-6-03.)

(305 ILCS 20/4) (from Ch. 111 2/3, par. 1404)

Sec. 4. Energy Assistance Program.

(a) The Department of Commerce and Economic Opportunity Community Affairs is hereby authorized to institute a program to ensure the availability and affordability of heating and electric service to low income citizens. The Department shall implement the program by rule promulgated pursuant to The Illinois Administrative Procedure Act. The

New matter indicated by italics - deletions by strikeout
program shall be consistent with the purposes and objectives of this Act and with all other specific requirements provided herein. The Department may enter into such contracts and other agreements with local agencies as may be necessary for the purpose of administering the energy assistance program.

(b) Nothing in this Act shall be construed as altering or limiting the authority conferred on the Illinois Commerce Commission by the Public Utilities Act to regulate all aspects of the provision of public utility service, including but not limited to the authority to make rules and adjudicate disputes between utilities and customers related to eligibility for utility service, deposits, payment practices, discontinuance of service, and the treatment of arrearages owing for previously rendered utility service.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/5) (from Ch. 111 2/3, par. 1405)

Sec. 5. Policy Advisory Council.

(a) Within the Department of Commerce and Economic Opportunity Community Affairs is created a Low Income Energy Assistance Policy Advisory Council.

(b) The Council shall be chaired by the Director of Commerce and Economic Opportunity Community Affairs or his or her designee. There shall be 20 members of the Low Income Energy Assistance Policy Advisory Council, including the chairperson and the following members:

1. one member designated by the Illinois Commerce Commission;
2. one member designated by the Illinois Department of Natural Resources;
3. one member designated by the Illinois Energy Association to represent electric public utilities serving in excess of 1 million customers in this State;
4. one member agreed upon by gas public utilities that serve more than 500,000 and fewer than 1,500,000 customers in this State;
5. one member agreed upon by gas public utilities that serve 1,500,000 or more customers in this State;

New matter indicated by italics - deletions by strikeout
(6) one member designated by the Illinois Energy Association to represent combination gas and electric public utilities;

(7) one member agreed upon by the Illinois Municipal Electric Agency and the Association of Illinois Electric Cooperatives;

(8) one member agreed upon by the Illinois Industrial Energy Consumers;

(9) three members designated by the Department to represent low income energy consumers;

(10) two members designated by the Illinois Community Action Association to represent local agencies that assist in the administration of this Act;

(11) one member designated by the Citizens Utility Board to represent residential energy consumers;

(12) one member designated by the Illinois Retail Merchants Association to represent commercial energy customers;

(13) one member designated by the Department to represent independent energy providers; and

(14) three members designated by the Mayor of the City of Chicago.

(c) Designated and appointed members shall serve 2 year terms and until their successors are appointed and qualified. The designating organization shall notify the chairperson of any changes or substitutions of a designee within 10 business days of a change or substitution. Members shall serve without compensation, but may receive reimbursement for actual costs incurred in fulfilling their duties as members of the Council.

(d) The Council shall have the following duties:

(1) to monitor the administration of this Act to ensure effective, efficient, and coordinated program development and implementation;

(2) to assist the Department in developing and administering rules and regulations required to be promulgated

New matter indicated by italics - deletions by strikeout
pursuant to this Act in a manner consistent with the purpose and objectives of this Act;

(3) to facilitate and coordinate the collection and exchange of all program data and other information needed by the Department and others in fulfilling their duties pursuant to this Act;

(4) to advise the Department on the proper level of support required for effective administration of the Act;

(5) to provide a written opinion concerning any regulation proposed pursuant to this Act, and to review and comment on any energy assistance or related plan required to be prepared by the Department;

(6) to advise the Department on the use of funds collected pursuant to Section 11 of this Act, and on any changes to existing low income energy assistance programs to make effective use of such funds, so long as such uses and changes are consistent with the requirements of the Act.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/8) (from Ch. 111 2/3, par. 1408)

Sec. 8. Program Reports.

(a) The Department of Natural Resources shall prepare and submit to the Governor and the General Assembly reports on September 30 biennially, beginning in 2003, evaluating the effectiveness of the energy assistance and weatherization policies authorized by this Act. The first report shall cover such effects during the first winter during which the program authorized by this Act, is in operation, and successive reports shall cover effects since the issuance of the preceding report.

(1) Reports issued pursuant to this Section shall be limited to, information concerning the effects of the policies authorized by this Act on (1) the ability of eligible applicants to obtain and maintain adequate and affordable winter energy services and (2) changes in the costs and prices of winter energy services for people who do not receive energy assistance pursuant to this Act.

New matter indicated by italics - deletions by strikeout
(2) The Department of Natural Resources shall by September 30, 2002, in consultation with the Policy Advisory Council, determine the kinds of numerical and other information needed to conduct the evaluations required by this Section, and shall advise the Policy Advisory Council of such information needs in a timely manner. The Department of Commerce and Economic Opportunity Community Affairs, the Department of Human Services, and the Illinois Commerce Commission shall each provide such information as the Department of Natural Resources may require to ensure that the evaluation reporting requirement established by this Section can be met.

(b) On or before December 31, 2002, 2004, 2006, and 2007, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated for the programs authorized under this Act.

(c) On or before December 31 of each year in 2004, 2006, and 2007, the Department shall, in consultation with the Council, prepare and submit evaluation reports to the Governor and the General Assembly outlining the effects of the program designed under this Act on the following as it relates to the propriety of continuing the program:

(1) the definition of an eligible low income residential customer;
(2) access of low income residential customers to essential energy services;
(3) past due amounts owed to utilities by low income persons in Illinois;
(4) appropriate measures to encourage energy conservation, efficiency, and responsibility among low income residential customers;
(5) the activities of the Department in the development and implementation of energy assistance and related policies and programs, which characterizes progress toward meeting the objectives and requirements of this Act, and which recommends
any statutory changes which might be needed to further such progress.

(d) The Department shall by September 30, 2002 in consultation with the Council determine the kinds of numerical and other information needed to conduct the evaluations required by this Section.

(e) The Illinois Commerce Commission shall require each public utility providing heating or electric service to compile and submit any numerical and other information needed by the Department of Natural Resources to meet its reporting obligations.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/13)


(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive, by statutory deposit, the moneys collected pursuant to this Section. Subject to appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program authorized by Section 4 of this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 10% of the amount collected during that year pursuant to this Section.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Energy

New matter indicated by italics - deletions by strikeout
Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) $0.40 per month on each account for residential electric service;
(2) $0.40 per month on each account for residential gas service;
(3) $4 per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;
(4) $4 per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;
(5) $300 per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and
(6) $300 per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

(c) For purposes of this Section:

(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

New matter indicated by italics - deletions by strikeout
(3) "non-residential electric service" means electric utility service which is not residential electric service; and
(4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) At least 45 days prior to the date on which it must begin assessing Energy Assistance Charges, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. If a customer makes a partial payment, a public utility, municipal utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section.

(h) (Blank).

On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.

New matter indicated by italics - deletions by strikeout
(j) The Department of Commerce and Economic Opportunity Community Affairs may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed effective December 31, 2007 unless renewed by action of the General Assembly. The General Assembly shall consider the results of the evaluations described in Section 8 in its deliberations.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

Section 710. The Family Resource Development Act is amended by changing Section 5 as follows:

(305 ILCS 30/5) (from Ch. 23, par. 6855)

Sec. 5. The Department of Human Services, the Illinois Community College Board and the Department of Commerce and Economic Opportunity Community Affairs may develop as a demonstration program a Family Resource Development Center for the benefit and use of an initial 20 low-income families. The Center shall establish an interdisciplinary approach that shall increase the coping skills of low-income families and develop the potential of low-income families

New matter indicated by italics - deletions by strikeout
through community economic development programs. Funding for the demonstration program shall be from existing moneys in supportive services funds, joint partnership training funds, and other existing moneys that are intended to meet the educational, vocational and training needs of recipients. The demonstration program shall be administered in accordance with existing federal and State statutes and regulations.  
(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)  
Section 715. The State Housing Act is amended by changing Section 40 as follows:  
(310 ILCS 5/40) (from Ch. 67 1/2, par. 190)  
Sec. 40. As used in this Act:  
"Department" shall mean the Department of Commerce and Economic Opportunity Community Affairs.  
"Illinois Housing Development Authority" shall mean the Illinois Housing Development Authority created by the Illinois Housing Development Act of 1967, as amended.  
"Community facilities" shall include land, buildings and equipment for recreation, for social assembly, for education or health or welfare activities, for the use primarily of tenants of housing accommodations of a housing corporation.  
"Cost" of land shall include all of the following items paid by a housing corporation in connection with the acquisition thereof when approved by the Illinois Housing Development Authority; all amounts paid to the vendor on account of the purchase price, whether in cash, securities or property; the unpaid balance of any obligation secured by mortgage remaining upon the premises or created in connection with the acquisition; all accounts paid for surveys, examination and insurance of title; attorneys' fees; brokerage; all awards paid in condemnation and court costs and fees; all documentary and stamp taxes and filing and recording fees and fees of the Illinois Housing Development Authority and other expenses of acquisition approved by the Illinois Housing Development Authority; and shall also include all special assessments for benefit upon the premises approved by the Illinois Housing Development Authority whether levied before or after the acquisition.  

New matter indicated by italics - deletions by strikeout
"Cost" of buildings and improvements, shall include all of the following items when approved by the Illinois Housing Development Authority; all amounts, whether in cash, securities or property, paid for labor and materials for site preparation and construction, for contractors' and architects' and engineers' fees, for fees or permits of any municipality, for workers' compensation, liability, fire and other casualty insurance, for charges of financing and supervision, for property taxes during construction and for interest upon borrowed and invested capital during construction, for fees of the Illinois Housing Development Authority, and other expenses of construction approved by the Illinois Housing Development Authority.

"Person" shall be deemed to include firm, association, trust or corporation.

"Project" shall mean all lands, buildings and improvements acquired, owned, managed, or operated by a housing corporation designed to provide housing accommodations and community facilities, stores and offices appurtenant or incidental thereto, which are planned as a unit, whether or not acquired or constructed at one time, and which ordinarily are contiguous or adjacent to one another. The buildings need not be contiguous or adjacent to one another, and a project may be entirely composed of either single or multiple dwellings.

(Source: P.A. 81-1509; revised 12-6-03.)

Section 720. The Housing Authorities Act is amended by changing Sections 8.13 and 17 as follows:

(310 ILCS 10/8.13) (from Ch. 67 1/2, par. 8.13)

Sec. 8.13. In addition to the powers conferred by this Act and other laws, Housing Authorities for municipalities of less than 500,000 population and for counties, the Department of Commerce and Economic Opportunity Community Affairs, and the governing bodies of municipal corporations, counties and other public bodies may exercise the powers delegated to them in Sections 8.14 to 8.18, inclusive.

The provisions of Sections 8.14 to 8.18, inclusive, shall be deemed to create an additional and alternative method for the conservation of urban residential areas and the prevention of slums in municipalities of
less than 500,000 to that which is provided by the "Urban Community Conservation Act," approved July 13, 1935, and shall not be deemed to alter, amend or repeal said Urban Community Conservation Act.

(Source: P.A. 81-1509; revised 12-6-03)

(310 ILCS 10/17) (from Ch. 67 1/2, par. 17)

Sec. 17. The following terms, wherever used or referred to in this Act shall have the following respective meanings, unless in any case a different meaning clearly appears from the context:

(a) "Authority" or "housing authority" shall mean a municipal corporation organized in accordance with the provisions of this Act for the purposes, with the powers and subject to the restrictions herein set forth.

(b) "Area" or "area of operation" shall mean: (1) in the case of an authority which is created hereunder for a city, village, or incorporated town, the area within the territorial boundaries of said city, village, or incorporated town, and so long as no county housing authority has jurisdiction therein, the area within three miles from such territorial boundaries, except any part of such area located within the territorial boundaries of any other city, village, or incorporated town; and (2) in the case of a county shall include all of the county except the area of any city, village or incorporated town located therein in which there is an Authority. When an authority is created for a county subsequent to the creation of an authority for a city, village or incorporated town within the same county, the area of operation of the authority for such city, village or incorporated town shall thereafter be limited to the territory of such city, village or incorporated town, but the authority for such city, village or incorporated town may continue to operate any project developed in whole or in part in an area previously a part of its area of operation, or may contract with the county housing authority with respect to the sale, lease, development or administration of such project. When an authority is created for a city, village or incorporated town subsequent to the creation of a county housing authority which previously included such city, village or incorporated town within its area of operation, such county housing authority shall have no power to create any additional project within the city, village or incorporated town, but any existing project in the city,
village or incorporated town currently owned and operated by the county housing authority shall remain in the ownership, operation, custody and control of the county housing authority.

(c) "Presiding officer" shall mean the presiding officer of the board of a county, or the mayor or president of a city, village or incorporated town, as the case may be, for which an Authority is created hereunder.

(d) "Commissioner" shall mean one of the members of an Authority appointed in accordance with the provisions of this Act.

(e) "Government" shall include the State and Federal governments and the governments of any subdivisions, agency or instrumentality, corporate or otherwise, of either of them.

(f) "Department" shall mean the Department of Commerce and Economic Opportunity Community Affairs.

(g) "Project" shall include all lands, buildings, and improvements, acquired, owned, leased, managed or operated by a housing authority, and all buildings and improvements constructed, reconstructed or repaired by a housing authority, designed to provide housing accommodations and facilities appurtenant thereto (including community facilities and stores) which are planned as a unit, whether or not acquired or constructed at one time even though all or a portion of the buildings are not contiguous or adjacent to one another; and the planning of buildings and improvements, the acquisition of property, the demolition of existing structures, the clearing of land, the construction, reconstruction, and repair of buildings or improvements and all other work in connection therewith. As provided in Sections 8.14 to 8.18, inclusive, "project" also means, for Housing Authorities for municipalities of less than 500,000 population and for counties, the conservation of urban areas in accordance with an approved conservation plan. "Project" shall also include (1) acquisition of (i) a slum or blighted area or a deteriorated or deteriorating area which is predominantly residential in character, or (ii) any other deteriorated or deteriorating area which is to be developed or redeveloped for predominantly residential uses, or (iii) platted urban or suburban land which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements,
or otherwise substantially impairs or arrests the sound growth of the community and which is to be developed for predominantly residential uses, or (iv) open unplatted urban or suburban land necessary for sound community growth which is to be developed for predominantly residential uses, or (v) any other area where parcels of land remain undeveloped because of improper platting, delinquent taxes or special assessments, scattered or uncertain ownerships, clouds on title, artificial values due to excessive utility costs, or any other impediments to the use of such area for predominantly residential uses; (2) installation, construction, or reconstruction of streets, utilities, and other site improvements essential to the preparation of sites for uses in accordance with the development or redevelopment plan; and (3) making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the local public agency itself). If in any city, village or incorporated town there exists a land clearance commission created under the "Blighted Areas Redevelopment Act of 1947" having the same area of operation as a housing authority created in and for any such municipality such housing authority shall have no power to acquire land of the character described in subparagraph (iii), (iv) or (v) of paragraph 1 of the definition of "project" for the purpose of development or redevelopment by private enterprise.

(h) "Community facilities" shall include lands, buildings, and equipment for recreation or social assembly, for education, health or welfare activities and other necessary utilities primarily for use and benefit of the occupants of housing accommodations to be constructed, reconstructed, repaired or operated hereunder.

(i) "Real property" shall include lands, lands under water, structures, and any and all easements, franchises and incorporeal hereditaments and estates, and rights, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise.

(j) The term "governing body" shall include the city council of any city, the president and board of trustees of any village or incorporated town, the council of any city or village, and the county board of any county.

New matter indicated by italics - deletions by strikeout
(k) The phrase "individual, association, corporation or organization" shall include any individual, private corporation, insurance company, housing corporation, neighborhood redevelopment corporation, non-profit corporation, incorporated or unincorporated group or association, educational institution, hospital, or charitable organization, and any mutual ownership or cooperative organization.

(l) "Conservation area", for the purpose of the exercise of the powers granted in Sections 8.14 to 8.18, inclusive, for housing authorities for municipalities of less than 500,000 population and for counties, means an area of not less than 2 acres in which the structures in 50% or more of the area are residential having an average age of 35 years or more. Such an area is not yet a slum or blighted area as defined in the Blighted Areas Redevelopment Act of 1947, but such an area by reason of dilapidation, obsolescence, deterioration or illegal use of individual structures, overcrowding of structures and community facilities, conversion of residential units into non-residential use, deleterious land use or layout, decline of physical maintenance, lack of community planning, or any combination of these factors may become a slum and blighted area.

(m) "Conservation plan" means the comprehensive program for the physical development and replanning of a "Conservation Area" as defined in paragraph (l) embodying the steps required to prevent such Conservation Area from becoming a slum and blighted area.

(n) "Fair use value" means the fair cash market value of real property when employed for the use contemplated by a "Conservation Plan" in municipalities of less than 500,000 population and in counties.

(o) "Community facilities" means, in relation to a "Conservation Plan", those physical plants which implement, support and facilitate the activities, services and interests of education, recreation, shopping, health, welfare, religion and general culture.

(p) "Loan agreement" means any agreement pursuant to which an Authority agrees to loan the proceeds of its revenue bonds issued with respect to a multifamily rental housing project or other funds of the Authority to any person upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, premium,
if any, and interest on the revenue bonds of the Authority issued with respect to the multifamily rental housing project, and providing for maintenance, insurance, and other matters as may be deemed desirable by the Authority.

(q) "Multifamily rental housing" means any rental project designed for mixed-income or low-income occupancy.

(Source: P.A. 92-481, eff. 8-23-01; revised 12-6-03.)

Section 725. The Housing Development and Construction Act is amended by changing Sections 2, 3, 3a, 3b, 5, 8, 9a, and 10 as follows:

(310 ILCS 20/2) (from Ch. 67 1/2, par. 54)

Sec. 2. Any housing authority now or hereafter organized under the "Housing Authorities Act," approved March 19, 1934, as amended, and any Land Clearance Commission heretofore organized under the Act herein repealed or hereafter organized under the provisions of the "Blighted Areas Redevelopment Act of 1947," enacted by the 65th General Assembly, may make application to the Department of Commerce and Economic Opportunity Community Affairs for a grant of state funds from the appropriation designated for the making of grants under this Act. No such housing authority or Land Clearance Commission shall apply for a sum larger than the proportion of the population of its area of operation to the population of the State, and where an authority and Land Clearance Commission have been created by the governing body of the same municipality, an amount not in excess of one-half (1/2) of the maximum grant allocable for such municipality on the foregoing basis of proportion of population may be allocated to the housing authority and an amount not in excess of one-half (1/2) of the maximum grant so allocable for such municipality may be allocated to the Land Clearance Commission.

The foregoing provisions of this section in respect to maximum allocable grants to housing authorities and land clearance commissions from funds appropriated by the 66th or any succeeding General Assembly, and applications therefor, shall be subject to the provisions of Section 3a of this Act.

(Source: P.A. 81-1509; revised 12-6-03.)

(310 ILCS 20/3) (from Ch. 67 1/2, par. 55)

New matter indicated by italics - deletions by strikeout
Sec. 3. Every application for a grant shall be accompanied by a statement of the uses to which a grant is to be applied, a description of the housing conditions in the area of operation of the applicant, and a plan for development or redevelopment or other use to be undertaken by the applicant. Subject to the provisions of Section 3a the Department of Commerce and Economic Opportunity Community Affairs shall review all applications for grants and if satisfied that a need therefor exists in relation to the uses to which it is to be applied and upon approval of the plan submitted with the application, the Director of the Department of Commerce and Economic Opportunity Community Affairs shall transmit to the State Comptroller a statement of approval and of the amount of the grant. Upon receipt of such statement by the Comptroller, the approved grant shall be paid to the applicant from any appropriation designated for the making of grants under this Act.

(Source: P.A. 81-1509; revised 12-6-03.)

(310 ILCS 20/3a) (from Ch. 67 1/2, par. 55a)

Sec. 3a. Application for grants from funds appropriated by the 66th or any succeeding General Assembly shall be made not later than June 30th of the year following the year in which such appropriation was enacted. Each such application shall be reviewed by the Department of Commerce and Economic Opportunity Community Affairs as provided in Section 3 and if approved shall entitle the applicant to a grant upon the basis of the population formula prescribed in Section 2. No application shall be approved unless the Department of Commerce and Economic Opportunity Community Affairs is satisfied that the amount approved will be properly employed by the applicant in carrying out the plan accompanying the application.

If any housing authority or land clearance commission has failed to make application for a grant of funds appropriated by the 66th or any succeeding General Assembly prior to July 1st of the year following the year in which the appropriation was enacted, such portion of the appropriation as remains unallocated shall be available for distribution by the Department of Commerce and Economic Opportunity Community Affairs to housing authorities and land clearance commissions which make

New matter indicated by italics - deletions by strikeout
application and establish a need therefor in relation to a specific project or projects approved by the Department. The determination of the relative needs of applicants shall be made by the Department of Commerce and Economic Opportunity Community Affairs; provided, that in no event shall the sum of any initial and supplemental grants to any applicant exceed 50% of the total appropriation made available for distribution to all applicants in the State.

(Source: P.A. 81-1509; revised 12-6-03.)

(310 ILCS 20/3b) (from Ch. 67 1/2, par. 55b)

Sec. 3b. In any municipality or county for which a Land Clearance Commission has been established, and for which no Housing Authority has been established, the Land Clearance Commission, if a recipient of state grants under this Act, may, subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, exercise the powers vested in Housing Authorities under the provisions of this Act and the "Housing Authorities Act," approved March 19, 1934, as amended, and apply state grant funds allocated under this Act to any such purpose. For the purpose of any project so undertaken, the Land Clearance Commission shall be subject to all laws and regulations applicable to Housing Authorities. If a Housing Authority is established for any such municipality or county, the Land Clearance Commission shall thereafter exercise only those powers designated in the "Blighted Areas Redevelopment Act of 1947," approved July 2, 1947, as amended, and, in respect to pending, uncompleted or existing projects undertaken as a Housing Authority, the Land Clearance Commission, subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, may either complete or continue such project, or transfer full and complete power thereover to the Housing Authority.

(Source: P.A. 81-1509; revised 12-6-03.)

(310 ILCS 20/5) (from Ch. 67 1/2, par. 57)

Sec. 5. Any grants paid hereunder to a housing authority shall be deposited in a separate fund and, subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, may be used for any or all of the following purposes as the needs of the

New matter indicated by italics - deletions by strikeout
community may require: the acquisition of land by purchase, gift or condemnation and the improvement thereof, the purchase and installation of temporary housing facilities, the construction of housing units for rent or sale to veterans, the families of deceased servicemen, and for persons and families who by reason of overcrowded housing conditions or displacement by eviction, fires or other calamities, or slum clearance or other private or public project involving relocation, are in urgent need of safe and sanitary housing, the making of grants in connection with the sale or lease of real property as provided in the following paragraph of this section, and for any and all purposes authorized by the "Housing Authorities Act," approved March 19, 1934, as amended, including administrative expenses of the housing authorities in relation to the aforesaid objectives, to the extent and for the purposes authorized and approved by the Department of Commerce and Economic Opportunity Community Affairs. Each housing authority is vested with power to exercise the right of eminent domain for the purposes authorized by this Act. Condemnation proceedings instituted by any such authority shall be in all respects in the manner provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as amended.

In addition to the foregoing, and for the purpose of facilitating the development and construction of housing, housing authorities may, with the approval of the Department of Commerce and Economic Opportunity Community Affairs, enter into contracts and agreements for the sale or lease of real property acquired by the Authority through the use of the grant hereunder, and may sell or lease such property to (1) housing corporations operating under "An Act in relation to housing," approved July 12, 1933, as amended; (2) neighborhood redevelopment corporations operating under the "Neighborhood Redevelopment Corporation Law," approved July 9, 1941; (3) insurance companies operating under Article VIII of the Illinois Insurance Code; (4) non-profit corporations organized for the purpose of constructing, managing and operating housing projects and the improvement of housing conditions, including the sale or rental of housing units to persons in need thereof; or (5) to any other individual,

New matter indicated by italics - deletions by strikeout
association or corporation, including bona fide housing cooperatives, desiring to engage in a development or redevelopment project. The term "corporation" as used in this section, means a corporation organized under the laws of this or any other state of the United States, or of any country, which may legally make investments in this State of the character herein prescribed, including foreign and alien insurance companies as defined in Section 2 of the "Illinois Insurance Code." No sale or lease shall be made hereunder to any of the aforesaid corporations, associations or individuals unless a plan approved by the Authority has been presented by the purchaser or lessee for the development or redevelopment of such property, together with a bond, with satisfactory sureties, of not less than 10% of the cost of such development or redevelopment, conditioned upon the completion of such development or redevelopment; provided that the requirement of the bond may be waived by the Department of Commerce and Economic Opportunity Community Affairs if it is satisfied of the financial ability of the purchaser or lessee to complete such development or redevelopment in accordance with the presented plan. To further assure that the real property so sold or leased shall be used in accordance with the plan, the Department of Commerce and Economic Opportunity Community Affairs may require the purchaser or lessee to execute in writing such undertakings as the Department deems necessary to obligate such purchaser or lessee (1) to use the property for the purposes presented in the plan; (2) to commence and complete the building of the improvements designated in the plan within the periods of time that the Department of Commerce and Economic Opportunity Community Affairs fixes as reasonable, and (3) to comply with such other conditions as are necessary to carry out the purposes of this Act. Any such property may be sold pursuant to this section for any legal consideration in an amount to be approved by the Department of Commerce and Economic Opportunity Community Affairs. Subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, a housing authority may pay to any non-profit corporation of the character described in this section from grants made available from state funds, such sum of money which, when added to the value of the land so sold or leased to
such non-profit corporation and the value of other assets of such non-profit corporation available for use in the project, will enable such non-profit corporation to obtain Federal Housing Administration insured construction mortgages. Any such authority may also sell, transfer, convey or assign to any such non-profit corporation any personal property, including building materials and supplies, as it deems necessary to facilitate the completion of the development or redevelopment by such non-profit corporation.

If the area of operation of a housing authority includes a city, village or incorporated town having a population in excess of 500,000, as determined by the last preceding Federal Census, no real property or interest in real property shall be acquired in such municipality by the housing authority until such time as the housing authority has advised the governing body of such municipality of the description of the real property, or interest therein, proposed to be acquired, and the governing body of the municipality has approved the acquisition thereof by the housing authority.

(Source: P.A. 90-418, eff. 8-15-97; revised 12-1-04.)

Sec. 8. No housing authority or land clearance commission shall reinvest or use any funds arising from the rental or sale of any property acquired with funds granted pursuant to this Act except with the approval of the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 81-1509; revised 12-6-03.)

Sec. 9a. In the event that any housing authority or land clearance commission has failed or refused to initiate any project or projects for which it has received grants of State funds under the provisions of this Act or "An Act to promote the improvement of housing," approved July 26, 1945, and the Department of Commerce and Economic Opportunity Community Affairs, upon the basis of an investigation, is convinced that such housing authority or land clearance commission is unable or unwilling to proceed thereon, the Department may direct the housing authority or land clearance commission to transfer to the Department the

New matter indicated by italics - deletions by strikeout
balance of the State funds then in the possession of such agency, and upon failure to do so within thirty days after such demand, the Department shall institute a civil action for the recovery thereof, which action shall be maintained by the Attorney General of the State of Illinois or the state's attorney of the county in which the housing authority or land clearance commission has its area of operation.

Any officer or member of any such housing authority or land clearance commission who refuses to comply with the demand of the Department of Commerce and Economic Opportunity Community Affairs for the transfer of State funds as herein provided shall be guilty of a Class A misdemeanor.

All State funds recovered by the Department of Commerce and Economic Opportunity Community Affairs pursuant to this section shall forthwith be paid into the State Housing Fund in the State Treasury.

(Source: P.A. 81-1509; revised 12-6-03.)

(310 ILCS 20/10) (from Ch. 67 1/2, par. 62)

Sec. 10. "An Act to promote the improvement of housing", approved July 26, 1945, is repealed. The repeal of said Act shall not affect the validity of the organization, acts, contracts, proceedings, conveyances and transactions of housing authorities and land clearance commissions done or performed thereunder prior to the effective date of this Act, and all such acts, contracts, proceedings, conveyances and transactions, done or performed thereunder, and the organization of such authorities and land clearance commissions are ratified, affirmed and declared valid and legal in all respects. Grants paid to such housing authorities and land clearance commissions under the act herein repealed may be used by such authorities and commissions for the purposes for which such grants were made, and all or any portion thereof which remains unexpended and unobligated may, in addition, be used in the manner authorized by Section 22 of the "Blighted Areas Redevelopment Act of 1947", enacted by the 65th General Assembly, or, with the approval of the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) for any purpose or purposes authorized by this Act.

(Source: P.A. 81-1509; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
Section 730. The Redevelopment Project Rehousing and Capital Improvements Act is amended by changing Section 2 as follows:

(310 ILCS 30/2) (from Ch. 67 1/2, par. 93)

Sec. 2. Any housing authority may apply to the Department of Commerce and Economic Opportunity Community Affairs for the grant of a sum from the amount to be appropriated for this Act to develop housing projects pursuant to the "Housing Authorities Act", approved March 19, 1934, as amended, to facilitate and aid in the rehousing of persons eligible for tenancy under said Act residing in the site of a redevelopment project who could not otherwise be rehoused in decent, safe and uncongested dwelling accommodations within their financial reach.

Upon a showing of need of a grant from the amount appropriated for this Act and that the sum so granted will be satisfactorily employed by the housing authority in the development of housing projects for the purposes authorized by this Act, the Director of the Department of Commerce and Economic Opportunity Community Affairs shall transmit to the State Comptroller a statement of approval and of the amount of the grant, and when the municipality has paid to the housing authority an amount at least equal to the amount of the approved grant, the Comptroller shall pay the amount of the approved grant to the housing authority from the appropriation for grants under this Act. The amount so granted together with the amount contributed by the city, village or incorporated town in which the redevelopment project is situated shall be deposited in a separate fund and shall be applied only to the planning, acquisition, development, and capital improvements of the approved housing project or projects for the purposes authorized by this Act and the Housing Authorities Act. The expenditure of any moneys from such separate fund and the location of the rehousing project or projects shall be subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs and the governing body of the municipality in which the redevelopment project is located.

(Source: P.A. 91-632, eff. 8-19-99; revised 12-6-03.)

Section 735. The Illinois Affordable Housing Act is amended by changing Sections 6 and 16 as follows:

New matter indicated by italics - deletions by strikeout
(310 ILCS 65/6) (from Ch. 67 1/2, par. 1256)
Sec. 6. Advisory Commission.
(a) There is hereby created the Illinois Affordable Housing Advisory Commission. The Commission shall consist of 15 members. Three of the Commissioners shall be the Directors of the Illinois Housing Development Authority, the Illinois Finance Authority and the Department of Commerce and Economic Opportunity Community Affairs or their representatives. One of the Commissioners shall be the Commissioner of the Chicago Department of Housing or its representative. The remaining 11 members shall be appointed by the Governor, with the advice and consent of the Senate, and not more than 4 of these Commission members shall reside in any one county in the State. At least one Commission member shall be an administrator of a public housing authority from other than a municipality having a population in excess of 2,000,000; at least 2 Commission members shall be representatives of special needs populations as described in subsection (e) of Section 8; at least 4 Commission members shall be representatives of community-based organizations engaged in the development or operation of housing for low-income and very low-income households; and at least 4 Commission members shall be representatives of advocacy organizations, one of which shall represent a tenants' advocacy organization. The Governor shall consider nominations made by advocacy organizations and community-based organizations.

(b) Members appointed to the Commission shall serve a term of 3 years; however, 3 members first appointed under this Act shall serve an initial term of one year, and 4 members first appointed under this Act shall serve a term of 2 years. Individual terms of office shall be chosen by lot at the initial meeting of the Commission. The Governor shall appoint the Chairman of the Commission, and the Commission members shall elect a Vice Chairman.

(c) Members of the Commission shall not be entitled to compensation, but shall receive reimbursement for actual and reasonable expenses incurred in the performance of their duties.

New matter indicated by italics - deletions by strikeout
(d) Eight members of the Commission shall constitute a quorum for the transaction of business.

(e) The Commission shall meet at least quarterly and its duties and responsibilities are:

(1) the study and review of the availability of affordable housing for low-income and very low-income households in the State of Illinois and the development of a plan which addresses the need for additional affordable housing;

(2) encouraging collaboration between federal and State agencies, local government and the private sector in the planning, development and operation of affordable housing for low-income and very low-income households;

(3) studying, evaluating and soliciting new and expanded sources of funding for affordable housing;

(4) developing, proposing, reviewing, and commenting on priorities, policies and procedures for uses and expenditures of Trust Fund monies, including policies which assure equitable distribution of funds statewide;

(5) making recommendations to the Program Administrator concerning proposed expenditures from the Trust Fund;

(6) making recommendations to the Program Administrator concerning the developments proposed to be financed with the proceeds of Affordable Housing Program Trust Fund Bonds or Notes;

(7) reviewing and commenting on the development of priorities, policies and procedures for the administration of the Program;

(8) monitoring and evaluating all allocations of funds under this Program; and

(9) making recommendations to the General Assembly for further legislation that may be necessary in the area of affordable housing.

(Source: P.A. 93-205, eff. 1-1-04; revised 12-6-03.)
(310 ILCS 65/16) (from Ch. 67 1/2, par. 1266)

New matter indicated by italics - deletions by strikeout
Sec. 16. Tax Increment Financing Plan. The Program Administrator shall, in cooperation with the Department of Commerce and Economic Opportunity Community Affairs, develop a plan for the use of tax increment financing to increase the availability of affordable housing. The Program Administrator shall recommend ways in which local tax increment financing can be exported from commercial and industrial developments to very low-income, low-income and moderate income housing projects outside the tax increment financing district, subject to limitation on dollar amounts. By March 1, 1990, the Program Administrator shall report to the Governor and the General Assembly the details of the plan and the Program Administrator's recommendations for legislative action.

(Source: P.A. 86-925; revised 12-6-03.)

Section 740. The Blighted Areas Redevelopment Act of 1947 is amended by changing Section 3 as follows:

(315 ILCS 5/3) (from Ch. 67 1/2, par. 65)

Sec. 3. Definitions. The following terms, wherever used or referred to in this Act shall have the following respective meanings, unless in any case a different meaning clearly appears from the context:

(a) "Commission" means a Land Clearance Commission created pursuant to this Act or heretofore created pursuant to "An Act to promote the improvement of housing," approved July 26, 1945.

(b) "Commissioner" or "Commissioners" shall mean a Commissioner or Commissioners of a Land Clearance Commission.

(c) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

(d) "Authority" or "housing authority" shall mean a housing authority organized in accordance with the provisions of the Housing Authorities Act.

(e) "Municipality" shall mean a city, village or incorporated town.

(f) "Presiding officer" shall mean the presiding officer of the board of a county, or the mayor or president of a city, village or incorporated town, as the case may be, for which a Land Clearance Commission is created.

New matter indicated by italics - deletions by strikeout
(g) The term "governing body" shall mean the council or the president and board of trustees of any city, village or incorporated town, as the case may be, and the county board of any county.

(h) "Area of operation" shall mean (1) in the case of a Land Clearance Commission created for a municipality, the area within the territorial boundaries of said municipality; and (2) in the case of a county shall include the areas within the territorial boundaries of all municipalities within such county, except the area of any municipality located therein in which there has been created a Land Clearance Commission or a Department of Urban Renewal pursuant to the provisions of the Urban Renewal Consolidation Act of 1961. When a Land Clearance Commission or such a Department of Urban Renewal is created for a municipality subsequent to the creation of a County land clearance commission whose area of operation of the County land clearance commission shall not thereafter include the territory of such municipality, but the County land clearance commission may continue any redevelopment project previously commenced in such municipality.

(i) "Real property" shall include lands, lands under water, structures, and any and all easements, franchises and incorporeal hereditaments and estates, and rights, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise.

(j) "Slum and Blighted Area" means any area of not less in the aggregate than 2 acres located within the territorial limits of a municipality where buildings or improvements, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or layout or any combination of these factors, are detrimental to the public safety, health, morals or welfare.

(k) "Slum and Blighted Area Redevelopment Project" means a project involving a slum and blighted area as defined in subsection (j) of this Section including undertakings and activities of the Commission in a Slum and Blighted Area Redevelopment Project for the elimination and for the prevention of the development or spread of slums and blight and may involve slum clearance and redevelopment in a Slum and Blighted
Redevelopment Project, or any combination or part thereof in accordance with an Urban Renewal Program. Such undertakings and activities may include:

1. acquisition of a slum area or a blighted area or portion thereof;
2. demolition and removal of buildings and improvements;
3. installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for the carrying out in the Slum and Blighted Area Redevelopment Project the objectives of this Act;
4. disposition of any property acquired in the Slum and Blighted Area Redevelopment Project;
5. carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements in accordance with a redevelopment plan.

(l) "Blighted Vacant Area Redevelopment Project" means a project involving (1) predominantly open platted urban or suburban land which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or taxes or special assessment delinquencies exceeding the fair value of the land, substantially impairs or arrests the sound growth of the community and which is to be developed for residential or other use, provided that such a project shall not be developed for other than residential use unless the area, at the time the Commission adopts the resolution approving the plan for the development of the area, is zoned for other than residential use and unless the Commission determines that residential development thereof is not feasible, and such determination is approved by the presiding officer and the governing body of the municipality in which the area is situated and by the Department, or (2) open unplatted urban or suburban land to be developed for predominantly residential uses, or (3) a combination of projects defined in (1) and (2) of this subsection (l).

(m) "Redevelopment Project" means a "Slum and Blighted Area Redevelopment Project" or a "Blighted Vacant Area Redevelopment Project", as the case may be, as designated in the determination of the
Commission pursuant to Section 13 of this Act, and may include such additional area of not more in the aggregate than 160 acres (exclusive of the site of any abutting Slum and Blighted Area Redevelopment Project or Blighted Vacant Area Redevelopment Project) located within the territorial limits of the municipality, abutting and adjoining in whole or in part a Slum and Blighted Area Redevelopment Project or Blighted Vacant Area Redevelopment Project, which the land clearance commission deems necessary for the protection and completion of such redevelopment project or projects and of the site improvements to be made therein and which has been approved by the Department and the governing body of the municipality in which the area is situated, but the land clearance commission as to such additional area shall have power only to make studies, surveys and plans concerning services to be performed by the municipality or others, including the extension of project streets and utilities, the provision of parks, playgrounds or schools, and the zoning of such peripheral areas.

(n) "Match" and any other form of said word when used with reference to the matching of moneys means match on a dollar for dollar basis.

(Source: P.A. 91-357, eff. 7-29-99; revised 12-6-03.)

Section 745. The Blighted Vacant Areas Development Act of 1949 is amended by changing Section 3 as follows:

(315 ILCS 10/3) (from Ch. 67 1/2, par. 91.3)

Sec. 3. Definitions. The following terms, wherever used or referred to in this Act, shall have the following respective meanings, unless, in any case, a different meaning clearly appears from the context:

(a) "Private interest" and "developer" includes any person, firm, association, trust, or business corporation.

(b) "Blighted vacant area" means any undeveloped contiguous urban area of not less than one acre where there exists diversity of ownership of lots and tax and special assessment delinquencies exceeding the fair cash market value of the land within such area.

(c) "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
(d) "Municipality" and "corporate authorities of the municipality" shall have the respective meanings assigned to these terms in Section 1-1-2 of the Illinois Municipal Code. "Corporate authorities of the county" shall refer to the governing body of the county as specified in Section 5-1004 of the Counties Code.

(Source: P.A. 86-1475; revised 12-6-03.)

Section 750. The Urban Community Conservation Act is amended by changing Section 4 as follows:

(315 ILCS 25/4) (from Ch. 67 1/2, par. 91.11)

Sec. 4. Excepting any municipality for and in which there exists a Department of Urban Renewal created pursuant to the provisions of the "Urban Renewal Consolidation Act of 1961", enacted by the Seventy-Second General Assembly, any municipality, after 30 days' notice, published in a newspaper of general circulation within the municipality, and public hearing, shall have the power to provide for the creation of a Conservation Board, to operate within the boundaries of such municipality, pursuant to the provisions of this Act. The presiding officer of any municipality in which a Conservation Board is established shall appoint, with the approval of the governing body and of the Department of Commerce and Economic Opportunity Community Affairs, five residents of the municipality to act as a Conservation Board, hereinafter referred to as "the Board." Members of the Board shall be citizens of broad civic interest, administrative experience and ability in the fields of finance, real estate, building, or related endeavors, not more than three of whom shall belong to the same political party. One such member shall be designated by the presiding officer as Commissioner and shall serve at the pleasure of the presiding officer. He shall administer the functions assigned by the Board, preside over its meetings, and carry out whatever other functions may be assigned to him by the governing body. The Commissioner shall devote his full-time attention to the duties of his office and shall receive no public funds by way of salary, compensation, or remuneration for services rendered, from any other governmental agency or public body during his tenure in office, other than the salary provided by the governing body, except as herein otherwise specifically provided.

New matter indicated by italics - deletions by strikeout
Four other members of the Board shall be appointed, to serve one, two, three and four year terms. After the expiration of the initial term of office each subsequent term shall be of four years' duration. A member shall hold office until his successor shall have been appointed and qualified. Members of the Board shall be eligible to succeed themselves. Members of the Board other than the Commissioner shall serve without pay, except as herein otherwise specifically provided and no member of the Board shall acquire any interest, direct or indirect, in any conservation project, or in any property included or planned to be included in any conservation project, nor shall any member have any interest in any contract or proposed contract in connection with any such project. Members may be dismissed by the Presiding Office of the Municipality for good cause shown. Such dismissal may be set aside by a two-thirds vote of the governing body. Notwithstanding anything to the contrary herein contained, the Commissioner, may, during all or any part of his term also serve as Chairman or member of a Redevelopment Commission created pursuant to "The Neighborhood Redevelopment Corporation Law" approved July 9, 1941, as amended, and shall be entitled to receive and retain any salary payable to him as Chairman or member of any such Redevelopment Commission. Three members of the Conservation Board shall constitute a quorum to transact business and no vacancy shall impair the right of the remaining members to exercise all the powers of the Board; and every act, order, rule, regulation or resolution of the Conservation Board approved by a majority of the members thereof at a regular or special meeting shall be deemed to be the act, order, rule, regulation or resolution of the Conservation Board.

The Conservation Board shall designate Conservation Areas and
(a) Approve all conservation plans developed for Conservation Areas in the manner prescribed herein;
(b) Approve each use of eminent domain for the acquisition of real property for the purposes of this Act, provided that every property owner affected by condemnation proceedings shall have the opportunity to be heard by the Board before such proceedings may be approved;

New matter indicated by italics - deletions by strikeout
(c) Act as the agent of the Municipality in the acquisition, management, and disposition of property acquired pursuant to this Act as hereinafter provided;

(d) Act as agent of the governing body, at the discretion of the governing body, in the enforcement and the administration of any ordinances relating to the conservation of urban residential areas and the prevention of slums enacted by the governing body pursuant to the laws of this State;

(e) Report annually to the presiding officer of the municipality;

(f) Shall, as agent for the Municipality upon approval by the governing body, have power to apply for and accept capital grants and loans from, and contract with, the United States of America, the Housing and Home Finance Agency, or any other Agency or instrumentality of the United States of America, for or in aid of any of the purposes of this Act, and to secure such loans by the issuance of debentures, notes, special certificates, or other evidences of indebtedness, to the United States of America; and

(g) Exercise any and all other powers as shall be necessary to effectuate the purposes of this Act.

(Source: P.A. 81-1509; revised 12-6-03.)

Section 755. The Urban Renewal Consolidation Act of 1961 is amended by changing Sections 5, 16, 17, and 31 as follows:

(315 ILCS 30/5) (from Ch. 67 1/2, par. 91.105)

Sec. 5. As soon as possible after the adoption of the ordinance by the governing body, the presiding officer of such municipality in which a Department of Urban Renewal is established, shall appoint, with the approval of the governing body, five members to act as a Department of Urban Renewal, hereinafter referred to as the "Department". Members of the Department shall be citizens of broad civic interest, administrative experience and ability in the fields of finance, real estate, building or related endeavors, at least three of whom shall be residents and electors of the municipality, and not more than three members shall belong to the same political party.

New matter indicated by italics - deletions by strikeout
One member shall be designated by the presiding officer as Chairman and shall serve at the pleasure of the presiding officer. He shall administer the functions assigned by the Department, preside over its meetings and carry out whatever other functions may be assigned to him by the Department and by the governing body. The Chairman shall devote his full-time attention to the duties of his office and shall receive no public funds by way of salary, compensation, or remuneration for services rendered, from any other governmental agency or public body during his tenure in office, other than the salary provided by the governing body.

Four other members shall be appointed with initial terms of one, two, three and four years. At the expiration of the term of each such member, and of each succeeding member, or in the event of a vacancy, the presiding officer shall appoint a member, subject to the approval of the governing body as aforesaid, to hold office, in the case of a vacancy for the unexpired term, or in the case of expiration for a term of four years, or until his successor shall have been appointed and qualified. Members shall be eligible to succeed themselves. Members other than the Chairman shall serve without compensation in the form of salary, per diem allowances or otherwise, but each such member shall be entitled to reimbursement for any necessary expenditures in connection with the performance of his duties.

Any public officer shall be eligible to serve as a member of the Department of Urban Renewal, and the acceptance of appointment as such shall not terminate or impair his other public office, the provision of any statute to the contrary notwithstanding; but no officer or employee of the Department of Commerce and Economic Opportunity Community Affairs shall be eligible to serve as a member, nor shall more than two public officers be members of the Department at one time; provided, however, that any commissioner of a land clearance commission or member of a conservation board shall be eligible to serve as a member, and the acceptance of appointment as such shall not impair his right to serve on such land clearance commission or conservation board pending its dissolution, the provision of any statute to the contrary notwithstanding.

Members other than the Chairman may be removed from office by the
presiding officer for good cause shown. Such removal may be set aside by a two-thirds vote of the governing body.
(Source: P.A. 81-1509; revised 12-6-03.)

(315 ILCS 30/16) (from Ch. 67 1/2, par. 91.116)

Sec. 16. The Department, with the approval of the Department of Commerce and Economic Opportunity Community Affairs and the governing body of the municipality in which the redevelopment project is located, may sell and convey not to exceed 15% of all the real property which is to be used for residential purposes in the area or areas of a redevelopment project or projects to a Housing Authority created under an Act entitled "An Act in relation to housing authorities," approved March 19, 1934, as amended, having jurisdiction within the area of the redevelopment project or projects, to provide housing projects pursuant to said last mentioned Act; provided the Department of Commerce and Economic Opportunity Community Affairs determines that it is not practicable or feasible to otherwise relocate eligible persons residing in the area of the redevelopment project or projects in decent, safe and uncongested dwelling accommodations within their financial reach, unless such a housing project is undertaken by the Housing Authority, and provided further that first preference for occupancy in any such housing project developed by the Housing Authority on such real property shall be granted to eligible persons from the area included in the redevelopment project or projects that cannot otherwise be relocated in decent, safe and uncongested dwelling accommodations within their financial reach.

Any real property sold and conveyed to a Housing Authority pursuant to the provisions of this Section shall be sold at its use value (which may be less than its acquisition cost), which represents the value at which the Department determines such land should be made available in order that it may be redeveloped for the purposes specified in this Section.
(Source: P.A. 81-1509; revised 12-6-03.)

(315 ILCS 30/17) (from Ch. 67 1/2, par. 91.117)

Sec. 17. A Department, with the approval of the Department of Commerce and Economic Opportunity Community Affairs and the governing body of the municipality in which the project is located, may
sell and convey any part of the real property within the area of a slum and blighted area redevelopment project as defined in Subsection (j) of Section 3 hereof to a Housing Authority created under an Act entitled "An Act in relation to housing authorities," approved March 19, 1934, as amended, having jurisdiction within the area of the redevelopment project or projects. Any real property sold and conveyed to a Housing Authority pursuant to the provisions of this Section shall be for the sole purpose of resale pursuant to the terms and provisions of Section 5 of an Act entitled "An Act to facilitate the development and construction of housing, to provide governmental assistance therefor, and to repeal an Act herein named," approved July 2, 1947, to a nonprofit corporation, or nonprofit corporations, organized for the purpose of constructing, managing and operating housing projects and the improvement of housing conditions, including the sale or rental of housing units to persons in need thereof. No sale shall be consummated pursuant to this Section unless the nonprofit corporation to which the Housing Authority is to resell, obligates itself to use the land for the purposes designated in the approved plan referred to in Section 19 hereof and to commence and complete the building of the improvements within the periods of time which the Department fixes as reasonable and unless the Department is satisfied that the nonprofit corporation will have sufficient moneys to complete the redevelopment in accordance with the approved plan.

Any real property sold and conveyed to a Housing Authority pursuant to the provisions of this Section shall be sold at its use value (which may be less than its acquisition cost), which represents the value at which the Department determines such land should be made available in order that it may be developed or redeveloped for the purposes specified in the approved plan.

(Source: P.A. 81-1509; revised 12-6-03.)

(315 ILCS 30/31) (from Ch. 67 1/2, par. 91.131)

Sec. 31. When a Department of Urban Renewal has been established hereunder the presiding officer of the municipality shall so notify the Department of Commerce and Economic Opportunity Community Affairs and the land clearance commission in its area of

New matter indicated by italics - deletions by strikeout
operation by transmitting to the Department of Commerce and Economic Opportunity Community Affairs and such land clearance commission a certified copy of the ordinance of the governing body providing for the creation of such Department.

From and after the receipt of such notice such land clearance commission shall undertake no new development or redevelopment projects; however, such land clearance commission shall, pending its dissolution as hereinafter provided, have and continue to exercise all powers vested in land clearance commissions by the "Blighted Areas Redevelopment Act of 1947," approved July 2, 1947, as amended, with respect to: (1) projects then in progress pending determination, as hereinafter provided, by the governing body of the municipality as to which, if any, of the redevelopment projects then in progress are to be completed by such land clearance commission, and (2) projects which the governing body of the municipality determines shall be completed by such land clearance commission.

Such land clearance commission shall promptly prepare a detailed report covering its operations and activities and the status of all of its pending development or redevelopment projects, together with all other pertinent data and information as may be requested by the Department. The Department shall cause an audit to be made of the financial affairs and obligations of such land clearance commission. Copies of such report and audit shall be furnished the presiding officer of the municipality, the department, the governing body of the municipality, the Department of Commerce and Economic Opportunity Community Affairs and such land clearance commission.

Upon receipt of such audit and report the Department of Urban Renewal, with the approval of the governing body of the municipality, shall determine with respect to any redevelopment project then in progress whether such project shall be completed by such land clearance commission or by the Department of Urban Renewal, and shall so notify such land clearance commission and the Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
Such land clearance commission shall, upon receipt of the determinations of the Department of Urban Renewal with respect to redevelopment projects then in progress, proceed with the orderly dissolution of such land clearance commission. When provision has been made for the refunding or payment of outstanding bonds of such land clearance commission the Commissioners of such land clearance commission shall promptly take appropriate action to convey, transfer, assign, deliver and pay over to the municipality for the purposes under Part I of this Act, all cash, real property, securities, contracts, records, and assets of any kind or nature which will not be needed for the completion by the land clearance commission of any redevelopment project which the department may have determined should be completed by such land clearance commission and which will not be required for the orderly dissolution of such land clearance commission. All assets so conveyed, assigned, transferred and paid over to the municipality shall be subject to the same rights, liabilities and obligations as existed prior to the transfer to the municipality.

When all of the cash, real property, securities, contracts, assets, records and functions of a land clearance commission have been so conveyed, transferred, assigned, delivered and paid over to the municipality and provisions have been made for the refunding or payment of outstanding bonds of such land clearance commission, and when such land clearance commission has completed all projects which the Department, as aforesaid, may have determined should be completed by such land clearance commission, it shall so notify the Department of Commerce and Economic Opportunity Community Affairs. When the Department of Commerce and Economic Opportunity Community Affairs is satisfied that a proper accounting has been made and that no contingent liabilities exist, the Department of Commerce and Economic Opportunity Community Affairs shall issue a certificate of dissolution which it shall file in the office in which deeds of property in the area of operation are recorded, and upon such filing, such land clearance commission shall be dissolved and cease to exist.

(Source: P.A. 81-1509; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
Section 760. The Partnership for Long-Term Care Act is amended by changing Sections 50 and 60 as follows:

(320 ILCS 35/50) (from Ch. 23, par. 6801-50)

Sec. 50. Task force.

(a) An executive and legislative advisory task force shall be created to provide advice and assistance in designing and implementing the Partnership for Long-term Care Program. The task force shall be composed of representatives, designated by the director of each of the following agencies or departments:

(1) The Department on Aging.
(2) The Department of Public Aid.
(3) (Blank).
(4) The Department of Insurance.
(5) The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity).
(6) The Legislative Research Unit.

(b) The task force shall consult with persons knowledgeable of and concerned with long-term care, including, but not limited to the following:

(1) Consumers.
(2) Health care providers.
(3) Representatives of long-term care insurance companies and administrators of health care service plans that cover long-term care services.
(4) Providers of long-term care.
(5) Private employers.
(6) Academic specialists in long-term care and aging.
(7) Representatives of the public employees' and teachers' retirement systems.

(c) The task force shall be established, and its members designated, not later than March 1, 1993. The task force shall make recommendations to the Department on Aging concerning the policy components of the program on or before September 1, 1993.

(Source: P.A. 89-507, eff. 7-1-97; 89-525, eff. 7-19-96; 90-14, eff. 7-1-97; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
(320 ILCS 35/60) (from Ch. 23, par. 6801-60)
Sec. 60. Administrative costs.
(a) The Department on Aging, in conjunction with the Department of Public Aid, the Department of Insurance, and the Department of Commerce and Economic Opportunity Community Affairs, shall submit applications for State or federal grants or federal waivers, or funding from nationally distributed private foundation grants, or insurance reimbursements to be used to pay the administrative expenses of implementation of the program. The Department on Aging, in conjunction with those other departments, also shall seek moneys from these same sources for the purpose of implementing the program, including moneys appropriated for that purpose.
(b) In implementing this Act, the Department on Aging may negotiate contracts, on a nonbid basis, with long-term care insurers, health care insurers, health care service plans, or both, for the provision of coverage for long-term care services that will meet the certification requirements set forth in Section 30 and the other requirements of this Act. (Source: P.A. 89-507, eff. 7-1-97; 89-525, eff. 7-19-96; 90-14, eff. 7-1-97; revised 12-6-03.)

Section 765. The High Risk Youth Career Development Act is amended by changing Section 1 as follows:
(325 ILCS 25/1) (from Ch. 23, par. 6551)
Sec. 1. The Department of Human Services (acting as successor to the Illinois Department of Public Aid under the Department of Human Services Act), in cooperation with the Department of Commerce and Economic Opportunity Community Affairs, the Illinois State Board of Education, the Department of Children and Family Services, the Department of Employment Services and other appropriate State and local agencies, may establish and administer, on an experimental basis and subject to appropriation, community-based programs providing comprehensive, long-term intervention strategies to increase future employability and career development among high risk youth. The Department of Human Services, and the other cooperating agencies, shall establish provisions for community involvement in the design,

New matter indicated by italics - deletions by strikeout
development, implementation and administration of these programs. The programs may provide the following services: teaching of basic literacy and remedial reading and writing; vocational training programs which are realistic in terms of producing lifelong skills necessary for career development; and supportive services including transportation and child care during the training period and for up to one year after placement in a job. The programs shall be targeted to high risk youth residing in the geographic areas served by the respective programs. "High risk" means that a person is at least 16 years of age but not yet 21 years of age and possesses one or more of the following characteristics:

1. Has low income;
2. Is a member of a minority;
3. Is illiterate;
4. Is a school drop out;
5. Is homeless;
6. Is disabled;
7. Is a parent; or
8. Is a ward of the State.

The Department of Human Services and other cooperating State agencies shall promulgate rules and regulations, pursuant to the Illinois Administrative Procedure Act, for the implementation of this Act, including procedures and standards for determining whether a person possesses any of the characteristics specified in this Section.

(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)

Section 770. The Developmental Disability and Mental Disability Services Act is amended by changing Section 10-5 as follows:

(405 ILCS 80/10-5)

Sec. 10-5. Task force created. A workforce task force for persons with disabilities is created, consisting of 16 members. The task force shall consist of the following members:

1. Two members of the Senate, appointed one each by the President of the Senate and the Minority Leader of the Senate.

New matter indicated by italics - deletions by strikeout
(2) Two members of the House of Representatives, appointed one each by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(3) Three members appointed by the Secretary of Human Services or his or her designee, one each representing the Office of Developmental Disabilities, the Office of Rehabilitation Services, and the Office of Mental Health within the Department.

(4) One member representing the Illinois Council on Developmental Disabilities, selected by the Council.

(5) One member appointed by the Director of Aging or his or her designee.

(6) One member appointed by the Director of Employment Security or his or her designee.

(7) One member appointed by the Director of Commerce and Economic Opportunity or his or her designee.

(8) Two members representing private businesses, one of the 2 representing the Business Leaders Network, appointed by the Secretary of Human Services.

(9) One member representing the Illinois Network of Centers for Independent Living, selected by the Network.

(10) One member representing the Coalition of Citizens with Disabilities in Illinois, selected by the Coalition.

(11) One member representing People First of Illinois, selected by that organization.

(Source: P.A. 92-303, eff. 8-9-01; revised 12-6-03.)

Section 775. The Environmental Protection Act is amended by changing Sections 3.180, 6.1, 21.6, 22.16b, 22.23, 27, 55, 55.3, 55.7, 58.14, and 58.15 as follows:

(415 ILCS 5/3.180) (was 415 ILCS 5/3.07)
Sec. 3.180. Department. "Department", when a particular entity is not specified, means (i) in the case of a function to be performed on or after July 1, 1995 (the effective date of the Department of Natural Resources Act), either the Department of Natural Resources or the

New matter indicated by italics - deletions by strikeout
Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs), whichever, in the specific context, is the successor to the Department of Energy and Natural Resources under the Department of Natural Resources Act; or (ii) in the case of a function performed before July 1, 1995, the former Illinois Department of Energy and Natural Resources.

(Source: P.A. 92-574, eff. 6-26-02; revised 12-6-03.)

(415 ILCS 5/6.1) (from Ch. 111 1/2, par. 1006.1)

Sec. 6.1. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall conduct studies of the effects of all State and federal sulfur dioxide regulations and emission standards on the use of Illinois coal and other fuels, and shall report the results of such studies to the Governor and the General Assembly. The reports shall be made by July 1, 1980 and biennially thereafter.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(415 ILCS 5/21.6) (from Ch. 111 1/2, par. 1021.6)

Sec. 21.6. Materials disposal ban.

(a) Beginning July 1, 1996, no person may knowingly mix liquid used oil with any municipal waste that is intended for collection and disposal at a landfill.

(b) Beginning July 1, 1996, no owner or operator of a sanitary landfill shall accept for final disposal liquid used oil that is discernible in the course of prudent business operation.

New matter indicated by italics - deletions by strikeout
(c) For purposes of this Section, "liquid used oil" does not include used oil filters, rags, absorbent material used to collect spilled oil or other materials incidentally contaminated with used oil, or empty containers which previously contained virgin oil, re-refined oil, or used oil.

(d) The Agency and the Department of Commerce and Economic Opportunity Community Affairs shall investigate the manner in which liquid used oil is currently being utilized and potential prospects for future use.

(Source: P.A. 91-357, eff. 7-29-99; revised 12-6-03.)

(415 ILCS 5/22.16b) (from Ch. 111 1/2, par. 1022.16b)

Sec. 22.16b. (a) Beginning January 1, 1991, the Agency shall assess and collect a fee from the owner or operator of each new municipal waste incinerator. The fee shall be calculated by applying the rates established from time to time for the disposal of solid waste at sanitary landfills under subdivision (b)(1) of Section 22.15 to the total amount of municipal waste accepted for incineration at the new municipal waste incinerator. The exemptions provided by this Act to the fees imposed under subsection (b) of Section 22.15 shall not apply to the fee imposed by this Section.

The owner or operator of any new municipal waste incinerator permitted after January 1, 1990, but before July 1, 1990 by the Agency for the development or operation of a new municipal waste incinerator shall be exempt from this fee, but shall include the following conditions:

(1) The owner or operator shall provide information programs to those communities serviced by the owner or operator concerning recycling and separation of waste not suitable for incineration.

(2) The owner or operator shall provide information programs to those communities serviced by the owner or operator concerning the Agency's household hazardous waste collection program and participation in that program.

For the purposes of this Section, "new municipal waste incinerator" means a municipal waste incinerator initially permitted for development or construction on or after January 1, 1990.
Amounts collected under this subsection shall be deposited into the Municipal Waste Incinerator Tax Fund, which is hereby established as an interest-bearing special fund in the State Treasury. Monies in the Fund may be used, subject to appropriation:

(1) by the Department of Commerce and Economic Opportunity Community Affairs to fund its public information programs on recycling in those communities served by new municipal waste incinerators; and

(2) by the Agency to fund its household hazardous waste collection activities in those communities served by new municipal waste incinerators.

(b) Any permit issued by the Agency for the development or operation of a new municipal waste incinerator shall include the following conditions:

(1) The incinerator must be designed to provide continuous monitoring while in operation, with direct transmission of the resultant data to the Agency, until the Agency determines the best available control technology for monitoring the data. The Agency shall establish the test methods, procedures and averaging periods, as certified by the USEPA for solid waste incinerator units, and the form and frequency of reports containing results of the monitoring. Compliance and enforcement shall be based on such reports. Copies of the results of such monitoring shall be maintained on file at the facility concerned for one year, and copies shall be made available for inspection and copying by interested members of the public during business hours.

(2) The facility shall comply with the emission limits adopted by the Agency under subsection (c).

(3) The operator of the facility shall take reasonable measures to ensure that waste accepted for incineration complies with all legal requirements for incineration. The incinerator operator shall establish contractual requirements or other notification and inspection procedures sufficient to assure compliance with this subsection (b)(3) which may include, but not
be limited to, routine inspections of waste, lists of acceptable and unacceptable waste provided to haulers and notification to the Agency when the facility operator rejects and sends loads away. The notification shall contain at least the name of the hauler and the site from where the load was hauled.

(4) The operator may not accept for incineration any waste generated or collected in a municipality that has not implemented a recycling plan or is party to an implemented county plan, consistent with State goals and objectives. Such plans shall include provisions for collecting, recycling or diverting from landfills and municipal incinerators landscape waste, household hazardous waste and batteries. Such provisions may be performed at the site of the new municipal incinerator.

The Agency, after careful scrutiny of a permit application for the construction, development or operation of a new municipal waste incinerator, shall deny the permit if (i) the Agency finds in the permit application noncompliance with the laws and rules of the State or (ii) the application indicates that the mandated air emissions standards will not be reached within six months of the proposed municipal waste incinerator beginning operation.

(c) The Agency shall adopt specific limitations on the emission of mercury, chromium, cadmium and lead, and good combustion practices, including temperature controls from municipal waste incinerators pursuant to Section 9.4 of the Act.

(d) The Agency shall establish household hazardous waste collection centers in appropriate places in this State. The Agency may operate and maintain the centers itself or may contract with other parties for that purpose. The Agency shall ensure that the wastes collected are properly disposed of. The collection centers may charge fees for their services, not to exceed the costs incurred. Such collection centers shall not (i) be regulated as hazardous waste facilities under RCRA nor (ii) be subject to local siting approval under Section 39.2 if the local governing authority agrees to waive local siting approval procedures.
Sec. 22.23. Batteries.

(a) Beginning September 1, 1990, any person selling lead-acid batteries at retail or offering lead-acid batteries for retail sale in this State shall:

1. accept for recycling used lead-acid batteries from customers, at the point of transfer, in a quantity equal to the number of new batteries purchased; and

2. post in a conspicuous place a written notice at least 8.5 by 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put motor vehicle batteries in the trash."; "Recycle your used batteries."; and "State law requires us to accept motor vehicle batteries for recycling, in exchange for new batteries purchased."

(b) Any person selling lead-acid batteries at retail in this State may either charge a recycling fee on each new lead-acid battery sold for which the customer does not return a used battery to the retailer, or provide a recycling credit to each customer who returns a used battery for recycling at the time of purchasing a new one.

(c) Beginning September 1, 1990, no lead-acid battery retailer may dispose of a used lead-acid battery except by delivering it (1) to a battery wholesaler or its agent, (2) to a battery manufacturer, (3) to a collection or recycling facility, or (4) to a secondary lead smelter permitted by either a state or federal environmental agency.

(d) Any person selling lead-acid batteries at wholesale or offering lead-acid batteries for sale at wholesale shall accept for recycling used lead-acid batteries from customers, at the point of transfer, in a quantity equal to the number of new batteries purchased. Such used batteries shall be disposed of as provided in subsection (c).

(e) A person who accepts used lead-acid batteries for recycling pursuant to subsection (a) or (d) shall not allow such batteries to accumulate for periods of more than 90 days.

New matter indicated by italics - deletions by strikeout
(f) Beginning September 1, 1990, no person may knowingly cause or allow:

(1) the placing of a lead-acid battery into any container intended for collection and disposal at a municipal waste sanitary landfill; or

(2) the disposal of any lead-acid battery in any municipal waste sanitary landfill or incinerator.

(g) The Department of Commerce and Economic Opportunity Community Affairs shall identify and assist in developing alternative processing and recycling options for used batteries.

(h) For the purpose of this Section:

"Lead-acid battery" means a battery containing lead and sulfuric acid that has a nominal voltage of at least 6 volts and is intended for use in motor vehicles.

"Motor vehicle" includes automobiles, vans, trucks, tractors, motorcycles and motorboats.

(i) (Blank.)

(j) Knowing violation of this Section shall be a petty offense punishable by a fine of $100.

(Source: P.A. 92-574, eff. 6-26-02; revised 12-6-03.)

(415 ILCS 5/27) (from Ch. 111 1/2, par. 1027)

Sec. 27. Rulemaking.

(a) The Board may adopt substantive regulations as described in this Act. Any such regulations may make different provisions as required by circumstances for different contaminant sources and for different geographical areas; may apply to sources outside this State causing, contributing to, or threatening environmental damage in Illinois; may make special provision for alert and abatement standards and procedures respecting occurrences or emergencies of pollution or on other short-term conditions constituting an acute danger to health or to the environment; and may include regulations specific to individual persons or sites. In promulgating regulations under this Act, the Board shall take into account the existing physical conditions, the character of the area involved, including the character of surrounding land uses, zoning classifications,
the nature of the existing air quality, or receiving body of water, as the case may be, and the technical feasibility and economic reasonableness of measuring or reducing the particular type of pollution. The generality of this grant of authority shall only be limited by the specifications of particular classes of regulations elsewhere in this Act.

No charge shall be established or assessed by the Board or Agency against any person for emission of air contaminants from any source, for discharge of water contaminants from any source, or for the sale, offer or use of any article.

Any person filing with the Board a written proposal for the adoption, amendment, or repeal of regulations shall provide information supporting the requested change and shall at the same time file a copy of such proposal with the Agency and the Department of Natural Resources. To aid the Board and to assist the public in determining which facilities will be affected, the person filing a proposal shall describe, to the extent reasonably practicable, the universe of affected sources and facilities and the economic impact of the proposed rule.

(b) Except as provided below and in Section 28.2, before the adoption of any proposed rules not relating to administrative procedures within the Agency or the Board, or amendment to existing rules not relating to administrative procedures within the Agency or the Board, the Board shall:

1. request that the Department of Commerce and Economic Opportunity Community Affairs conduct a study of the economic impact of the proposed rules. The Department may within 30 to 45 days of such request produce a study of the economic impact of the proposed rules. At a minimum, the economic impact study shall address (A) economic, environmental, and public health benefits that may be achieved through compliance with the proposed rules, (B) the effects of the proposed rules on employment levels, commercial productivity, the economic growth of small businesses with 100 or less employees, and the State's overall economy, and (C) the cost per unit of pollution reduced and the variability in cost based on the size of the

New matter indicated by italics - deletions by strikeout
facility and the percentage of company revenues expected to be used to implement the proposed rules; and

(2) conduct at least one public hearing on the economic impact of those new rules. At least 20 days before the hearing, the Board shall notify the public of the hearing and make the economic impact study, or the Department of Commerce and Economic Opportunity's Community Affairs' explanation for not producing an economic impact study, available to the public. Such public hearing may be held simultaneously or as a part of any Board hearing considering such new rules.

In adopting any such new rule, the Board shall, in its written opinion, make a determination, based upon the evidence in the public hearing record, including but not limited to the economic impact study, as to whether the proposed rule has any adverse economic impact on the people of the State of Illinois.

(c) On proclamation by the Governor, pursuant to Section 8 of the Illinois Emergency Services and Disaster Act of 1975, that a disaster emergency exists, or when the Board finds that a severe public health emergency exists, the Board may, in relation to any proposed regulation, order that such regulation shall take effect without delay and the Board shall proceed with the hearings and studies required by this Section while the regulation continues in effect.

When the Board finds that a situation exists which reasonably constitutes a threat to the public interest, safety or welfare, the Board may adopt regulations pursuant to and in accordance with Section 5-45 of the Illinois Administrative Procedure Act.

(d) To the extent consistent with any deadline for adoption of any regulations mandated by State or federal law, prior to initiating any hearing on a regulatory proposal, the Board may assign a qualified hearing officer who may schedule a prehearing conference between the proponents and any or all of the potentially affected persons. The notice requirements of Section 28 shall not apply to such prehearing conferences. The purposes of such conference shall be to maximize understanding of the intent and application of the proposal, to reach agreement on aspects of the proposal,
if possible, and to attempt to identify and limit the issues of disagreement among the participants to promote efficient use of time at hearing. No record need be kept of the prehearing conference, nor shall any participant or the Board be bound by any discussions conducted at the prehearing conference. However, with the consent of all participants in the prehearing conference, a prehearing order delineating issues to be heard, agreed facts, and other matters may be entered by the hearing officer. Such an order will not be binding on nonparticipants in the prehearing conference.

(Source: P.A. 90-489, eff. 1-1-98; 91-357, eff. 7-29-99; revised 12-6-03.)

(415 ILCS 5/55) (from Ch. 111 1/2, par. 1055)
Sec. 55. Prohibited activities.
(a) No person shall:
    (1) Cause or allow the open dumping of any used or waste tire.
    (2) Cause or allow the open burning of any used or waste tire.
    (3) Except at a tire storage site which contains more than 50 used tires, cause or allow the storage of any used tire unless the tire is altered, reprocessed, converted, covered, or otherwise prevented from accumulating water.
    (4) Cause or allow the operation of a tire storage site except in compliance with Board regulations.
    (5) Abandon, dump or dispose of any used or waste tire on private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.
    (6) Fail to submit required reports, tire removal agreements, or Board regulations.
(b) (Blank.)
(b-1) Beginning January 1, 1995, no person shall knowingly mix any used or waste tire, either whole or cut, with municipal waste, and no owner or operator of a sanitary landfill shall accept any used or waste tire for final disposal; except that used or waste tires, when separated from other waste, may be accepted if: (1) the sanitary landfill provides and maintains a means for shredding, slitting, or chopping whole tires and so
treats whole tires and, if approved by the Agency in a permit issued under this Act, uses the used or waste tires for alternative uses, which may include on-site practices such as lining of roadways with tire scraps, alternative daily cover, or use in a leachate collection system or (2) the sanitary landfill, by its notification to the Illinois Industrial Materials Exchange Service, makes available the used or waste tire to an appropriate facility for reuse, reprocessing, or converting, including use as an alternate energy fuel. If, within 30 days after notification to the Illinois Industrial Materials Exchange Service of the availability of waste tires, no specific request for the used or waste tires is received by the sanitary landfill, and the sanitary landfill determines it has no alternative use for those used or waste tires, the sanitary landfill may dispose of slit, chopped, or shredded used or waste tires in the sanitary landfill. In the event the physical condition of a used or waste tire makes shredding, slitting, chopping, reuse, reprocessing, or other alternative use of the used or waste tire impractical or infeasible, then the sanitary landfill, after authorization by the Agency, may accept the used or waste tire for disposal.

Sanitary landfills and facilities for reuse, reprocessing, or converting, including use as alternative fuel, shall (i) notify the Illinois Industrial Materials Exchange Service of the availability of and demand for used or waste tires and (ii) consult with the Department of Commerce and Economic Opportunity Community Affairs regarding the status of marketing of waste tires to facilities for reuse.

(c) Any person who sells new or used tires at retail or operates a tire storage site or a tire disposal site which contains more than 50 used or waste tires shall give notice of such activity to the Agency. Any person engaging in such activity for the first time after January 1, 1990, shall give notice to the Agency within 30 days after the date of commencement of the activity. The form of such notice shall be specified by the Agency and shall be limited to information regarding the following:

(1) the name and address of the owner and operator;
(2) the name, address and location of the operation;
(3) the type of operations involving used and waste tires (storage, disposal, conversion or processing); and

New matter indicated by italics - deletions by strikeout
(4) the number of used and waste tires present at the location.

(d) Beginning January 1, 1992, no person shall cause or allow the operation of:

(1) a tire storage site which contains more than 50 used tires, unless the owner or operator, by January 1, 1992 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, (i) registers the site with the Agency, (ii) certifies to the Agency that the site complies with any applicable standards adopted by the Board pursuant to Section 55.2, (iii) reports to the Agency the number of tires accumulated, the status of vector controls, and the actions taken to handle and process the tires, and (iv) pays the fee required under subsection (b) of Section 55.6; or

(2) a tire disposal site, unless the owner or operator (i) has received approval from the Agency after filing a tire removal agreement pursuant to Section 55.4, or (ii) has entered into a written agreement to participate in a consensual removal action under Section 55.3.

The Agency shall provide written forms for the annual registration and certification required under this subsection (d).

(e) No person shall cause or allow the storage, disposal, treatment or processing of any used or waste tire in violation of any regulation or standard adopted by the Board.

(f) No person shall arrange for the transportation of used or waste tires away from the site of generation with a person known to openly dump such tires.

(g) No person shall engage in any operation as a used or waste tire transporter except in compliance with Board regulations.

(h) No person shall cause or allow the combustion of any used or waste tire in an enclosed device unless a permit has been issued by the Agency authorizing such combustion pursuant to regulations adopted by the Board for the control of air pollution and consistent with the provisions of Section 9.4 of this Act.

New matter indicated by italics - deletions by strikeout
(i) No person shall cause or allow the use of pesticides to treat tires except as prescribed by Board regulations.

(j) No person shall fail to comply with the terms of a tire removal agreement approved by the Agency pursuant to Section 55.4.

(Source: P.A. 92-574, eff. 6-26-02; 93-32, eff. 6-20-03; 93-52, eff. 6-30-03; revised 12-6-03.)

(415 ILCS 5/55.3) (from Ch. 111 1/2, par. 1055.3)

Sec. 55.3. (a) Upon finding that an accumulation of used or waste tires creates an immediate danger to health, the Agency may take action pursuant to Section 34 of this Act.

(b) Upon making a finding that an accumulation of used or waste tires creates a hazard posing a threat to public health or the environment, the Agency may undertake preventive or corrective action in accordance with this subsection. Such preventive or corrective action may consist of any or all of the following:

1. Treating and handling used or waste tires and other infested materials within the area for control of mosquitoes and other disease vectors.

2. Relocation of ignition sources and any used or waste tires within the area for control and prevention of tire fires.

3. Removal of used and waste tire accumulations from the area.

4. Removal of soil and water contamination related to tire accumulations.

5. Installation of devices to monitor and control groundwater and surface water contamination related to tire accumulations.

6. Such other actions as may be authorized by Board regulations.

(c) The Agency may, subject to the availability of appropriated funds, undertake a consensual removal action for the removal of up to 1,000 used or waste tires at no cost to the owner according to the following requirements:

New matter indicated by italics - deletions by strikeout
(1) Actions under this subsection shall be taken pursuant to a written agreement between the Agency and the owner of the tire accumulation.

(2) The written agreement shall at a minimum specify:
   (i) that the owner relinquishes any claim of an ownership interest in any tires that are removed, or in any proceeds from their sale;
   (ii) that tires will no longer be allowed to be accumulated at the site;
   (iii) that the owner will hold harmless the Agency or any employee or contractor utilized by the Agency to effect the removal, for any damage to property incurred during the course of action under this subsection, except for gross negligence or intentional misconduct; and
   (iv) any conditions upon or assistance required from the owner to assure that the tires are so located or arranged as to facilitate their removal.

(3) The Agency may by rule establish conditions and priorities for removal of used and waste tires under this subsection.

(4) The Agency shall prescribe the form of written agreements under this subsection.

(d) The Agency shall have authority to provide notice to the owner or operator, or both, of a site where used or waste tires are located and to the owner or operator, or both, of the accumulation of tires at the site, whenever the Agency finds that the used or waste tires pose a threat to public health or the environment, or that there is no owner or operator proceeding in accordance with a tire removal agreement approved under Section 55.4.

The notice provided by the Agency shall include the identified preventive or corrective action, and shall provide an opportunity for the owner or operator, or both, to perform such action.

For sites with more than 250,000 passenger tire equivalents, following the notice provided for by this subsection (d), the Agency may enter into a written reimbursement agreement with the owner or operator

New matter indicated by italics - deletions by strikeout
of the site. The agreement shall provide a schedule for the owner or operator to reimburse the Agency for costs incurred for preventive or corrective action, which shall not exceed 5 years in length. An owner or operator making payments under a written reimbursement agreement pursuant to this subsection (d) shall not be liable for punitive damages under subsection (h) of this Section.

(e) In accordance with constitutional limitations, the Agency shall have authority to enter at all reasonable times upon any private or public property for the purpose of taking whatever preventive or corrective action is necessary and appropriate in accordance with the provisions of this Section, including but not limited to removal, processing or treatment of used or waste tires, whenever the Agency finds that used or waste tires pose a threat to public health or the environment.

(f) In undertaking preventive, corrective or consensual removal action under this Section the Agency may consider use of the following: rubber reuse alternatives, shredding or other conversion through use of mobile or fixed facilities, energy recovery through burning or incineration, and landfill disposal. To the extent practicable, the Agency shall consult with the Department of Commerce and Economic Opportunity Community Affairs regarding the availability of alternatives to landfilling used and waste tires, and shall make every reasonable effort to coordinate tire cleanup projects with applicable programs that relate to such alternative practices.

(g) Except as otherwise provided in this Section, the owner or operator of any site or accumulation of used or waste tires at which the Agency has undertaken corrective or preventive action under this Section shall be liable for all costs thereof incurred by the State of Illinois, including reasonable costs of collection. Any monies received by the Agency hereunder shall be deposited into the Used Tire Management Fund. The Agency may in its discretion store, dispose of or convey the tires that are removed from an area at which it has undertaken a corrective, preventive or consensual removal action, and may sell or store such tires and other items, including but not limited to rims, that are removed from the area. The net proceeds of any sale shall be credited against the liability
incurred by the owner or operator for the costs of any preventive or corrective action.

(h) Any person liable to the Agency for costs incurred under subsection (g) of this Section may be liable to the State of Illinois for punitive damages in an amount at least equal to, and not more than 2 times, the costs incurred by the State if such person failed without sufficient cause to take preventive or corrective action pursuant to notice issued under subsection (d) of this Section.

(i) There shall be no liability under subsection (g) of this Section for a person otherwise liable who can establish by a preponderance of the evidence that the hazard created by the tires was caused solely by:

1. an act of God;
2. an act of war; or
3. an act or omission of a third party other than an employee or agent, and other than a person whose act or omission occurs in connection with a contractual relationship with the person otherwise liable.

For the purposes of this subsection, "contractual relationship" includes, but is not limited to, land contracts, deeds and other instruments transferring title or possession, unless the real property upon which the accumulation is located was acquired by the defendant after the disposal or placement of used or waste tires on, in or at the property and one or more of the following circumstances is also established by a preponderance of the evidence:

(A) at the time the defendant acquired the property, the defendant did not know and had no reason to know that any used or waste tires had been disposed of or placed on, in or at the property, and the defendant undertook, at the time of acquisition, all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability;

(B) the defendant is a government entity which acquired the property by escheat or through any other

New matter indicated by italics - deletions by strikeout
involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation; or

(C) the defendant acquired the property by inheritance or bequest.

(j) Nothing in this Section shall affect or modify the obligations or liability of any person under any other provision of this Act, federal law, or State law, including the common law, for injuries, damages or losses resulting from the circumstances leading to Agency action under this Section.

(k) The costs and damages provided for in this Section may be imposed by the Board in an action brought before the Board in accordance with Title VIII of this Act, except that subsection (c) of Section 33 of this Act shall not apply to any such action.

(l) The Agency shall, when feasible, consult with the Department of Public Health prior to taking any action to remove or treat an infested tire accumulation for control of mosquitoes or other disease vectors. The Agency may by contract or agreement secure the services of the Department of Public Health, any local public health department, or any other qualified person in treating any such infestation as part of an emergency or preventive action.

(m) Neither the State, the Agency, the Board, the Director, nor any State employee shall be liable for any damage or injury arising out of or resulting from any action taken under this Section.

(Source: P.A. 92-24, eff. 7-1-01; revised 12-6-03.)

(415 ILCS 5/55.7) (from Ch. 111 1/2, par. 1055.7)

Sec. 55.7. The Department of Commerce and Economic Opportunity Community Affairs may adopt regulations as necessary for the administration of the grant and loan programs funded from the Used Tire Management Fund, including but not limited to procedures and criteria for applying for, evaluating, awarding and terminating grants and loans. The Department of Commerce and Economic Opportunity Community Affairs may by rule specify criteria for providing grant assistance rather than loan assistance; such criteria shall promote the

New matter indicated by italics - deletions by strikeout
expeditious development of alternatives to the disposal of used tires, and the efficient use of monies for assistance. Evaluation criteria may be established by rule, considering such factors as:

(1) the likelihood that a proposal will lead to the actual collection and processing of used tires and protection of the environment and public health in furtherance of the purposes of this Act;

(2) the feasibility of the proposal;

(3) the suitability of the location for the proposed activity;

(4) the potential of the proposal for encouraging recycling and reuse of resources; and

(5) the potential for development of new technologies consistent with the purposes of this Act.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Sec. 58.14. Environmental Remediation Tax Credit review.

(a) Prior to applying for the Environmental Remediation Tax Credit under Section 201 of the Illinois Income Tax Act, Remediation Applicants shall first submit to the Agency an application for review of remediation costs. The application and review process shall be conducted in accordance with the requirements of this Section and the rules adopted under subsection (g). A preliminary review of the estimated remediation costs for development and implementation of the Remedial Action Plan may be obtained in accordance with subsection (d).

(b) No application for review shall be submitted until a No Further Remediation Letter has been issued by the Agency and recorded in the chain of title for the site in accordance with Section 58.10. The Agency shall review the application to determine whether the costs submitted are remediation costs, and whether the costs incurred are reasonable. The application shall be on forms prescribed and provided by the Agency. At a minimum, the application shall include the following:

(1) information identifying the Remediation Applicant and the site for which the tax credit is being sought and the date of acceptance of the site into the Site Remediation Program;

New matter indicated by italics - deletions by strikeout
(2) a copy of the No Further Remediation Letter with official verification that the letter has been recorded in the chain of title for the site and a demonstration that the site for which the application is submitted is the same site as the one for which the No Further Remediation Letter is issued;

(3) a demonstration that the release of the regulated substances of concern for which the No Further Remediation Letter was issued were not caused or contributed to in any material respect by the Remediation Applicant. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability shall be made consistent with those rules;

(4) an itemization and documentation, including receipts, of the remediation costs incurred;

(5) a demonstration that the costs incurred are remediation costs as defined in this Act and its rules;

(6) a demonstration that the costs submitted for review were incurred by the Remediation Applicant who received the No Further Remediation Letter;

(7) an application fee in the amount set forth in subsection (e) for each site for which review of remediation costs is requested and, if applicable, certification from the Department of Commerce and Economic Opportunity Community Affairs that the site is located in an enterprise zone;

(8) any other information deemed appropriate by the Agency.

(c) Within 60 days after receipt by the Agency of an application meeting the requirements of subsection (b), the Agency shall issue a letter to the applicant approving, disapproving, or modifying the remediation costs submitted in the application. If the remediation costs are approved as submitted, the Agency's letter shall state the amount of the remediation costs to be applied toward the Environmental Remediation Tax Credit. If an application is disapproved or approved with modification of
remediation costs, the Agency's letter shall set forth the reasons for the disapproval or modification and state the amount of the remediation costs, if any, to be applied toward the Environmental Remediation Tax Credit.

If a preliminary review of a budget plan has been obtained under subsection (d), the Remediation Applicant may submit, with the application and supporting documentation under subsection (b), a copy of the Agency's final determination accompanied by a certification that the actual remediation costs incurred for the development and implementation of the Remedial Action Plan are equal to or less than the costs approved in the Agency's final determination on the budget plan. The certification shall be signed by the Remediation Applicant and notarized. Based on that submission, the Agency shall not be required to conduct further review of the costs incurred for development and implementation of the Remedial Action Plan and may approve costs as submitted.

Within 35 days after receipt of an Agency letter disapproving or modifying an application for approval of remediation costs, the Remediation Applicant may appeal the Agency's decision to the Board in the manner provided for the review of permits in Section 40 of this Act.

(d) (1) A Remediation Applicant may obtain a preliminary review of estimated remediation costs for the development and implementation of the Remedial Action Plan by submitting a budget plan along with the Remedial Action Plan. The budget plan shall be set forth on forms prescribed and provided by the Agency and shall include but shall not be limited to line item estimates of the costs associated with each line item (such as personnel, equipment, and materials) that the Remediation Applicant anticipates will be incurred for the development and implementation of the Remedial Action Plan. The Agency shall review the budget plan along with the Remedial Action Plan to determine whether the estimated costs submitted are remediation costs and whether the costs estimated for the activities are reasonable.

(2) If the Remedial Action Plan is amended by the Remediation Applicant or as a result of Agency action, the

New matter indicated by italics - deletions by strikeout
corresponding budget plan shall be revised accordingly and resubmitted for Agency review.

(3) The budget plan shall be accompanied by the applicable fee as set forth in subsection (e).

(4) Submittal of a budget plan shall be deemed an automatic 60-day waiver of the Remedial Action Plan review deadlines set forth in this Section and its rules.

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

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

(e) The fees for reviews conducted under this Section are in addition to any other fees or payments for Agency services rendered pursuant to the Site Remediation Program and shall be as follows:

(1) The fee for an application for review of remediation costs shall be $1,000 for each site reviewed.

(2) The fee for the review of the budget plan submitted under subsection (d) shall be $500 for each site reviewed.

(3) In the case of a Remediation Applicant submitting for review total remediation costs of $100,000 or less for a site located within an enterprise zone (as set forth in paragraph (i) of subsection (l) of Section 201 of the Illinois Income Tax Act), the fee for an application for review of remediation costs shall be $250 for each site reviewed. For those sites, there shall be no fee for review of a budget plan under subsection (d).

New matter indicated by italics - deletions by strikeout
The application fee shall be made payable to the State of Illinois, for deposit into the Hazardous Waste Fund.

Pursuant to appropriation, the Agency shall use the fees collected under this subsection for development and administration of the review program.

(f) The Agency shall have the authority to enter into any contracts or agreements that may be necessary to carry out its duties and responsibilities under this Section.

(g) Within 6 months after July 21, 1997, the Agency shall propose rules prescribing procedures and standards for its administration of this Section. Within 6 months after receipt of the Agency's proposed rules, the Board shall adopt on second notice, pursuant to Sections 27 and 28 of this Act and the Illinois Administrative Procedure Act, rules that are consistent with this Section. Prior to the effective date of rules adopted under this Section, the Agency may conduct reviews of applications under this Section and the Agency is further authorized to distribute guidance documents on costs that are eligible or ineligible as remediation costs.

(Source: P.A. 92-574, eff. 6-26-02; revised 12-6-03.)

(415 ILCS 5/58.15)

Sec. 58.15. Brownfields Programs.

(A) Brownfields Redevelopment Loan Program.

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

(b) General requirements for loans:

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

(2) Loans shall be awarded subject to availability of funding based on the order of receipt of applications satisfying all

New matter indicated by italics - deletions by strikeout
requirements as set forth in the regulations promulgated under subdivision (A)(c) of this subsection (A).

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

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

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

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

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

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

(6) If the loan recipient fails to make timely payments or otherwise fails to meet its obligations as provided in this subsection (A) or implementing regulations, the Agency is authorized to pursue the collection of the amounts past due, the outstanding loan balance, and the costs thereby incurred, either pursuant to the Illinois State Collection Act of 1986 or by any other means provided by law, including the taking of title, by foreclosure or otherwise, to any project or other property pledged, mortgaged, encumbered, or otherwise available as security or collateral.

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

(1) loan application requirements;
(2) determination of credit worthiness of the loan applicant;
(3) types of security required for the loan;
(4) types of collateral, as necessary, that can be pledged for the loan;
(5) special loan terms, as necessary, for securing the repayment of the loan;
(6) maximum loan amounts;
(7) purposes for which loans are available;
(8) application periods and content of applications;
(9) procedures for Agency review of loan applications, loan approvals or denials, and loan acceptance by the loan recipient;
(10) procedures for establishing interest rates;
(11) requirements applicable to disbursement of loans to loan recipients;
(12) requirements for securing loan repayment obligations;
(13) conditions or circumstances constituting default;
(14) procedures for repayment of loans and delinquent loans including, but not limited to, the initiation of principal and interest payments following loan acceptance;
(15) loan recipient responsibilities for work schedules, work plans, reports, and record keeping;
(16) evaluation of loan recipient performance, including auditing and access to sites and records;
(17) requirements applicable to contracting and subcontracting by the loan recipient, including procurement requirements;
(18) penalties for noncompliance with loan requirements and conditions, including stop-work orders, termination, and recovery of loan funds; and
(19) indemnification of the State of Illinois and the Agency by the loan recipient.

(d) Moneys in the Brownfields Redevelopment Fund may be used as a source of revenue or security for the principal and interest on revenue or general obligation bonds issued by the State or any political subdivision.
or instrumentality thereof, if the proceeds of those bonds will be deposited into the Fund.

(B) Brownfields Site Restoration Program.

(a) (1) The Agency, with the assistance of the Department of Commerce and Economic Opportunity Community Affairs, must establish and administer a program for the payment of remediation costs to be known as the Brownfields Site Restoration Program. The Agency, through the Program, shall provide Remediation Applicants with financial assistance for the investigation and remediation of abandoned or underutilized properties. The investigation and remediation shall be performed in accordance with this Title XVII of this Act.

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

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

(4) Only those remediation projects for which a No Further Remediation Letter is issued by the Agency after December 31, 2001 are eligible to participate in the Brownfields Site Restoration Program. The program does not apply to any sites that have received a No Further Remediation Letter prior to December 31, 2001 or for costs incurred prior to the Department of Commerce and Economic Opportunity (formerly Department of Commerce

New matter indicated by italics - deletions by strikeout
and Community Affairs) approving a site eligible for the Brownfields Site Restoration Program.

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

(b) Prior to applying to the Agency for payment, a Remediation Applicant shall first submit to the Agency its proposed remediation costs. The Agency shall make a pre-application assessment, which is not to be binding upon the Department of Commerce and Economic Opportunity Community Affairs or upon future review of the project, relating only to whether the Agency has adequate funding to reimburse the applicant for the remediation costs if the applicant is found to be eligible for reimbursement of remediation costs. If the Agency determines that it is likely to have adequate funding to reimburse the applicant for remediation costs, the Remediation Applicant may then submit to the Department of Commerce and Economic Opportunity Community Affairs an application for review of eligibility. The Department must review the eligibility application to determine whether the Remediation Applicant is eligible for the payment. The application must be on forms prescribed and provided by the Department of Commerce and Economic Opportunity Community Affairs. At a minimum, the application must include the following:

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

(2) Information demonstrating that the site for which the payment is being sought is abandoned or underutilized property. "Abandoned property" means real property previously used for, or that has the potential to be used for, commercial or industrial purposes that reverted to the ownership of the State, a county or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default, or settlement, including conveyance by deed in lieu of foreclosure; or privately owned property that has been vacant for a period of not less than 3
years from the time an application is made to the Department of Commerce and Economic Opportunity Community Affairs. "Underutilized property" means real property of which less than 35% of the commercially usable space of the property and improvements thereon are used for their most commercially profitable and economically productive uses.

(3) Information demonstrating that remediation of the site for which the payment is being sought will result in a net economic benefit to the State of Illinois. The "net economic benefit" must be determined based on factors including, but not limited to, the capital investment, the number of jobs created, the number of jobs retained if it is demonstrated the jobs would otherwise be lost, capital improvements, the number of construction-related jobs, increased sales, material purchases, other increases in service and operational expenditures, and other factors established by the Department of Commerce and Economic Opportunity Community Affairs. Priority must be given to sites located in areas with high levels of poverty, where the unemployment rate exceeds the State average, where an enterprise zone exists, or where the area is otherwise economically depressed as determined by the Department of Commerce and Economic Opportunity Community Affairs.

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

(c) The fee for eligibility reviews conducted by the Department of Commerce and Economic Opportunity Community Affairs under this subsection (B) is $1,000 for each site reviewed. The application fee must be made payable to the Department of Commerce and Economic Opportunity Community Affairs for deposit into the Workforce, Technology, and Economic Development Fund. These application fees shall be used by the Department for administrative expenses incurred under this subsection (B).

New matter indicated by italics - deletions by strikeout
(d) Within 60 days after receipt by the Department of Commerce and Economic Opportunity Community Affairs of an application meeting the requirements of subdivision (B)(b), the Department of Commerce and Economic Opportunity Community Affairs must issue a letter to the applicant approving the application, approving the application with modifications, or disapproving the application. If the application is approved or approved with modifications, the Department of Commerce and Economic Opportunity's Community Affairs' letter must also include its determination of the "net economic benefit" of the remediation project and the maximum amount of the payment to be made available to the applicant for remediation costs. The payment by the Agency under this subsection (B) must not exceed the "net economic benefit" of the remediation project, as determined by the Department of Commerce and Economic Opportunity Community Affairs.

(e) An application for a review of remediation costs must not be submitted to the Agency unless the Department of Commerce and Economic Opportunity Community Affairs has determined the Remediation Applicant is eligible under subdivision (B)(d). If the Department of Commerce and Economic Opportunity Community Affairs has determined that a Remediation Applicant is eligible under subdivision (B)(d), the Remediation Applicant may submit an application for payment to the Agency under this subsection (B). Except as provided in subdivision (B)(f), an application for review of remediation costs must not be submitted until a No Further Remediation Letter has been issued by the Agency and recorded in the chain of title for the site in accordance with Section 58.10. The Agency must review the application to determine whether the costs submitted are remediation costs and whether the costs incurred are reasonable. The application must be on forms prescribed and provided by the Agency. At a minimum, the application must include the following:

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

New matter indicated by italics - deletions by strikeout
(2) A copy of the No Further Remediation Letter with official verification that the letter has been recorded in the chain of title for the site and a demonstration that the site for which the application is submitted is the same site as the one for which the No Further Remediation Letter is issued.

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

(4) A copy of the Department of Commerce and Economic Opportunity's Community Affairs' letter approving eligibility, including the net economic benefit of the remediation project.

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

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

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

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

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

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

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

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

(3) A demonstration that the release of the regulated substances of concern for which the Remedial Action Plan was approved was not caused or contributed to in any material respect by the Remediation Applicant. The Agency must make determinations as to reimbursement availability consistent with rules adopted by the Pollution Control Board for the administration and enforcement of Section 58.9 of this Act.

(4) A copy of the Department of Commerce and Economic Opportunity's Community Affairs' letter approving eligibility, including the net economic benefit of the remediation project.

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

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

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

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

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

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

New matter indicated by italics - deletions by strikeout
Remediation Letter for the site. For a Remediation Applicant seeking a payment under subdivision (B)(e), until the Agency issues a No Further Remediation Letter for the site, no payment may be claimed by the Remediation Applicant.

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

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

(3) Within 35 days after receipt of an Agency letter disapproving or modifying an application for approval of remediation costs, the Remediation Applicant may appeal the Agency's decision to the Board in the manner provided for the review of permits in Section 40 of this Act.

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

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

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

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

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

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

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

New matter indicated by italics - deletions by strikeout
(1) The fee for an application for review of remediation costs is $1,000 for each site reviewed.
(2) The fee for the review of the budget plan submitted under subdivision (B)(i) is $500 for each site reviewed.

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

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

(l) The Department and the Agency are authorized to enter into any contracts or agreements that may be necessary to carry out their duties and responsibilities under this subsection (B).

(m) Within 6 months after the effective date of this amendatory Act of 2002, the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) and the Agency must propose rules prescribing procedures and standards for the administration of this subsection (B). Within 9 months after receipt of the proposed rules, the Board shall adopt on second notice, pursuant to Sections 27 and 28 of this Act and the Illinois Administrative Procedures Act, rules that are consistent with this subsection (B). Prior to the effective date of rules adopted under this subsection (B), the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) and the Agency may conduct reviews of applications under this subsection (B) and the Agency is further authorized to distribute guidance documents on costs that are eligible or ineligible as remediation costs.

(Source: P.A. 91-36, eff. 6-15-99; 92-16, eff. 6-28-01; 92-715, eff. 7-23-02; revised 12-6-03.)

New matter indicated by italics - deletions by strikeout
Section 780. The Solid Waste Planning and Recycling Act is amended by changing Section 3 as follows:
(415 ILCS 15/3) (from Ch. 85, par. 5953)
Sec. 3. As used in this Act, unless the context clearly indicates otherwise:
"Agency" means the Illinois Environmental Protection Agency.
"Composting" means the biological process by which microorganisms decompose the organic fraction of waste, producing a humus-like material that may be used as a soil conditioner.
"County" means any county of the State and includes the City of Chicago.
"Department" means the Department of Commerce and Economic Opportunity Community Affairs.
"Municipal waste" means garbage, general household, institutional and commercial waste, industrial lunchroom or office waste, landscape waste, and construction and demolition debris.
"Person" means any individual, partnership, cooperative enterprise, unit of local government, institution, corporation or agency, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.
"Recycling, reclamation or reuse" means a method, technique or process designed to remove any contaminant from waste so as to render the waste reusable, or any process by which materials that would otherwise be disposed of or discarded are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.
"Recycling center" means a facility that accepts only segregated, nonhazardous, nonspecial, homogeneous, nonputrescible materials, such as dry paper, glass, cans or plastics, for subsequent use in the secondary materials market.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)
Section 785. The Illinois Solid Waste Management Act is amended by changing Sections 2.1, 3, 3.1, 5, 6a, and 7 as follows:
(415 ILCS 20/2.1) (from Ch. 111 1/2, par. 7052.1)

New matter indicated by italics - deletions by strikeout
Sec. 2.1. Definitions. When used in this Act, unless the context otherwise requires, the following terms have the meanings ascribed to them in this Section:

"Department", when a particular entity is not specified, means (i) in the case of a function to be performed on or after July 1, 1995 (the effective date of the Department of Natural Resources Act), the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), as successor to the former Department of Energy and Natural Resources under the Department of Natural Resources Act; or (ii) in the case of a function required to be performed before July 1, 1995, the former Illinois Department of Energy and Natural Resources.

"Deinked stock" means paper that has been processed to remove inks, clays, coatings, binders and other contaminants.

"End product" means only those items that are designed to be used until disposal; items designed to be used in production of a subsequent item are excluded.

"High grade printing and writing papers" includes offset printing paper, duplicator paper, writing paper (stationery), office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock and cotton fiber papers.

"Paper and paper products" means high grade printing and writing papers, tissue products, newsprint, unbleached packaging and recycled paperboard.

"Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste; wastes generated during production of an end product are excluded.

"Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer materials, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material", however, does not

New matter indicated by italics - deletions by strikeout
include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extraction or woodcutting processes, or forest residues such as bark.

"Recycled paperboard" includes recycled paperboard products, folding cartons and pad backing.

"Recycling" means the process by which solid waste is collected, separated and processed for reuse as either a raw material or a product which itself is subject to recycling, but does not include the combustion of waste for energy recovery or volume reduction.

"Tissue products" includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags and brown papers.

"Unbleached packaging" includes corrugated and fiber boxes.

"USEPA Guidelines for federal procurement" means all minimum recycled content standards recommended by the U.S. Environmental Protection Agency.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

Sec. 3. State agency materials recycling program.

(a) All State agencies responsible for the maintenance of public lands in the State shall, to the maximum extent feasible, give due consideration and preference to the use of compost materials in all land maintenance activities which are to be paid with public funds.

(b) The Department of Central Management Services, in coordination with the Department of Commerce and Economic Opportunity Community Affairs, shall implement waste reduction programs, including source separation and collection, for office wastepaper, corrugated containers, newsprint and mixed paper, in all State buildings as appropriate and feasible. Such waste reduction programs shall be designed to achieve waste reductions of at least 25% of all such waste by December 31, 1995, and at least 50% of all such waste by December 31, 2000. Any source separation and collection program shall include, at a minimum, procedures for collecting and storing recyclable materials, bins

New matter indicated by italics - deletions by strikeout
or containers for storing materials, and contractual or other arrangements with buyers of recyclable materials. If market conditions so warrant, the Department of Central Management Services, in coordination with the Department of Commerce and Economic Opportunity Community Affairs, may modify programs developed pursuant to this Section.

The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall conduct waste categorization studies of all State facilities for calendar years 1991, 1995 and 2000. Such studies shall be designed to assist the Department of Central Management Services to achieve the waste reduction goals established in this subsection.

(c) Each State agency shall, upon consultation with the Department of Commerce and Economic Opportunity Community Affairs, periodically review its procurement procedures and specifications related to the purchase of products or supplies. Such procedures and specifications shall be modified as necessary to require the procuring agency to seek out products and supplies that contain recycled materials, and to ensure that purchased products or supplies are reusable, durable or made from recycled materials whenever economically and practically feasible. In choosing among products or supplies that contain recycled material, consideration shall be given to products and supplies with the highest recycled material content that is consistent with the effective and efficient use of the product or supply.

(d) Wherever economically and practically feasible, the Department of Central Management Services shall procure recycled paper and paper products as follows:

(1) Beginning July 1, 1989, at least 10% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(2) Beginning July 1, 1992, at least 25% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

New matter indicated by italics - deletions by strikeout
(3) Beginning July 1, 1996, at least 40% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(4) Beginning July 1, 2000, at least 50% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(e) Paper and paper products purchased from private vendors pursuant to printing contracts are not considered paper products for the purposes of subsection (d). However, the Department of Central Management Services shall report to the General Assembly on an annual basis the total dollar value of printing contracts awarded to private sector vendors that included the use of recycled paper.

(f)(1) Wherever economically and practically feasible, the recycled paper and paper products referred to in subsection (d) shall contain postconsumer or recovered paper materials as specified by paper category in this subsection:

(i) Recycled high grade printing and writing paper shall contain at least 50% recovered paper material. Such recovered paper material, until July 1, 1994, shall consist of at least 20% deinked stock or postconsumer material; and beginning July 1, 1994, shall consist of at least 25% deinked stock or postconsumer material; and beginning July 1, 1996, shall consist of at least 30% deinked stock or postconsumer material; and beginning July 1, 1998, shall consist of at least 40% deinked stock or postconsumer material; and beginning July 1, 2000, shall consist of at least 50% deinked stock or postconsumer material.

(ii) Recycled tissue products, until July 1, 1994, shall contain at least 25% postconsumer material; and beginning July 1, 1994, shall contain at least 30% postconsumer material; and beginning July 1, 1996, shall contain at least 35% postconsumer material; and beginning July 1, 1998, shall contain at least 40% postconsumer material; and beginning July 1, 2000, shall contain at least 50% postconsumer material.
July 1, 1998, shall contain at least 40% postconsumer material; and beginning July 1, 2000, shall contain at least 45% postconsumer material.

(iii) Recycled newsprint, until July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1994, shall contain at least 50% postconsumer material; and beginning July 1, 1996, shall contain at least 60% postconsumer material; and beginning July 1, 1998, shall contain at least 70% postconsumer material; and beginning July 1, 2000, shall contain at least 80% postconsumer material.

(iv) Recycled unbleached packaging, until July 1, 1994, shall contain at least 35% postconsumer material; and beginning July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1996, shall contain at least 45% postconsumer material; and beginning July 1, 1998, shall contain at least 50% postconsumer material; and beginning July 1, 1998, shall contain at least 55% postconsumer material.

(v) Recycled paperboard, until July 1, 1994, shall contain at least 80% postconsumer material; and beginning July 1, 1994, shall contain at least 85% postconsumer material; and beginning July 1, 1996, shall contain at least 90% postconsumer material; and beginning July 1, 1998, shall contain at least 95% postconsumer material.

(2) For the purposes of this Section, "postconsumer material" includes:

(i) paper, paperboard, and fibrous wastes from retail stores, office buildings, homes, and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed waste paper, tabulating cards, and used cordage; and

New matter indicated by italics - deletions by strikeout
(ii) all paper, paperboard, and fibrous wastes that are diverted or separated from the municipal solid waste stream.

(3) For the purposes of this Section, "recovered paper material" includes:

(i) postconsumer material;

(ii) dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming, and other converting operations, or from bag, box and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and

(iii) finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters, or others.

(g) The Department of Central Management Services may adopt regulations to carry out the provisions and purposes of this Section.

(h) Every State agency shall, in its procurement documents, specify that, whenever economically and practically feasible, a product to be procured must consist, wholly or in part, of recycled materials, or be recyclable or reusable in whole or in part. When applicable, if state guidelines are not already prescribed, State agencies shall follow USEPA guidelines for federal procurement.

(i) All State agencies shall cooperate with the Department of Central Management Services in carrying out this Section. The Department of Central Management Services may enter into cooperative purchasing agreements with other governmental units in order to obtain volume discounts, or for other reasons in accordance with the Governmental Joint Purchasing Act, or in accordance with the

New matter indicated by italics - deletions by strikeout
Intergovernmental Cooperation Act if governmental units of other states or the federal government are involved.

(j) The Department of Central Management Services shall submit an annual report to the General Assembly concerning its implementation of the State's collection and recycled paper procurement programs. This report shall include a description of the actions that the Department of Central Management Services has taken in the previous fiscal year to implement this Section. This report shall be submitted on or before November 1 of each year.

(k) The Department of Central Management Services, in cooperation with all other appropriate departments and agencies of the State, shall institute whenever economically and practically feasible the use of re-refined motor oil in all State-owned motor vehicles and the use of remanufactured and retread tires whenever such use is practical, beginning no later than July 1, 1992.

(l) (Blank).

(m) The Department of Central Management Services, in coordination with the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), shall implement an aluminum can recycling program in all State buildings within 270 days of the effective date of this amendatory Act of 1997. The program shall provide for (1) the collection and storage of used aluminum cans in bins or other appropriate containers made reasonably available to occupants and visitors of State buildings and (2) the sale of used aluminum cans to buyers of recyclable materials.

Proceeds from the sale of used aluminum cans shall be deposited into I-CYCLE accounts maintained in the State Surplus Property Revolving Fund and, subject to appropriation, shall be used by the Department of Central Management Services and any other State agency to offset the costs of implementing the aluminum can recycling program under this Section.

All State agencies having an aluminum can recycling program in place shall continue with their current plan. If a State agency has an existing recycling program in place, proceeds from the aluminum can
recycling program may be retained and distributed pursuant to that program, otherwise all revenue resulting from these programs shall be forwarded to Central Management Services, I-CYCLE for placement into the appropriate account within the State Surplus Property Revolving Fund, minus any operating costs associated with the program.

(Source: P.A. 89-445, eff. 2-7-96; 90-180, eff. 7-23-97; 90-372, eff. 7-1-98; 90-655, eff. 7-30-98; revised 12-6-03.)

(415 ILCS 20/3.1) (from Ch. 111 1/2, par. 7053.1)

Sec. 3.1. Institutions of higher learning.

(a) For purposes of this Section "State-supported institutions of higher learning" or "institutions" means the University of Illinois, Southern Illinois University, the colleges and universities under the jurisdiction of the Board of Governors of State Colleges and Universities, the colleges and universities under the jurisdiction of the Board of Regents of Regency Universities, and the public community colleges subject to the Public Community College Act.

(b) Each State-supported institution of higher learning shall develop a comprehensive waste reduction plan covering a period of 10 years which addresses the management of solid waste generated by academic, administrative, student housing and other institutional functions. The waste reduction plan shall be developed by January 1, 1995. The initial plan required under this Section shall be updated by the institution every 5 years, and any proposed amendments to the plan shall be submitted for review in accordance with subsection (f).

(c) Each waste reduction plan shall address, at a minimum, the following topics: existing waste generation by volume, waste composition, existing waste reduction and recycling activities, waste collection and disposal costs, future waste management methods, and specific goals to reduce the amount of waste generated that is subject to landfill disposal.

(d) Each waste reduction plan shall provide for recycling of marketable materials currently present in the institution's waste stream, including but not limited to landscape waste, corrugated cardboard, computer paper, and white office paper, and shall provide for the investigation of potential markets for other recyclable materials present in
the institution's waste stream. The recycling provisions of the waste reduction plan shall be designed to achieve, by January 1, 2000, at least a 40% reduction (referenced to a base year of 1987) in the amount of solid waste that is generated by the institution and identified in the waste reduction plan as being subject to landfill disposal.

(e) Each waste reduction plan shall evaluate the institution's procurement policies and practices to eliminate procedures which discriminate against items with recycled content, and to identify products or items which are procured by the institution on a frequent or repetitive basis for which products with recycled content may be substituted. Each waste reduction plan shall prescribe that it will be the policy of the institution to purchase products with recycled content whenever such products have met specifications and standards of equivalent products which do not contain recycled content.

(f) Each waste reduction plan developed in accordance with this Section shall be submitted to the Department of Commerce and Economic Opportunity Community Affairs for review and approval. The Department's review shall be conducted in cooperation with the Board of Higher Education and the Illinois Community College Board.

(g) The Department of Commerce and Economic Opportunity Community Affairs shall provide technical assistance, technical materials, workshops and other information necessary to assist in the development and implementation of the waste reduction plans. The Department shall develop guidelines and funding criteria for providing grant assistance to institutions for the implementation of approved waste reduction plans.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

(415 ILCS 20/5) (from Ch. 111 1/2, par. 7055)

Sec. 5. Informational Clearinghouse. The Department of Commerce and Economic Opportunity Community Affairs, in cooperation with the Environmental Protection Agency, shall maintain a central clearinghouse of information regarding the implementation of this Act. In particular, this clearinghouse shall include data regarding solid waste research and planning, solid waste management practices, markets for recyclable materials and intergovernmental cooperation.

New matter indicated by italics - deletions by strikeout
Sec. 6a. The Department of Commerce and Economic Opportunity Community Affairs shall:

(1) Work with nationally based consumer groups and trade associations to develop nationally recognized logos which may be used to indicate whether a container is recyclable, made of recycled materials, or both.

(2) Work with nationally based consumer groups and trade associations to develop nationally recognized criteria for determining under what conditions the logos may be used.

(3) Develop and conduct a public education and awareness campaign to encourage the public to look for and buy products in containers which are recyclable or made of recycled materials.

(4) Develop and prepare educational materials describing the benefits and methods of recycling for distribution to elementary schools in Illinois.

Sec. 7. It is the intent of this Act to provide the framework for a comprehensive solid waste management program in Illinois.

The Department shall prepare and submit to the Governor and the General Assembly on or before January 1, 1992, a report evaluating the effectiveness of the programs provided under this Act and Section 22.14 of the Environmental Protection Act; assessing the need for a continuation of existing programs, development and implementation of new programs and appropriate funding mechanisms; and recommending legislative and administrative action to fully implement a comprehensive solid waste management program in Illinois.

The Department shall investigate the suitability and advisability of providing tax incentives for Illinois businesses to use recycled products and purchase or lease recycling equipment, and shall report to the Governor and the General Assembly by January 1, 1987, on the results of this investigation.

New matter indicated by italics - deletions by strikeout
By July 1, 1989, the Department shall submit to the Governor and members of the General Assembly a waste reduction report:

(a) that describes various mechanisms that could be utilized to stimulate and enhance the reduction of industrial and post-consumer waste in the State, including their advantages and disadvantages. The mechanisms to be analyzed shall include, but not be limited to, incentives for prolonging product life, methods for ensuring product recyclability, taxes for excessive packaging, tax incentives, prohibitions on the use of certain products, and performance standards for products; and

(b) that includes specific recommendations to stimulate and enhance waste reduction in the industrial and consumer sector, including, but not limited to, legislation, financial incentives and disincentives, and public education.

The Department of Commerce and Economic Opportunity Community Affairs, with the cooperation of the State Board of Education, the Illinois Environmental Protection Agency, and others as needed, shall develop, coordinate and conduct an education program for solid waste management and recycling. The program shall include, but not be limited to, education for the general public, businesses, government, educators and students.

The education program shall address, at a minimum, the following topics: the solid waste management alternatives of recycling, composting, and source reduction; resource allocation and depletion; solid waste planning; reuse of materials; pollution prevention; and household hazardous waste.

The Department of Commerce and Economic Opportunity Community Affairs shall cooperate with municipal and county governments, regional school superintendents, education service centers, local school districts, and planning agencies and committees to coordinate local and regional education programs and workshops and to expedite the exchange of technical information.

By March 1, 1989, the Department shall prepare a report on strategies for distributing and marketing landscape waste compost from
centralized composting sites operated by units of local government. The report shall, at a minimum, evaluate the effects of product quality, assured supply, cost and public education on the availability of compost, free delivery, and public sales composting program. The evaluation of public sales programs shall focus on direct retail sale of bagged compost at the site or special distribution centers and bulk sale of finished compost to wholesalers for resale.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 790. The Illinois Groundwater Protection Act is amended by changing Section 4 as follows:

(415 ILCS 55/4) (from Ch. 111 1/2, par. 7454)

Sec. 4. (a) There shall be established within State government an interagency committee which shall be known as the Interagency Coordinating Committee on Groundwater. The Committee shall be composed of the Director, or his designee, of the following agencies:

(1) The Illinois Environmental Protection Agency, who shall chair the Committee.
(2) The Illinois Department of Natural Resources.
(3) The Illinois Department of Public Health.
(4) The Office of Mines and Minerals within the Department of Natural Resources.
(5) The Office of the State Fire Marshal.
(6) The Division of Water Resources of the Department of Natural Resources.
(7) The Illinois Department of Agriculture.
(9) The Illinois Department of Nuclear Safety.

(b) The Committee shall meet not less than twice each calendar year and shall:

(1) Review and coordinate the State's policy on groundwater protection.

New matter indicated by italics - deletions by strikeout
(2) Review and evaluate State laws, regulations and procedures that relate to groundwater protection.

(3) Review and evaluate the status of the State's efforts to improve the quality of the groundwater and of the State enforcement efforts for protection of the groundwater and make recommendations on improving the State efforts to protect the groundwater.

(4) Recommend procedures for better coordination among State groundwater programs and with local programs related to groundwater protection.

(5) Review and recommend procedures to coordinate the State's response to specific incidents of groundwater pollution and coordinate dissemination of information between agencies responsible for the State's response.

(6) Make recommendations for and prioritize the State's groundwater research needs.

(7) Review, coordinate and evaluate groundwater data collection and analysis.

(8) Beginning on January 1, 1990, report biennially to the Governor and the General Assembly on groundwater quality, quantity, and the State's enforcement efforts.

(c) The Chairman of the Committee shall propose a groundwater protection regulatory agenda for consideration by the Committee and the Council. The principal purpose of the agenda shall be to systematically consider the groundwater protection aspects of relevant federal and State regulatory programs and to identify any areas where improvements may be warranted. To the extent feasible, the agenda may also serve to facilitate a more uniform and coordinated approach toward protection of groundwaters in Illinois. Upon adoption of the final agenda by the Committee, the Chairman of the Committee shall assign a lead agency and any support agencies to prepare a regulatory assessment report for each item on the agenda. Each regulatory assessment report shall specify the nature of the groundwater protection provisions being implemented and shall evaluate the results achieved therefrom. Special attention shall be
given to any preventive measures being utilized for protection of groundwaters. The reports shall be completed in a timely manner. After review and consideration by the Committee, the reports shall become the basis for recommending further legislative or regulatory action.

(d) No later than January 1, 1992, the Interagency Coordinating Committee on Groundwater shall provide a comprehensive status report to the Governor and the General Assembly concerning implementation of this Act.

(e) The Committee shall consider findings and recommendations that are provided by the Council, and respond in writing regarding such matters. The Chairman of the Committee shall designate a liaison person to serve as a facilitator of communications with the Council.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 795. The Degradable Plastic Act is amended by changing Section 2 as follows:

(415 ILCS 80/2) (from Ch. 111 1/2, par. 7902)

Sec. 2. Definitions. As used in this Act, the following terms shall have the meanings indicated, unless the context otherwise requires:

"Agency" means the Illinois Environmental Protection Agency.

"Department" means the Department of Commerce and Economic Community Affairs.

"Degradable" means capable of disintegrating, by naturally occurring biological or physical processes in the environment within a period of 3 years after disposal, into fragments that are small relative to the original size, or into particles of a molecular weight that is low when compared to the molecular weight of the original material.

"Plastic container" means a package, bag, bottle, cup, wrapping, blister-pack or other device that is made of plastic, plastic-coated paper, or other synthetic polymeric material, and is used to contain or protect merchandise ultimately intended for retail sale, or to contain waste for disposal.

"Recyclable plastic container" means a container composed entirely (exclusive of any readily detachable lid, closure, handle or label)
of one type of plastic for which the Department finds that there exists an effective recycling market in this State.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 800. The Recycled Newsprint Use Act is amended by changing Section 2002.50 as follows:
(415 ILCS 110/2002.50) (from Ch. 96 1/2, par. 9752.50)
Sec. 2002.50. "Department" means the Department of Commerce and Economic Opportunity Community Affairs.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 805. The Alternate Fuels Act is amended by changing Sections 15, 21, 25, 32, and 40 as follows:
(415 ILCS 120/15)
Sec. 15. Rulemaking. The Agency shall promulgate rules and dedicate sufficient resources to implement the purposes of Section 30 of this Act. Such rules shall be consistent with the provisions of the Clean Air Act Amendments of 1990 and any regulations promulgated pursuant thereto. The Secretary of State may promulgate rules to implement Section 35 of this Act. The Department of Commerce and Economic Opportunity Community Affairs may promulgate rules to implement Section 25 of this Act.
(Source: P.A. 89-410; 90-726, eff. 8-7-98; revised 12-6-03.)

(415 ILCS 120/21)
Sec. 21. Alternate Fuel Infrastructure Advisory Board. The Governor shall appoint an Alternate Fuel Infrastructure Advisory Board. The Advisory Board shall be chaired by the Director of the Department of Commerce and Economic Opportunity Community Affairs, who may be represented at all meetings by a designee. Other members appointed by the Governor shall consist of one representative from the ethanol industry, one representative from the natural gas industry, one representative from the auto manufacturing industry, one representative from the liquid petroleum gas industry, one representative from the Agency, one representative from the heavy duty engine manufacturing industry, one representative from Illinois private fleet operators, and one representative of local government from the Chicago nonattainment area.

New matter indicated by italics - deletions by strikeout
The Advisory Board shall (1) prepare and recommend to the *Department of Commerce and Economic Opportunity* (formerly Department of Commerce and Community Affairs) a program implementing Section 31 of this Act and (2) recommend criteria and procedures to be followed in awarding grants.

Members of the Advisory Board shall not be reimbursed their costs and expenses of participation. All decisions of the Advisory Board shall be decided on a one vote per member basis with a majority of the Advisory Board membership to rule.

(Source: P.A. 92-858, eff. 1-3-03; revised 12-6-03.)

(415 ILCS 120/25)

Sec. 25. Ethanol fuel research program. The Department of Commerce and Economic Opportunity Community Affairs shall administer a research program to reduce the costs of producing ethanol fuels and increase the viability of ethanol fuels, new ethanol engine technologies, and ethanol refueling infrastructure. This research shall be funded from the Alternate Fuels Fund. The research program shall remain in effect, subject to appropriation after calendar year 2004, or until funds are no longer available.

(Source: P.A. 91-357, eff. 7-29-99; 92-858, eff. 1-3-03; revised 12-6-03.)

(415 ILCS 120/32)

Sec. 32. Clean Fuel Education Program. Subject to appropriation, the Department of Commerce and Economic Opportunity Community Affairs, in cooperation with the Agency and Chicago Area Clean Cities, shall administer the Clean Fuel Education Program, the purpose of which is to educate fleet administrators and Illinois' citizens about the benefits of using alternate fuels. The program shall include a media campaign.

(Source: P.A. 92-858, eff. 1-3-03; revised 12-6-03.)

(415 ILCS 120/40)

Sec. 40. Appropriations from the Alternate Fuels Fund.

(a) User Fees Funds. The Agency shall estimate the amount of user fees expected to be collected under Section 35 of this Act for each fiscal year. User fee funds shall be deposited into and distributed from the Alternate Fuels Fund in the following manner:

New matter indicated by italics - deletions by strikeout
(1) In each of fiscal years 1999, 2000, 2001, 2002, and 2003, an amount not to exceed $200,000, and beginning in fiscal year 2004 an annual amount not to exceed $225,000, may be appropriated to the Agency from the Alternate Fuels Fund to pay its costs of administering the programs authorized by Section 30 of this Act. Up to $200,000 may be appropriated to the Office of the Secretary of State in each of fiscal years 1999, 2000, 2001, 2002, and 2003 from the Alternate Fuels Fund to pay the Secretary of State's costs of administering the programs authorized under this Act. Beginning in fiscal year 2004 and in each fiscal year thereafter, an amount not to exceed $225,000 may be appropriated to the Secretary of State from the Alternate Fuels Fund to pay the Secretary of State's costs of administering the programs authorized under this Act.

(2) In fiscal years 1999, 2000, 2001, and 2002, after appropriation of the amounts authorized by item (1) of subsection (a) of this Section, the remaining moneys estimated to be collected during each fiscal year shall be appropriated as follows: 80% of the remaining moneys shall be appropriated to fund the programs authorized by Section 30, and 20% shall be appropriated to fund the programs authorized by Section 25. In fiscal year 2004 and each fiscal year thereafter, after appropriation of the amounts authorized by item (1) of subsection (a) of this Section, the remaining moneys estimated to be collected during each fiscal year shall be appropriated as follows: 70% of the remaining moneys shall be appropriated to fund the programs authorized by Section 30 and 30% shall be appropriated to fund the programs authorized by Section 31.

(3) (Blank).

(4) Moneys appropriated to fund the programs authorized in Sections 25 and 30 shall be expended only after they have been collected and deposited into the Alternate Fuels Fund.

New matter indicated by italics - deletions by strikeout
(b) General Revenue Fund Appropriations. General Revenue Fund amounts appropriated to and deposited into the Alternate Fuels Fund shall be distributed from the Alternate Fuels Fund in the following manner:

(1) In each of fiscal years 2003 and 2004, an amount not to exceed $50,000 may be appropriated to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) from the Alternate Fuels Fund to pay its costs of administering the programs authorized by Sections 31 and 32.

(2) In each of fiscal years 2003 and 2004, an amount not to exceed $50,000 may be appropriated to the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) to fund the programs authorized by Section 32.

(3) In each of fiscal years 2003 and 2004, after appropriation of the amounts authorized in items (1) and (2) of subsection (b) of this Section, the remaining moneys received from the General Revenue Fund shall be appropriated as follows: 52.632% of the remaining moneys shall be appropriated to fund the programs authorized by Sections 25 and 30 and 47.368% of the remaining moneys shall be appropriated to fund the programs authorized by Section 31. The moneys appropriated to fund the programs authorized by Sections 25 and 30 shall be used as follows: 20% shall be used to fund the programs authorized by Section 25, and 80% shall be used to fund the programs authorized by Section 30.

Moneys appropriated to fund the programs authorized in Section 31 shall be expended only after they have been deposited into the Alternate Fuels Fund.

(Source: P.A. 92-858, eff. 1-3-03; 93-32, eff. 7-1-03; revised 12-6-03.)

Section 810. The Interstate Ozone Transport Oversight Act is amended by changing Section 20 as follows:

(415 ILCS 130/20)
Sec. 20. Legislative referral and public hearings.

New matter indicated by italics - deletions by strikeout
(a) Not later than 10 days after the development of any proposed memorandum of understanding by the Ozone Transport Assessment Group potentially requiring the State of Illinois to undertake emission reductions in addition to those specified by the Clean Air Act Amendments of 1990, or subsequent to the issuance of a request made by the United States Environmental Protection Agency on or after June 1, 1997 for submission of a State Implementation Plan for Illinois relating to ozone attainment and before submission of the Plan, the Director shall submit the proposed memorandum of understanding or State Implementation Plan to the House Committee and the Senate Committee for their consideration. At that time, the Director shall also submit information detailing any alternate strategies.

(b) To assist the legislative review required by this Act, the Department of Natural Resources and the Department of Commerce and Economic Opportunity Community Affairs shall conduct a joint study of the impacts on the State's economy which may result from implementation of the emission reduction strategies contained within any proposed memorandum of understanding or State Implementation Plan relating to ozone and from implementation of any alternate strategies. The study shall include, but not be limited to, the impacts on economic development, employment, utility costs and rates, personal income, and industrial competitiveness which may result from implementation of the emission reduction strategies contained within any proposed memorandum of agreement or State Implementation Plan relating to ozone and from implementation of any alternate strategies. The study shall be submitted to the House Committee and Senate Committee not less than 10 days prior to any scheduled hearing conducted pursuant to subsection (c) of this Section.

(c) Upon receipt of the information required by subsections (a) and (b) of this Section, the House Committee and Senate Committee shall each convene one or more public hearings to receive comments from agencies of government and other interested parties on the memorandum of understanding's or State Implementation Plan's prospective economic and environmental impacts, including its impacts on energy use, economic
development, utility costs and rates, and competitiveness. Additionally, comments shall be received on the prospective economic and environmental impacts, including impacts on energy use, economic development, utility costs and rates, and competitiveness, which may result from implementation of any alternate strategies.

(Source: P.A. 89-566, eff. 7-26-96; 90-500, eff. 8-19-97; revised 12-6-03.)

Section 815. The Illinois Poison Prevention Packaging Act is amended by changing Section 6 as follows:

(430 ILCS 40/6) (from Ch. 111 1/2, par. 296)

Sec. 6. (a) For the purpose of assisting in carrying out the purposes of this Act, the Director may appoint a technical advisory committee, designating a member thereof to be a chairman, composed of not more than 18 members who are representative of (1) the Department of Public Health, (2) the Department of Commerce and Economic Opportunity Community Affairs, (3) manufacturers of household substances subject to this Act, (4) scientists with expertise related to this Act and licensed practitioners in the medical field, (5) consumers, and (6) manufacturers of packages and closures for household substances. The Director may consult with the technical advisory committee in making findings and in establishing standards pursuant to this Act.

(b) Members of the technical advisory committee who are not regular full-time employees of the State of Illinois shall, while attending meetings of such committee, be entitled to receive compensation at a rate fixed by the Director, but not exceeding $100 per diem, including travel time, and while so serving away from their homes or regular places of business, they may be allowed travel expenses.

(Source: P.A. 81-1509; revised 12-6-03.)

Section 820. The Agricultural Areas Conservation and Protection Act is amended by changing Section 20.1 as follows:

(505 ILCS 5/20.1) (from Ch. 5, par. 1020.1)

Sec. 20.1. Report to General Assembly and State Agencies. The Department of Agriculture shall make an annual report to the General Assembly on the location and size of all agricultural areas created or dissol

New matter indicated by italics - deletions by strikeout
areas. For the purpose of planning project alternatives, the Department of Agriculture shall provide a description of all agricultural areas to the following agencies and shall notify the following agencies of the creation, alteration, or dissolution of agricultural areas: the Governor's Office of Management and Budget, Bureau of the Budget, the Department of Natural Resources, the Illinois Commerce Commission, the Department of Commerce and Economic Opportunity Community Affairs, the Environmental Protection Agency, the Capital Development Board, and the Department of Transportation.

(Source: P.A. 89-445, eff. 2-7-96; revised 8-23-03.)

Section 825. The County Cooperative Extension Law is amended by changing Section 2b as follows:

(505 ILCS 45/2b) (from Ch. 5, par. 242b)

Sec. 2b. The Cooperative Extension Service of the University of Illinois shall establish a Rural Transition Program to be operated in cooperation with the Department of Commerce and Economic Opportunity Community Affairs to provide assessments, career counseling, on-the-job training, tuition reimbursements, classroom training, financial management training, work experience opportunities, job search skills, job placement, youth programs, and support service to farmers and their families, agriculture-related employees, other rural residents, and small rural businesses who are being forced out of farming or other primary means of employment or whose standard of living or employment has been reduced because of prevailing economic conditions in the agricultural or rural economy. Eligible farmers and their families shall include those who can demonstrate proof of financial stress, proof of foreclosure, proof of bankruptcy, proof of inability to secure needed capital, proof of voluntary foreclosure or proof of income eligibility for assistance programs administered by the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act). Eligible agriculture related employees shall mean tenant farmers or other farm employees and employees of businesses related to agricultural production who are facing displacement, unemployment or underemployment due to a closure or reduction in

New matter indicated by italics - deletions by strikeout
operation of such business or farm due to poor economic conditions that prevail in the agricultural or rural economy. Other eligible rural residents shall include those residing in rural areas whose employment or standard of living has been reduced due to the poor economic conditions that prevail in the agricultural or rural economy. Eligible small rural businesses shall include those existing or new businesses established and operating in rural areas that lack access to other sources of services provided by this Section. In carrying out the provisions of this Section, the Cooperative Extension Service may enter into agreements with the Department of Commerce and Community Affairs, community colleges, vocational schools, and any other State or local private or public agency or entity deemed necessary.

(Source: P.A. 89-507, eff. 7-1-97; revised 12-6-03.)

Section 830. The Farmland Preservation Act is amended by changing Section 3 as follows:

(505 ILCS 75/3) (from Ch. 5, par. 1303)

Sec. 3. An Inter-Agency Committee on Farmland Preservation is created. The Directors or Chairpersons of the following agencies, or their representatives, shall serve as members of the Committee:

(a) the Capital Development Board;
(b) the Department of Natural Resources;
(c) the Department of Commerce and Economic Opportunity Community Affairs;
(d) the Environmental Protection Agency;
(e) the Department of Transportation;
(f) the Governor's Office of Management and Budget Bureau of the Budget;
(g) the Illinois Commerce Commission; and
(h) the Department of Agriculture.

The Director of the Department of Agriculture, or his representative, shall serve as chairman.

(Source: P.A. 89-445, eff. 2-7-96; revised 8-23-03.)

Section 835. The Illinois Forestry Development Act is amended by changing Section 6a as follows:

New matter indicated by italics - deletions by strikeout
Sec. 6a. Illinois Forestry Development Council. 

(a) The Illinois Forestry Development Council is hereby re-created by this amendatory Act of the 91st General Assembly.

(b) The Council shall consist of 24 members appointed as follows:

(1) four members of the General Assembly, one appointed by the President of the Senate, one appointed by the Senate Minority Leader, one appointed by the Speaker of the House of Representatives, and one appointed by the House Minority Leader;

(2) one member appointed by the Governor to represent the Governor;

(3) the Directors of the Departments of Natural Resources, Agriculture, and Commerce and Economic Opportunity Community Affairs, the Executive Director of the Illinois Finance Authority, and the Director of the Office of Rural Affairs, or their designees;

(4) the chairman of the Department of Forestry or a forestry academician, appointed by the Dean of Agriculture at Southern Illinois University at Carbondale;

(5) the head of the Department of Natural Resources and Environmental Sciences or a forestry academician, appointed by the Dean of Agriculture at the University of Illinois;

(6) two members, appointed by the Governor, who shall be private timber growers;

(7) one member, appointed by the president of the Illinois Wood Products Association, who shall be involved in primary forestry industry;

(8) one member, appointed by the president of the Illinois Wood Products Association, who shall be involved in secondary forestry industry;

(9) one member who is actively involved in environmental issues, appointed by the Governor;

New matter indicated by italics - deletions by strikeout
(10) the president of the Association of Illinois Soil and Water Conservation Districts;
(11) two persons who are actively engaged in farming, appointed by the Governor;
(12) one member, appointed by the Governor, whose primary area of expertise is urban forestry;
(13) one member appointed by the President of the Illinois Arborists Association;
(14) the Supervisor of the Shawnee National Forest and the United States Department of Agriculture Natural Resources Conservation Service's State Conservationist, ex officio, or their designees.

(c) Members of the Council shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties which are not otherwise reimbursed.

(d) The Council shall select from its membership a chairperson and such other officers as it considers necessary.

(e) Other individuals, agencies and organizations may be invited to participate as deemed advisable by the Council.

(f) The Council shall study and evaluate the forestry resources and forestry industry of Illinois. The Council shall:

   (1) determine the magnitude, nature and extent of the State's forestry resources;
   (2) determine current uses and project future demand for forest products, services and benefits in Illinois;
   (3) determine and evaluate the ownership characteristics of the State's forests, the motives for forest ownership and the success of incentives necessary to stimulate development of forest resources;
   (4) determine the economic development and management opportunities that could result from improvements in local and regional forest product marketing and from the establishment of new or additional wood-related businesses in Illinois;

New matter indicated by italics - deletions by strikeout
(5) confer with and offer assistance to the Illinois Finance Authority relating to its implementation of forest industry assistance programs authorized by the Illinois Finance Authority Act;

(6) determine the opportunities for increasing employment and economic growth through development of forest resources;

(7) determine the effect of current governmental policies and regulations on the management of woodlands and the location of wood products markets;

(8) determine the staffing and funding needs for forestry and other conservation programs to support and enhance forest resources development;

(9) determine the needs of forestry education programs in this State;

(10) confer with and offer assistance to the Department of Natural Resources relating to the implementation of urban forestry assistance grants pursuant to the Urban and Community Forestry Assistance Act; and

(11) determine soil and water conservation benefits and wildlife habitat enhancement opportunities that can be promoted through approved forestry management plans.

(g) The Council shall report (i) its findings and recommendations for future State action and (ii) its evaluation of Urban/Community Forestry Assistance Grants to the General Assembly no later than July 1 of each year.

(h) This Section 6a is repealed December 31, 2008.

(Source: P.A. 93-205, eff. 1-1-04; revised 12-6-03.)

Section 840. The Illinois Youth and Young Adult Employment Act of 1986 is amended by changing Section 5 as follows:

(525 ILCS 50/5) (from Ch. 48, par. 2555)

Sec. 5. Cooperation. The Department of Natural Resources shall have the full cooperation of the Department of Commerce and Economic Opportunity Community Affairs, the Illinois State Job Coordinating Council created by the Federal Job Training Partnership Act (Public Law
97-300), and the Department of Employment Security to carry out the purposes of this Act.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 845. The Bikeway Act is amended by changing Section 4 as follows:

(605 ILCS 30/4) (from Ch. 121, par. 604)

Sec. 4. In expending funds available for purposes of this Act, the Department shall cooperate with municipalities, townships, counties, road districts, park districts and other appropriate agencies and organizations and, where possible and practicable, shall allocate its expenditures among the several regions of the State, proportionally to the bicycling population.

The Secretary of Transportation shall serve as chairman of and shall at least quarterly convene an interagency council on the bikeways program, comprised of the Director of Natural Resources, the Director of Commerce and Economic Opportunity Community Affairs, the State Superintendent of Education, a county engineer or county superintendent of highways chosen by the statewide association of county engineers, a representative of the Cook County Forest Preserve District, and the Secretary of Transportation, for the purpose of determining policy and priorities in effectuating the purposes of this Act.
(Source: P.A. 89-337, eff. 1-1-96; 89-445, eff. 2-7-96; revised 12-6-03.)

Section 850. The Illinois Aeronautics Act is amended by changing Section 34b as follows:

(620 ILCS 5/34b)

Sec. 34b. Airport Land Loan Program.

(a) The Department may make loans to public airport owners for the purchase of any real estate interests as may be needed for essential airport purposes, including future needs, subject to the following conditions:

(1) loans may be made only to public airport owners that are operating an airport as of January 1, 1999; and
(2) loans may not be made for airports that provide scheduled commercial air service in counties of greater than 5,000,000 population.

New matter indicated by italics - deletions by strikeout
The loans are payable from the Airport Land Loan Revolving Fund, subject to appropriation. All repayments of loans made pursuant to this Section, including interest thereon and penalties, shall be deposited in the Airport Land Loan Revolving Fund. The Treasurer shall deposit all investment earnings arising from balances in the Airport Land Loan Revolving Fund in that Fund.

(b) All loans under this Section shall be made by contract between the Department and the public airport owner, which contract shall include the following provisions:

(1) The annual rate of interest shall be the lesser of (A) 2 percent below the Prime Rate charged by banks, as published by the Federal Reserve Board, in effect at the time the Department approves the loan, or (B) a rate determined by the Department, after consultation with the Governor's Office of Management and Budget Bureau of the Budget, that will not adversely affect the tax-exempt status of interest on the bonds of the State issued in whole or in part to make deposits into the Airport Land Loan Revolving Fund, nor diminish the benefit to the State of the tax-exempt status of the interest on such bonds.

(2) The term of any loan shall not exceed five years, but it may be for less by mutual agreement.

(3) Loan payments shall be scheduled in equal amounts for the periods determined under paragraph (4) of this Section. The loan payments shall be calculated so that the loan is completely repaid, with interest, on outstanding balances, by the end of the term determined under paragraph (2) of this Section. There shall be no penalty for early payment ahead of the payment schedule.

(4) The period of loan payments shall be annual, unless by mutual agreement a period of less than one year is chosen.

(5) The loan shall be secured with the land purchased, in whole or in part, with the loan and considered as collateral. The public airport owner shall assign a first priority interest in the property to the State.

New matter indicated by italics - deletions by strikeout
(6) If the loan payment is not made within 15 days after the scheduled date determined under paragraph (3) of this Section, a penalty of 10% of the payment shall be assessed. If 30 days after the scheduled payment date no payment has been received, the loan shall be considered in default.

(7) As soon as a loan is considered in default, the Department shall notify the public airport owner and attempt to enter into a renegotiation of the loan payment amounts and schedule determined under paragraph (3) of this Section. In no case shall the term of the loan be extended beyond the initial term determined under paragraph (2) of this Section; nor shall the interest rate be lowered nor any interest be forgiven. If a renegotiation of loan payment amounts and schedule is obtained to the Department's satisfaction within 30 days of notification of default, then the new payment schedule shall replace the one determined by paragraph (3) of this Section and shall be used to measure compliance with the loan for purposes of default. If after 30 days of notification of default the Department has not obtained a renegotiation to its satisfaction, the Department shall declare the loan balance due and payable immediately. If the public airport owner cannot immediately pay the balance of the loan, the Department shall proceed to foreclose.

(c) The Department may promulgate any rules that it finds appropriate to implement this Airport Land Loan Program.

(d) The Airport Land Loan Revolving Fund is created in the State Treasury.

(Source: P.A. 91-543, eff. 8-14-99; 91-712, eff. 7-1-00; revised 8-23-03.)

Section 860. The Code of Civil Procedure is amended by changing Section 7-103.3 as follows:

(735 ILCS 5/7-103.3)
Sec. 7-103.3. Quick-take; coal development purposes. Quick-take proceedings under Section 7-103 may be used by the Department of Commerce and Economic Opportunity Community Affairs for the purpose specified in the Illinois Coal Development Bond Act.

New matter indicated by italics - deletions by strikeout
Section 86. The Illinois Human Rights Act is amended by changing Section 2-105 as follows:

(775 ILCS 5/2-105) (from Ch. 68, par. 2-105)
Sec. 2-105. Equal Employment Opportunities; Affirmative Action.
(A) Public Contracts. Every party to a public contract and every eligible bidder shall:
   
   (1) Refrain from unlawful discrimination and discrimination based on citizenship status in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination;
   
   (2) Comply with the procedures and requirements of the Department's regulations concerning equal employment opportunities and affirmative action;
   
   (3) Provide such information, with respect to its employees and applicants for employment, and assistance as the Department may reasonably request;
   
   (4) Have written sexual harassment policies that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the vendor's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department and the Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. A copy of the policies shall be provided to the Department upon request.

(B) State Agencies. Every State executive department, State agency, board, commission, and instrumentality shall:

   (1) Comply with the procedures and requirements of the Department's regulations concerning equal employment opportunities and affirmative action;

New matter indicated by italics - deletions by strikeout
(2) Provide such information and assistance as the Department may request.

(3) Establish, maintain, and carry out a continuing affirmative action plan consistent with this Act and the regulations of the Department designed to promote equal opportunity for all State residents in every aspect of agency personnel policy and practice. For purposes of these affirmative action plans, the race and national origin categories to be included in the plans are: African American, Hispanic or Latino, Native American, Asian, and any other category as required by Department rule. This plan shall include a current detailed status report:

(a) indicating, by each position in State service, the number, percentage, and average salary of individuals employed by race, national origin, sex and disability, and any other category that the Department may require by rule;

(b) identifying all positions in which the percentage of the people employed by race, national origin, sex and disability, and any other category that the Department may require by rule, is less than four-fifths of the percentage of each of those components in the State work force;

(c) specifying the goals and methods for increasing the percentage by race, national origin, sex and disability, and any other category that the Department may require by rule, in State positions;

(d) indicating progress and problems toward meeting equal employment opportunity goals, including, if applicable, but not limited to, Department of Central Management Services recruitment efforts, publicity, promotions, and use of options designating positions by linguistic abilities;

(e) establishing a numerical hiring goal for the employment of qualified persons with disabilities in the agency as a whole, to be based on the proportion of people
with work disabilities in the Illinois labor force as reflected in the most recent decennial Census.

(4) If the agency has 1000 or more employees, appoint a full-time Equal Employment Opportunity officer, subject to the Department's approval, whose duties shall include:

(a) Advising the head of the particular State agency with respect to the preparation of equal employment opportunity programs, procedures, regulations, reports, and the agency's affirmative action plan.

(b) Evaluating in writing each fiscal year the sufficiency of the total agency program for equal employment opportunity and reporting thereon to the head of the agency with recommendations as to any improvement or correction in recruiting, hiring or promotion needed, including remedial or disciplinary action with respect to managerial or supervisory employees who have failed to cooperate fully or who are in violation of the program.

(c) Making changes in recruitment, training and promotion programs and in hiring and promotion procedures designed to eliminate discriminatory practices when authorized.

(d) Evaluating tests, employment policies, practices and qualifications and reporting to the head of the agency and to the Department any policies, practices and qualifications that have unequal impact by race, national origin as required by Department rule, sex or disability or any other category that the Department may require by rule, and to assist in the recruitment of people in underrepresented classifications. This function shall be performed in cooperation with the State Department of Central Management Services.

(e) Making any aggrieved employee or applicant for employment aware of his or her remedies under this Act.

New matter indicated by italics - deletions by strikeout
In any meeting, investigation, negotiation, conference, or other proceeding between a State employee and an Equal Employment Opportunity officer, a State employee (1) who is not covered by a collective bargaining agreement and (2) who is the complaining party or the subject of such proceeding may be accompanied, advised and represented by (1) an attorney licensed to practice law in the State of Illinois or (2) a representative of an employee organization whose membership is composed of employees of the State and of which the employee is a member. A representative of an employee, other than an attorney, may observe but may not actively participate, or advise the State employee during the course of such meeting, investigation, negotiation, conference or other proceeding. Nothing in this Section shall be construed to permit any person who is not licensed to practice law in Illinois to deliver any legal services or otherwise engage in any activities that would constitute the unauthorized practice of law. Any representative of an employee who is present with the consent of the employee, shall not, during or after termination of the relationship permitted by this Section with the State employee, use or reveal any information obtained during the course of the meeting, investigation, negotiation, conference or other proceeding without the consent of the complaining party and any State employee who is the subject of the proceeding and pursuant to rules and regulations governing confidentiality of such information as promulgated by the appropriate State agency. Intentional or reckless disclosure of information in violation of these confidentiality requirements shall constitute a Class B misdemeanor.

(5) Establish, maintain and carry out a continuing sexual harassment program that shall include the following:

New matter indicated by italics - deletions by strikeout
(a) Develop a written sexual harassment policy that includes at a minimum the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the agency's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department and the Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. The policy shall be reviewed annually.

(b) Post in a prominent and accessible location and distribute in a manner to assure notice to all agency employees without exception the agency's sexual harassment policy. Such documents may meet, but shall not exceed, the 6th grade literacy level. Distribution shall be effectuated within 90 days of the effective date of this amendatory Act of 1992 and shall occur annually thereafter.

(c) Provide training on sexual harassment prevention and the agency's sexual harassment policy as a component of all ongoing or new employee training programs.

(6) Notify the Department 30 days before effecting any layoff. Once notice is given, the following shall occur:
   (a) No layoff may be effective earlier than 10 working days after notice to the Department, unless an emergency layoff situation exists.
   (b) The State executive department, State agency, board, commission, or instrumentality in which the layoffs are to occur must notify each employee targeted for layoff, the employee's union representative (if applicable), and the

New matter indicated by italics - deletions by strikeout
State Dislocated Worker Unit at the Department of Commerce and Economic Opportunity Community Affairs.

(c) The State executive department, State agency, board, commission, or instrumentality in which the layoffs are to occur must conform to applicable collective bargaining agreements.

(d) The State executive department, State agency, board, commission, or instrumentality in which the layoffs are to occur should notify each employee targeted for layoff that transitional assistance may be available to him or her under the Economic Dislocation and Worker Adjustment Assistance Act administered by the Department of Commerce and Economic Opportunity Community Affairs. Failure to give such notice shall not invalidate the layoff or postpone its effective date.

As used in this subsection (B), "disability" shall be defined in rules promulgated under the Illinois Administrative Procedure Act.

(C) Civil Rights Violations. It is a civil rights violation for any public contractor or eligible bidder to:

(1) fail to comply with the public contractor's or eligible bidder's duty to refrain from unlawful discrimination and discrimination based on citizenship status in employment under subsection (A)(1) of this Section; or

(2) fail to comply with the public contractor's or eligible bidder's duties of affirmative action under subsection (A) of this Section, provided however, that the Department has notified the public contractor or eligible bidder in writing by certified mail that the public contractor or eligible bidder may not be in compliance with affirmative action requirements of subsection (A). A minimum of 60 days to comply with the requirements shall be afforded to the public contractor or eligible bidder before the Department may issue formal notice of non-compliance.

(Source: P.A. 91-178, eff. 1-1-00; revised 12-6-03.)
Section 870. The Hot Water Heater Efficiency Act is amended by changing Section 1 as follows:

Sec. 1. (a) No new storage hot water heater which is not certified as meeting the energy efficiency standards of the American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc., as set forth as the current ASHRAE 90 Standard, shall be purchased for resale or installation in the State after June 1, 1986; provided, however, that nothing contained herein shall prevent sales from being made in the State for use outside the State and provided that the inventory of storage hot water heaters existing on April 1, 1986 may be sold after June 1, 1986. Upon the effective date of this Act, no retail seller or distributor shall increase its inventory of storage hot water heaters which are not certified as being in compliance with the current ASHRAE 90 Standard, and all storage hot water heaters sold after June 1, 1986 shall be certified and labeled by the manufacturer as being in compliance with the current ASHRAE 90 Standard.

(b) The Department of Commerce and Economic Opportunity Community Affairs shall provide technical assistance and information to retail sellers and distributors of storage hot water heaters doing business in Illinois to facilitate compliance with the provisions of this Act.

(c) This Act does not apply to storage hot water heaters with a capacity of 20 or fewer gallons designed expressly for use in recreational vehicles.

(d) Any violation of subsection (a) shall be a petty offense; provided a fine of not less than $50 nor more than $500 shall be imposed, and all fines shall be imposed consecutively. Each storage hot water heater sold in violation of this Act shall constitute a separate offense.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 875. The Waste Oil Recovery Act is amended by changing Sections 2.8 and 6 as follows:

Sec. 2.8. "Department" means the Department of Commerce and Economic Opportunity Community Affairs.

New matter indicated by italics - deletions by strikeout
Sec. 6. Any establishment engaged in retail sales of automotive lubricating oils is urged to post a sign clearly visible to the public in every area where automotive lubricating oils are sold, indicating the closest used oil storage facility. The sign shall be a minimum size of 8 1/2 inches by 11 inches and shall be available from the Department of Commerce and Economic Opportunity upon request by a retail seller of 500 or more gallons per year of automotive lubricating oil.

Section 880. The Unemployment Insurance Act is amended by changing Section 2103 as follows:

Sec. 2103. Unemployment compensation administration and other workforce development costs. All moneys received by the State or by the Director from any source for the financing of the cost of administration of this Act, including all federal moneys allotted or apportioned to the State or to the Director for that purpose, including moneys received directly or indirectly from the federal government under the Job Training Partnership Act, and including moneys received from the Railroad Retirement Board as compensation for services or facilities supplied to said Board, or any moneys made available by this State or its political subdivisions and matched by moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, shall be received and held by the State Treasurer as ex-officio custodian thereof, separate and apart from all other State moneys, in the Title III Social Security and Employment Fund, and such funds shall be distributed or expended upon the direction of the Director and, except money received pursuant to the last paragraph of Section 2100B, shall be distributed or expended solely for the purposes and in the amounts found necessary by the Secretary of Labor of the United States of America, or other appropriate federal agency, for the proper and efficient administration of this Act. Notwithstanding any provision of this Section, all money requisitioned and deposited with the State Treasurer pursuant to the last paragraph of Section 2100B shall remain part of the

New matter indicated by italics - deletions by strikeout
unemployment trust fund and shall be used only in accordance with the conditions specified in the last paragraph of Section 2100B.

If any moneys received from the Secretary of Labor, or other appropriate federal agency, under Title III of the Social Security Act, or any moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, or any moneys made available by this State or its political subdivisions and matched by moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, are found by the Secretary of Labor, or other appropriate Federal agency, because of any action or contingency, to have been lost or expended for purposes other than, or in amounts in excess of, those found necessary, by the Secretary of Labor, or other appropriate Federal agency, for the proper administration of this Act, it is the policy of this State that such moneys shall be replaced by moneys appropriated for such purpose from the general funds of this State for expenditure as provided in the first paragraph of this Section. The Director shall report to the Governor’s Office of Management and Budget Bureau of the Budget, in the same manner as is provided generally for the submission by State Departments of financial requirements for the ensuing fiscal year, and the Governor shall include in his budget report to the next regular session of the General Assembly, the amount required for such replacement.

Moneys in the Title III Social Security and Employment Fund shall not be commingled with other State funds, but they shall be deposited as required by law and maintained in a separate account on the books of a savings and loan association or bank.

The State Treasurer shall be liable on his general official bond for the faithful performance of his duties as custodian of all moneys in the Title III Social Security and Employment Fund. Such liability on his official bond shall exist in addition to the liability upon any separate bond given by him. All sums recovered for losses sustained by the fund herein described shall be deposited therein.

Upon the effective date of this amendatory Act of 1987 (January 1, 1988), the Comptroller shall transfer all unobligated funds from the Job Training Fund into the Title III Social Security and Employment Fund.

New matter indicated by italics - deletions by strikeout
On September 1, 2000, or as soon thereafter as may be reasonably practicable, the State Comptroller shall transfer all unobligated moneys from the Job Training Partnership Fund into the Title III Social Security and Employment Fund. The moneys transferred pursuant to this amendatory Act may be used or expended for purposes consistent with the conditions under which those moneys were received by the State.

Beginning on the effective date of this amendatory Act of the 91st General Assembly, all moneys that would otherwise be deposited into the Job Training Partnership Fund shall instead be deposited into the Title III Social Security and Employment Fund, to be used for purposes consistent with the conditions under which those moneys are received by the State, except that any moneys that may be necessary to pay liabilities outstanding as of June 30, 2000 shall be deposited into the Job Training Partnership Fund.

(Source: P.A. 91-704, eff. 7-1-00; revised 8-23-03.)

Section 995. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 996. No revival or extension. This Act does not revive or extend any Section or Act otherwise repealed.

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

Passed in the General Assembly April 4, 2006.
Approved May 19, 2006.
Effective May 19, 2006.
PUBLIC ACT 94-0794
(House Bill No. 4789)

AN ACT concerning property tax.

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

Section 1. Findings; purpose; validation.

(a) The General Assembly finds and declares that:

(1) Public Act 88-669, effective November 29, 1994, created Section 15-172 of the Property Tax Code, then known as the Senior Citizens Tax Freeze Homestead Exemption. Public Act 88-669 also contained other provisions.

(2) The Senior Citizens Tax Freeze Homestead Exemption has been renamed the Senior Citizens Assessment Freeze Homestead Exemption.


(b) Among the purposes of this Act is the re-enactment of the provisions of Section 15-172 of the Property Tax Code and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is not intended to supersede any other Public Act that amends the provisions re-enacted in this Act. The re-enacted material is shown in this Act as existing text (i.e., without underscoring) and includes changes made by subsequent amendments. We are also making substantive changes to the Section; these changes are shown with striking and underscoring.

(c) The re-enactment of the provisions of Section 15-172 of the Property Tax Code by this Act is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

New matter indicated by italics - deletions by strikeout
(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions re-enacted by this Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(e) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

Section 5. The Property Tax Code is amended by changing Section 15-170 and by re-enacting and changing Section 15-172 as follows:

(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the maximum reduction shall be $2,500 in counties with 3,000,000 or more inhabitants and $2,000 in all other counties. For taxable years 2004 through 2005 and thereafter, the maximum reduction shall be $3,000 in all counties. For taxable years 2006 and thereafter, the maximum reduction shall be $3,500 in all counties.

For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is
liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections 15-175 and 15-176, "life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata

New matter indicated by italics - deletions by strikeout
exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of $5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

New matter indicated by italics - deletions by strikeout
In counties with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03; 93-715, eff. 7-12-04.)
that in the prior taxable year the property was improved with a permanent structure that was occupied as a residence by the applicant who was liable for paying real property taxes on the property and who was either (i) an owner of record of the property or had legal or equitable interest in the property as evidenced by a written instrument or (ii) had a legal or equitable interest as a lessee in the parcel of property that was single family residence. If in any subsequent taxable year for which the applicant applies and qualifies for the exemption the equalized assessed value of the residence is less than the equalized assessed value in the existing base year (provided that such equalized assessed value is not based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years), then that subsequent taxable year shall become the base year until a new base year is established under the terms of this paragraph. For taxable year 1999 only, the Chief County Assessment Officer shall review (i) all taxable years for which the applicant applied and qualified for the exemption and (ii) the existing base year. The assessment officer shall select as the new base year the year with the lowest equalized assessed value. An equalized assessed value that is based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years shall not be considered the lowest equalized assessed value. The selected year shall be the base year for taxable year 1999 and thereafter until a new base year is established under the terms of this paragraph.

"Chief County Assessment Officer" means the County Assessor or Supervisor of Assessments of the county in which the property is located.

"Equalized assessed value" means the assessed value as equalized by the Illinois Department of Revenue.

"Household" means the applicant, the spouse of the applicant, and all persons using the residence of the applicant as their principal place of residence.

"Household income" means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income" has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief and

New matter indicated by italics - deletions by strikeout
Pharmaceutical Assistance Act, except that, beginning in assessment year 2001, "income" does not include veteran's benefits.

"Internal Revenue Code of 1986" means the United States Internal Revenue Code of 1986 or any successor law or laws relating to federal income taxes in effect for the year preceding the taxable year.

"Life care facility that qualifies as a cooperative" means a facility as defined in Section 2 of the Life Care Facilities Act.

"Residence" means the principal dwelling place and appurtenant structures used for residential purposes in this State occupied on January 1 of the taxable year by a household and so much of the surrounding land, constituting the parcel upon which the dwelling place is situated, as is used for residential purposes. If the Chief County Assessment Officer has established a specific legal description for a portion of property constituting the residence, then that portion of property shall be deemed the residence for the purposes of this Section.

"Taxable year" means the calendar year during which ad valorem property taxes payable in the next succeeding year are levied.

(c) Beginning in taxable year 1994, a senior citizens assessment freeze homestead exemption is granted for real property that is improved with a permanent structure that is occupied as a residence by an applicant who (i) is 65 years of age or older during the taxable year, (ii) has a household income of $35,000 or less prior to taxable year 1999, $40,000 or less in taxable years 1999 through 2003, and $45,000 or less in taxable year 2004 and 2005, and $50,000 or less in taxable year 2006 and thereafter, (iii) is liable for paying real property taxes on the property, and (iv) is an owner of record of the property or has a legal or equitable interest in the property as evidenced by a written instrument. This homestead exemption shall also apply to a leasehold interest in a parcel of property improved with a permanent structure that is a single family residence that is occupied as a residence by a person who (i) is 65 years of age or older during the taxable year, (ii) has a household income of $35,000 or less prior to taxable year 1999, $40,000 or less in taxable years 1999 through 2003, and $45,000 or less in taxable year 2004 and 2005, and $50,000 or less in taxable year 2006 and thereafter, (iii) has a legal or
equitable ownership interest in the property as lessee, and (iv) is liable for the payment of real property taxes on that property.

Through taxable year 2005, the amount of this exemption shall be the equalized assessed value of the residence in the taxable year for which application is made minus the base amount. For taxable year 2006 and thereafter, the amount of the exemption is as follows:

1. For an applicant who has a household income of $45,000 or less, the amount of the exemption is the equalized assessed value of the residence in the taxable year for which application is made minus the base amount.

2. For an applicant who has a household income exceeding $45,000 but not exceeding $46,250, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.8.

3. For an applicant who has a household income exceeding $46,250 but not exceeding $47,500, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.6.

4. For an applicant who has a household income exceeding $47,500 but not exceeding $48,750, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.4.

5. For an applicant who has a household income exceeding $48,750 but not exceeding $50,000, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.2.

When the applicant is a surviving spouse of an applicant for a prior year for the same residence for which an exemption under this Section has been granted, the base year and base amount for that residence are the same as for the applicant for the prior year.

New matter indicated by italics - deletions by strikeout
Each year at the time the assessment books are certified to the County Clerk, the Board of Review or Board of Appeals shall give to the County Clerk a list of the assessed values of improvements on each parcel qualifying for this exemption that were added after the base year for this parcel and that increased the assessed value of the property.

In the case of land improved with an apartment building owned and operated as a cooperative or a building that is a life care facility that qualifies as a cooperative, the maximum reduction from the equalized assessed value of the property is limited to the sum of the reductions calculated for each unit occupied as a residence by a person or persons (i) 65 years of age or older, (ii) with a household income of $35,000 or less prior to taxable year 1999, $40,000 or less in taxable years 1999 through 2003, and $45,000 or less in taxable year 2004 and 2005, and $50,000 or less in taxable year 2006 and thereafter, (iii) who is liable, by contract with the owner or owners of record, for paying real property taxes on the property, and (iv) who is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In the instance of a cooperative where a homestead exemption has been granted under this Section, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to credit that savings to an owner who qualifies for the exemption is guilty of a Class B misdemeanor.

When a homestead exemption has been granted under this Section and an applicant then becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall be granted in subsequent years so long as the residence (i) continues to be occupied by the qualified applicant's spouse or (ii) if remaining unoccupied, is still owned by the qualified applicant for the homestead exemption.

Beginning January 1, 1997, when an individual dies who would have qualified for an exemption under this Section, and the surviving spouse does not independently qualify for this exemption because of age, the exemption under this Section shall be granted to the surviving spouse for the taxable year preceding and the taxable year of the death, provided

New matter indicated by italics - deletions by strikeout
that, except for age, the surviving spouse meets all other qualifications for
the granting of this exemption for those years.

When married persons maintain separate residences, the exemption
provided for in this Section may be claimed by only one of such persons
and for only one residence.

For taxable year 1994 only, in counties having less than 3,000,000
inhabitants, to receive the exemption, a person shall submit an application
by February 15, 1995 to the Chief County Assessment Officer of the
county in which the property is located. In counties having 3,000,000 or
more inhabitants, for taxable year 1994 and all subsequent taxable years,
to receive the exemption, a person may submit an application to the Chief
County Assessment Officer of the county in which the property is located
during such period as may be specified by the Chief County Assessment
Officer. The Chief County Assessment Officer in counties of 3,000,000 or
more inhabitants shall annually give notice of the application period by
mail or by publication. In counties having less than 3,000,000 inhabitants,
beginning with taxable year 1995 and thereafter, to receive the exemption,
a person shall submit an application by July 1 of each taxable year to the
Chief County Assessment Officer of the county in which the property is
located. A county may, by ordinance, establish a date for submission of
applications that is different than July 1. The applicant shall submit with
the application an affidavit of the applicant's total household income, age,
marital status (and if married the name and address of the applicant's
spouse, if known), and principal dwelling place of members of the
household on January 1 of the taxable year. The Department shall
establish, by rule, a method for verifying the accuracy of affidavits filed by
applicants under this Section. The applications shall be clearly marked as
applications for the Senior Citizens Assessment Freeze Homestead
Exemption.

Notwithstanding any other provision to the contrary, in counties
having fewer than 3,000,000 inhabitants, if an applicant fails to file the
application required by this Section in a timely manner and this failure to
file is due to a mental or physical condition sufficiently severe so as to
render the applicant incapable of filing the application in a timely manner,

New matter indicated by italics - deletions by strikeout
the Chief County Assessment Officer may extend the filing deadline for a period of 30 days after the applicant regains the capability to file the application, but in no case may the filing deadline be extended beyond 3 months of the original filing deadline. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner, and the date on which the applicant regained the capability to file the application.

Beginning January 1, 1998, notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 3 months. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, and that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner.

In counties having less than 3,000,000 inhabitants, if an applicant was denied an exemption in taxable year 1994 and the denial occurred due to an error on the part of an assessment official, or his or her agent or employee, then beginning in taxable year 1997 the applicant's base year, for purposes of determining the amount of the exemption, shall be 1993 rather than 1994. In addition, in taxable year 1997, the applicant's exemption shall also include an amount equal to (i) the amount of any exemption denied to the applicant in taxable year 1995 as a result of using 1994, rather than 1993, as the base year, (ii) the amount of any exemption denied to the applicant in taxable year 1996 as a result of using 1994, rather than 1993, as the base year, and (iii) the amount of the exemption erroneously denied for taxable year 1994.

New matter indicated by italics - deletions by strikeout
For purposes of this Section, a person who will be 65 years of age during the current taxable year shall be eligible to apply for the homestead exemption during that taxable year. Application shall be made during the application period in effect for the county of his or her residence.

The Chief County Assessment Officer may determine the eligibility of a life care facility that qualifies as a cooperative to receive the benefits provided by this Section by use of an affidavit, application, visual inspection, questionnaire, or other reasonable method in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The Chief County Assessment Officer may request reasonable proof that the management firm has so credited that exemption.

Except as provided in this Section, all information received by the chief county assessment officer or the Department from applications filed under this Section, or from any investigation conducted under the provisions of this Section, shall be confidential, except for official purposes or pursuant to official procedures for collection of any State or local tax or enforcement of any civil or criminal penalty or sanction imposed by this Act or by any statute or ordinance imposing a State or local tax. Any person who divulges any such information in any manner, except in accordance with a proper judicial order, is guilty of a Class A misdemeanor.

Nothing contained in this Section shall prevent the Director or chief county assessment officer from publishing or making available reasonable statistics concerning the operation of the exemption contained in this Section in which the contents of claims are grouped into aggregates in such a way that information contained in any individual claim shall not be disclosed.

(d) Each Chief County Assessment Officer shall annually publish a notice of availability of the exemption provided under this Section. The notice shall be published at least 60 days but no more than 75 days prior to the date on which the application must be submitted to the Chief County Assessment Officer of the county in which the property is located. The notice shall appear in a newspaper of general circulation in the county.

New matter indicated by italics - deletions by strikeout
Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.
(Source: P.A. 93-715, eff. 7-12-04.)

Section 10. The Senior Citizens Real Estate Tax Deferral Act is amended by changing Section 2 as follows:

(320 ILCS 30/2) (from Ch. 67 1/2, par. 452)
Sec. 2. Definitions. As used in this Act:
(a) "Taxpayer" means an individual whose household income for the year is no greater than: (i) $40,000 through tax year 2005; and (ii) $50,000 for tax year 2006 and thereafter.
(b) "Tax deferred property" means the property upon which real estate taxes are deferred under this Act.
(c) "Homestead" means the land and buildings thereon, including a condominium or a dwelling unit in a multidwelling building that is owned and operated as a cooperative, occupied by the taxpayer as his residence or which are temporarily unoccupied by the taxpayer because such taxpayer is temporarily residing, for not more than 1 year, in a licensed facility as defined in Section 1-113 of the Nursing Home Care Act.
(d) "Real estate taxes" or "taxes" means the taxes on real property for which the taxpayer would be liable under the Property Tax Code, including special service area taxes, and special assessments on benefited real property for which the taxpayer would be liable to a unit of local government.
(e) "Department" means the Department of Revenue.
(f) "Qualifying property" means a homestead which (a) the taxpayer or the taxpayer and his spouse own in fee simple or are purchasing in fee simple under a recorded instrument of sale, (b) is not income-producing property, (c) is not subject to a lien for unpaid real estate taxes when a claim under this Act is filed.
(g) "Equity interest" means the current assessed valuation of the qualified property times the fraction necessary to convert that figure to full market value minus any outstanding debts or liens on that property. In the case of qualifying property not having a separate assessed valuation, the

New matter indicated by italics - deletions by strikeout
appraised value as determined by a qualified real estate appraiser shall be used instead of the current assessed valuation.

(h) "Household income" has the meaning ascribed to that term in the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

(i) "Collector" means the county collector or, if the taxes to be deferred are special assessments, an official designated by a unit of local government to collect special assessments. (Source: P.A. 92-639, eff. 1-1-03.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

Passed in the General Assembly April, 7, 2006.
Approved May 22, 2006.
Effective May 22, 2006

PUBLIC ACT 94-0795
(House Bill No. 4835)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-306.5, 11-208, 11-208.3, and 11-306 and adding Sections 1-105.2, 11-208.6, and 11-612 as follows:

(625 ILCS 5/1-105.2 new)

Sec. 1-105.2. Automated traffic law violation. A violation described in Section 11-208.6 of this Code.

New matter indicated by italics - deletions by strikeout
Sec. 6-306.5. Failure to pay fine or penalty for standing, parking, or compliance, or automated traffic law violations; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from any municipality stating that the owner of a registered vehicle has: (1) failed to pay any fine or penalty due and owing as a result of 10 or more violations of a municipality's vehicular standing, parking, or compliance regulations established by ordinance pursuant to Section 11-208.3 of this Code, or (2) failed to pay any fine or penalty due and owing as a result of 5 offenses for automated traffic violations as defined in Section 11-208.6, the Secretary of State shall suspend the driving privileges of such person in accordance with the procedures set forth in this Section. The Secretary shall also suspend the driving privileges of an owner of a registered vehicle upon receipt of a certified report, as prescribed by subsection (f) of this Section, from any municipality stating that such person has failed to satisfy any fines or penalties imposed by final judgments for 5 or more automated traffic law violations or 10 or more violations of local standing, parking, or compliance regulations after exhaustion of judicial review procedures.

(b) Following receipt of the certified report of the municipality as specified in this Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's driver's license will be suspended at the end of a specified period of time unless the Secretary of State is presented with a notice from the municipality certifying that the fine or penalty due and owing the municipality has been paid or that inclusion of that person's name on the certified report was in error. The Secretary's notice shall state in substance the information contained in the municipality's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code.

(c) The report of the appropriate municipal official notifying the Secretary of State of unpaid fines or penalties pursuant to this Section shall be certified and shall contain the following:

New matter indicated by italics - deletions by strikeout
(1) The name, last known address as recorded with the Secretary of State, as provided by the lessor of the cited vehicle at the time of lease, or as recorded in a United States Post Office approved database if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, and drivers license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in this State.

(2) The name of the municipality making the report pursuant to this Section.

(3) A statement that the municipality sent a notice of impending drivers license suspension as prescribed by ordinance enacted pursuant to Section 11-208.3, to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, at the last known address recorded in a United States Post Office approved database; the date on which such notice was sent; and the address to which such notice was sent. In a municipality with a population of 1,000,000 or more, the report shall also include a statement that the alleged violator's State vehicle registration number and vehicle make, if specified on the automated traffic law violation notice, are correct as they appear on the citations.

(d) Any municipality making a certified report to the Secretary of State pursuant to this Section shall notify the Secretary of State, in a form prescribed by the Secretary, whenever a person named in the certified report has paid the previously reported fine or penalty or whenever the municipality determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the municipality's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.

New matter indicated by italics - deletions by strikeout
(e) Any municipality making a certified report to the Secretary of State pursuant to this Section shall also by ordinance establish procedures for persons to challenge the accuracy of the certified report. The ordinance shall also state the grounds for such a challenge, which may be limited to (1) the person not having been the owner or lessee of the vehicle or vehicles receiving 10 or more standing, parking, or compliance violation notices or 5 or more automated traffic law violations on the date or dates such notices were issued; and (2) the person having already paid the fine or penalty for the 10 or more standing, parking, or compliance violations or 5 or more automated traffic law violations indicated on the certified report.

(f) Any municipality, other than a municipality establishing vehicular standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.6, may also cause a suspension of a person's driver's license pursuant to this Section. Such municipality may invoke this sanction by making a certified report to the Secretary of State upon a person's failure to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures, but only if:

1. The municipality complies with the provisions of this Section in all respects except in regard to enacting an ordinance pursuant to Section 11-208.3;
2. The municipality has sent a notice of impending driver's license suspension as prescribed by an ordinance enacted pursuant to subsection (g) of this Section; and
3. In municipalities with a population of 1,000,000 or more, the municipality has verified that the alleged violator's State vehicle registration number and vehicle make are correct as they appear on the citations.

(g) Any municipality, other than a municipality establishing standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.6, may
provide by ordinance for the sending of a notice of impending drivers license suspension to the person who has failed to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures. An ordinance so providing shall specify that the notice sent to the person liable for any fine or penalty shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person's drivers license is eligible for suspension pursuant to this Section. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(h) An administrative hearing to contest an impending suspension or a suspension made pursuant to this Section may be had upon filing a written request with the Secretary of State. The filing fee for this hearing shall be $20, to be paid at the time the request is made. A municipality which files a certified report with the Secretary of State pursuant to this Section shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of the report, including but not limited to the costs of providing the notice required pursuant to subsection (b) and the costs incurred by the Secretary in any hearing conducted with respect to the report pursuant to this subsection and any appeal from such a hearing.

(i) The provisions of this Section shall apply on and after January 1, 1988.

(j) For purposes of this Section, the term "compliance violation" is defined as in Section 11-208.3.

(Source: P.A. 94-294, eff. 1-1-06.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

Sec. 11-208. Powers of local authorities.

New matter indicated by italics - deletions by strikeout
(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:
   1. Regulating the standing or parking of vehicles, except as limited by Section 11-1306 of this Act;
   2. Regulating traffic by means of police officers or traffic control signals;
   3. Regulating or prohibiting processions or assemblages on the highways;
   4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
   5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
   6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
   7. Restricting the use of highways as authorized in Chapter 15;
   8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;
   9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
   10. Altering the speed limits as authorized in Section 11-604;
   11. Prohibiting U-turns;
   12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;
   13. Prohibiting parking during snow removal operation;

New matter indicated by italics - deletions by strikeout
14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;

15. Adopting such other traffic regulations as are specifically authorized by this Code; or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation

New matter indicated by italics - deletions by strikeout
under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.
(Source: P.A. 90-106, eff. 1-1-98; 90-513, eff. 8-22-97; 90-655, eff. 7-30-98; 91-519, eff. 1-1-00.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)
Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles and automated traffic law violations.

(a) Any municipality may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as defined in this subsection and automated traffic law violations as defined in Section 11-208.6. The administrative system shall have as its purpose the fair and efficient enforcement of municipal regulations through the administrative adjudication of automated traffic law violations and violations of municipal ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal wheel tax licenses within the municipality's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of $250 that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, and compliance, and automated

New matter indicated by italics - deletions by strikeout
traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated traffic law violations, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, or compliance, or automated traffic law violation notice that shall specify the date, time, and place of violation of a parking, standing, or compliance, or automated traffic law regulation; the particular regulation violated; the fine and any penalty that may be assessed for late payment, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to automated traffic law violations, vehicle make shall be specified on the automated traffic law violation notice if the make is available and readily discernible. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the State registration number or vehicle make specified is incorrect. The violation notice shall state that the payment of the indicated fine, and of any applicable penalty for late payment, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated traffic law violation notice by mail to the address of the registered owner of the cited vehicle as recorded with the Secretary of State within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation. A
person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, or compliance, or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, or compliance, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an

New matter indicated by italics - deletions by strikeout
opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of parking, standing, or compliance violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make and state registration number, the fine and any penalty that may be assessed for late payment when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure either to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and

New matter indicated by italics - deletions by strikeout
manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the municipality.

(ii) A notice of final determination of parking, standing, or compliance, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, or compliance, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the unpaid fine or penalty is a debt due and owing the municipality. The notice shall contain warnings that failure to pay any fine or penalty due and owing the municipality within the time specified may result in the municipality's filing of a petition in the Circuit Court to have the unpaid fine or penalty rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to pay fines or penalties for 10 or more parking violations under Section 6-306.5 or 5 or more automated traffic law violations under Section 11-208.6.

(6) A Notice of impending drivers license suspension. This notice shall be sent to the person liable for any fine or penalty that remains due and owing on 10 or more parking violations or 5 or more unpaid automated traffic law violations. The notice shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy

New matter indicated by italics - deletions by strikeout
of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to pay the fine or penalty after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, or compliance, or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already paid the fine or penalty for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the State registration number, or vehicle make if specified, is incorrect. After the determination of parking, standing, or compliance, or automated traffic law violation liability has been
set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, and compliance, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality establishing vehicular standing, parking, and compliance, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of unpaid final determinations of parking, standing, or compliance, or automated traffic law violation liability as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the unpaid final determinations of parking, standing, or compliance, or automated traffic law violation liability listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without payment of the

New matter indicated by italics - deletions by strikeout
outstanding fines and penalties on parking, standing, or compliance, or automated traffic law violations for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, and compliance, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking, or compliance, or automated traffic law violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, or compliance, or automated traffic law violation, the municipality may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality from consolidating multiple final determinations of parking, standing, or compliance, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality shall file a certified copy or record of the final determination of parking, standing, or compliance, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and

New matter indicated by italics - deletions by strikeout
the applicable municipal ordinance. Service of the summons and a copy of
the petition may be by any method provided by Section 2-203 of the Code
of Civil Procedure or by certified mail, return receipt requested, provided
that the total amount of fines and penalties for final determinations of
parking, standing, or compliance, or automated traffic law violations does
not exceed $2500. If the court is satisfied that the final determination of
parking, standing, or compliance, or automated traffic law violation was
entered in accordance with the requirements of this Section and the
applicable municipal ordinance, and that the registered owner or the
lessee, as the case may be, had an opportunity for an administrative
hearing and for judicial review as provided in this Section, the court shall
render judgment in favor of the municipality and against the registered
owner or the lessee for the amount indicated in the final determination of
parking, standing, or compliance, or automated traffic law violation, plus
costs. The judgment shall have the same effect and may be enforced in the
same manner as other judgments for the recovery of money.
(Source: P.A. 94-294, eff. 1-1-06.)

(625 ILCS 5/11-208.6 new)
Sec. 11-208.6. Automated traffic law enforcement system.
(a) As used in this Section, "automated traffic law enforcement
system" means a device with one or more motor vehicle sensors working
in conjunction with a red light signal to produce recorded images of motor
vehicles entering an intersection against a red signal indication in
violation of Section 11-306 of this Code or a similar provision of a local
ordinance.

An automated traffic law enforcement system is a system, in a
municipality or county operated by a governmental agency, that produces
a recorded image of a motor vehicle’s violation of a provision of this Code
or a local ordinance and is designed to obtain a clear recorded image of
the vehicle and the vehicle’s license plate. The recorded image must also
display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images
recorded by an automated traffic law enforcement system on:
(1) 2 or more photographs;

New matter indicated by italics - deletions by strikeout
(2) 2 or more microphotographs;
(3) 2 or more electronic images; or
(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle.

(c) A county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed. The regulation of the use of automated traffic law enforcement systems to record vehicle speeds is an exclusive power and function of the State. This subsection (c) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automatic traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

The notice shall include:

(1) the name and address of the registered owner of the vehicle;
(2) the registration number of the motor vehicle involved in the violation;
(3) the violation charged;
(4) the location where the violation occurred;
(5) the date and time of the violation;
(6) a copy of the recorded images;
(7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;
(8) a statement that recorded images are evidence of a violation of a red light signal;

New matter indicated by italics - deletions by strikeout
(9) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle; and

(10) a statement that the person may elect to proceed by:
   (A) paying the fine; or
   (B) challenging the charge in court, by mail, or by administrative hearing.

(e) If a person charged with a traffic violation, as a result of an automated traffic law enforcement system, does not pay or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to pay any fine or penalty due and owing as a result of 5 violations of the automated traffic law enforcement system.

(f) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(g) Recorded images made by an automatic traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidence a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(h) The court or hearing officer may consider in defense of a violation:
   (1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner at the time of the violation;
   (2) that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the

New matter indicated by italics - deletions by strikeout
right-of-way to an emergency vehicle or (ii) as part of a funeral procession; and
(3) any other evidence or issues provided by municipal or county ordinance.

(i) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(j) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $100, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle.

(k) An intersection equipped with an automated traffic law enforcement system must be posted with a sign visible to approaching traffic indicating that the intersection is being monitored by an automated traffic law enforcement system.

(l) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(m) This Section applies only to the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and to municipalities located within those counties.

Sec. 11-306. Traffic-control signal legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights or color lighted arrows, successively one at a time or in combination, only the

New matter indicated by italics - deletions by strikeout
colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication.

1. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian-control signal, as provided in Section 11-307, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(c) Steady red indication.

1. Except as provided in paragraph 3 of this subsection (c), vehicular traffic facing a steady circular red signal alone shall stop
at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication to proceed is shown.

2. Except as provided in paragraph 3 of this subsection (c), vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication permitting the movement indicated by such red arrow is shown.

3. Except when a sign is in place prohibiting a turn and local authorities by ordinance or State authorities by rule or regulation prohibit any such turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by paragraph 1 or paragraph 2 of this subsection. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction or roadways. Such driver shall yield the right of way to pedestrians within the intersection or an adjacent crosswalk.

4. Unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

5. A municipality with a population of 1,000,000 or more may enact an ordinance that provides for the use of an automated red light enforcement system to enforce violations of this subsection (c) that result in or involve a motor vehicle accident,
leaving the scene of a motor vehicle accident, or reckless driving that results in bodily injury.

This paragraph 5 is subject to prosecutorial discretion that is consistent with applicable law.

(d) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made or, in the absence of such sign or marking, the stop shall be made at the signal.

(e) The motorman of any streetcar shall obey the above signals as applicable to vehicles.

(Source: P.A. 90-86, eff. 7-10-97; 91-357, eff. 7-29-99.)

(625 ILCS 5/11-612 new)

Sec. 11-612. Certain systems to record vehicle speeds prohibited. Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used in this State to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event. No State or local governmental entity, including a home rule county or municipality, may use such a system in a way that is prohibited by this Section. The regulation of the use of such systems is an exclusive power and function of the State. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(625 ILCS 5/1-105.5 rep.)

Section 10. The Illinois Vehicle Code is amended by repealing Section 1-105.5.

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

Approved May, 22, 2006.
Effective May 22, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Commemorative Dates Act is amended by adding Section 115 as follows:

(5 ILCS 490/115 new)

Sec. 115. Jane Addams Day. December 10 of each year is designated as Jane Addams Day, to be observed throughout the State as a day to remember her and teach about her great accomplishments, compassion, and social conscience.

Approved May 22, 2006.

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The African-American HIV/AIDS Response Fund. This Section is repealed on July 1, 2016.

Section 10. The African-American HIV/AIDS Response Act is amended by adding Section 27 and by changing Section 30 as follows:

(410 ILCS 303/27 new)

(a) The African-American HIV/AIDS Response Fund is created as a special fund in the State treasury. Moneys deposited into the Fund shall,
subject to appropriation, be used for grants for programs to prevent the transmission of HIV and other programs and activities consistent with the purposes of this Act, including, but not limited to, preventing and treating HIV/AIDS, the creation of an HIV/AIDS service delivery system, and the administration of the Act. Moneys for the Fund shall come from appropriations by the General Assembly, federal funds, and other public resources.

(b) The Fund shall provide resources for communities in Illinois to create an HIV/AIDS service delivery system that reduces the disparity of HIV infection and AIDS cases between African-Americans and other population groups in Illinois that may be impacted by the disease by, including but, not limited to:

(1) developing, implementing, and maintaining a comprehensive, culturally sensitive HIV Prevention Plan targeting communities that are identified as high-risk in terms of the impact of the disease on African-Americans;
(2) developing, implementing, and maintaining a stable HIV/AIDS service delivery infrastructure in Illinois communities that will meet the needs of African-Americans;
(3) developing, implementing, and maintaining a statewide HIV/AIDS testing program;
(4) providing funding for HIV/AIDS social and scientific research to improve prevention and treatment;
(5) providing comprehensive technical and other assistance to African-American community service organizations that are involved in HIV/AIDS prevention and treatment;
(6) developing, implementing, and maintaining an infrastructure for African-American community service organizations to make them less dependent on government resources; and
(7) creating and maintaining at least 17 one-stop shopping HIV/AIDS facilities across the State.

(c) When providing grants pursuant to this Fund, the Department of Public Health shall give priority to the development of comprehensive

New matter indicated by italics - deletions by strikeout
medical and social services to African-Americans at risk of infection from or infected with HIV/AIDS in areas of the State determined to have the greatest geographic prevalence of HIV/AIDS in the African-American population.

(d) The Section is repealed on July 1, 2016.

(410 ILCS 303/30)
Sec. 30. Rules.
(a) No later than March 15, 2006, the Department of Public Health shall issue proposed rules for designating high-risk communities and for implementing subsection (c) of Section 15. The rules must include, but may not be limited to, a standard testing protocol, training for staff, community-based organization experience, and the removal and proper disposal of hazardous waste.

(b) The Department of Human Services, the Department of Public Health, and the Department of Corrections shall adopt rules as necessary to ensure that this Act is implemented within 6 months after the effective date of this Act.

(c) The Department of Public Health shall adopt rules necessary to implement and administer the African-American HIV/AIDS Response Fund.

(Source: P.A. 94-629, eff. 1-1-06.)
Approved May 22, 2006.

PUBLIC ACT 94-0798
(Senate Bill No. 1520)

AN ACT concerning appropriations.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 40 of Article 28 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

BUREAU OF PROPERTY MANAGEMENT
PAYABLE FROM GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>17,294,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>16,071,500</td>
</tr>
<tr>
<td>Total</td>
<td>17,494,600</td>
</tr>
<tr>
<td>Total</td>
<td>16,271,500</td>
</tr>
</tbody>
</table>

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>1,323,700</td>
</tr>
<tr>
<td>Total</td>
<td>1,323,700</td>
</tr>
</tbody>
</table>

PAYABLE FROM STATE SURPLUS PROPERTY REVOLVING FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>991,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>22,400</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>77,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>75,800</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>276,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>568,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>39,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>10,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>124,900</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>83,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>26,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>127,700</td>
</tr>
<tr>
<td>For Expenses of a Recycling Program</td>
<td>148,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Refunds........................................ 5,000
Total                                   $2,581,800

Section 10. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 5, 10, 15, 20, and 65 of Article 31 as follows:

(P.A. 94-0015, Art. 31, Sec. 5)

Sec. 5. The sum of $6,400,000, new appropriation, is appropriated, and the sum of $3,153,146, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2005, from an appropriation and a reappropriation heretofore made in Article 28, Section 5 of Public Act 93-0842, as amended, is are reappropriated from the Conservation 2000 Fund to the Department of Natural Resources for the Conservation 2000 Program to implement ecosystem-based management for Illinois' natural resources.

(P.A. 94-0015, Art. 31, Sec. 10)

Sec. 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

GENERAL OFFICE

For Personal Services:
- Payable from General Revenue Fund.............. 6,113,700
- Payable from State Boating Act Fund.............. 599,400
- Payable from Wildlife and Fish Fund............. 1,438,900

For Employee Retirement Contributions
Paid by State:
- Payable from General Revenue Fund.............. 22,200
- Payable from State Boating Act Fund.............. 4,000
- Payable from Wildlife and Fish Fund............. 9,900

For State Contributions to State Employees' Retirement System:
- Payable from General Revenue Fund.............. 476,300
- Payable from State Boating Act Fund.............. 46,700
- Payable from Wildlife and Fish Fund............. 112,100

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security:
- Payable from General Revenue Fund: $467,600
- Payable from State Boating Act Fund: $45,900
- Payable from Wildlife and Fish Fund: $110,100

For Group Insurance:
- Payable from State Boating Act Fund: $189,900
- Payable from Wildlife and Fish Fund: $406,800

For Contractual Services:
- Payable from General Revenue Fund: $2,925,900
- Payable from State Boating Act Fund: $176,000
- Payable from Wildlife and Fish Fund: $1,113,200

For Contractual Services for DNR Headquarters:
- Payable from General Revenue Fund: $513,300
- Payable from State Boating Act Fund: $100,000
- Payable from Wildlife and Fish Fund: $398,400
- Payable from Wildlife and Fish Fund: $237,400
- Payable from Underground Resources
  Conservation Enforcement Fund: $16,900
- Payable from Federal Surface Mining Control and Reclamation Fund: $40,800
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund: $53,700

For Contractual Services for Postage Expenses for DNR Headquarters:
- Payable from General Revenue Fund: $48,700
- Payable from State Boating Act Fund: $25,000
- Payable from Wildlife and Fish Fund: $25,000
- Payable from Federal Surface Mining Control and Reclamation Fund: $12,500
- Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund: $12,500

For Travel:
- Payable from General Revenue Fund: $117,600

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund.............. 9,800
For Commodities:
  Payable from General Revenue Fund.............. 64,650
  Payable from Wildlife and Fish Fund.............. 22,100
For Commodities for DNR Headquarters:
  Payable from General Revenue Fund.............. 46,900
  Payable from State Boating Act Fund.............. 3,000
  Payable from Wildlife and Fish Fund.............. 44,000
  Payable from Aggregate Operations Regulatory Fund............................................. 2,100
  Payable from Federal Surface Mining Control and Reclamation Fund....................... 3,000
  Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.......................... 1,500
For Printing:
  Payable from General Revenue Fund.............. 79,500
  Payable from State Boating Act Fund.............. 163,400
  Payable from Wildlife and Fish Fund.............. 285,600
For Equipment:
  Payable from General Revenue Fund.............. 4,900
  Payable from Wildlife and Fish Fund.............. 124,300
For Electronic Data Processing:
  Payable from General Revenue Fund.............. 84,250
  Payable from State Boating Act Fund.............. 84,500
  Payable from Wildlife and Fish Fund.............. 99,400
For Telecommunications Services:
  Payable from General Revenue Fund.............. 409,200
  Payable from Wildlife and Fish Fund.............. 0
For Telecommunications Services for DNR Headquarters:
  Payable from General Revenue Fund.............. 185,750
  Payable from State Parks Fund................... 22,300
  Payable from Wildlife and Fish Fund.............. 96,200
New matter indicated by italics - deletions by strikeout
Payable from Federal Surface Mining Control and Reclamation Fund................... 16,900
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund............................. 12,900
For Operation of Auto Equipment:
Payable from General Revenue Fund............ 63,000
Payable from Wildlife and Fish Fund........... 22,900
For Operation of Auto Equipment for DNR Headquarters:
Payable from General Revenue Fund............ 76,100
Payable from State Boating Act Fund........... 4,800
For expenses incurred in acquiring salmon stamp designs and printing salmon stamps:
Payable from Salmon Fund.......................... 10,000
For the purpose of publishing and distributing a bulletin or magazine and for purchasing, marketing and distributing conservation related products for resale, and refunds for such purposes:
Payable from Wildlife and Fish Fund............ 600,000
For expenses incurred in producing and distributing site brochures, public information literature and other printed materials from revenues received from the sale of advertising:
Payable from State Boating Act Fund........... 25,000
Payable from State Parks Fund.................... 50,000
Payable from Wildlife and Fish Fund............ 50,000
For the coordination of public events and promotions from activity fees, donations and vendor revenue:
Payable from State Parks Fund.................... 47,100

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund............. 47,100
For expenses associated with the
Sportsman Against Hunger Program:
Payable from the Wildlife & Fish Fund......... 100,000
For expenses incurred for the implementation, education
and maintenance of the Point of Sale System:
Payable from the Wildlife & Fish Fund......... 1,950,000
For deposit into the General
Obligation Bond Retirement and
Interest Fund for costs associated
with the debt service payments
of rolling stock and capital equipment
Payable from the General Revenue Fund.............. 0
For the purpose of remitting funds
collected from the sale of Federal Duck
Stamps to the U.S. Fish and Wildlife
Service:
Payable from Wildlife and Fish Fund............. 23,600
For expenses of the OSLAD Program:
Payable from Open Space Lands Acquisition
and Development Fund........................ 1,086,400
For furniture, fixtures, equipment, displays,
telecommunications, cabling, network hardware,
software, relays and switches and related
expenses for new DNR Headquarters:
Payable from the General Revenue Fund............ 475,000
For expenses of the Natural Areas Acquisition
Program:
Payable from the Natural Areas
Acquisition Fund............................... 236,400
For expenses of the Park and Conservation
program:
Payable from Park and Conservation
Fund........................................ 4,282,000

New matter indicated by italics - deletions by strikeout
For expenses of the Bikeways Program:
Payable from Park and Conservation Fund............................................ 482,400

For expenses of DNR Headquarters:
Payable from Park and Conservation Fund............. 22,400

For Natural Resources Trustee Program:
   Payable from Natural Resources Restoration Trust Fund......................... 377,700

For Educational Publications Services and Expenses, Contingent upon Revenues collected for same:
Payable from Wildlife and Fish Fund............. 25,000

Payable from General Revenue Fund................ 273,400

Total                                                                                       $27,674,450

(P.A. 94-0015, Art. 31, Sec. 15)

Sec. 15. The sum of $0, new appropriation, is appropriated, and the sum of $2,277,581, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2005, from an appropriation and a reappropriation heretofore made in Article 28, Sections 15 and of Public Act 93-0842, as amended, is are reappropriated from the General Revenue Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

(P.A. 94-0015, Art. 31, Sec. 20)

New matter indicated by italics - deletions by strikeout
Sec. 20. The sum of $250,000, new appropriation, is appropriated and the sum of $109,354, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2005, from an appropriation and a reappropriation heretofore made in Article 28, Section 20 of Public Act 93-0842, as amended, are reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

(P.A. 94-0015, Art. 31, Sec. 65)

Sec. 65. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

WASTE MANAGEMENT AND RESEARCH CENTER

For Personal Services:
Payable from General Revenue Fund.............. 1,790,300
For State Contributions to Social Security:
Payable from General Revenue Fund.............. 21,500
For Contractual Services:
Payable from General Revenue Fund.............. 316,000
For Travel:
Payable from General Revenue Fund.............. 16,500
For Commodities:
Payable from General Revenue Fund.............. 88,000
For Printing:
Payable from General Revenue Fund.............. 1,000
For Equipment:
Payable from General Revenue Fund.............. 40,000
For Telecommunications Services:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund.............. 24,600

For Operation of Auto Equipment:
Payable from General Revenue Fund.............. 25,000

For Ordinary and Contingent Expenses:
Payable from Toxic Pollution Prevention Fund............................................ 89,700
Payable from Hazardous Waste Research Fund............................................. 472,100
Payable from Natural Resources Information Fund............................................

Total                                                                                         $2,909,400

STATES GEOLOGICAL SURVEY

For Personal Services:
Payable from General Revenue Fund.............. 5,695,600

For State Contributions to Social Security:
Payable from General Revenue Fund.............. 39,000

For Contractual Services:
Payable from General Revenue Fund.............. 222,400

For Travel:
Payable from General Revenue Fund.............. 35,000

For Commodities:
Payable from General Revenue Fund.............. 73,700

For Printing:
Payable from General Revenue Fund.............. 10,000

For Equipment:
Payable from General Revenue Fund.............. 5,000

For Telecommunications Services:
Payable from General Revenue Fund.............. 65,150

For Operation of Auto Equipment:
Payable from General Revenue Fund.............. 33,600

For Ordinary and Contingent Expenses:
Payable from Natural Resources Information Fund............................................ 208,400

Total                                                                                         $6,387,850

New matter indicated by italics - deletions by strikeout
**STATE NATURAL HISTORY SURVEY**

For Personal Services:
- Payable from General Revenue Fund......................... 3,186,200

For State Contributions to Social Security:
- Payable from General Revenue Fund......................... 30,800

For Contractual Services:
- Payable from General Revenue Fund......................... 233,100

For Travel:
- Payable from General Revenue Fund......................... 17,000

For Commodities:
- Payable from General Revenue Fund......................... 49,000

For Printing:
- Payable from General Revenue Fund......................... 7,200

For Equipment
- Payable from General Revenue Fund......................... 131,000

For Telecommunications Services:
- Payable from General Revenue Fund......................... 65,350

For Operation of Auto Equipment:
- Payable from General Revenue Fund......................... 30,100

*For Ordinary and Contingent Expenses:*
- Payable from Natural Resources Information Fund.................. 14,200

For Mosquito Abatement and Research including the diseases they spread:
- Payable from the Emergency Public Health Fund.................. 200,000
- Payable from Used Tire Management Fund.................. 199,000
  Total $4,162,950

**STATE WATER SURVEY**

For Personal Services:
- Payable from General Revenue Fund......................... 3,364,100

For State Contributions to Social Security:
- Payable from General Revenue Fund......................... 25,900

For Contractual Services:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund.............. 176,100
For Travel:
  Payable from General Revenue Fund.............. 9,900
For Commodities:
  Payable from General Revenue Fund.............. 27,400
For Printing:
  Payable from General Revenue Fund.............. 1,800
For Equipment:
  Payable from General Revenue Fund.............. 92,200
For Telecommunications Services:
  Payable from General Revenue Fund.............. 50,750
For Operation of Auto Equipment:
  Payable from General Revenue Fund.............. 27,300

*For Ordinary and Contingent Expenses:*
  Payable from Natural Resources Information Fund................................. 5,700
Total   $3,781,150

**STATE MUSEUMS**

For Personal Services:
  Payable from General Revenue Fund.............. 3,372,200
For Employee Retirement Contributions
  Paid by the State:
    Payable from General Revenue Fund.............. 33,300
For State Contributions to State Employees Retirement System:
  Payable from General Revenue Fund.............. 262,700
For State Contributions to Social Security:
  Payable from General Revenue Fund.............. 258,000
For Contractual Services:
  Payable from General Revenue Fund.............. 632,700
For Travel:
  Payable from General Revenue Fund.............. 29,300
For Commodities:
  Payable from General Revenue Fund.............. 140,000

New matter indicated by italics - deletions by strikeout
For Printing:
Payable from General Revenue Fund.................. 71,200
For Equipment:
Payable from General Revenue Fund.................. 55,000
For Telecommunications Services:
Payable from General Revenue Fund.................. 91,350
For Operation of Auto Equipment:
Payable from General Revenue Fund.................. 15,700
Total $4,961,450

Section 20. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 15, 55, and 120 of Article 34 as follows:

(P.A. 94-0015, Art. 34, Sec. 15)
Sec. 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Medical Disciplinary Fund to the Department of Financial and Professional Regulation:

For Personal Services................................. 2,454,400
For Personal Services................................. 2,176,200
For Employee Retirement Contributions
Paid by Employer........................................ 16,000
For State Contributions to State
Employees' Retirement System......................... 191,200
Employees' Retirement System......................... 169,500
For State Contributions to Social Security............ 187,800
Social Security.......................................... 166,500
For Group Insurance..................................... 602,600
For Group Insurance..................................... 538,200
For Contractual Services............................... 231,000
For Contractual Services............................... 156,000
For Travel................................................ 80,000
For Travel................................................ 50,000
For Refunds............................................. 15,000

New matter indicated by italics - deletions by strikeout
Sec. 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation:

For Personal Services................. 11,365,900
For Personal Services................. 11,333,800

For Employee Retirement Contributions
Paid by Employer....................... 44,000
For State Contributions to State
Employees' Retirement System............ 885,600
Employees' Retirement System............ 883,100
For State Contributions to Social Security 863,800
Social Security......................... 861,300
For Group Insurance..................... 2,774,800
For Group Insurance..................... 2,766,700
For Contractual Services................. 9,798,000
For Contractual Services................. 9,423,000
For Travel............................. 317,300
For Commodities.......................... 344,000
For Commodities.......................... 334,000
For Printing............................ 433,000
For Equipment........................... 804,300
For Equipment........................... 696,300
For Electronic Data Processing.......... 4,486,500
For Electronic Data Processing.......... 3,936,500
For Telecommunications Services........ 1,332,400
For Telecommunications Services........ 1,322,400
For Operation of Auto Equipment........ 243,300
For Operation of Auto Equipment........ 218,300
Total $33,692,900
Total $32,569,700

New matter indicated by italics - deletions by strikeout
Sec. 120. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Producer Administration Fund to the Department of Financial and Professional Regulation:

PRODUCER ADMINISTRATION

For Personal Services.......................... 4,813,100

For Personal Services.......................... 4,731,400

For Employee Retirement Contributions
Paid by Employer.................................. 29,400

For State Contributions to the State
Employees' Retirement System...................... 375,000

Employees' Retirement System...................... 368,600

For State Contributions to
Social Security..................................... 368,300

Social Security..................................... 362,000

For Group Insurance.............................. 1,417,900

For Group Insurance.............................. 1,393,800

For Contractual Services.......................... 0

For Travel........................................... 325,900

For Travel........................................... 315,900

For Commodities................................... 0

For Printing......................................... 0

For Equipment..................................... 0

For Telecommunications Services................... 0

For Operation of Auto Equipment................... 0

For Refunds........................................... 225,000

Total ............................................. $7,554,600

Total ............................................. $7,426,100

Section 25. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 15 of Article 35 as follows:

(P.A. 94-0015, Art. 35, Sec. 15)
Sec. 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

**DIVISION OF CHARGE PROCESSING**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>4,270,600</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>4,023,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>40,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>347,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>326,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>86,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>36,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>37,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>6,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>20,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>40,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,176,800</strong></td>
</tr>
</tbody>
</table>

Payable from Special Projects Division Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,585,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>16,000</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>123,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>121,300</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>400,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>183,000</td>
</tr>
</tbody>
</table>

**Total**                                         **$4,826,800**

New matter indicated by italics - deletions by strikeout
For Travel........................................                                                 36,000
For Commodities....................................                                            5,300
For Printing.......................................                                                  4,100
For Equipment......................................                                              9,600
For Telecommunications Services....................                                           5,000
  Total                                                                                         $2,489,600

Section 30. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 20, 35, 45, 60, 65, 70, 85, 92, 98, 110, 118, 130, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 250, 255, 265, 275, 285, 300, 305 and 310 of Article 36, as follows:

(P.A. 94-0015, Art. 36, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ATTORNEY GENERAL REPRESENTATION

Payable from General Revenue Fund:

  For Personal Services.............................................. 158,700
  For Personal Services.............................................. 147,600
  For Employee Retirement Contributions
    Paid by Employer............................................... 400
    Paid by Employer............................................... 1,000
  For Retirement Contributions................................. 12,500
  For Retirement Contributions................................. 11,500
  For State Contributions to Social Security............ 11,300
  For Contractual Services................................. 4,100
  Total                                                                                         $175,500

(P.A. 94-0015, Art. 36, Sec. 35)

Sec. 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

  ADMINISTRATIVE AND PROGRAM SUPPORT

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>20,601,400</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>21,958,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>53,600</td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>64,800</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>1,615,600</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>1,710,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,679,700</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>0</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>241,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,482,600</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>For Leased Property Management</td>
<td>43,279,800</td>
</tr>
<tr>
<td>For Leased Property Management</td>
<td>35,681,000</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>For Press Information Officers Management</td>
<td>823,300</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>For Graphic Design Management</td>
<td>98,100</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>For On-line Legal Services Management</td>
<td>72,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>304,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>1,509,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>983,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>66,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>1,293,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>215,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>188,900</td>
</tr>
<tr>
<td>For In-Service Training</td>
<td>17,600</td>
</tr>
<tr>
<td>For Expenses Related to Training</td>
<td>150,700</td>
</tr>
<tr>
<td>Department Staff</td>
<td></td>
</tr>
<tr>
<td>For Health Insurance Portability and Accountability Act</td>
<td>418,000</td>
</tr>
<tr>
<td>Transfer Payable to the Vocational</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Rehabilitation Fund..........................  3,329,300
Total                                       $74,072,600

Payable from the DHS Recoveries Trust Fund:
For Personal Services.........................  2,781,700
For Employee Retirement Contributions
  Paid by Employer................................  15,500
For Retirement Contributions..................  216,700
For State Contributions to Social Security....  212,800
For Group Insurance............................  731,400
For Contractual Services.......................  1,196,200
For Contractual Services:
  For Leased Property Management..............  361,500
  For Travel.......................................  50,000
  For Commodities................................  16,800
  For Printing.....................................  7,600
  For Equipment...................................  2,900
  For Telecommunications Services.............  15,000
Total                                       $5,608,100

Payable from Vocational Rehabilitation Fund:
For Personal Services.........................  4,992,100
For Employee Retirement Contributions
  Paid by Employer................................  32,400
For Retirement Contributions..................  388,900
For State Contributions to Social Security....  381,900
For Group Insurance............................  1,428,300
For Contractual Services.......................  1,331,000
For Contractual Services:
  For Leased Property Management..............  5,133,000
  For Travel.......................................  136,000
  For Commodities................................  136,500
  For Printing.....................................  37,000
  For Equipment...................................  198,600
  For Telecommunications Services.............  226,500
  For Operation of Auto Equipment..............  28,500

New matter indicated by italics - deletions by strikeout
For In-Service Training.......................... 366,700
Total $14,817,400

Payable from Prevention/Treatment – Alcoholism and Substance Abuse Block Grant Fund:
For Contractual Services:
For Leased Property Management............... 200,300

Payable from Federal National Community Services Grant Fund:
For Contractual Services:
For Leased Property Management............... 30,100

Payable from Special Purposes Trust Fund:
For Contractual Services:
For Leased Property Management............... 392,100

Payable from Old Age Survivors’ Insurance Fund:
For Contractual Services:
For Leased Property Management............... 2,610,300

Payable from Early Intervention Services Revolving Fund:
For Contractual Services:
For Leased Property Management............... 63,500

Payable from USDA Women, Infants & Children Fund:
For Contractual Services:
For Leased Property Management............... 312,300

Payable from Local Initiative Fund:
For Contractual Services:
For Leased Property Management............... 63,700

Payable from Domestic Violence Shelter and Service Fund:
For Contractual Services:
For Leased Property Management............... 48,700

Payable from Community Mental Health Service Block Grant Fund:
For Contractual Services:
For Leased Property Management............... 60,700

New matter indicated by italics - deletions by strikeout
For Contractual Services:
  For Leased Property Management..........................  7,400
Payable from DMH/DD Private Resources Fund:
  For Costs associated with the Health
  and Human Services Reform Activities
  funded by Private Donations from the
  Annie E. Casey Foundation...............................  150,000
    (P.A. 94-0015, Art. 36, Sec. 45)
Sec. 45. The following named sums, or so much thereof as may be
necessary, respectively, are appropriated to the Department of Human
Services for the purposes hereinafter named:

GRANTS-IN-AID

For Tort Claims:
  Payable from General Revenue Fund..................  3,580,900
  Payable from General Revenue Fund..................  580,900
  Payable from Vocational Rehabilitation Fund.......  10,000
  Total ..................................................  $590,900

For Reimbursement of Employees for
  Work-Related Personal Property Damages:
  Payable from General Revenue Fund...............  12,600

For Grants Associated with Systems Change
  Including Operating and Administrative Costs
  Payable from the DHS Federal Projects Fund.....  450,000

For grants to units of local government, not for profit organizations,
community organizations and educational facilities for all costs associated
with operational expenses and infrastructure improvements including but
not limited to planning, construction, reconstruction, renovation,
equipment, vehicles, other capital and related expenses and for all costs
associated with economic development programs, educational and training
programs, social service programs, and public health and safety programs.
  Payable from General Revenue Fund...............  1,000,000

For grants to units of local government, not for profit organizations,
community organizations and educational facilities for all costs associated
with operational expenses and infrastructure improvements including but

New matter indicated by italics - deletions by strikeout
Public Act 94-0798

Not limited to planning, construction, reconstruction, renovation, equipment, vehicles, other capital and related expenses and for all costs associated with economic development programs, educational and training programs, social service programs, and public health and safety programs.

Payable from General Revenue Fund: 2,000,000

(P.A. 94-0015, Art. 36, Sec. 60)

Sec. 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for ordinary and contingent expenses:

**MANAGEMENT INFORMATION SERVICES**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>7,948,200</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>8,397,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>51,000</td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>95,600</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>622,600</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>654,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>642,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>10,998,200</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>For Information Technology Management</td>
<td>16,610,400</td>
</tr>
<tr>
<td>For Information Technology Management</td>
<td>14,192,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>51,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>800,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>2,450,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>4,031,800</td>
</tr>
<tr>
<td>Total</td>
<td>$42,314,600</td>
</tr>
</tbody>
</table>

Payable from Vocational Rehabilitation Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,327,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>11,700</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>103,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout


For State Contributions to Social Security ...... 101,600
For Group Insurance............................. 207,000
For Contractual Services.......................... 1,805,000
For Contractual Services:
   For Information Technology Management....... 1,480,700
   For Travel..................................... 50,000
   For Commodities............................... 60,600
   For Printing.................................... 65,800
   For Equipment.................................. 850,000
   For Telecommunications Services............... 1,950,000
   For Operation of Auto Equipment................ 2,800
   Total                                                                                       $8,016,200

Payable from USDA Women, Infants and Children Fund:
   For Personal Services.......................... 262,300
   For Employee Retirement Contributions
      Paid by Employer................................ 5,400
   For Retirement Contributions................... 20,400
   For State Contributions to Social Security ...... 20,000
   For Group Insurance............................... 41,400
   For Contractual Services.......................... 325,400
   For Contractual Services:
      For Information Technology Management....... 391,900
      For Electronic Data Processing .................. 150,000
   Total                                                                                       $1,216,800

Payable from Maternal and Child Health Services Block Grant Fund:
   For Operational Expenses Associated with Support of Maternal and Child Health Programs........................... 236,000

Payable from the Mental Health Fund:
   For Services Provided Under Contract to Maximize Cost Recovery.......................... 650,400
   (P.A. 94-0015, Art. 36, Sec. 65)
Sec. 65. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenditures of the Department of Human Services:

JACK MABLEY DEVELOPMENT CENTER

For Personal Services.......................... 7,363,500
For Personal Services.......................... 7,004,800
For Employee Retirement Contributions
Paid by Employer................................. 62,600
Paid by Employer................................. 63,800
For Retirement Contributions.......................... 572,200
For Retirement Contributions.......................... 541,400
For State Contributions to
Social Security................................. 535,900
For Contractual Services.......................... 1,247,900
For Contractual Services.......................... 1,202,800
For Travel......................................... 3,900
For Commodities.................................. 405,900
For Printing....................................... 4,500
For Equipment................................. 26,300
For Telecommunications Services................. 40,900
For Telecommunications Services................. 35,700
For Operation of Automotive Equipment............. 26,400
For Operation of Automotive Equipment............. 23,400

Total $9,848,400

(P.A. 94-0015, Art. 36, Sec. 70)

Sec. 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ALTON MENTAL HEALTH CENTER

For Personal Services.......................... 15,568,200
For Personal Services.......................... 15,161,400
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Sec. 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

HOME SERVICES PROGRAM

Payable from General Revenue Fund:

For Personal Services................. 4,335,200
For Personal Services................. 4,105,600

For Employee Retirement Contributions

Paid by Employer......................... 36,700
Paid by Employer......................... 36,900

For Retirement Contributions........... 319,900
For State Contribution to Social Security........ 314,200
For Contractual Services................. 4,800
For Travel.................................... 117,000

New matter indicated by italics - deletions by strikeout
Sec. 92. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:
For Personal Services

3,341,900

For Personal Services

3,823,200

For Employee Retirement Contributions
Paid by Employer

11,700

Paid by Employer

15,200

For Retirement Contributions

264,100

For Retirement Contributions

297,900

For State Contribution to
Social Security

292,500

For Contractual Services

450,000

For Travel

98,000

For Commodities

13,000

For Equipment

4,800

For Telecommunications Services

56,100

Total

$5,050,700

Payable from the Community Mental Health Services
Block Grant Fund:
For Personal Services

539,700

For Employee Retirement Contributions Paid
by Employer

3,000

For Retirement Contributions

42,000

For State Contributions to Social Security

41,300

For Group Insurance

138,000

New matter indicated by italics - deletions by strikeout
For Contractual Services.......................... 119,400
For Travel......................................... 10,000
For Commodities.......................................... 5,000
For Equipment.............................................. 5,000
Total                                                                 $764,000

(P.A. 94-0015, Art. 36, Sec. 98)

Sec. 98. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:

For Personal Services.......................... 4,747,200
For Personal Services.......................... 4,582,900

For Employee Retirement Contributions
Paid by Employer................................. 17,300
Paid by Employer................................. 18,400
For Retirement Contributions..................... 371,500
For Retirement Contributions..................... 357,100

For State Contribution to Social Security.......................... 350,700
For Contractual Services.......................... 216,600
For Travel......................................... 56,800
For Commodities.......................................... 10,400
For Equipment.............................................. 357,700
For Telecommunications Services............... 51,000
For Telecommunications Services............... 38,800
Total                                                                 $5,989,400

(P.A. 94-0015, Art. 36, Sec. 110)

Sec. 110. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

INSPECTOR GENERAL

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund:

For Personal Services.......................... 3,252,300
For Personal Services.......................... 3,460,800

For Employee Retirement Contributions
Paid by Employer.............................. 1,600
Paid by Employer.............................. 3,800

For Retirement Contributions.................. 254,900
For Retirement Contributions.................. 269,600

For State Contributions to Social Security..... 264,700
For Contractual Services....................... 99,900
For Travel...................................... 134,100
For Commodities................................ 23,500
For Equipment................................... 38,800
For Telecommunications Services............... 96,000

Total $4,391,200

(P.A. 94-0015, Art. 36, Sec. 118)

Sec. 118. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDITION TREATMENT

Payable from General Revenue Fund:

For Personal Services.......................... 881,000
For Personal Services.......................... 860,300

For Employee Retirement Contributions
Paid by Employer.............................. 1,000
Paid by Employer.............................. 2,500

For Retirement Contributions.................. 68,800
For Retirement Contributions.................. 67,000

For State Contribution to Social Security..... 65,800
For Contractual Services....................... 2,500
For Travel...................................... 3,800
For Equipment................................. 1,400
For Telecommunications Services............... 25,800

Total $1,029,100

New matter indicated by italics - deletions by strikeout
Payable from the Prevention/Treatment – Alcoholism and Substance Abuse Block Grant Fund:
- For Personal Services: $2,081,100
- For Employee Retirement Contributions Paid by Employer: $7,900
- For Retirement Contributions: $162,100
- For State Contributions to Social Security: $159,200
- For Group Insurance: $455,400
- For Contractual Services: $1,227,700
- For Travel: $200,000
- For Commodities: $53,800
- For Printing: $35,000
- For Equipment: $14,300
- For Electronic Data Processing: $300,000
- For Telecommunications Services: $117,800
- For Operation of Auto Equipment: $20,000
- For Expenses Associated with the Administration of the Alcohol and Substance Abuse Prevention and Treatment Programs: $215,000

Total: $5,049,300

(P.A. 94-0015, Art. 36, Sec. 130)

Sec. 130. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

**CLYDE L. CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER**

- For Personal Services: $26,181,500
- For Personal Services: $26,365,900
- For Employee Retirement Contributions
  - Paid by Employer: $236,200
  - Paid by Employer: $251,100
- For Retirement Contributions: $2,030,000
- For Retirement Contributions: $2,041,100

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security..... 2,017,000
For Contractual Services.................... 1,898,300
For Travel...................................... 23,900
For Commodities.............................. 1,231,400
For Printing.................................... 13,400
For Equipment.................................. 87,400
*For Telecommunications Services........... 194,200
  For Telecommunications Services........... 148,300
  For Operation of Auto Equipment .......... 53,200
For Operation of Auto Equipment.......... 44,000
For Expenses Related to Living Skills Program..... 37,400
For Costs Associated with Behavioral
  Health Services - Choate Network............. 42,500
Total $34,201,700

(P.A. 94-0015, Art. 36, Sec. 165)
Sec. 165. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

CHICAGO-READ MENTAL HEALTH CENTER
*For Personal Services....................... 20,971,000
  For Personal Services...................... 19,823,300
  For Employee Retirement Contributions
    *Paid by Employer........................ 173,700
    Paid by Employer.......................... 173,900
  For Retirement Contributions.............. 1,640,700
  For Retirement Contributions............ 1,540,300
For State Contributions to
  Social Security............................ 1,516,500
  For Contractual Services.................. 2,252,800
  For Contractual Services.................. 2,058,300
For Travel..................................... 27,200
For Commodities............................. 566,500
For Printing.................................. 9,900

New matter indicated by italics - deletions by strikeout
For Equipment..................................... 46,400
For Telecommunications Services............... 180,800
For Telecommunications Services............... 158,400
For Operation of Auto Equipment................... 25,800
For Operation of Auto Equipment................... 22,900
For Costs Associated with Behavioral Health Services - Chicago-Read Network........ 381,300
Total                                                                                       $26,324,900

(P.A. 94-0015, Art. 36, Sec. 170)

Sec. 170. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

**CENTRAL SUPPORT AND CLINICAL SERVICES**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,625,900</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>3,831,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>23,200</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>284,200</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>298,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security ......</td>
<td>293,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>515,500</td>
</tr>
<tr>
<td>For Travel........................................</td>
<td>63,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>18,547,300</td>
</tr>
<tr>
<td>For Printing......................................</td>
<td>27,900</td>
</tr>
<tr>
<td>For Equipment.....................................</td>
<td>66,300</td>
</tr>
<tr>
<td>For Telecommunications Services...................</td>
<td>38,800</td>
</tr>
<tr>
<td>For Telecommunications Services...................</td>
<td>21,600</td>
</tr>
</tbody>
</table>

For Contractual Services:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Private Hospitals for Recipients of State Facilities</td>
<td>1,087,400</td>
</tr>
<tr>
<td>Recipients of State Facilities....................</td>
<td>925,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Total $24,614,800

Payable from the DHS Federal Projects Fund:
For Federally Assisted Programs $5,949,200

Payable from the Mental Health Fund:
For Costs Related to Provision of Support Services Provided to Departmental and Non-Departmental Organizations $4,770,200
(P.A. 94-0015, Art. 36, Sec. 175)

Sec. 175. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Human Services:

SEXUALLY VIOLENT PERSONS PROGRAM
Payable from General Revenue Fund:
For Sexually Violent Persons Program $21,485,800
(P.A. 94-0015, Art. 36, Sec. 180)

Sec. 180. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenditures of the Department of Human Services:

H. DOUGLAS SINGER MENTAL HEALTH AND DEVELOPMENTAL CENTER

For Personal Services $9,559,400
For Personal Services $10,039,900
For Employee Retirement Contributions
Paid by Employer $81,300
Paid by Employer $88,800
For Retirement Contributions $748,600
For Retirement Contributions $778,200
For State Contributions to Social Security $768,100
For Contractual Services $2,509,500
For Contractual Services $2,314,200

New matter indicated by italics - deletions by strikeout
For Travel......................................... 9,600
For Commodities.................................. 340,900
For Printing....................................... 9,900
For Equipment..................................... 27,500
For Telecommunications Services............... 87,500
For Telecommunications Services............... 78,400
For Operation of Auto Equipment............... 20,700
For Operation of Auto Equipment............... 19,400
For Expenses Related to Living Skills Program.. 3,800
For Costs Associated with Behavioral Health Services - Singer Network........ 39,300
Total ........................................... $14,518,000

(P.A. 94-0015, Art. 36, Sec. 185)

Sec. 185. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ANN M. KILEY DEVELOPMENTAL CENTER
For Personal Services........................... 20,074,600
For Personal Services........................... 19,316,400
For Employee Retirement Contributions
Paid by Employer.................................. 165,700
Paid by Employer.................................. 166,200
For Retirement Contributions.................. 1,562,700
For Retirement Contributions.................. 1,496,100
For State Contributions to Social Security................................ 1,477,700
For Contractual Services......................... 1,999,300
For Travel......................................... 7,100
For Commodities.................................. 917,600
For Printing....................................... 14,400
For Equipment..................................... 35,300
For Telecommunications Services.............. 107,400
For Operation of Auto Equipment............... 78,700

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment................... 69,100
For Expenses Related to Living Skills Program..... 13,500
Total $25,620,100

(P.A. 94-0015, Art. 36, Sec. 190)

Sec. 190. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE DEAF

Payable from General Revenue Fund:

For Personal Services.......................... 11,225,400
For Personal Services.......................... 12,612,800
For Employee Retirement Contributions
Paid by Employer................................. 76,900
Paid by Employer................................. 110,900

For Retirement Contributions..................... 691,200
For Retirement Contributions..................... 781,000
For State Contributions to Social Security....... 736,900

For Contractual Services....................... 1,673,900
For Contractual Services....................... 1,586,600
For Travel........................................ 19,000
For Commodities................................ 495,500
For Printing...................................... 1,000
For Equipment.................................... 117,900
For Telecommunications Services............... 113,700

For Operation of Auto Equipment................... 47,800
For Operation of Auto Equipment................... 39,100

Total $16,677,800

Payable from Vocational Rehabilitation Fund:
For Secondary Transitional Experience Program.......................... 50,000

(P.A. 94-0015, Art. 36, Sec. 195)

New matter indicated by italics - deletions by strikeout
Sec. 195. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

**ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>6,163,200</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>6,803,300</td>
</tr>
<tr>
<td>For Student, Member or Inmate Compensation</td>
<td>16,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td><em>Paid by Employer</em></td>
<td>42,400</td>
</tr>
<tr>
<td><em>Paid by Employer</em></td>
<td>60,500</td>
</tr>
<tr>
<td><em>For Retirement Contributions</em></td>
<td>358,600</td>
</tr>
<tr>
<td><em>For Retirement Contributions</em></td>
<td>418,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>396,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>608,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>13,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>228,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>2,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>80,000</td>
</tr>
<tr>
<td><em>For Telecommunications Services</em></td>
<td>75,500</td>
</tr>
<tr>
<td><em>For Telecommunications Services</em></td>
<td>44,900</td>
</tr>
<tr>
<td><em>For Operation of Auto Equipment</em></td>
<td>14,700</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>11,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,685,300</strong></td>
</tr>
</tbody>
</table>

Payable from Vocational Rehabilitation Fund:

For Secondary Transitional Experience Program.... | 42,900
(P.A. 94-0015, Art. 36, Sec. 200)

Sec. 200. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

**JOHN J. MADDEN MENTAL HEALTH CENTER**

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>20,518,600</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>22,317,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
  Paid by Employer..........................  173,800
  Paid by Employer..........................  191,600
For Retirement Contributions..............  1,612,400
For Retirement Contributions...............  1,734,300
For State Contributions to Social
  Security....................................  1,707,300
For Contractual Services....................  2,513,600
For Contractual Services....................  2,330,000
  For Travel..................................  45,300
  For Commodities...........................  686,400
  For Printing................................  19,100
  For Equipment.............................  67,700
  For Telecommunications Services..........  169,700
  For Telecommunications Services..........  128,800
For Operation of Auto Equipment............  37,900
For Operation of Auto Equipment............  36,800
For Expenses Related to Living Skills Program...  19,200
For Costs Associated with Behavioral Health
  Services - Madden Network..................  147,400
Total..................................  $29,431,600

(P.A. 94-0015, Art. 36, Sec. 205)

Sec. 205. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

  WARREN G. MURRAY DEVELOPMENTAL CENTER
  For Personal Services......................  24,382,500
  For Personal Services......................  24,398,000
  For Employee Retirement Contributions
    Paid by Employer..........................  215,800
    Paid by Employer..........................  315,400
    For Retirement Contributions............  1,881,200
    For Retirement Contributions............  1,882,900

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security..... 1,866,500
For Contractual Services....................... 1,733,500
For Contractual Services....................... 1,633,500
For Travel......................................... 9,900
For Commodities................................ 1,369,000
For Printing....................................... 9,700
For Equipment.................................... 122,300
For Telecommunications Services............... 70,500
For Telecommunications Services............... 47,800
For Operation of Auto Equipment.............. 56,300
For Operation of Auto Equipment.............. 48,900
For Expenses Related to Living Skills Program..... 2,900
Total                                                                 $31,707,800

(P.A. 94-0015, Art. 36, Sec. 210)
Sec. 210. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ELGIN MENTAL HEALTH CENTER
For Personal Services......................... 44,109,100
For Personal Services......................... 45,487,400
For Employee Retirement Contributions
Paid by Employer................................ 498,300
Paid by Employer................................ 501,600
For Retirement Contributions................. 3,440,000
For Retirement Contributions................. 3,517,400
For State Contributions to Social Security..... 3,479,800
For Contractual Services....................... 4,971,100
For Contractual Services....................... 4,056,400
For Travel......................................... 32,500
For Commodities................................ 1,191,800
For Printing....................................... 26,100
For Equipment.................................... 131,400
For Telecommunications Services............... 285,000

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment .......... $123,500
For Operation of Auto Equipment .......... $111,200
For Expenses Related to Living Skills Program .... $31,200
For Costs Associated with Behavioral Health Services - Elgin Network ................. $7,609,900
Total ................................................. $66,461,700

(P.A. 94-0015, Art. 36, Sec. 215)

Sec. 215. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY AND RESIDENTIAL SERVICES FOR THE BLIND AND VISUALLY IMPAIRED

Payable from General Revenue Fund:

For Personal Services ......................... $1,175,200
For Personal Services ......................... $1,208,500
For Employee Retirement Contributions
Paid by Employer ................................. $10,400
Paid by Employer ................................. $13,000
For Retirement Contributions ...................... $17,500
For Retirement Contributions ...................... $22,300
For State Contributions to Social Security .... $93,200
For Contractual Services ......................... $30,700
For Travel ........................................ $54,900
For Commodities ................................. $6,000
For Printing ....................................... $200
For Equipment ................................... $200
For Telecommunications Services ............... $2,000
Total ................................................. $1,431,000

(P.A. 94-0015, Art. 36, Sec. 220)

Sec. 220. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

CHESTER MENTAL HEALTH CENTER

New matter indicated by italics - deletions by strikeout
Sec. 225. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

**JACKSONVILLE DEVELOPMENTAL CENTER**

For Personal Services.......................  20,454,900
For Personal Services.......................  21,746,200
For Employee Retirement Contributions
   Paid by Employer.........................  178,200
   Paid by Employer.........................  196,300
   For Retirement Contributions............  1,598,800
   For Retirement Contributions............  1,689,900
For State Contributions to Social Security....  1,663,600
For Contractual Services....................  1,500,800

Total  $34,799,200

(P.A. 94-0015, Art. 36, Sec. 225)

Sec. 225. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:
Illinois Center for Rehabilitation and Education

Payable from General Revenue Fund:

For Personal Services ........................................... 3,500,700
For Personal Services ........................................... 3,505,300
For Student, Member or Inmate Compensation .......... 2,000
For Employee Retirement Contributions
  Paid by Employer ........................................... 24,800
  Paid by Employer ........................................... 28,500
For Retirement Contributions ................................. 262,200
For Retirement Contributions ................................. 262,500
For State Contributions to Social Security ...... 256,900
For Contractual Services ................................. 783,000
For Travel .................................................. 8,900
For Commodities ............................................. 73,700
For Printing .................................................. 5,700
For Equipment ................................................ 44,000
For Telecommunications Services ....................... 52,600
For Telecommunications Services ....................... 46,100
For Operation of Auto Equipment ....................... 10,400
For Operation of Auto Equipment ....................... 8,500

New matter indicated by italics - deletions by strikeout
Total $5,025,100
Payable from Vocational Rehabilitation Fund:
For Secondary Transitional Experience Program... 60,000
(P.A. 94-0015, Art. 36, Sec. 235)
Sec. 235. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:
ANDREW McFARLAND MENTAL HEALTH CENTER
For Personal Services.......................... 12,180,000
For Personal Services.......................... 13,392,800
For Employee Retirement Contributions
Paid by Employer............................ 108,400
Paid by Employer............................ 123,700
For Retirement Contributions.................. 953,300
For Retirement Contributions.................. 1,038,800
For State Contributions to Social Security..... 1,024,600
For Contractual Services...................... 1,862,000
For Contractual Services...................... 1,732,600
For Travel...................................... 9,500
For Commodities................................ 347,800
For Printing.................................... 6,500
For Equipment................................. 63,600
For Telecommunications Services.............. 116,200
For Telecommunications Services.............. 79,700
For Operation of Auto Equipment............... 29,300
For Operation of Auto Equipment............... 27,000
For Expenses Related to Living Skills Program... 11,400
For Costs Associated with Behavioral Health
Services - McFarland Network.................. 151,200
Total $18,009,200
(P.A. 94-0015, Art. 36, Sec. 250)
Sec. 250. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named,

New matter indicated by italics - deletions by strikeout
are appropriated from the General Revenue Fund to meet the ordinary and
contingent expenses of the Department of Human Services:

    GOVERNOR SAMUEL H. SHAPIRO DEVELOPMENTAL CENTER

    For Personal Services........................................... 49,542,200
    For Personal Services........................................... 52,068,700
    For Employee Retirement Contributions
    Paid by Employer............................................... 445,100
    Paid by Employer............................................... 491,500
    For Retirement Contributions................................. 3,908,500
    For Retirement Contributions................................. 3,966,300
    For State Contributions to Social Security............. 3,983,200
    For Contractual Services................................. 4,870,800
    For Contractual Services................................. 4,105,800
    For Travel...................................................... 6,800
    For Commodities............................................ 3,003,300
    For Printing.................................................. 32,100
    For Equipment................................................. 173,100
    For Telecommunications Services..................... 111,000
    For Telecommunications Services..................... 109,500
    For Operation of Auto Equipment.................. 156,200
    For Operation of Auto Equipment.................. 138,900
    Total.................................................................. $68,079,200

    (P.A. 94-0015, Art. 36, Sec. 255)

Sec. 255. The following named sums, or so much thereof as may
be necessary, respectively, are appropriated to the Department of Human
Services for the purposes hereinafter named:

    HUMAN CAPITAL DEVELOPMENT

Payable from General Revenue Fund:

    For Personal Services................................. 160,655,400
    For Personal Services................................. 167,441,300
    For Employee Retirement Contributions
    Paid by Employer............................................... 1,296,000
    Paid by Employer............................................... 1,343,400
    For Retirement Contributions................................. 12,568,100

New matter indicated by italics - deletions by strikeout
For Retirement Contributions.......................... 13,045,400
For State Contributions to Social Security.... 12,809,300
For Contractual Services.......................... 21,505,200
For Contractual Services.......................... 20,905,200
For Travel........................................... 787,600
For Commodities................................... 10,200
For Equipment.................................... 1,028,500
For Telecommunications........................... 2,623,000
For Telecommunications........................... 2,358,400
Total                                                                                     $219,729,300

Payable from the Special Purposes Trust Fund:
For Operation of Federal Employment Programs. 10,000,000
(P.A. 94-0015, Art. 36, Sec. 265)
Sec. 265. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

JUVENILE JUSTICE PROGRAMS

Payable from General Revenue Fund:

For Personal Services........................... 250,800
For Personal Services........................... 248,500
For Employee Retirement Contributions Paid by Employer................................. 1,400
For Retirement Contributions.................. 19,600
For Retirement Contributions.................. 19,400
For State Contributions to Social Security..... 19,000
For Contractual Services........................ 51,100
For Travel.......................................... 6,500
For Equipment..................................... 100
For Telecommunications Services............... 2,300
Total                                                                                     $348,300

Payable from Juvenile Justice Trust Fund:
For Personal Services........................... 178,700
For Employee Retirement Contributions Paid by Employer................................. 700

New matter indicated by italics - deletions by strikeout
For Retirement Contributions.......................... 13,900
For State Contributions to Social Security....... 13,700
For Group Insurance..................................... 41,400
For Contractual Services............................... 59,500
For Travel.................................................... 26,500
For Commodities............................................. 4,600
For Printing..................................................... 3,500
For Telecommunications Services.................... 11,900
For Detention Monitoring............................... 75,000
Total                                                                                         $429,400

(P.A. 94-0015, Art. 36, Sec. 275)

Sec. 275. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services for the objects and purposes hereinafter named:

COMMUNITY HEALTH

Payable from the General Revenue Fund:

For Personal Services................................. 2,933,200

For State Contributions to Social Security...... 2,223,400

For Employee Retirement Contributions
  Paid by Employer......................................... 7,000
  Paid by Employer......................................... 8,800

For Retirement Contributions.......................... 230,700

For Retirement Contributions.......................... 251,100
For Contractual Services............................... 246,600
For Contractual Services............................... 125,300
For Travel..................................................... 123,300
For Commodities............................................. 19,200
For Equipment............................................... 32,500

For Telecommunications Services................. 46,500

For Telecommunications Services................. 42,000

For Expenses for the Development and
  Implementation of Cornerstone..................... 774,800

Total                                                                                         $4,847,000

Payable from the DHS Federal Projects Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services............................ 604,800
For Employee Retirement Contributions
   Paid by Employer.............................. 2,100
For Retirement Contributions...................... 47,100
For State Contributions to Social Security ...... 46,300
For Group Insurance................................ 151,800
For Contractual Services......................... 1,405,200
For Travel....................................... 155,500
For Commodities................................... 36,000
For Printing..................................... 22,000
For Equipment.................................... 568,000
For Telecommunications Services................. 246,800
For Expenses Related to Public Health Programs... 256,200
For Operational Expenses for Maternal
   and Child Health Special Projects of
   Regional and National Significance.............. 226,300
Total                                                                                     $3,768,100

Payable from the USDA Women, Infants
   and Children Fund:
For Personal Services......................... 2,813,300
For Employee Retirement Contributions
   Paid by Employer.............................. 10,500
For Retirement Contributions................... 219,200
For State Contributions to Social Security ..... 215,200
For Group Insurance............................. 634,800
For Contractual Services....................... 830,400
For Travel....................................... 239,000
For Commodities................................ 54,200
For Printing..................................... 184,500
For Equipment................................... 279,000
For Telecommunications Services............... 250,000
For Operation of Auto Equipment............... 17,600
For Operational Expenses of the Women,
   Infants and Children (WIC) Program,
Including Investigations ...................... 4,600,000
For Operational Expenses of Banking Services
for Food Instruments Verification and
Vendor Payment under the Women, Infants
and Children (WIC) Program ................... 1,000,000
For Operational Expenses of the Federal
Commodity Supplemental Food Program .......... 42,500
For Operational Expenses Associated
with Support of the USDA Women,
Infants and Children Program ................... 150,000
Total ........................................ $11,540,200

Payable from the Maternal and Child
Health Services Block Grant Fund:
For Operational Expenses of Maternal and
Child Health Programs ............................. 4,223,300

Payable from the Preventive Health and Health
Services Block Grant Fund:
For Expenses of Preventive Health and
Health Services Programs ........................ 55,000

Payable from the DHS State Projects Fund:
For Operational Expenses for
Public Health Programs ......................... 368,000
and Referral Center ............................. 500,000
(P.A. 94-0015, Art. 36, Sec. 285)

Sec. 285. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services:

COMMUNITY YOUTH SERVICES

Payable from General Revenue Fund:
*For Personal Services* ....................... 154,300
- For Personal Services ..................... 153,400
For Employee Retirement Contributions
*Paid by Employer* ............................. 0
- Paid by Employer ............................ 400

New matter indicated by italics - deletions by strikeout
Sec. 300. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

WILLIAM W. FOX DEVELOPMENTAL CENTER

For Personal Services........................                                        12,234,200
For Personal Services........................                                         12,182,700
For Employee Retirement Contributions
Paid by Employer................................                                           101,200
Paid by Employer................................                                           109,500
For Retirement Contributions.....................                                    934,900
For Retirement Contributions.....................                                    930,500
For State Contributions to Social Security.......                              931,900
For Contractual Services.......................                                      1,157,500
For Contractual Services.......................                                       1,060,900
For Travel.........................................                                                  4,900
For Commodities..................................                                          805,600
For Printing.......................................                                                  8,400
For Equipment.....................................                                             33,100
For Telecommunications Services.................                                 19,500
For Operation of Auto Equipment...................                                 26,200
For Operation of Auto Equipment...................                                 22,400
For Expenses Related to Living Skills Program......                         1,000
Total                                                                                       $16,110,400

(P.A. 94-0015, Art. 36, Sec. 305)

Sec. 305. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

New matter indicated by italics - deletions by strikeout
ELISABETH LUDEMAN DEVELOPMENTAL CENTER

For Personal Services................................. 28,801,100

For Personal Services................................. 28,191,000

For Employee Retirement Contributions
Paid by Employer........................................ 255,600

Paid by Employer........................................ 258,600

For Retirement Contributions..................... 2,240,500

For Retirement Contributions..................... 2,187,300

For State Contributions to Social Security..... 2,156,600

For Contractual Services......................... 2,625,900

For Contractual Services......................... 2,486,600

For Travel.................................................. 3,500

For Commodities...................................... 594,700

For Printing.............................................. 9,000

For Equipment.......................................... 96,900

For Telecommunications Services............... 113,600

For Operation of Auto Equipment............. 48,100

For Operation of Auto Equipment............. 41,900

For Expenses Related to Living Skills Program.. 24,700

Total $36,164,400

(P.A. 94-0015, Art. 36, Sec. 310)

Sec. 310. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

WILLIAM A. HOWE DEVELOPMENTAL CENTER

For Personal Services............................... 38,377,000

For Personal Services............................... 38,428,700

For Employee Retirement Contributions
Paid by Employer........................................ 346,900

Paid by Employer........................................ 353,600

For Retirement Contributions................... 2,972,700

For Retirement Contributions................... 2,975,900

For State Contributions to Social Security..... 2,939,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>$5,564,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$4,580,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>$14,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>$946,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>$18,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>$81,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$172,800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$130,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>$231,300</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>$206,600</td>
</tr>
<tr>
<td>For Expenses Related to Living Skills Program</td>
<td>$11,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$50,686,400</strong></td>
</tr>
</tbody>
</table>

Section 35. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 5, 10, 30, 50 and 70 of Article 39 as follows:

(P.A. 94-0015, Art. 39, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

**PROGRAM ADMINISTRATION**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$15,660,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>$79,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>$1,220,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$1,198,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$19,614,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$19,254,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>$160,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>$528,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>$898,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>$309,100</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Telecommunications Services: 1,266,000
For Operation of Auto Equipment: 72,700
Total: $41,006,000

OFFICE OF INSPECTOR GENERAL
Payable from General Revenue Fund:
For Personal Services: 10,906,900
For Employee Retirement Contributions
Paid by Employer: 61,900
For State Contributions to State
Employees' Retirement System: 849,800
For State Contributions to Social Security: 834,500
For Contractual Services: 3,626,200
For Travel: 221,300
For Equipment: 203,400
Total: $16,704,000

Payable from Public Aid Recoveries Trust Fund:
For Personal Services: 665,900
For Employee Retirement Contributions
Paid by Employer: 6,600
For State Contributions to State
Employees' Retirement System: 51,900
For State Contributions to Social Security: 50,900
For Group Insurance: 188,400
Total: $963,700

Payable from Long Term Care Provider Fund:
For Administrative Expenses: 169,100

ENERGY ASSISTANCE
Payable from Energy Administration Fund:
For Personal Services: 246,500
For Employee Retirement Contributions
Paid by Employer: 1,800

New matter indicated by italics - deletions by strikeout
For State Contributions to State
  Employees' Retirement System.................... 19,200
For State Contributions to
  Social Security................................ 18,900
For Group Insurance............................. 56,100
For Contractual Services......................... 45,300
For Travel........................................ 40,100
For Commodities................................. 2,000
For Equipment.................................... 8,700
For Telecommunications Services............... 6,100
For Operation of Automotive Equipment.......... 1,000
For Administrative and Grant Expenses
  Relating to Training, Technical
  Assistance, and Administration of the
  Weatherization Programs....................... 250,000
Total $695,700

Payable from Low Income Home Energy
  Assistance Block Grant Fund:
  For Personal Services.......................... 1,217,900
  For Employee Retirement Contributions
    Paid by Employer.............................. 20,600
For State Contributions to State
  Employees' Retirement System............... 94,900
For State Contributions to
  Social Security............................... 93,200
  Group Insurance.............................. 237,300
  Contractual Services......................... 278,600
  Travel......................................... 117,400
  Commodities................................. 8,100
  Printing...................................... 65,000
  Equipment.................................... 145,000
  Telecommunications Services................. 586,000
  Operation of Automotive Equipment......... 2,900
  Expenses Related to the

New matter indicated by italics - deletions by strikeout
Development and Maintenance of the LIHEAP System............................ 1,000,000
Total $3,866,900

CHILD SUPPORT ENFORCEMENT
Payable from Child Support Administrative Fund:
For Personal Services......................... 46,496,700
For Employee Retirement Contributions
   Paid by Employer.............................. 306,600
For State Contributions to State
   Employees' Retirement System................ 3,622,600
For State Contributions to Social Security.............................. 3,495,800
For Group Insurance............................ 13,403,500
For Contractual Services...................... 66,599,500
For Travel....................................... 522,100
For Commodities.................................. 319,400
For Printing..................................... 162,800
For Equipment.................................. 2,495,300
For Telecommunications Services.............. 4,327,400
For Costs Related to the State
   Disbursement Unit............................. 19,005,900
For Administrative Costs Related to Enhanced Collection Efforts including Paternity Adjudication Demonstration........ 12,836,800
For Child Support Enforcement Demonstration Projects............................ 1,000,000
Total $174,594,400

The amount of $31,008,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for deposit into the Child Support Administrative Fund.

ATTORNEY GENERAL REPRESENTATION
Payable from General Revenue Fund:
For Personal Services......................... 1,499,100

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
  Paid by Employer.................................  22,500
For State Contributions to State
  Employees' Retirement System...............  116,800
For State Contributions to
  Social Security.................................  114,700
For Contractual Services.......................  332,000
For Travel.........................................  10,900
For Equipment.....................................  29,600
Total                                                                 2,125,600

PUBLIC AID RECOVERIES
Payable from Public Aid Recoveries Trust Fund:
  For Personal Services.......................  6,480,600
  For Employee Retirement Contributions
    Paid by Employer.............................  11,500
  For State Contributions to State
    Employees' Retirement System.............  504,900
  For State Contributions to
    Social Security............................  495,800
  For Group Insurance..........................  1,833,800
  For Contractual Services...................  16,082,500
  For Travel.....................................  120,000
  For Commodities..............................  50,000
  For Printing...................................  25,000
  For Equipment................................  773,800
  For Telecommunications Services............  320,000
Total                                                                 26,697,900

MEDICAL
Payable from General Revenue Fund:
  For Personal Services.......................  23,492,200
  For Employee Retirement Contributions
    Paid by Employer.............................  143,800
  For State Contributions to State
    Employees' Retirement System.............  1,830,300

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security............................... 1,797,200
For Contractual Services....................... 4,086,200
For Travel....................................... 284,300
For Equipment..................................... 58,300
For Telecommunications Services............... 1,430,800
For Purchase of Medical Management Services................................. 9,612,400
For Purchase of Services Relating to and costs associated with the development and implementation of an electronic Medicaid client eligibility verification system................................. 1,515,800
For Costs Associated with the Development, Implementation and Operation of a Medical Data Warehouse..................................... 3,894,900
For Refunds of Premium Payments Received Pursuant to Section 25(a)(2) of the Children's Health Insurance Program Act or under the provisions of the Health Benefits for Workers with Disabilities Program................................. 96,000
Total $48,242,200

Payable from Provider Inquiry Trust Fund:
For expenses associated with providing access and utilization of Department eligibility files.............. 1,500,000
(P.A. 94-0015, Art. 39, Sec. 10)

Sec. 10. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance:

New matter indicated by italics - deletions by strikeout
FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE AND THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Physicians</td>
<td>715,477,500</td>
</tr>
<tr>
<td>For Dentists</td>
<td>102,450,300</td>
</tr>
<tr>
<td>For Optometrists</td>
<td>11,442,000</td>
</tr>
<tr>
<td>For Podiatrists</td>
<td>3,899,500</td>
</tr>
<tr>
<td>For Chiropractors</td>
<td>1,333,900</td>
</tr>
<tr>
<td>For Hospital In-Patient, Disproportionate Share and Ambulatory Care</td>
<td>2,537,424,200</td>
</tr>
<tr>
<td>For federally defined Institutions for Mental Diseases</td>
<td>110,519,000</td>
</tr>
<tr>
<td>For Supportive Living Facilities</td>
<td>24,242,100</td>
</tr>
<tr>
<td>For all other Skilled, Intermediate, and Other Related Long Term Care Services</td>
<td>665,347,200</td>
</tr>
<tr>
<td>For Community Health Centers</td>
<td>155,533,900</td>
</tr>
<tr>
<td>For Hospice Care</td>
<td>50,607,200</td>
</tr>
<tr>
<td>For Independent Laboratories</td>
<td>30,237,000</td>
</tr>
<tr>
<td>For Home Health Care, Therapy, and Nursing Services</td>
<td>48,558,700</td>
</tr>
<tr>
<td>For Appliances</td>
<td>59,475,900</td>
</tr>
<tr>
<td>For Transportation</td>
<td>86,187,700</td>
</tr>
<tr>
<td>For Other Related Medical Services and for development, implementation, and operation of managed care and children's health programs including operating and administrative costs and related distributive purposes</td>
<td>80,979,200</td>
</tr>
<tr>
<td>For Medicare Part A Premiums</td>
<td>12,066,900</td>
</tr>
<tr>
<td>For Medicare Part B Premiums</td>
<td>189,606,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Federal Balanced Budget Act of 1997.......... 11,525,500
For Health Maintenance Organizations and
Managed Care Entities............................. 153,319,900
For Division of Specialized Care
for Children........................................... 79,670,800
Total $5,129,905,100 $5,049,905,100

In addition to any amounts heretofore appropriated, the following
named amounts, or so much thereof as may be necessary, are appropriated
to the Department of Healthcare and Family Services for Medical
Assistance under the Illinois Public Aid Code, the Children's Health
Insurance Program Act, and the Senior Citizens and Disabled Persons
Property Tax Relief and Pharmaceutical Assistance Act for Prescribed
Drugs, including costs associated with the implementation and operation
of the SeniorCare program:
Payable from:
General Revenue Fund....................... 1,178,334,800
Drug Rebate Fund............................. 822,800,000
Tobacco Settlement Recovery Fund............. 508,029,100
Medicaid Buy-In Program Revolving Fund........ 100,000
Total $2,509,263,900
Total $2,349,263,900

The following named amounts, or so much thereof as may be
necessary, are appropriated to the Department of Healthcare and Family
Services for the purposes hereinafter named:
FOR MEDICAL ASSISTANCE
Payable from General Revenue Fund:
For Grants for Medical Care for Persons
Suffering from Chronic Renal Disease........... 1,453,700
For Grants for Medical Care for Persons
Suffering from Hemophilia.......................... 7,000,000
For Grants for Medical Care for Sexual
Assault Victims....................................... 1,500,000
For Grants to Altgeld Clinic....................... 400,000

New matter indicated by italics - deletions by strikeout
The Department, with the consent in writing from the Governor, may reapportion not more than two percent of the total General Revenue Fund appropriations in Section 10 above among the various purposes therein enumerated.

In addition to any amounts heretofore appropriated, the amount of $7,832,800, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for expenses relating to the Children's Health Insurance Program Act, including payments under Section 25 (a)(1) of that Act, and related operating and administrative costs.

(P.A. 94-0015, Art. 39, Sec. 30)

Sec. 30. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE AND THE CHILDREN’S HEALTH INSURANCE PROGRAM ACT

Payable from Care Provider Fund for Persons With A Developmental Disability:
For Administrative Expenditures.................. 94,200
Payable from Long Term Care Provider Fund:
For Skilled, Intermediate, and Other Related Long Term Care Services................. 821,328,300
For Administrative Expenditures................. 1,233,000
Total $822,561,300
Payable from Hospital Provider Fund:
For Hospitals.......................... 1,385,500,000
For Medical Assistance Providers............... 0
Total $1,385,500,000
Payable from Health and Human Services

$860,000,000

New matter indicated by italics - deletions by strikeout
Medicaid Trust Fund:
  For Skilled, Intermediate, and Other
      Related Long Term Care Services............  60,000,000
  For Medical Assistance Providers...............  0
Total  $60,000,000

(P.A. 94-0015, Art. 39, Sec. 50)

Sec. 50. The amount of $228,400,000 $193,400,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the University of Illinois Hospital Services Fund to reimburse the University of Illinois Hospital for hospital services.

(P.A. 94-0015, Art. 39, Sec. 70)

Sec. 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services:

  ENERGY ASSISTANCE
  GRANTS-IN-AID

Payable from Supplemental Low-Income Energy Assistance Fund:
  For Grants and Administrative Expenses
      Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended,
      Including Prior Year Costs..................  101,100,000
      Including Prior Year Costs...................  95,900,000

Payable from Energy Assistance Contribution Fund:
  For the Administration and Grants Expenses
      for Energy Assistance Programs, Including
      Prior Year Costs............................  300,000

Payable from Energy Administration Fund:
  For Grants and Technical Assistance Services for Nonprofit Community Organizations Including Reimbursement
      For Costs in Prior Years.......................  17,500,000

Payable from Low Income Home Energy

New matter indicated by italics - deletions by strikeout
Assistance Block Grant Fund:
For Grants to Eligible Recipients
Under the Low Income Home Energy
Assistance Act of 1981, Including
Reimbursement for Costs in Prior
\[Years\].........................\[212,000,000\]
\[-Years\]..........................\[200,000,000\]

Payable from Good Samaritan Energy Trust Fund:
For Grants, Contracts and Administrative
Expenses Pursuant to the Good
Samaritan Energy Plan Act.....................\[2,150,000\]
Samaritan Energy Plan Act.......................\[500,000\]

Section 40. “AN ACT concerning appropriations”, Public Act
094-0015, approved June 10, 2005, is amended by changing Sections 45
and 65 of Article 40 as follows:
(P.A. 94-0015, Art. 40, Sec. 45)
Sec. 45. The following named amounts, or so much thereof as may
be necessary, are appropriated to the Department of Public Health for the
objects and purposes hereinafter named:
OFFICE OF HEALTH PROMOTION
Payable from the General Revenue Fund:
For Grants for Vision and Hearing
Screening Programs.........................\[674,800\]
For Grants Associated with Donated
Dental Services..............................\[73,300\]
For a Grant to the Amyotrophic Lateral
Sclerosis (ALS) Association for
Research into discovering the cause and
Cure for Amyotrophic Lateral Sclerosis.......\[1,000,000\]
For a grant to the Farm Resource Center........\[300,000\]
For Grants to the University of Chicago
Transplant Section for Juvenile
Diabetes research............................\[2,500,000\]
Total\[4,548,100\]

New matter indicated by italics - deletions by strikeout
Payable from the Alzheimer's Disease Research Fund:
For Grants Pursuant to the Alzheimer's Disease Research Act............ 200,000

Payable from the Public Health Services Fund:
For Grants for Public Health Programs, Including Operational Expenses..... 10,400,000

Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:
For Grants for the Lead Poisoning Screening and Prevention Program........ 1,500,000

Payable from the Maternal and Child Health Services Block Grant Fund:
For Grants for Maternal and Child Health Programs............................ 495,000

Payable from the Preventive Health and Health Services Block Grant Fund:
For Grants for Prevention Programs including operational expenses......... 1,000,000

Payable from the Metabolic Screening and Treatment Fund:
For Grants for Metabolic Screening Follow-up Services..................... 2,200,000
For Grants for Free Distribution of Medical Preparations and Food Supplies.... 1,250,000
Total $3,450,000

Payable from the Tobacco Settlement Recovery Fund:
For Certified Local Health Department Grants for Anti-Smoking Programs.... 5,000,000
For Grants and Administrative Expenses for the Tobacco Use Prevention
Program.................................................. 3,000,000
Program.................................................. 5,000,000

Payable from the Tobacco Settlement Recovery Fund:

New matter indicated by italics - deletions by strikeout
For expenses associated with an expanded social marketing effort (BASUAH) designed to reach the African-American community with HIV/AIDS education, prevention and testing........................ 2,000,000
Total $10,000,000

(P.A. 94-0015, Art. 40, Sec. 65)
Sec. 65. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:
For Grants for Immunizations and Outreach Activities......................... 4,763,100
For Grants for Sexually Transmitted Disease Medical Services to Individuals............. 10,800
For Grants to Metro Chicago Hospital Council for support of the Illinois Poison Control Center........... 1,927,200 1,427,200
For Local Health Protection Grants to Certified Local Health Departments for Health Protection Programs including, But Not Limited To, Infectious Diseases, Food Sanitation, Potable Water and Private Sewage.......... 14,033,500
For grants to comprehensive sickle-cell clinic At the University of Illinois at Chicago...... 1,000,000
Total $21,234,600

Payable from the Tobacco Settlement Recovery Fund:
For a Grant for the University of Illinois for Sickle Cell Research................. 1,900,000

New matter indicated by italics - deletions by strikeout
Section 45. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 15, 35, and 95 and adding new Sections 36 and 37 to Article 41 as follows:

(P.A. 94-0015, Art. 41, Sec. 15)

Sec. 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

**OPERATIONS**

**TAX OPERATIONS**

For Personal Services:
- Payable from General Revenue Fund: 32,712,600
- Payable from Motor Fuel Tax Fund: 4,791,500
- Payable from Underground Storage Tank Fund: 338,900
- Payable from Illinois Gaming Law Enforcement Fund: 0
- Payable from County Option Motor Fuel Tax Fund: 189,300
- Payable from Tax Compliance and Administration Fund: 262,700
- Payable from Personal Property Tax Replacement Fund: 3,208,600

For Employee Contributions
- Payable from General Revenue Fund: 251,800
- Payable from Motor Fuel Tax Fund: 30,000
- Payable from Underground Storage Tank Fund: 3,000
- Payable from Illinois Gaming Law Enforcement Fund: 0
- Payable from County Option Motor Fuel Tax Fund: 1,900

New matter indicated by italics - deletions by strikeout
And Administration Fund...................... 1,600
Payable from Personal Property
Tax Replacement Fund....................... 27,900
For Extra Help:
Payable from General Revenue Fund......... 86,000
For State Contributions to State
Employees' Retirement System:
Payable from General Revenue Fund........ 2,548,600
Payable from Motor Fuel Tax Fund.......... 373,300
Payable from Underground Storage Tank Fund .... 26,400
Payable from Illinois Gaming
Law Enforcement Fund.......................... 0
Payable from County Option Motor
Fuel Tax Fund................................. 14,700
Payable from Tax Compliance and
Administration Fund.......................... 20,500
Payable from Personal Property Tax
Replacement Fund......................... 250,000
For State Contributions to Social Security:
Payable from General Revenue Fund........ 2,493,300
Payable from Motor Fuel Tax Fund.......... 362,000
Payable from Underground Storage Tank Fund .... 25,400
Payable from Illinois Gaming
Law Enforcement Fund.......................... 0
Payable from County Option Motor
Fuel Tax Fund................................. 14,200
Payable from Tax Compliance and
Administration Fund.......................... 19,800
Payable from Personal Property Tax
Replacement Fund......................... 240,600
For Group Insurance:
Payable from Motor Fuel Tax Fund......... 1,207,100
Payable from Underground
Storage Tank Fund......................... 124,200

New matter indicated by italics - deletions by strikeout
Payable from Illinois Gaming
   Law Enforcement Fund.............................. 0
Payable from County Option Motor
   Fuel Tax Fund......................................... 69,000
Payable from Tax Compliance and
   Administration Fund................................. 82,800
Payable from Personal Property
   Tax Replacement Fund............................... 1,090,200
For Contractual Services:
   Payable from General Revenue Fund................ 10,035,050
Payable from General Revenue Fund.................. 9,790,350
Payable from Motor Fuel Tax Fund.................. 1,427,700
Payable from Underground Storage Tank Fund...... 6,800
Payable from Illinois Gaming Law
   Enforcement Fund..................................... 229,000
Payable from Home Rule Municipal
   Retailers Occupation Tax........................... 132,300
Payable from County Option Motor Fuel Tax Fund.. 18,000
Payable from Illinois Tax Increment Fund......... 265,200
Payable from Child Support Administration Fund... 6,800
Payable from Personal Property Tax
   Replacement Fund...................................... 368,400
For Travel:
Payable from General Revenue Fund............... 124,200
Payable from Motor Fuel Tax Fund.................. 11,900
Payable from Personal Property Tax
   Replacement Fund...................................... 4,000
For Commodities:
Payable from General Revenue Fund............... 453,300
Payable from Motor Fuel Tax Fund.................. 59,600
Payable from Underground Storage Tank Fund ...... 1,300
Payable from County Option Motor
   Fuel Tax Fund......................................... 2,400
Payable from Personal Property Tax

New matter indicated by italics - deletions by strikeout
Replacements

For Printing:
Payable from General Revenue Fund................. 897,850
Payable from Motor Fuel Tax Fund.................. 151,800
Payable from Underground Storage Tank Fund........ 1,500
Payable from Illinois Gaming Law Enforcement Fund.................. 1,500
Payable from Personal Property Tax Replacement Fund.................. 24,600

For Electronic Data Processing:
Payable from General Revenue Fund................. 2,892,700
Payable from Motor Fuel Tax Fund.................. 1,179,000
Payable from Transportation Regulatory Fund........ 1,000
Payable from Underground Storage Tank Fund........ 0
Payable from Illinois Gaming Law Enforcement Fund.................. 0
Payable from Home Rule Municipal Retailers Occupation Tax Fund.................. 0
Payable from County Option Motor Fuel Tax Fund.................. 0
Payable from Illinois Tax Increment Fund.................. 0
Payable from Tax Compliance and Administration Fund.................. 106,600
Payable from Child Support Administrative Fund..... 1,400
Payable from Personal Property Tax Replacement Fund.................. 190,500

For Telecommunications Services:
Payable from General Revenue Fund................. 1,731,150
Payable from Motor Fuel Tax Fund.................. 244,900
Payable from Underground Storage Tank Fund........ 28,000
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>10,500</td>
</tr>
<tr>
<td>Payable from Home Rule Municipal Retailers Occupation Tax Fund</td>
<td>3,700</td>
</tr>
<tr>
<td>Payable from County Option Motor Fuel Tax Fund</td>
<td>15,100</td>
</tr>
<tr>
<td>Payable from Illinois Tax Increment Fund</td>
<td>16,400</td>
</tr>
<tr>
<td>Payable from Tax Compliance and Administration Fund</td>
<td>5,700</td>
</tr>
<tr>
<td>Payable from Child Support Administrative Fund</td>
<td>15,600</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>62,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>22,400</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>20,400</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>18,600</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>16,000</td>
</tr>
<tr>
<td>For Administration of the Illinois Petroleum Education and Marketing Act:</td>
<td></td>
</tr>
<tr>
<td>Payable from the Tax Compliance and Administration Fund</td>
<td>9,000</td>
</tr>
<tr>
<td>For Administration of the Dry Cleaners Environmental Response Trust Fund Act:</td>
<td></td>
</tr>
<tr>
<td>Payable from the Tax Compliance and Administration Fund</td>
<td>56,800</td>
</tr>
<tr>
<td>For Administration of the Simplified Telecommunications Act:</td>
<td></td>
</tr>
<tr>
<td>Payable from the Tax Compliance and Administration Fund</td>
<td>1,416,300</td>
</tr>
<tr>
<td>For administrative costs associated with the Municipality Sales Tax as directed in Public Act 93-1053:</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Payable from the Tax Compliance and Administration Fund......................... 130,000
Total ............................................. $73,088,350

(P.A. 94-0015, Art. 41, Sec. 35)
Sec. 35. The sum of $80,350,000 $50,350,000 is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Revenue for Grants, (down payment assistance, rental subsidies, security deposit subsidies, technical assistance, outreach, building an organization's capacity to develop affordable housing projects and other related purposes), mortgages, loans, or for the purpose of securing bonds pursuant to the Illinois Affordable Housing Act, administered by the Illinois Housing Development Authority.

(P.A. 94-0015, Art. 41, Sec. 95)
Sec. 95. The sum of $290,050,000 $265,050,000, or so much thereof as may be necessary, is appropriated from the State Lottery Fund to the Department of Revenue for Lottery, for payment of prizes to holders of winning lottery tickets or shares, including prizes related to Multi-State Lottery games, and payment of promotional or incentive prizes associated with the sale of lottery tickets, pursuant to the provisions of the "Illinois Lottery Law".

(P.A. 94-0015, Art. 41, Sec. 36, new)
Sec. 36. The sum of $490,000, or so much thereof as may be necessary, is appropriated from the Rental Housing Support Program Fund to the Department of Revenue for administration of the Rental Housing Support Program.

(P.A. 94-0015, Art. 41, Sec. 37, new)
Sec. 37. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the Rental Housing Support Program Fund to the Department of Revenue to provide rental assistance pursuant to the Rental Housing Support Program, administered by the Illinois Housing Development Authority.

Section 50. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 25 of Article 42 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF OPERATIONS

Payable from General Revenue Fund:

For Personal Services........................................... 69,238,000
For Employee Retirement Contributions
  Paid by Employer............................................. 601,600
For State Contributions to State
  Employees' Retirement System............................. 5,394,400
For State Contributions to Social Security................... 2,511,300
  For Contractual Services................................. 5,300,200
  For Contractual Services................................. 5,081,700
  For Travel.................................................... 463,000
  For Commodities............................................ 771,900
  For Printing.................................................. 100,000
  For Equipment............................................... 285,700
  For Electronic Data Processing......................... 53,500
  For Telecommunications Services.................... 2,045,700
  For Operation of Auto Equipment.................. 9,837,100
  For Operation of Auto Equipment.................. 7,537,100
  Total......................................................... $96,602,400

Payable from the Road Fund:

For Personal Services........................................... 88,630,900
For Employee Retirement Contributions
  Paid by Employer............................................. 914,000
For State Contributions to State
  Employees' Retirement System............................. 6,905,200
For State Contributions to Social Security................... 859,900
  Total......................................................... $97,310,000

New matter indicated by italics - deletions by strikeout
Payable from the Traffic and Criminal Conviction Surcharge Fund:
- For Personal Services: 2,960,400
- For Employee Retirement Contributions Paid by Employer: 36,700
- For State Contributions to Employees' Retirement System: 230,600
- For State Contributions to Social Security: 90,300
- For Group Insurance: 612,000
- For Contractual Services: 490,800
- For Travel: 38,300
- For Commodities: 174,600
- For Printing: 26,500
- For Telecommunications Services: 115,700
- For Operation of Auto Equipment: 186,800
  Total: $4,962,700

Payable from the State Police Services Fund:
- For Payment of Expenses:
  - Fingerprint Program: 12,000,000
  - Federal & IDOT Programs: 6,688,800
  - Riverboat Gambling: 8,550,000
  - Miscellaneous Programs: 3,500,000
  Total: $30,738,800

Payable from the Illinois State Police Federal Projects Fund:
- For Payment of Expenses: 17,400,000

Payable from the Sex Offender Registration Fund:
- For expenses of the Sex Offender Registration Program: 20,000

Payable from the Motor Carrier Safety Inspection Fund:

New matter indicated by italics - deletions by strikeout
For expenses associated with the enforcement of Federal Motor Carrier Safety Regulations and related Illinois Motor Carrier Safety Laws............................ 2,500,000

Section 55. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 5 and 85 of Article 43 as follows:

(P.A. 94-0015, Art. 43, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

CENTRAL OFFICES, ADMINISTRATION AND PLANNING OPERATIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>18,386,400</td>
</tr>
<tr>
<td>For Employee Retirement Contribution Paid by State</td>
<td>49,800</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,432,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security ....</td>
<td>1,365,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,632,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,174,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>622,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>321,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>767,600</td>
</tr>
<tr>
<td>For Equipment</td>
<td>112,000</td>
</tr>
<tr>
<td>Purchase of Cars &amp; Trucks</td>
<td>0</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>460,100</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>285,400</td>
</tr>
<tr>
<td>Total</td>
<td>$33,436,000</td>
</tr>
<tr>
<td>Total</td>
<td>$32,977,900</td>
</tr>
</tbody>
</table>

(P.A. 94-0015, Art. 43, Sec. 85)

New matter indicated by italics - deletions by strikeout
Sec. 85. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 1, SCHAUMBURG OFFICE OPERATIONS**

*For Personal Services*........................... 78,201,500
*For Personal Services*........................... 79,851,500
*For Extra Help*................................. 7,781,600
*For Extra Help*................................. 6,131,600
For Employee Retirement Contributions
  Paid by State.................................. 793,200
For State Contributions to State
  Employees’ Retirement System ............... 6,698,900
For State Contributions to Social Security ..... 6,484,400
For Contractual Services ....................... 15,236,400
For Travel ........................................ 207,500
For Commodities ................................. 5,853,300
For Equipment ................................... 1,957,500
For Equipment:
  Purchase of Cars and Trucks ................. 2,817,900
For Telecommunications Services............... 1,542,500
For Operation of Automotive Equipment........... 6,248,800
Total $133,823,500

Section 60. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 10 and 15 of Article 45 as follows:

(P.A. 94-0015, Art. 45, Sec. 10)

Sec. 10. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the objects and purposes and in the amounts set forth as follows:

**GRANTS-IN-AID**

For Bonus Payments to War Veterans and Peacetime Crisis Survivors......................... 97,800
For Providing Educational Opportunities for

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children of Certain Veterans, as provided by law</td>
<td>163,700</td>
</tr>
<tr>
<td>For Specially Adapted Housing for Veterans</td>
<td>223,000</td>
</tr>
<tr>
<td>For Cartage and Erection of Veterans' Headstones</td>
<td>123,000</td>
</tr>
<tr>
<td>For Cartage and Erection of Veterans' Headstones/Prior Years Claims</td>
<td>615,800</td>
</tr>
<tr>
<td>Total</td>
<td>$1,134,500</td>
</tr>
</tbody>
</table>

(P.A. 94-015, Art. 45, Sec. 15)

Sec. 15. The sum of $1,713,500 $842,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the payment of scholarships to students who are dependents of Illinois resident military personnel declared to be prisoners of war, missing in action, killed or permanently disabled, as provided by law.

Section 65. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 10 of Article 59 as follows:

(P.A. 94-0015, Art. 59, Sec. 10)

Sec. 10. The following named amounts, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

Payable from U.S. Environmental Protection Fund:
- For Contractual Services: 1,712,700
Payable from Underground Storage Tank Fund:
- For Contractual Services: 243,400
- For Contractual Services: 234,900
Payable from Solid Waste Management Fund:
- For Contractual Services: 267,500
- For Contractual Services: 258,200
Payable from Subtitle D Management Fund:

New matter indicated by italics - deletions by strikeout
For Contractual Services.......................... 97,300
Payable from Clean Air Act Permit Fund:
For Contractual Services................. 1,328,100
For Contractual Services................. 1,281,800
Payable from Water Revolving Fund:
For Contractual Services................. 664,700
For Contractual Services................. 641,500
Payable from Community Water Supply
Laboratory Fund:
For Contractual Services................. 159,100
For Contractual Services................. 153,600
Payable from Used Tire Management Fund:
For Contractual Services................. 128,400
For Contractual Services................. 123,900
Payable from Conservation 2000 Fund:
For Contractual Services................. 32,200
For Contractual Services................. 31,100
Payable from Hazardous Waste Fund:
For Contractual Services................. 513,500
For Contractual Services................. 495,600
Payable from Environmental Protection
Permit and Inspection Fund:
For Contractual Services................. 451,900
For Contractual Services................. 436,100
Payable from Vehicle Inspection Fund:
For Contractual Services................. 541,600
For Contractual Services................. 522,700
Payable from the Clean Water Fund:
For Contractual Services................. 631,200
For Contractual Services................. 609,200
Total $6,771,600
Total $6,595,200

New matter indicated by italics - deletions by strikeout
Section 70. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 5 of Article 81 as follows:

(P.A. 94-0015, Art. 81, Sec. 5)
Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

**GENERAL OFFICE**

Payable from the Fire Prevention Fund:
- For Personal Services................. 7,345,650
- For Employee Retirement Contributions Paid by Employer......................... 94,700
- For State Contributions to the State Employees' Retirement System........... 572,300
- For State Contributions to Social Security..... 444,900
- For Group Insurance...................... 1,556,000
- For Contractual Services............... 766,850
- For Travel.................................. 120,750
- For Commodities........................... 65,200
- For Printing................................. 45,150
- For Equipment............................ 1,410,000
- For Equipment............................ 410,000
- For Electronic Data Processing......... 1,257,500
- For Electronic Data Processing......... 2,470,000
- For Telecommunications................... 196,700
- For Operation of Auto Equipment........ 260,000
- For NITE Grant Program............... 286,000
- For Refunds................................. 4,000

**Total** $14,425,700

Payable from the Underground Storage Tank Fund:
- For Personal Services...................... 1,578,950
- For Employee Retirement Contributions Paid by Employer......................... 15,000

**Total** $14,352,200

New matter indicated by italics - deletions by strikeout
For State Contributions to the State
Employees' Retirement System........................ 123,200
For State Contributions to Social Security....... 102,100
For Group Insurance............................. 319,000
For Contractual Services......................... 270,900
For Travel....................................... 25,000
For Commodities............................... 8,000
For Printing.................................... 6,000
For Equipment................................... 165,000
For Equipment................................... 200,000
For Electronic Data Processing.................... 111,500
For Electronic Data Processing.................... 150,000
For Telecommunications.......................... 47,000
For Operation of Auto Equipment............... 60,000
For Refunds.................................... 50,000
For Expenses of Hearing Officers................ 75,000

Total $2,956,650

Total $3,030,150

Section 75. “AN ACT concerning appropriations”, Public Act 94-0015, approved June 10, 2005, is amended by changing Sections 20 and 36 and adding new Sections 39 and 50 to Article 82.1 as follows:

(P.A. 94-0015, Art. 82.1, Sec. 20)

Sec. 20. The amount of $29,126,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2005, from appropriations reappropriations heretofore made for such purpose in Article 2, Section 7 of Public Act 93-0842, is reappropriated from the General Revenue Fund to the Illinois State Board of Education for Textbook Loans pursuant to Section 18-17 of the School Code.

(P.A. 94-015, Art. 82.1, Sec. 36)

Sec. 36. The amount of $15,500,000 or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for expenditures by the Board in accordance with grants, gifts or donations that the Board has received or may receive from any source, public or

New matter indicated by italics - deletions by strikeout
private, in support of projects that are within the lawful powers of the Board.

(P.A. 94-0015, Art. 82.1, Sec. 39, new)

Sec. 39. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the State Board of Education Federal Department of Education Fund to the Illinois State Board of Education for the purposes established in the federal Hurricane Education Recovery Act.

(P.A. 94-0015, Art. 82.1, Sec. 40, new)

Sec. 50. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for grants to organizations providing trauma intervention to promote academic success.

Section 85. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 35 of Article 29 as follows:

(P.A. 94-0015, Art. 29, Sec. 35)

Sec. 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

SUPPORT SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services.........................                                          5,801,500
For Retirement Contributions.....................                                    452,000
For State Contributions to
Social Security...................................... 451,100
For Contractual Services......................                                    24,171,200
For Contractual Services......................                                      23,672,000
For Travel.......................................                                                109,800
For Commodities..................................                                          215,000
For Printing.....................................                                                293,100
For Equipment......................................                                              5,900
For Electronic Data Processing...............                                   7,585,000
For Telecommunications Services.............                                      1,228,300

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment............. 49,000
For Refunds........................................ 5,800
For Cook County Referral
Support System.................................. 247,200
Total  $40,614,900
Total  $40,115,700

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND
For Title IV-E Reimbursement
Enhancement...................................... 4,439,600
For SSI Reimbursement.......................... 1,763,700
For AFCARS/SACWIS Information
System........................................... 21,219,200
Total  $27,422,500

Section 90. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Sections 5, 10, 15 and 20 and adding new Sections 60 and 65 to Article 32 as follows:

(P.A. 94-015, Art. 32, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Corrections for the fiscal year ending June 30, 2006.

FOR OPERATIONS
GENERAL OFFICE

For Personal Services............... 14,887,000 12,020,900
For Employee Retirement Contributions
Paid by Employer................... 100,600 101,700
For State Contributions to State
Employees' Retirement System..... 1,166,800 937,300
For State Contributions to
Social Security..................... 1,121,600 920,500
For Contractual Services.......... 7,142,500 7,094,040
For Travel......................................... 317,800
For Commodities................... 130,000 263,400

New matter indicated by italics - deletions by strikeout
For Printing................................. 39,600
For Equipment.............................. 75,400
For Electronic Data Processing............. 5,507,000
For Telecommunications Services........... 2,913,100
For Operation of Auto Equipment............ 260,100
For Sheriffs' Fees for Conveying Prisoners ... 374,900
For payment of claims as provided by the "Workers' Compensation Act" or the "Workers' Occupational Diseases Act", including Treatment, Expenses and Benefits Payable for Total Temporary Incapacity for Work............. 0
Expenditures from appropriations for treatment and expense may be made after the Department of Corrections has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person. Expenditures for this purpose may be made by the Department of Corrections without regard to the fiscal year in which benefit or service was rendered or cost incurred as allowable or provided by the Workers' Compensation Act or the Workers' Occupational Diseases Act.
For Tort Claims............................. 470,400
For the State's share of Assistant State's Attorneys' salaries - reimbursement to counties pursuant to Chapter 53 of the Illinois Revised Statutes............................................. 418,200
For Repairs, Maintenance and Other Capital Improvements........... 1,323,300 1,452,300
Total $36,248,300 $33,176,640

SCHOOL DISTRICT
For Personal Services.............. 15,584,000 14,674,900
For Employee Retirement Contributions Paid by Employer.............. 191,100 197,200

New matter indicated by italics - deletions by strikeout
For Student, Member and Inmate Compensation................................. 36,000
For State Contributions to State Employees' Retirement System...... 1,214,200 1,143,300
For State Contributions to Teachers' Retirement System.................. 6,200
For State Contributions to Social Security .............................. 1,083,900 1,122,700
For Contractual Services........................................... 7,872,600 8,580,800
For Travel................................................. 78,200
For Commodities.............................................. 291,900 540,500
For Printing.................................................. 70,500
For Equipment.................................................. 21,500
For Telecommunications Services.................................. 6,000
For Operation of Auto Equipment................................... 13,300
Total $26,469,400 $26,491,100

FIELD SERVICES
For Personal Services........................................... 46,459,300 46,459,700
For Employee Retirement Contributions Paid by Employer............... 529,100 579,500
For Student, Member and Inmate Compensation.............................. 102,500
For State Contributions to State Employees' Retirement System........ 3,619,700
For Social Security.............................. 3,475,300 3,554,200
For Contractual Services.................................... 31,145,800 32,110,600
For Travel................................................... 216,600
For Travel and Allowance for Prisoners................................. 3,400
For Commodities.............................................. 548,100 548,000
For Printing................................................... 16,200
For Equipment................................................. 799,200
For Telecommunications Services.................................. 7,058,600

New matter indicated by italics - deletions by strikeout
Sec. 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund for:

STATEVILLE CORRECTIONAL CENTER

For Personal Services.................. 59,875,300 59,746,700
For Employee Retirement Contributions
Paid by Employer...................... 756,600 756,500
For Student, Member and Inmate
Compensation........................................ 295,300
For State Contributions to State
Employees' Retirement System........... 4,664,900 4,654,900
For State Contributions to
Social Security......................... 4,472,700 4,570,500
For Contractual Services.............. 15,844,800 12,982,200
For Travel........................................ 71,900
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners............. 32,700
For Commodities...................... 6,577,800 6,591,700
For Printing....................................... 93,800
For Equipment............................. 92,000
For Telecommunications Services........ 330,300
For Operation of Auto Equipment........... 528,400
Total $93,636,500 $90,746,900

THOMSON CORRECTIONAL CENTER

For Personal Services.......................... 0
For Employee Retirement Contributions
Paid by Employer.......................... 0
For Student, Member and Inmate
Compensation............................. 0
For State Contributions to State
Employees' Retirement System........... 0

New matter indicated by italics - deletions by strikeout
For State Contributions to
  Social Security....................................... 0
  For Contractual Services............................... 0
  For Travel............................................. 0
  For Travel and Allowances for
    Committed, Paroled and
    Discharged Prisoners.................................. 0
  For Commodities........................................ 0
  For Printing........................................... 0
  For Equipment.......................................... 0
  For Telecommunications Services....................... 0
  For Operation of Auto Equipment....................... 0
  Total                                                                                                       $0

DECATUR WOMEN’S CORRECTIONAL CENTER
For Personal Services............  11,942,100 12,139,000
For Employee Retirement Contributions
  Paid by Employer.......................  148,700 149,100
  For Student, Member and Inmate
    Compensation........................................  93,300
For State Contributions to State
  Employees' Retirement System........  930,400 945,700
For State Contributions to
  Social Security.......................  880,200 928,600
  For Contractual Services............  3,008,000 2,874,800
  For Travel..........................................  5,500
For Travel and Allowances for
  Committed, Paroled and
  Discharged Prisoners..................  23,600
  For Commodities.............................  650,500 651,700
  For Printing........................................  15,400
  For Equipment.......................................  40,500
  For Telecommunications Services........  56,400
  For Operation of Auto Equipment........  48,800
  Total                                                                                                       $17,843,400 $17,972,400

New matter indicated by italics - deletions by strikeout
### DWIGHT CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount Before April 1, 2014</th>
<th>Amount After April 1, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$20,653,900</td>
<td>$20,148,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>$248,400</td>
<td></td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>$155,700</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>$1,609,200</td>
<td>$1,569,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$1,542,800</td>
<td>$1,541,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$7,447,300</td>
<td>$6,953,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>$26,700</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>$19,900</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>$1,864,400</td>
<td>$2,063,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>$22,900</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>$68,300</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$147,400</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>$181,300</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33,988,200</strong></td>
<td><strong>$33,146,700</strong></td>
</tr>
</tbody>
</table>

### LINCOLN CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount Before April 1, 2014</th>
<th>Amount After April 1, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$12,016,600</td>
<td>$12,071,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>$151,200</td>
<td>$151,700</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>$936,300</td>
<td>$940,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$891,600</td>
<td>$923,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$3,733,900</td>
<td>$3,848,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>$4,100</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>$14,600</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33,988,200</strong></td>
<td><strong>$33,146,700</strong></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th></th>
<th>Zero Fiscal Year 1993-94</th>
<th>Fiscal Year 94-95</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Commodities</td>
<td>1,045,500</td>
<td>1,046,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>14,500</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>40,200</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>82,200</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>93,300</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$19,232,100</td>
<td>$19,439,000</td>
</tr>
</tbody>
</table>

**DIXON CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th></th>
<th>Zero Fiscal Year 1993-94</th>
<th>Fiscal Year 94-95</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>28,203,200</td>
<td>27,605,600</td>
</tr>
</tbody>
</table>
| For Employee Retirement Contributions
  Paid by Employer   |                          | 350,400          |
| For Student, Member and Inmate Compensation |                 | 438,700          |
| For State Contributions to State Employees' Retirement System | 2,197,300 | 2,150,800        |
| For State Contributions to Social Security |                  | 2,084,200        |
| For Contractual Services |                | 12,271,200       |
| For Travel           |                          | 17,600           |
| For Travel and Allowances for Committed, Paroled and Discharged Prisoners | | 23,300           |
| For Commodities      | 2,749,300                | 2,786,800        |
| For Printing         |                          | 25,900           |
| For Equipment        |                          | 55,400           |
| For Telecommunications Services |            | 140,800          |
| For Operation of Auto Equipment |              | 202,900          |
| Total                | $48,760,200              | $46,084,500      |

**EAST MOLINE CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th></th>
<th>Zero Fiscal Year 1993-94</th>
<th>Fiscal Year 94-95</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>14,191,400</td>
<td>14,370,000</td>
</tr>
</tbody>
</table>
| For Employee Retirement Contributions
  Paid by Employer   | 181,800                  | 182,100          |
| For Student, Member and Inmate Compensation |                  | 287,900          |
| For State Contributions to State Employees' Retirement System | 1,105,700 | 1,119,600        |

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>1993</th>
<th>1994</th>
</tr>
</thead>
<tbody>
<tr>
<td>For State Contributions to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td>$1,054,500</td>
<td>$1,099,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$3,680,800</td>
<td>$3,526,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>$13,600</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prisoners</td>
<td>$44,200</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>$1,175,600</td>
<td>$1,326,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>$13,800</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>$46,800</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$72,800</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>$87,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$21,955,900</td>
<td>$22,200,200</td>
</tr>
</tbody>
</table>

**HILL CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Item</th>
<th>1993</th>
<th>1994</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$15,861,000</td>
<td>$15,697,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>$199,000</td>
<td></td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>$319,400</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>$1,235,700</td>
<td>$1,223,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>$1,173,800</td>
<td>$1,200,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>$4,531,900</td>
<td>$4,471,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>$7,400</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowance for Committed, Paroled and Discharged</td>
<td>$43,100</td>
<td></td>
</tr>
<tr>
<td>Prisoners</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>$2,249,600</td>
<td>$2,264,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>$17,400</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>$60,400</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>$44,800</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>$67,400</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$25,810,900</td>
<td>$25,615,600</td>
</tr>
</tbody>
</table>

**ILLINOIS RIVER CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Item</th>
<th>1993</th>
<th>1994</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>$18,575,800</td>
<td>$18,574,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer......................... 236,100 236,000
For Student, Member and Inmate Compensation........................................ 387,200
For State Contributions to State Employees' Retirement System...... 1,447,300 1,447,200
For State Contributions to Social Security .................. 1,376,600 1,420,800
For Contractual Services........... 5,626,700 5,231,300
For Travel........................................ 16,300
For Travel and Allowance for Committed, Paroled and Discharged Prisoners......................... 27,300
For Commodities.................... 1,985,600 1,988,200
For Printing...................................... 16,000
For Equipment..................................... 64,500
For Telecommunications Services.............. 67,300
For Operation of Auto Equipment....................... 66,400
Total $29,893,100 $29,543,400

DANVILLE CORRECTIONAL CENTER
For Personal Services............. 17,512,100 17,060,800
For Employee Retirement Contributions Paid by Employer......................... 211,700 211,600
For Student, Member and Inmate Compensation........................................ 353,800
For State Contributions to State Employees' Retirement System...... 1,364,400 1,329,200
For State Contributions to Social Security .................. 1,297,700 1,305,200
For Contractual Services........... 4,926,200 4,506,200
For Travel........................................ 10,100
For Travel and Allowances for Committed, Paroled and Discharged Prisoners......................... 11,500
For Commodities.................... 1,974,000 2,146,500
For Printing...................................... 22,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Category</th>
<th>Jacksonville Correctional Center</th>
<th>Logan Correctional Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Equipment</td>
<td>45,000</td>
<td>67,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>86,900</td>
<td>71,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>146,300</td>
<td>135,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$27,961,700</td>
<td>$27,235,100</td>
</tr>
</tbody>
</table>

**JACKSONVILLE CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>24,773,800</td>
<td>24,296,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>308,400</td>
<td></td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>447,800</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Employees' Retirement System</td>
<td>1,930,200</td>
<td>1,892,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,830,900</td>
<td>1,858,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,986,000</td>
<td>3,192,400</td>
</tr>
<tr>
<td>For Travel</td>
<td></td>
<td>10,400</td>
</tr>
<tr>
<td>For Travel and Allowance for Committed, Paroled and Discharged Prisoners</td>
<td>36,300</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,715,200</td>
<td>2,717,700</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>20,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>67,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>45,000</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>86,900</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>146,300</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$35,333,500</td>
<td>$35,055,800</td>
</tr>
</tbody>
</table>

**LOGAN CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>19,026,900</td>
<td>19,221,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>245,300</td>
<td></td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>410,500</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Employees' Retirement System</td>
<td>1,482,400</td>
<td>1,497,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,411,900</td>
<td>1,470,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$35,333,500</td>
<td>$35,055,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Category</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>3,952,200</td>
<td>3,857,100</td>
</tr>
<tr>
<td>For Travel</td>
<td></td>
<td>3,100</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td></td>
<td>26,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,488,300</td>
<td>2,677,100</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>12,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td></td>
<td>50,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>126,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td></td>
<td>241,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$29,477,700</td>
</tr>
</tbody>
</table>

**PONTIAC CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>33,906,600</td>
<td>33,220,700</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>419,700</td>
<td>419,600</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
<td>222,700</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>2,641,900</td>
<td>2,589,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,522,800</td>
<td>2,542,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>8,287,500</td>
<td>7,198,500</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td></td>
<td>13,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>3,110,700</td>
<td>3,342,800</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>45,100</td>
</tr>
<tr>
<td>For Equipment</td>
<td></td>
<td>82,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>166,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td></td>
<td>106,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$51,545,400</td>
</tr>
</tbody>
</table>

**WESTERN ILLINOIS CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>19,862,900</td>
<td>19,683,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>249,600</td>
<td>249,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Student, Member and Inmate Compensation........................................ 341,400
For State Contributions to State Employees' Retirement System....... $1,547,500 $1,533,600
For State Contributions to Social Security................................. $1,468,000 $1,505,700
For Contractual Services........... $5,180,100 $5,001,100
For Travel.................................................. $7,100
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... $53,400
For Commodities.................... $2,119,100 $2,268,500
For Printing............................................. $33,400
For Equipment......................................... $58,000
For Telecommunications Services................... $49,500
For Operation of Auto Equipment.................. $101,900
Total $31,071,900 $30,887,000

CENTRALIA CORRECTIONAL CENTER
For Personal Services.............. $18,563,300 $19,120,900
For Employee Retirement Contributions Paid by Employer............... $237,400 $242,200
For Student, Member and Inmate Compensation............................... $304,200
For State Contributions to State Employees' Retirement System....... $1,446,300 $1,489,700
For State Contributions to Social Security................................. $1,414,200 $1,462,800
For Contractual Services........... $3,989,100 $4,256,300
For Travel.................................................. $13,500
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... $38,700
For Commodities.................... $1,744,100 $1,896,700
For Printing................................. $20,200
For Equipment................................. $45,600
For Telecommunications Services................... $76,600

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Graham Correctional Center</th>
<th>Menard Correctional Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Operation of Auto Equipment</td>
<td>77,200</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$27,970,400</td>
<td>$29,044,600</td>
</tr>
</tbody>
</table>

**Graham Correctional Center**

- For Personal Services: $21,765,100, 23,242,400
- For Employee Retirement Contributions Paid by Employer: $290,700, 295,600
- For Student, Member and Inmate Compensation: 271,900
- For State Contributions to State Employees' Retirement System: 1,695,800, 1,810,800
- For State Contributions to Social Security: 1,669,600, 1,778,000
- For Contractual Services: 6,234,400, 6,120,400
- For Travel: 15,700
- For Travel and Allowances for Committed, Paroled and Discharged Prisoners: 17,400
- For Commodities: 2,068,700, 2,496,600
- For Printing: 24,900
- For Equipment: 55,700
- For Telecommunications Services: 72,100
- For Operation of Auto Equipment: 77,100
- Total: $34,259,100, 36,278,600

**Menard Correctional Center**

- For Personal Services: 42,735,600, 42,544,300
- For Employee Retirement Contributions Paid by Employer: 540,500
- For Student, Member and Inmate Compensation: 369,400
- For State Contributions to State Employees' Retirement System: 3,329,600, 3,314,600
- For State Contributions to Social Security: 3,171,000, 3,254,600
- For Contractual Services: 8,452,000, 7,579,300
- For Travel: 42,000

New matter indicated by italics - deletions by strikeout
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td></td>
<td>19,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,595,700</td>
<td>4,598,500</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>32,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td></td>
<td>78,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>153,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td></td>
<td>141,600</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$63,662,500</td>
</tr>
</tbody>
</table>

**PINCKNEYVILLE CORRECTIONAL CENTER**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>23,305,800</td>
<td>23,216,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td></td>
<td>295,000</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
<td>325,600</td>
</tr>
<tr>
<td>For State Contributions to Employees' Retirement System</td>
<td></td>
<td>1,815,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td></td>
<td>1,724,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>6,485,400</td>
<td>6,540,500</td>
</tr>
<tr>
<td>For Travel</td>
<td></td>
<td>17,600</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td></td>
<td>68,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,695,600</td>
<td>2,698,500</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>33,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td></td>
<td>40,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>94,800</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td></td>
<td>53,300</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$36,956,300</td>
</tr>
</tbody>
</table>

**SOUTHWESTERN ILLINOIS CORRECTIONAL CENTER**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>13,012,900</td>
<td>12,985,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td></td>
<td>163,000</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
<td>145,600</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For State Contributions to State Employees' Retirement System........ 1,013,900 | 1,011,700
For State Contributions to Social Security............................. 964,400 | 993,400
For Contractual Services.................................................. 3,896,300 | 3,918,500
For Travel............................................................................. 7,400
For Travel and Allowances for Committed, Paroled and Discharged Prisoners........................................ 5,400
For Commodities................................................................. 758,300 | 761,700
For Printing............................................................................. 13,300
For Equipment........................................................................... 38,900
For Telecommunications Services......................................... 35,100
For Operation of Auto Equipment......................................... 47,700
Total $20,102,200 $20,128,400

TAYLORVILLE CORRECTIONAL CENTER
For Personal Services......................................................... 12,654,900 | 12,375,300
For Employee Retirement Contributions Paid by Employer...................... 157,500 | 157,400
For Student, Member and Inmate Compensation.......................... 230,600
For State Contributions to State Employees' Retirement System........ 985,900 | 964,200
For State Contribution to Social Security................................. 936,500 | 946,800
For Contractual Services...................................................... 3,934,500 | 4,215,400
For Travel............................................................................. 2,800
For Travel and Allowance for Committed, Paroled and Discharged Prisoners........................................ 24,000
For Commodities................................................................. 1,244,400 | 1,291,700
For Printing............................................................................. 12,700
For Equipment........................................................................... 47,200
For Telecommunications Services......................................... 55,300
For Operation of Automotive Equipment............................... 55,900
Total $20,342,200 $20,379,300

New matter indicated by italics - deletions by strikeout
### VANDALIA CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>20,971,800</td>
<td>20,375,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>259,500</td>
<td>259,400</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>359,400</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,634,000</td>
<td>1,587,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,545,700</td>
<td>1,558,700</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,434,200</td>
<td>3,429,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>15,600</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>25,400</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,010,200</td>
<td>2,094,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>22,500</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>45,900</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>81,400</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>116,200</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,521,800</strong></td>
<td><strong>29,971,000</strong></td>
</tr>
</tbody>
</table>

### BIG MUDDY RIVER CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>16,358,000</td>
<td>17,158,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>211,200</td>
<td>217,900</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>326,600</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,274,500</td>
<td>1,336,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,223,600</td>
<td>1,312,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>6,831,500</td>
<td>6,245,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>17,800</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>68,000</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities................. 2,011,900 2,224,900
For Printing.............................. 22,000
For Equipment............................ 45,800
For Telecommunications Services.............. 92,100
For Operation of Auto Equipment................... 117,400
Total $28,600,400 $29,185,100

LAWRENCE CORRECTIONAL CENTER
For Personal Services............. 19,238,900 18,599,000
For Employee Retirement Contributions
Paid by Employer....................... 230,800 230,700
For Student, Member and Inmate Compensation............................ 266,900
For State Contributions to State Employees' Retirement System........... 1,499,000 1,449,000
For State Contributions to Social Security.............................. 1,417,900 1,422,900
For Contractual Services............ 6,447,900 5,926,900
For Travel.................................. 8,900
For Travel and Allowances for Committed, Paroled and Discharged Prisoners........ 27,900
For Commodities...................... 2,579,400 2,580,800
For Printing.............................. 25,500
For Equipment.............................. 40,000
For Telecommunications Services........ 131,300
For Operation of Auto Equipment................... 52,100
Total $31,966,500 $30,761,900

ROBINSON CORRECTIONAL CENTER
For Personal Services............. 13,341,300 13,322,500
For Employee Retirement Contributions
Paid by Employer....................... 169,400 169,300
For Student, Member and Inmate Compensation............................ 234,500
For State Contributions to State Employees' Retirement System........... 1,039,500 1,028,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For State Contribution to Social Security</td>
<td>986,000</td>
<td>1,019,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,767,800</td>
<td>3,521,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>16,300</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>11,200</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>1,448,700</td>
<td>1,452,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>22,400</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>40,800</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>33,300</td>
<td></td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>76,800</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$21,188,000</td>
<td>$20,958,200</td>
</tr>
</tbody>
</table>

**SHAWNEE CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>18,648,600</td>
<td>19,134,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>240,700</td>
<td>243,500</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>386,100</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,452,900</td>
<td>1,490,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,419,000</td>
<td>1,463,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>5,463,100</td>
<td>5,437,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>12,900</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>108,400</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,628,000</td>
<td>2,631,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>19,400</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>50,200</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>71,900</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>98,200</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$30,599,400</td>
<td>$31,149,200</td>
</tr>
</tbody>
</table>

**TAMMS CORRECTIONAL CENTER**

New matter indicated by italics - deletions by strikeout
For Personal Services............  $16,905,500  $17,364,400
For Employee Retirement Contributions
Paid by Employer....................  $210,400  $220,800
For Student, Member and Inmate
Compensation.............................  120,400
For State Contributions to State
Employees' Retirement System......  $1,317,200  $1,352,900
For State Contributions to
Social Security.......................  $1,276,900  $1,328,300
For Contractual Services..........  $4,385,500  $4,076,500
For Travel.............................  31,100
For Travel and Allowance for Committed,
Paroled and Discharged Prisoners...........  1,200
For Commodities....................  $948,300  $951,600
For Printing.............................  13,900
For Equipment............................  40,900
For Telecommunications Services......  121,000
For Operation of Auto Equipment...........  72,700
Total  $25,445,000  $25,695,700

VIENNA CORRECTIONAL CENTER
For Personal Services............  $18,745,600  $18,536,000
For Employee Retirement Contributions
Paid by Employer....................  $235,400  $235,300
For Student, Member and Inmate
Compensation.............................  245,100
For State Contributions to State
Employees' Retirement System......  $1,460,600  $1,444,100
For State Contributions to
Social Security.......................  $1,387,200  $1,418,000
For Contractual Services..........  $3,458,600  $3,343,100
For Travel.............................  5,200
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners...........  58,600
For Commodities....................  $2,611,500  $2,683,500

New matter indicated by italics - deletions by strikeout
1323

PUBLIC ACT 94-0798

<table>
<thead>
<tr>
<th>Description</th>
<th>Sheridan</th>
<th>IYC Chicago</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Printing</td>
<td>16,400</td>
<td>14,720,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>50,200</td>
<td>4,468,800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>65,900</td>
<td>112,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>86,400</td>
<td>95,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$28,426,700</td>
<td>$33,774,500</td>
</tr>
</tbody>
</table>

**SHERIDAN CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Sheridan</th>
<th>IYC Chicago</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>16,055,300</td>
<td>14,720,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>170,900</td>
<td>170,800</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>388,500</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,250,900</td>
<td>1,146,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,189,800</td>
<td>1,126,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>14,186,300</td>
<td>14,024,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>48,500</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>35,000</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>1,852,300</td>
<td>1,855,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>15,400</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>35,500</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>112,200</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>95,400</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$35,436,000</td>
<td>$33,774,500</td>
</tr>
</tbody>
</table>

(P.A. 94-015, Art. 32, Sec. 15)

Sec. 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund:

**ILLINOIS YOUTH CENTER - CHICAGO**

<table>
<thead>
<tr>
<th>Description</th>
<th>Sheridan</th>
<th>IYC Chicago</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>4,110,600</td>
<td>4,468,800</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>51,500</td>
<td>52,200</td>
</tr>
<tr>
<td>For Student, Member and Inmate</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation</td>
<td>9,300</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>320,300</td>
<td>348,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>306,700</td>
<td>341,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,456,800</td>
<td>2,614,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>6,400</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>214,200</td>
<td>233,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>3,300</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>25,800</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>33,300</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>25,600</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$7,564,100</td>
<td>$8,162,500</td>
</tr>
</tbody>
</table>

**ILLINOIS YOUTH CENTER - HARRISBURG**

<table>
<thead>
<tr>
<th>Item</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>13,166,700</td>
<td>12,740,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>161,800</td>
<td>161,700</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>60,400</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,025,800</td>
<td>992,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>973,000</td>
<td>974,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,007,700</td>
<td>1,938,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,400</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>6,100</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>705,100</td>
<td>705,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>16,400</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>40,700</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>69,300</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>40,100</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Category</th>
<th>Joliet</th>
<th>Kewanee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$18,278,500</td>
<td>$17,751,200</td>
</tr>
<tr>
<td>For Personal Services</td>
<td>10,551,500</td>
<td>11,151,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>135,000</td>
<td>139,700</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>822,100</td>
<td>868,800</td>
</tr>
<tr>
<td>For Social Security</td>
<td>782,900</td>
<td>853,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,803,900</td>
<td>1,840,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>3,900</td>
<td></td>
</tr>
<tr>
<td>For Travel Allowances for Committed, Paroled and Discharged Prisoners</td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>487,400</td>
<td>494,500</td>
</tr>
<tr>
<td>For Printing</td>
<td></td>
<td>6,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td></td>
<td>36,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td></td>
<td>59,300</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td></td>
<td>36,800</td>
</tr>
<tr>
<td>Total</td>
<td>$14,779,000</td>
<td>$15,544,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Paroled and Discharged Prisoners.................... 500
For Commodities.............................. 415,500 417,700
For Printing..................................... 7,800
For Equipment.................................. 17,200
For Telecommunications Services................... 83,500
For Operation of Auto Equipment................... 27,400
Total $15,056,900 $15,251,700

ILLINOIS YOUTH CENTER - MURPHYSBORO
For Personal Services.................. 6,149,100 6,299,900
For Employee Retirement Contributions
   Paid by Employer........................... 75,800
For Student, Member and Inmate
   Compensation............................ 15,900
For State Contributions to State
   Employees' Retirement System...... 479,200 490,800
For State Contributions to
   Social Security..................... 455,600 481,900
For Contractual Services........... 1,056,500 1,063,700
For Travel................................... 11,400
For Travel Allowances for Committed,
   Paroled and Discharged Prisoners......... 2,400
For Commodities......................... 324,700 338,400
For Printing.................................. 8,600
For Equipment................................ 24,600
For Telecommunications Services............ 37,900
For Operation of Auto Equipment........... 22,100
Total $8,663,800 $8,873,400

ILLINOIS YOUTH CENTER - PERE MARQUETTE
For Personal Services............ 2,337,400 2,370,700
For Employee Retirement Contributions
   Paid by Employer....................... 27,200
For Student, Member and Inmate
   Compensation........................... 15,100
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System........ 182,100 184,700
For State Contributions to
Social Security......................... 176,000 181,200
For Contractual Services.............. 400,900 422,200
For Travel.................................. 1,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners........ 1,500
For Commodities....................... 173,000 189,600
For Printing................................ 5,200
For Equipment............................ 18,900
For Telecommunications Services........ 67,500
For Operation of Auto Equipment........ 22,400
Total $3,428,200 $3,507,200

ILLINOIS YOUTH CENTER - RUSHVILLE
For Personal Services........................ 0
For Employee Retirement Contributions
Paid by Employer.......................... 0
For Student, Member, and Inmate
Compensation............................. 0
For State Contribution to State
Employees' Retirement System........... 0
For State Contributions to
Social Security........................... 0
For Contractual Services................. 0
For Travel.................................. 0
For Travel Allowance for Committed,
Paroled and Discharged Prisoners......... 0
For Commodities.......................... 0
For Printing............................... 0
For Equipment............................ 0
For Telecommunications.................. 0
For Operation of Auto Equipment......... 0
For Deposit into Travel and Allowance
Revolving Fund.......................... 0

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>ILLINOIS YOUTH CENTER - ST. CHARLES</th>
<th>ILLINOIS YOUTH CENTER - WARRENVILLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>14,533,900 $16,089,000</td>
<td></td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>192,100 $200,400</td>
<td></td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>65,700</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Employees' Retirement System</td>
<td>1,132,400 $1,253,600</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,118,300 $1,230,800</td>
<td></td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,652,800 $3,463,400</td>
<td></td>
</tr>
<tr>
<td>For Travel</td>
<td>39,900</td>
<td></td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>For Commodities</td>
<td>883,900 $931,400</td>
<td></td>
</tr>
<tr>
<td>For Printing</td>
<td>19,200</td>
<td></td>
</tr>
<tr>
<td>For Equipment</td>
<td>30,300</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>128,300</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>143,400</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$21,940,400 $23,596,900</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Paroled and Discharged Prisoners.................... 100
For Commodities.............................. 194,500 203,500
For Printing........................................... 7,900
For Equipment....................................... 28,000
For Telecommunications Services............... 45,500
For Operation of Auto Equipment................. 34,700
Total  $7,833,600 $7,930,600

(P.A. 94-015, Art. 32, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the Working Capital Revolving Fund:

ILLINOIS CORRECTIONAL INDUSTRIES

For Personal Services.............. 9,162,900 8,326,800
For Employee Retirement Contributions
Paid by Employer................................. 88,100
For the Student, Member and Inmate
Compensation.................................. 2,672,000
For State Contributions to State
Employees' Retirement System........ 714,500 648,700
For State Contributions to
Social Security.............................. 684,300 637,000
For Group Insurance....................... 2,290,900 2,208,000
For Contractual Services............... 2,250,000
For Travel........................................... 154,500
For Commodities.................. 29,113,400 30,145,500
For Printing................................... 15,000
For Equipment.................. 2,100,000
For Telecommunications Services........ 75,000
For Operation of Auto Equipment........ 800,000
For Repairs, Maintenance and Other
Capital Improvements................. 500,000
For Refunds................................. 20,000
Total  $50,640,600

(P.A. 94-0015, Art. 32, Sec. 60, new)

New matter indicated by italics - deletions by strikeout
Sec. 60. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund for payment to the Department of Corrections for costs and expenses related to the opening of the Thomson Correctional Center’s Minimum Security Unit, including permanent improvements.

(P.A. 94-0015, Art. 32, Sec. 65, new)

Sec. 65. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund for payment to the Department of Corrections for costs and expenses related to the hiring of frontline staff.

Section 95. “AN ACT concerning appropriations”, Public Act 094-0015, approved June 10, 2005, is amended by changing Section 50 of Article 13 as follows:

(P.A. 94-0015, Art. 13, Sec. 50)

Sec. 50. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Office of the Architect of the Capitol:

For Personal Services.............................. 357,500
For Personal Services.............................. 457,500
For Employee Retirement Contributions
   Paid by Employer.................................. 14,000
For State Contributions to State Employees'
   Retirement System................................. 73,300
For State Contribution to Social
   Security............................................. 28,800
For Contractual Services......................... 203,500
For Contractual Services......................... 102,500
For Travel........................................... 3,800
For Commodities.................................. 3,500
For Printing........................................ 1,000
For Equipment..................................... 6,300
For Electronic Data Processing.................... 11,700
For Telecommunications Services............... 6,500

New matter indicated by italics - deletions by strikeout
ARTICLE 1A

Section 5. The following named amounts are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 03-CC-3166, City Place International, INC.
Debt, against the Department of Children and Family Services.......................... $650,000.00

No. 03-CC-4288, James Melvin. Tort, against the Department of Corrections.................. $5,000.00

Section 10. The following named amounts are appropriated to the Court of Claims from the Road Fund 011, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 92-CC-1111, Franklyn Lightbourne, Marilyn Rahming, as Administrator of the Estate for Stephen King, a deceased minor, & Patrick Gray. Personal Injury and Wrongful Death against the Department of Transportation.......................... $3,100,000.00

Section 15. The following named amounts are appropriated to the Court of Claims from Federal Fund 052, Title III Social Security and Employment Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000.................. $11,050.00

Section 20. The following named amounts are appropriated to the Court of Claims from State Fund 059, Public Utility Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000.................. $46,677.79

Section 25. The following named amounts are appropriated to the Court of Claims from Federal Fund 063, Public Health Services Fund, to

New matter indicated by italics - deletions by strikeout
pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $53,094.48

Section 30. The following named amounts are appropriated to the Court of Claims from the Federal Fund 081, Vocational Rehabilitation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $10,275.50

Section 35. The following named amounts are appropriated to the Court of Claims from State Fund 312, Communications Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $49,431.55

Section 40. The following named amounts are appropriated to the Court of Claims from State Fund 608, Conservation 2000 Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $20,707.15

Section 45. The following named amounts are appropriated to the Court of Claims from Federal Fund 872, Maternal & Child Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $10,200.83

Section 50. The following named amounts are appropriated to the Court of Claims from State Fund 920, Metabolic Screening and Treatment Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
  For payments of awards for lapsed appropriation claims less than $50,000.................... $20,747.31

New matter indicated by italics - deletions by strikeout
ARTICLE 1B

Section 5. “AN ACT concerning appropriations”, Public Act 94-0015, approved June 10, 2005, is amended by changing Section 10 of Article 82.1 as follows:

Section 10. The following amounts or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2005:

From the General Revenue Fund:

For After School Programs Mentoring and Student Support................................. 12,235,000
For Blind/Dyslexic Persons.................................. 168,800
For Charter Schools........................................... 3,421,500
For costs associated with the Chicago Aerospace Education Initiative.................. 920,000
For Disabled Student Services/Materials...... 363,000,000
For Disabled Student Transportation Reimbursement.................................. 317,100,000
For Disabled Student Tuition, Private Tuition.............................................. 89,082,000
For District Consolidation Costs/Supplemental Payments to School Districts, 18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of the School Code................................. 7,700,000
For Extraordinary Special Education, 14-7.02 of the School Code................. 256,836,200
For costs associated with Healthy Kids/Healthy Minds/Expanded Vision............... 3,000,000
For the Illinois Governmental Internship Program.................................. 129,900
For Grants for School Transportation................. 850,000
For Jobs for Illinois Grads............................... 4,000,000

New matter indicated by italics - deletions by strikeout
For the Metro East Consortium for Child Advocacy................................. 217,100
For Parental Guardian Programs/
Transportation Reimbursement.................. 14,454,700
For the Philip J. Rock Center
and School.................................. 3,055,500
For Reimbursement for the Free Breakfast/
Lunch Program............................... 21,000,000
For the School Breakfast Incentive
Program...................................... 723,500
For South Cook Intermediate Service Center.... 300,000
For Standards, Assessments and
Accountability.............................. 5,342,700
For Summer School Payments, 18-4.3
of the School Code.......................... 8,114,400
For Tax-Equivalent Grants, 18-4.4 of
the School Code............................ 222,600
For costs associated with
Teachers’ Academy for Math and Science...... 250,000
For Textbook Loans, 18-17 of the
School Code................................. 29,126,500
For Transitional Assistance.................... 11,800,000
For Transition of Minority Students............. 578,800
For Transportation-Regular/Vocational,
Common School Transportation
Reimbursement, 29-5 of the School Code..... 261,630,000
For Visually Impaired/Educational
Materials Coordinating Unit, 14-11.01
of the School Code......................... 1,121,000
For Regular Education Reimbursement
Per 18-3 of the School Code................. 16,000,000
For Special Education Reimbursement
Per 14-7.03 of the School Code............. 92,000,000
For all costs associated with Alternative

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education/Regional Safe Schools...........................................</td>
<td>18,035,500</td>
</tr>
<tr>
<td>For Truant Alternative and Optional Education Program.....................</td>
<td>17,578,100</td>
</tr>
<tr>
<td>For costs associated with Teach for America................................</td>
<td>450,000</td>
</tr>
<tr>
<td>For grants to Local Education Agencies to conduct Agriculture Education Programs........................................</td>
<td>1,881,200</td>
</tr>
<tr>
<td>Total</td>
<td>18,035,500</td>
</tr>
</tbody>
</table>

From the Education Assistance Fund:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Career and Technical Education...........................................</td>
<td>36,062,100</td>
</tr>
<tr>
<td>For the Early Childhood Block Grant.........................................</td>
<td>243,254,500</td>
</tr>
<tr>
<td>For General State Aid..................................................................</td>
<td>665,560,000</td>
</tr>
<tr>
<td>For General State Aid – Hold Harmless........................................</td>
<td>23,469,800</td>
</tr>
<tr>
<td>For the Reading Improvement Block Grant.....................................</td>
<td>76,139,800</td>
</tr>
<tr>
<td>For the School Safety and Educational Improvement Block Grant.........</td>
<td>64,841,000</td>
</tr>
<tr>
<td>For the Summer Bridges Program................................................</td>
<td>22,238,100</td>
</tr>
<tr>
<td>For Teacher Education..................................................................</td>
<td>4,740,000</td>
</tr>
<tr>
<td>For Technology for Success.......................................................</td>
<td>4,969,700</td>
</tr>
<tr>
<td>Total</td>
<td>1,141,275,000</td>
</tr>
</tbody>
</table>

From the Common School Fund:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For General State Aid..................................................................</td>
<td>3,238,409,600</td>
</tr>
<tr>
<td>For Career and Technical Education...........................................</td>
<td>2,000,000</td>
</tr>
<tr>
<td>For the Early Childhood Block Grant.........................................</td>
<td>30,000,000</td>
</tr>
<tr>
<td>For Grants to Local Education Agencies To conduct Agriculture Education Programs........................................</td>
<td>500,000</td>
</tr>
<tr>
<td>For Advanced Placement Classes................................................</td>
<td>1,500,000</td>
</tr>
<tr>
<td>For Arts Education....................................................................</td>
<td>2,000,000</td>
</tr>
<tr>
<td>For Grow Your Own Teachers......................................................</td>
<td>1,500,000</td>
</tr>
<tr>
<td>For Regional Superintendents’ and Assistants’ Compensation...............</td>
<td>8,150,000</td>
</tr>
<tr>
<td>Total</td>
<td>3,284,059,600</td>
</tr>
</tbody>
</table>

From the General Revenue Fund

New matter indicated by italics - deletions by strikeout
For Regional Superintendent’s Services........ 5,270,000
From the School District Emergency Financial Assistance Fund:
   For Emergency Financial Assistance, 1B-8 of the School Code............. 1,000,000
From the Drivers Education Fund:
   For Drivers Education............... 15,750,000
From the Charter Schools Revolving Loan Fund:
   For Charter Schools Loans............ 20,000
From the School Technology Revolving Loan Fund:
   For School Technology Loans, 2-3.117a of the School Code.................. 5,000,000
From the Temporary Relocation Expenses Revolving Grant Fund:
   For Temporary Relocation Expenses, 2-3.77 of the School Code............... 800,000
From the State Board of Education Federal Agency Services Fund:
   For Learn and Serve America........... 2,500,000
From the State Board of Education Federal Agency Services Fund:
   For Refugee Services................... 2,000,000
From the State Board of Education Federal Agency Services Fund:
   For the School-to-Work Program........ 1,000,000
From the State Board of Education Federal Department of Agriculture Fund:
   For Child Nutrition..................... 450,000,000
From the State Board of Education Federal Department of Education Fund:
   For Title I............................. 642,000,000
   For Title I, Reading First............. 50,000,000
   For Title II, Teacher/Principal Training...... 135,000,000
   For Title III, English Language Acquisition.................. 40,000,000
   For Title IV, 21st Century/Community Service Programs............... 45,000,000
   For Title IV, Safe and Drug Free Schools...... 20,000,000
   For Title V, Innovation Programs.......... 15,000,000

New matter indicated by italics - deletions by strikeout
For Title VI, Rural and Low Income Students.............................. 1,500,000
For Title X, McKinney Homeless Assistance............................ 3,250,000
For Enhancing Education through Technology........................ 30,000,000
For Individuals with Disabilities Act, Deaf/Blind...................... 380,000
For Individuals with Disabilities Act, IDEA............................. 550,000,000
For Individuals with Disabilities Act, Improvement Program......... 2,500,000
For Individuals with Disabilities Act, Model Outreach Program Grants 400,000
For Individuals with Disabilities Act, Pre-School...................... 25,000,000
For Grants for Vocational Education – Basic.......................... 50,000,000
For Grants for Vocational Education – Technical Preparation........ 5,000,000
For Charter Schools........................................ 2,500,000
For Transition to Teaching....................................... 500,000
For Advanced Placement Fee........................................ 2,000,000
For Math/Science Partnerships................................... 9,000,000
For Special Federal Congressional Projects.................. 5,000,000
Total................................................................. $1,634,030,000

ARTICLE 2
Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2006:

FISCAL SUPPORT SERVICES
From the General Revenue Fund:
For Personal Services................................. 3,325,200
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid by Employer................................. 90,900
For Retirement Contributions.................. 118,900
For Social Security Contributions.............. 168,700
For Contractual Services....................... 2,425,000
For Travel....................................... 313,700
For Commodities................................ 59,100
For Printing..................................... 85,200
For Equipment.................................... 70,900
For Telecommunications......................... 468,600
For Operation of Auto Equipment............... 20,000
Total ............................................. $7,146,200

From the Drivers Education Fund:
For Personal Services.......................... 48,200
For Employee Retirement Contributions
Paid by Employer................................. 2,500
For Retirement Contributions.................. 500
For Social Security Contributions............. 1,700
For Group Insurance............................. 17,500
Total ............................................. $70,400

From the SBE Federal Department of Agriculture Fund:
For Personal Services.......................... 3,133,400
For Employee Retirement Contributions
Paid by Employer................................. 115,000
For Retirement Contributions.................. 269,100
For Social Security Contributions............. 144,700
For Group Insurance............................. 714,100
For Contractual Services....................... 2,180,500
For Travel....................................... 300,000
For Commodities................................. 75,000
For Printing...................................... 75,000
For Equipment................................... 75,000
For Telecommunications......................... 50,000
Total ............................................. $7,131,800

From the SBE Federal Agency Services Fund:

New matter indicated by italics - deletions by strikeout
For Contractual Services.......................... 12,000
For Travel........................................ 30,000
For Commodities................................. 9,000
For Printing...................................... 2,000
For Equipment..................................... 11,000
For Telecommunications........................... 9,000
Total.................................................................$73,000

From the SBE Federal Department of Education Fund:
For Personal Services............................. 1,081,000
For Employee Retirement Contributions
Paid by Employer................................... 32,000
For Retirement Contributions.................... 102,600
For Social Security Contributions............... 77,400
For Group Insurance.............................. 257,400
For Contractual Services......................... 3,125,500
For Travel........................................... 1,350,000
For Commodities................................. 305,000
For Printing....................................... 341,000
For Equipment.................................... 380,000
For Telecommunications........................... 400,000
Total.................................................................$7,451,900

GENERAL OFFICE

From the General Revenue Fund:
For Personal Services............................. 2,268,100
For Employee Retirement Contributions
Paid by Employer................................... 81,400
For Retirement Contributions.................... 109,800
For Social Security Contributions............... 103,700
For Contractual Services......................... 815,000
Total.................................................................$3,378,000

From the SBE Federal Department of Agriculture Fund:
For Contractual Services........................... 30,000
Total.................................................................$30,000

From the SBE Federal Department of Education Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services............................ 385,100
For Employee Retirement Contributions
  Paid by Employer............................... 15,300
For Retirement Contributions........... 29,200
For Social Security Contributions....... 8,700
For Group Insurance....................... 87,000
For Contractual Services.............. 225,000
Total $750,300

HUMAN RESOURCES
From the General Revenue Fund:
  For Personal Services...................... 559,900
  For Employee Retirement Contributions
    Paid by Employer........................... 27,700
  For Retirement Contributions........... 37,700
  For Social Security Contributions....... 38,800
  For Contractual Services............... 50,000
Total $714,100
From the SBE Federal Department of Agriculture Fund:
  For Contractual Services............... 10,500
Total $10,500
From the SBE Federal Department of Education Fund:
  For Contractual Services............... 70,000
Total $70,000

INTERNAL AUDIT
From the General Revenue Fund:
  For Personal Services.................... 117,200
  For Employee Retirement Contributions
    Paid by Employer........................ 6,300
  For Retirement Contributions........... 7,400
  For Social Security Contributions....... 10,000
  For Contractual Services............... 3,000
Total $143,900

SCHOOL SUPPORT SERVICES FOR ALL SCHOOLS
From the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 4,191,900
For Employee Retirement Contributions
   Paid by Employer.............................. 170,700
For Retirement Contributions....................... 146,600
For Social Security Contributions.................. 216,300
For Contractual Services............................. 1,838,000
   Total........................................ $6,563,500

From the Teacher Certificate Fee Revolving Fund:
For Personal Services.................................. 81,300
For Employee Retirement Contributions
   Paid by Employer................................. 3,500
For Retirement Contributions........................ 500
For Social Security Contributions................... 1,200
For Group Insurance..................................... 14,500
   Total........................................ $101,000

From the SBE Federal Department of Agriculture Fund:
For Personal Services................................. 162,900
For Employee Retirement Contributions
   Paid by Employer................................. 6,500
For Retirement Contributions........................ 12,400
For Social Security Contributions................... 2,400
For Group Insurance..................................... 61,300
For Contractual Services............................ 279,000
   Total........................................ $524,500

From the SBE Federal Department of Education Fund:
For Personal Services................................. 2,174,400
For Employee Retirement Contributions
   Paid by Employer................................. 90,000
For Retirement Contributions........................ 183,400
For Social Security Contributions................... 104,400
For Group Insurance..................................... 464,000
For Contractual Services............................ 2,483,900
   Total........................................ $5,500,100

From the School Infrastructure Fund:

   New matter indicated by italics - deletions by strikeout
Public Act 94-0798

For Personal Services............................. 81,300
For Employee Retirement Contributions
  Paid by Employer................................. 3,200
For Retirement Contributions..................... 500
For Social Security Contributions................ 2,500
For Group Insurance............................... 17,500
Total ................................................. $105,000

SPECIAL EDUCATION SERVICES
From the SBE Federal Department of Education Fund:
For Personal Services............................. 3,887,300
For Employee Retirement Contributions
  Paid by Employer................................. 143,300
For Retirement Contributions..................... 308,800
For Social Security Contributions................ 200,000
For Group Insurance............................... 826,500
For Contractual Services......................... 1,850,000
Total ................................................. $7,215,900

TEACHING AND LEARNING SERVICES FOR ALL CHILDREN
From the General Revenue Fund:
For Personal Services............................. $3,650,000
For Employee Retirement Contributions
  Paid by Employer................................. 150,400
For Retirement Contributions..................... 133,900
For Social Security Contributions................ 168,400
For Contractual Services......................... 726,200
Total ................................................. $4,828,900

From the Teacher Certificate Fee Revolving Fund:
For Personal Services............................. 699,800
For Employee Retirement Contributions
  Paid by Employer................................. 20,200
For Retirement Contributions..................... 37,200
For Social Security Contributions................ 51,700
For Group Insurance............................... 174,000
Total ................................................. $982,900

New matter indicated by italics - deletions by strikeout
From the SBE Federal Agency Services Fund:
For Personal Services....................... 186,100
For Employee Retirement Contributions  
  Paid by Employer.......................... 7,300
  For Retirement Contributions........... 13,900
  For Social Security Contributions....... 15,000
  For Group Insurance..................... 43,500
  For Contractual Services.............. 203,000
Total                                   $468,800

From the SBE Federal Department of Education Fund:
For Personal Services....................... 5,684,100
For Employee Retirement Contributions  
  Paid by Employer........................ 204,700
  For Retirement Contributions.......... 488,800
  For Social Security Contributions..... 237,600
  For Group Insurance.................... 1,174,500
  For Contractual Services.............. 5,880,400
Total                                   $13,670,100

Section 10. The following amounts or so much thereof as may be 
necessary, which shall be used by the Illinois State Board of Education
exclusively for the foregoing purposes and not, under any circumstances,
for personal services expenditures or other operational or administrative
costs, are appropriated to the Illinois State Board of Education for the
fiscal year beginning July 1, 2006:

From the General Revenue Fund:
For Mentoring, After School and  
  Student Support Programs............... 24,128,400
For Blind/Dyslexic Persons............... 518,800
For Charter Schools..................... 3,421,500
For costs associated with the Chicago  
  Aerospace Education Initiative......... 920,000
For Disabled Student Services/Materials... 368,500,000
For Disabled Student Transportation  
  Reimbursement......................... 326,607,800

New matter indicated by italics - deletions by strikeout
For Disabled Student Tuition,  
  Private Tuition............................                                           109,080,000
For District Consolidation Costs/  
  Supplemental Payments to School Districts,  
  18-8.2, 18-8.3, 18-8.5, 18-8.05(l) of  
  the School Code................................................. 7,850,000
For Extraordinary Special Education,  
  14-7.02 of the School Code..................                                           268,892,600
For the Illinois Governmental  
  Internship Program................................. 129,900
For Grants to Non-Profits and Community  
  Organizations................................................. 3,260,000
For Grants for School Transportation...........                               1,200,000
For Healthy Kids/Healthy Minds/  
  Expanded Vision................................................. 3,000,000
For Jobs for Illinois Grads....................                                       4,000,000
For the Metro East Consortium for  
  Child Advocacy................................................. 217,100
For Parental Guardian Programs/  
  Transportation Reimbursement..............                                          14,454,700
For the Philip J. Rock Center  
  and School.......................................................... 3,220,500
For Reimbursement for the Free Breakfast/  
  Lunch Program....................................................... 21,000,000
For the School Breakfast Incentive  
  Program............................................................ 723,500
For South Cook Intermediate Service Center.......                          300,000
For Standards, Assessments and  
  Accountability...................................................... 3,342,700
For Summer School Payments, 18-4.3  
  of the School Code................................................. 8,694,000
For Tax-Equivalent Grants, 18-4.4 of  
  the School Code................................................... 222,600
For Textbook Loans, 18-17 of the

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Code</td>
<td>29,126,500</td>
</tr>
<tr>
<td>For Transitional Assistance</td>
<td>11,800,000</td>
</tr>
<tr>
<td>For Transition of Minority Students</td>
<td>578,800</td>
</tr>
<tr>
<td>For Transportation-Regular/Vocational Common School Transportation Reimbursement, 29-5 of the School Code</td>
<td>286,118,000</td>
</tr>
<tr>
<td>For Visually Impaired/Educational Materials Coordinating Unit, 14-11.01 of the School Code</td>
<td>2,121,000</td>
</tr>
<tr>
<td>For Regular Education Reimbursement Per 18-3 of the School Code</td>
<td>13,130,000</td>
</tr>
<tr>
<td>For Special Education Reimbursement Per 14-7.03 of the School Code</td>
<td>79,400,000</td>
</tr>
<tr>
<td>For all costs associated with Alternative Education/Regional Safe Schools</td>
<td>18,535,500</td>
</tr>
<tr>
<td>For Truant Alternative and Optional Education Program</td>
<td>18,078,100</td>
</tr>
<tr>
<td>For costs associated with Teach for America</td>
<td>450,000</td>
</tr>
<tr>
<td>For grants to Local Education Agencies to conduct Agriculture Education Programs</td>
<td>2,881,200</td>
</tr>
<tr>
<td>Total</td>
<td>$1,635,903,200</td>
</tr>
</tbody>
</table>

From the Education Assistance Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Career and Technical Education</td>
<td>38,562,100</td>
</tr>
<tr>
<td>For the Early Childhood Block Grant</td>
<td>318,254,500</td>
</tr>
<tr>
<td>For General State Aid</td>
<td>833,560,000</td>
</tr>
<tr>
<td>For General State Aid – Hold Harmless</td>
<td>20,211,500</td>
</tr>
<tr>
<td>For the Reading Improvement Block Grant</td>
<td>76,139,800</td>
</tr>
<tr>
<td>For the School Safety and Educational Improvement Block Grant</td>
<td>74,841,000</td>
</tr>
<tr>
<td>For the Summer Bridges Program</td>
<td>22,238,100</td>
</tr>
<tr>
<td>For Teacher Education</td>
<td>9,605,000</td>
</tr>
<tr>
<td>For the Illinois Teaching</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Excellence Program............................. 135,000
For Technology for Success...................... 6,169,700
Total ........................................ 1,399,716,700

From the Common School Fund:
For General State Aid.......................... 3,312,558,200
For Advanced Placement Classes............... 1,500,000
For Arts and Foreign Language Education,
   Pursuant to Section 105 ILCS 5/2-3.65a ...... 4,000,000
For Grow Your Own Teachers.................... 3,000,000
For Regional Superintendents’ and
   Assistants’ Compensation..................... 8,150,000
Total ........................................ 3,329,208,200

From the General Revenue Fund
For Regional Superintendent’s Services........ 6,470,000

From the School District Emergency
Financial Assistance Fund:
For Emergency Financial Assistance, 1B-8
   of the School Code........................... 1,000,000

From the Drivers Education Fund:
For Drivers Education........................... 17,929,600

From the Charter Schools Revolving Loan Fund:
For Charter Schools Loans....................... 20,000

From the School Technology Revolving Loan Fund:
For School Technology Loans, 2-3.117a
   of the School Code........................... 5,000,000

From the Temporary Relocation Expenses
Revolving Grant Fund:
For Temporary Relocation Expenses, 2-3.77
   of the School Code........................... 1,400,000

From the State Board of Education Federal
Agency Services Fund:
For Learn and Serve America................... 2,500,000

From the State Board of Education Federal
Agency Services Fund:

New matter indicated by italics - deletions by strikeout
For Refugee Services........................... 2,000,000
From the State Board of Education Federal
Department of Agriculture Fund:
For Child Nutrition.......................... 475,000,000
From the State Board of Education
Federal Department of Education Fund:
For Title I.................................. 642,000,000
For Title I, Reading First.................... 50,000,000
For Title II, Teacher/Principal Training..... 134,830,000
For Title III, English Language
Acquisition................................ 40,000,000
For Title IV, 21st Century/Community
Service Programs........................... 45,000,000
For Title IV, Safe and Drug Free Schools..... 20,000,000
For Title V, Innovation Programs............. 10,000,000
For Title VI, Rural and Low Income
Students..................................... 1,500,000
For Title X, McKinney Homeless
Assistance................................ 3,250,000
For Enhancing Education through Technology.... 30,000,000
For Individuals with Disabilities Act,
Deaf/Blind.................................... 380,000
For Individuals with Disabilities Act,
IDEA........................................ 550,000,000
For Individuals with Disabilities Act,
Improvement Program......................... 2,500,000
For Individuals with Disabilities Act,
Model Outreach Program Grants.............. 400,000
For Individuals with Disabilities Act,
Pre-School.................................. 25,000,000
For Grants for Vocational
Education – Basic.......................... 50,000,000
For Grants for Vocational
Education – Technical Preparation.......... 5,000,000

New matter indicated by italics - deletions by strikeout
For Charter Schools............................ 2,500,000
For Transition to Teaching..................... 1,000,000
For Advanced Placement Fee..................... 2,000,000
For Math/Science Partnerships............... 9,000,000
For Special Federal Congressional Projects... 5,000,000
Total $1,629,360,000

Section 15. The following amounts, or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2006:
From the General Revenue Fund:
For Parental Participation Pilot Project........ 100,000
For Autism Training and Technical Assistance.......................... 100,000
For the Principal Mentoring Program.............. 800,000
For the Children’s Mental Health Partnership.......................... 3,000,000
For Building with Books.......................... 500,000
For the Class Size Reduction Pilot Project.... 10,000,000
For the Teacher Mentoring Pilot Project........ 2,000,000
For Regional Superintendent Initiatives......... 500,000
Total $17,000,000

Section 20. The amount of $29,126,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 82.1, Section 10 of Public Act 94-0015, is reappropriated from the General Revenue Fund to the Illinois State Board of Education for Textbook Loans pursuant to Section 18-17 of the School Code.

Section 25. The amount of $525,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with the Community Residential Services Authority.

Section 30. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the
Illinois State Board of Education for costs associated with the Illinois Economic Education program.

Section 35. The amount of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with Bullying Prevention.

Section 40. The amount of $5,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with Security for Schools.

Section 45. The amount of $1,399,000, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Fee Revolving Fund to the Illinois State Board of Education for Teacher Certificates Processing.

Section 50. The amount of $1,008,900, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Institute Fund to the Illinois State Board of Education.

Section 55. The amount of $15,500,000, or so much of that amount as may be necessary, is appropriated from the State Board of Education Special Purpose Trust Fund to the State Board of Education for expenditures by the Board in accordance with grants, gifts or donations that the Board has received or may receive from any source, public or private, in support of projects that are within the lawful powers of the Board.

Section 60. The amount of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund for deposit into the Temporary Relocation Expenses Revolving Grant Fund for use by the State Board of Education, as provided in Section 2-3.77 of the School Code.

Section 62. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with implementation of the State Board of Education Strategic Plan.

New matter indicated by italics - deletions by strikeout
Section 65. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2006:

From the General Revenue Fund:
- For Bilingual Education (over 500,000 population), 34-18.2 of the School Code...... 36,896,600
- For Bilingual Education (under 500,000 population), 10-22.38a of the School Code.... 29,655,400
- For Statewide Bilingual Student Assessments................................... 4,500,000

Total $71,052,000

Section 70. The amount of $12,382,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for Student Assessments.

Section 75. The amount of $21,780,300, or so much thereof as may be necessary, is appropriated from the State Board of Education Federal Department of Education Fund to the Illinois State Board of Education for Student Assessments.

Section 80. The amount of $65,044,700, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Public School Teachers’ Pension and Retirement Fund of Chicago for the state’s contribution for the fiscal year beginning July 1, 2006.

Section 85. The amount of $10,242,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Public School Teachers’ Pension and Retirement Fund of Chicago for the state’s contribution for retirement contributions under Section 17-127 of the Pension Code for the fiscal year beginning July 1, 2006.

Section 90. The amount of $75,839,000, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Teachers’ Retirement System of the State of Illinois for transfer into the Teachers’ Health Insurance Security Fund as the state’s contribution for teachers’ health insurance.

ARTICLE 3

New matter indicated by italics - deletions by strikeout
Section 5. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Teachers' Retirement System of the State of Illinois for the State's contributions, as provided by law:

Payable from the Common School Fund........... 735,514,500

Section 10. The following named amount, or so much thereof as may be necessary, respectively, is appropriated from the Education Assistance Fund to the Teachers' Retirement System for the objects and purposes hereinafter named:

For additional costs due to the establishment of minimum retirement allowances pursuant to Sections 16-136.2 and 16-136.3 of the "Illinois Pension Code", as amended................. 2,500,000

ARTICLE 4

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Educational Labor Relations Board for the objects and purposes hereinafter named:

OPERATIONS

For Personal Services.......................... 1,015,800
For Employee Retirement Contributions
   Paid by Employer................................ 0
For State Contributions to State Employees' Retirement System............. 117,100
For State Contributions to Social Security.............................. 77,300
For Contractual Services....................... 156,000
For Travel....................................... 15,000
For Commodities.................................. 4,500
For Printing..................................... 4,000
For Equipment.................................... 1,000
For Electronic Data Processing.................. 16,000
For Telecommunications Services.............. 23,000

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment.............. 2,500
Total $1,432,200

ARTICLE 5

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Board of Higher Education to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

For Personal Services............................ 2,100,100
For State Contributions to Social
Security, for Medicare............................ 28,000
For Contractual Services.......................... 568,500
For Travel........................................... 54,400
For Commodities................................... 11,800
For Printing....................................... 10,900
For Equipment..................................... 16,500
For Telecommunications............................ 41,900
For Operation of Automotive Equipment.............. 3,200
Total $2,835,300

Section 10. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:

Quad-Cities Graduate Study Center.................... 220,000

Section 15. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:

Access and Diversity............................... 4,787,300

Section 20. The sum of $2,852,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for a grant to the Board of Trustees of the University Center of Lake County for the ordinary and contingent expenses of the Center.

New matter indicated by italics - deletions by strikeout
Section 25. The sum of $9,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as incentive grants to Illinois higher education institutions in the competition for external grants and contracts.

Section 30. The sum of $17,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Health Services Education Grants Act.

Section 35. The sum of $2,750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for distribution of medical education scholarships authorized by an Act to provide grants for family practice residency programs and medical student scholarships through the Illinois Department of Public Health.

Section 40. The sum of $5,500,000, or so much thereof as may be necessary, is appropriated from the BHE Federal Grants Fund to the Board of Higher Education to be expended under the terms and conditions associated with the federal contracts and grants moneys received.

Section 45. The sum of $2,800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the administration and distribution of grants authorized by the Diversifying Higher Education Faculty in Illinois Program.

Section 50. The sum of $2,100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants for Cooperative Work Study Programs to institutions of higher education.

Section 55. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for competitive grants for nursing schools to increase the number of graduating nurses.

Section 60. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of

New matter indicated by italics - deletions by strikeout
Higher Education for nurse educator fellowships to supplement nurse faculty salaries.

Section 65. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for the International Center on Deafness and the Arts (ICODA) program.

Section 70. The sum of $147,700, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for costs and expenses related to or in support of a higher education shared services center.

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

For Personal Services.......................... $10,974,200
For State Contributions to Social
    Security, for Medicare.......................... 179,800
For Contractual Services....................... 4,210,500
For Travel.................................. 117,900
For Commodities............................... 296,700
For Equipment................................. 819,900
For Telecommunications....................... 356,300
For Operation of Automotive Equipment........ 30,600
For Electronic Data Processing............... 217,000
Total......................................... $17,202,900

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Mathematics and Science Academy Income Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

For Personal Services.......................... 1,598,000
For State Contributions to Social

New matter indicated by italics - deletions by strikeout
Security, for Medicare.......................... 27,400
For Contractual Services.......................... 981,100
For Travel............................................ 126,700
For Commodities................................. 143,200
For Equipment....................................... 65,000
For Telecommunications........................................ 80,000
For Operation of Automotive Equipment.............. 1,000
For Refunds............................................ 27,600
Total                                                                                        $3,050,000

Section 85. The sum of $450,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Illinois Mathematics and Science Academy for the Excellence 2000 Program in Mathematics and Science.

ARTICLE 6

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Community College Board for ordinary and contingent expenses:
For Personal Services.......................... 1,066,100
For State Contributions to Social Security, for Medicare.......................... 12,700
For Contractual Services.......................... 345,300
For Travel............................................ 56,600
For Commodities.................................... 7,500
For Printing............................................ 9,800
For Equipment....................................... 2,000
For Electronic Data Processing.......................... 435,800
For Telecommunications............................. 33,900
For Operation of Automotive Equipment.................. 4,000
East St. Louis Operations........................ 1,500
Total                                                                                        $1,975,200

Section 10. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Community College Board Contracts and Grants Fund to the Illinois Community College Board to be

New matter indicated by italics - deletions by strikeout
expended under the terms and conditions associated with the moneys being received.

Section 15. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the ICCB Adult Education Fund to the Illinois Community College Board for operational expenses associated with administration of adult education and literacy activities.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:

<table>
<thead>
<tr>
<th>Grant Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Operating Grants</td>
<td>197,818,000</td>
</tr>
<tr>
<td>Small College Grants</td>
<td>840,000</td>
</tr>
<tr>
<td>Equalization Grants</td>
<td>77,383,700</td>
</tr>
<tr>
<td>Retirees Health Insurance Grants</td>
<td>626,600</td>
</tr>
<tr>
<td>Workforce Development Grants</td>
<td>3,311,300</td>
</tr>
<tr>
<td>Student Success Grants</td>
<td>3,000,000</td>
</tr>
<tr>
<td>P-16 Initiative Grants</td>
<td>2,779,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$285,758,600</strong></td>
</tr>
</tbody>
</table>

Section 25. The sum of $1,589,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to operate an educational facility in the former community college district #541 in East St. Louis.

Section 30. The sum of $539,000, or so much thereof as may be necessary, is appropriated from the AFDC Opportunities Fund to the Illinois Community College Board for grants to colleges for workforce training and technology and operating costs of the Board for those purposes.

Section 35. The following named amounts, or so much of those amounts as may be necessary, for the objects and purposes named, are appropriated to the Illinois Community College Board for adult education and literacy activities:

From the General Revenue Fund:
- For payment of costs associated with education and educational-related

New matter indicated by italics - deletions by strikeout
services to local eligible providers for adult education and literacy............................... 16,026,200
For payment of costs associated with education and educational-related services to local eligible providers for performance-based awards.................. 10,701,600
For operational expenses of and for payment of costs associated with education and educational-related services to recipients of Public Assistance, and, if any funds remain, for costs associated with education and educational-related services to local eligible providers for adult education and literacy.............. 8,080,500
From the ICCB Adult Education Fund:
For payment of costs associated with education and educational-related services to local eligible providers and to Support Leadership Activities, as Defined by U.S.D.O.E. for adult education and literacy as provided by the United States Department of Education......................... 25,000,000

Total, this Section $59,808,300

Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Community College Board for all costs associated with career and technical education activities:
From the General Revenue Fund...................... 12,149,900
From the Career and Technical Education Fund.... 23,607,100
Total, this Section $35,757,000

New matter indicated by italics - deletions by strikeout
Section 45. The sum of $291,500, or so much thereof as may be necessary, is appropriated from the ICCB Federal Trust Fund to the Illinois Community College Board for ordinary and contingency expenses of the Board.

Section 50. The sum of $15,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the City Colleges of Chicago for educational-related expenses.

Section 60. The sum of $120,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for awarding scholarships to qualifying graduates of the Lincoln's Challenge Program.

Section 75. The sum of $807,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to Illinois Community College Board for costs associated with administering GED tests.

Section 80. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the ISBE GED Testing Fund to the Illinois Community College Board for costs associated with administering GED tests.

Section 85. The sum of $550,000, or so much thereof as may be necessary, is appropriated from ICCB Instruction Development and Enhancement Applications Revolving Fund to the Illinois Community College Board for costs associated with maintaining and updating instructional technology.

Section 90. The sum of $174,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for costs and expenses related to or in support of a higher education shared services center.

Section 95. The sum of $108,500, or so much thereof as may be necessary, is appropriated from the ICCB Federal Trust Fund to the Illinois Community College Board for costs and expenses related to or in support of a higher education shared services center.

New matter indicated by italics - deletions by strikeout
Section 105. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the Lincoln Land Community College medical training program at the Hillsboro campus.

Section 110. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a grant to Prairie State College for educational-related expenses.

Section 115. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a grant to the Latino Development and Technology Accelerator Center.

Section 120. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to community colleges for coordinators, recruiters, and related expenses.

Section 125. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a digital x-ray machine at Parkland College.

Section 130. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for human clinical mannequins at Parkland College.

Section 135. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for a grant to South Suburban College for educational-related expenses.

Section 140. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for adult education grants to community colleges.

ARTICLE 7

New matter indicated by italics - deletions by strikeout
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for its ordinary and contingent expenses:

For Administration

For Personal Services.......................... 16,935,700
For State Contributions to State
  Employees Retirement System............... 1,951,900
For State Contributions to
  Social Security............................ 1,295,700
For State Contributions for
  Employees Group Insurance............... 4,755,100
For Contractual Services...................... 12,471,800
For Travel................................. 208,300
For Commodities............................ 265,200
For Printing.................................. 724,200
For Equipment.............................. 535,000
For Telecommunications...................... 1,894,900
For Operation of Auto Equipment............. 37,900

Total $41,075,700

Section 6. The sum of $34,400,000, or so much thereof as may be necessary, is appropriated from the Student Loan Operating Fund to the Illinois Student Assistance Commission for payment of the Monetary Award Program Plus grant awards to students eligible to receive such awards, as provided by law.

Section 7. The sum of $26,840,000, or so much thereof as may be necessary, is appropriated from the Student Loan Operating Fund to the Illinois Student Assistance Commission for payment of the Monetary Award Program grant awards to students eligible to receive such awards, as provided by law.

Section 10. The sum of $354,259,800, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for payment of Monetary

New matter indicated by italics - deletions by strikeout
Award Program grant awards to students eligible to receive such awards, as provided by law.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purposes:

<table>
<thead>
<tr>
<th>Grants and Scholarships</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For payment of matching grants to Illinois institutions to supplement scholarship programs, as provided by law</td>
<td>950,000</td>
</tr>
<tr>
<td>For the payment of scholarships to students who are children of policemen or firemen killed in the line of duty, or who are dependents of correctional officers killed or permanently disabled in the line of duty, as provided by law</td>
<td>470,000</td>
</tr>
<tr>
<td>For payment of Illinois National Guard and Naval Militia Scholarships at State-controlled universities and public community colleges in Illinois to students eligible to receive such awards, as provided by law</td>
<td>4,480,000</td>
</tr>
<tr>
<td>For payment of military Veterans' scholarships at State-controlled universities and at public community colleges for students eligible, as provided by law</td>
<td>19,250,000</td>
</tr>
<tr>
<td>For payment of Minority Teacher Scholarships</td>
<td>3,100,000</td>
</tr>
<tr>
<td>For payment of Illinois Scholars Scholarships</td>
<td>3,160,000</td>
</tr>
<tr>
<td>For payment of Illinois Incentive for Access grants, as provided by law</td>
<td>8,200,000</td>
</tr>
<tr>
<td>For college savings bond grants to students who are eligible to receive such awards</td>
<td>650,000</td>
</tr>
</tbody>
</table>

Total: $40,260,000
Section 20. The following named amount, or so much thereof as may be necessary, is appropriated from the Illinois National Guard and Naval Militia Grant Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships
For payment of Illinois National Guard and Naval Militia Scholarships at State-controlled universities and public community colleges in Illinois to students eligible to receive such awards, as provided by law........... 20,000

Section 25. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the Loan Repayment for Teachers Program.

Section 30. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for scholarships and living expenses grants to increase the number of forensic science students who are pursuing a program to become qualified to perform DNA testing at Illinois State Police forensic science facilities.

Section 35. The sum of $1,350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for scholarships and living expenses grants for nursing education students who are pursuing their Master’s degree to become nurse faculty.

Section 40. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships
For payment of Illinois Future Teacher Corps Scholarships, as provided by law........ 4,100,000
Section 45. The following named amount, or so much thereof as may be necessary, is appropriated from the Contracts and Grants Fund to the Illinois Student Assistance Commission for the following purpose:
To support outreach, research, and training activities..............................                                                70,000

Section 50. The following named amount, or so much thereof as may be necessary, is appropriated from the Optometric Licensing and Disciplinary Board Fund to the Illinois Student Assistance Commission for the following purpose:
Grants and Scholarships
For payment of scholarships for the Optometric Education Scholarship Program, as provided by law................. 50,000

Section 55. The sum of $190,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Loan Fund to the Illinois Student Assistance Commission for distribution when necessary as a result of the following: for guarantees of loans that are uncollectible, for collection payments to the Student Loan Operating Fund as required under agreements with the United States Secretary of Education, for payment to the Student Loan Operating Fund for Default Aversion Fees, for transfers to the U.S. Treasury, or for other distributions as necessary and provided for under the Federal Higher Education Act.

Section 60. The sum of $21,334,400, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for distribution as necessary for the following: for payment of collection agency fees associated with collection activities for Federal Family Education Loans, for Default Aversion Fee reversals, and for distributions as necessary and provided for under the Federal Higher Education Act.

Section 65. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for costs associated with Federal Loan System Development and Maintenance.

New matter indicated by italics - deletions by strikeout
Section 66. The following named amount, or so much thereof as may be necessary, is appropriated from the Student Loan Operating Fund to the Illinois Student Assistance Commission for the following purposes:
For payments to the Federal Student Loan Fund for payment of the federal default fee on behalf of students, or for any other lawful purpose authorized by the Federal Higher Education Act, as amended.......................... 15,000,000

Section 70. The sum of $300,000, or so much of that amount as may be necessary, is appropriated from the Accounts Receivable Fund to the Illinois Student Assistance Commission for costs associated with the collection of delinquent scholarship awards pursuant to the Illinois State Collection Act of 1986.

Section 75. The following named amount, or so much thereof as may be necessary, is appropriated from the Federal Student Assistance Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:
For payment of Robert C. Byrd Honors Scholarships........................... 1,800,000

Section 80. The sum of $70,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the University Grant Fund for payment of grants for the Higher Education License Plate Program, as provided by law.

Section 85. The following named amount, or so much thereof as may be necessary, is appropriated from the Federal Student Assistance Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:
For transferring repayment funds collected under the Paul Douglas Teacher Scholarship Program to the U.S. Treasury.................... 400,000

Section 90. The following named amount, or so much thereof as may be necessary, is appropriated from the Illinois Future Teacher Corps

New matter indicated by italics - deletions by strikeout
Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:
For payment of scholarships for the Illinois Future Teacher Corps Scholarship Program as provided by law............ 57,000
For payment for grants to the Golden Apple Foundation for Excellence in Teaching............. 3,000

Section 95. The following named amount, or so much thereof as may be necessary, is appropriated from the Federal Student Incentive Trust Fund for the Federal Leveraging Educational Assistance and the Supplemental Leveraging Educational Assistance Programs to the Illinois Student Assistance Commission for the following purpose:
Grants
For payment of Monetary Award Program grants to full-time and part-time students eligible to receive such grants, as provided by law.... 3,700,000

Section 100. The sum of $2,128,100, or so much thereof as may be necessary, is appropriated from the Student Loan Operating Fund to the Illinois Student Assistance Commission for costs and expenses related to or in support of a higher education shared services center.

ARTICLE 8

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the State Universities Civil Service System to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2007:
For Personal Services......................... 932,400
For Social Security............................. 11,500
For Contractual Services....................... 248,300
For Travel...................................... 12,000
For Commodities............................... 9,000
For Printing................................... 4,000
For Equipment................................. 25,500
For Telecommunications Services............. 25,700

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,800</td>
</tr>
<tr>
<td>Total</td>
<td>$1,271,200</td>
</tr>
</tbody>
</table>

ARTICLE 9

Section 5. The sum of $3,706,728, or so much thereof as may be necessary, is appropriated to the Community College Health Insurance Security Fund for the State's contribution, as required by law.

Section 10. The sum of $186,998,705, minus the amount transferred to the State Universities Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the State Universities Retirement System of Illinois pursuant to the provisions of Section 8.12 of "AN ACT in relation to State finance", approved June 10, 1919, as amended.

Section 15. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Board of Trustees of the State Universities Retirement System for the State's contribution, as provided by law:

Payable from the Education Assistance Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>65,065,395</td>
</tr>
</tbody>
</table>

ARTICLE 10

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007</td>
<td>34,727,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security, for Medicare</td>
<td>385,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,024,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services............... 1,992,700
For Travel.................................... 11,000
For Commodities........................... 11,000
For Equipment............................... 168,100
For Telecommunications Services........... 304,400
For Operation of Automotive Equipment..... 1,000
For Awards and Grants..................... 104,400
Total........................................ 38,730,000

Section 10. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for costs associated with the HIV/AIDS Policy and Research Institute in the College of Health Sciences.

Section 15. The sum of $150,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to Board of Trustees of Chicago State University for costs associated with the Doctor of Education in Educational Leadership Program.

Section 20. The sum of $450,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees at Chicago State University for costs associated with the Financial Assistance Outreach Center.

Section 25. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for costs associated with the display of a permanent exhibit in the university library.

Section 30. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for operation and maintenance costs for the Convocation Center.

Section 35. The sum of $400,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for collaboration projects to improve retention and graduation rates.

ARTICLE 11

New matter indicated by italics - deletions by strikeout
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Eastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 46,182,800
For Contractual Services....................... 1,000,000
For Commodities.................................. 300,000
For Equipment.................................... 500,000
For Telecommunications Services................. 300,000
Total .............................................. $48,282,800

Section 10. The sum of $2,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Eastern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 12

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Governors State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 21,872,900

New matter indicated by italics - deletions by strikeout
For State Contributions to Social
  Security, for Medicare.........................  94,900
For Contractual Services.......................  3,050,000
For Commodities.................................  150,000
For Equipment.....................................  400,000
For Telecommunications Services...............  100,000
For Awards and Grants...........................  100,000
For Permanent Improvements....................  100,000
Total  $25,867,800

Section 10. The sum of $331,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of Governors State University for the International Trade Center.

Section 15. The sum of $650,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of Governors State University for the Institute for Urban
Education.

Section 20. The sum of $325,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of Governors State University for the Center for Excellence in
Health Education.

Section 25. The sum of $500,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Board of
Trustees of Governors State University for the Center for Law
Enforcement Technology Collaboration.

ARTICLE 13

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated to the Board of the Trustees of Illinois State
University to meet ordinary and contingent expenses for the fiscal year
ending June 30, 2007:
Payable from the General Revenue Fund:
  For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year

New matter indicated by italics - deletions by strikeout
and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 72,657,500
For Group Insurance.......................... 3,078,300
For Contractual Services....................... 2,721,700
For Commodities.................................. 300,000
For Equipment.................................. 2,000,000
For Telecommunications Services............... 200,000
For Permanent Improvements..................... 500,000
Total                                                                                       $81,457,500

Section 10. The amount of $70,000, or so much thereof as may be necessary, is appropriated from the State College and University Fund to the Board of Trustees of Illinois State University for scholarship grant awards from the sale of collegiate license plates.

ARTICLE 14

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northeastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 36,816,000
For State Contributions to Social Security, for Medicare.................. 437,700
For Group Insurance.................................. 1,072,600
For Contractual Services......................... 1,030,000
For Equipment................................... 300,000
Total                                                                                       $39,656,300

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $170,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Northeastern Illinois University to conduct a pilot program to improve retention and graduation rates for minority students.

Section 15. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Northeastern Illinois University to conduct a study on the North Atlantic Slave Trade.

ARTICLE 15

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:
For Personal Services, including payment
to the university for personal services
costs incurred during the fiscal year
and salaries accrued but unpaid to academic
personnel for personal services rendered
during the academic year 2006-2007........   88,228,000
For State Contributions to Social
Security, for Medicare.........................  883,500
For Group Insurance.........................  2,337,300
For Contractual Services.......................  6,523,000
For Travel.......................................  159,500
For Commodities................................  1,484,800
For Equipment..................................  1,145,800
For Telecommunications Services.............  797,300
For Operation of Automotive Equipment........  138,500
For Awards and Grants............................  185,700
For Permanent Improvements.....................  1,343,700
Total                                      $103,227,100

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to Board of Trustees of Northern Illinois University for the Complete Help and Assistance Necessary for a College Education (C.H.A.N.C.E.) program.

Section 15. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Northern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 16

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Southern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 195,064,900

For State Contributions to Social Security, for Medicare....................... 2,343,400
For Group Insurance............................ 3,662,100
For Contractual Services...................... 12,345,000
For Travel........................................ 53,600
For Commodities................................ 1,486,000
For Equipment.................................. 2,458,700
For Telecommunications Services.............. 1,774,900
For Operation of Automotive Equipment........... 633,100
For Awards and Grants............................ 355,500
Total $220,177,200

Section 10. The sum of $200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of

New matter indicated by italics - deletions by strikeout
Trustees of Southern Illinois University for the Special Services (TRIO) program for improvement of matriculation, retention, and completion rates of minority students at the Edwardsville and Carbondale campuses.

Section 15. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for the Vince Demuzio Governmental Internship Program.

Section 20. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for the School of Medicine Lab.

Section 25. The sum of $1,070,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for the Presidential Scholarship Fund.

Section 30. The sum of $262,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for costs associated with the construction and furnishing of replacement cabins at the SIUC Touch of Nature Center.

ARTICLE 17

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of the University of Illinois to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

Payable from the General Revenue Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........ 608,160,000
For State Contributions to Social Security, for Medicare....................... 9,737,100

New matter indicated by italics - deletions by strikeout
For Group Insurance...........................                                       24,893,200
For Contractual Services......................                                      39,794,600
For Travel.......................................                                                249,700
For Commodities...............................                                           2,518,600
For Equipment....................................                                            511,000
For Telecommunications Services.............. 5,016,800
For Operation of Automotive Equipment............                           967,000
For Permanent Improvements.....................                                  750,000
For Distributive Purposes as follows:
For Awards and Grants........................                                      6,057,500
For Claims under Workers’ Compensation
and Occupational Disease Acts, other
Statutes, and tort claims....................                                           3,270,000
For Hospital and Medical Services
and Appliances.......................................                                           5,300,000
Total                                                                                     $707,225,500

Section 10. The sum of $2,076,600, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Board of Trustees of the University of Illinois for the purpose of maintaining the Illinois Fire Service Institute, paying the Institute's expenses, and providing the facilities and structures incident thereto, including payment to the University for personal services and related costs incurred.

Section 15. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of the University of Illinois for scholarship grant awards, in accordance with Public Act 91-0083.

Section 20. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the University of Illinois for the Complete Help and Assistance Necessary for a College Education (C.H.A.N.C.E) program at the Office of School Relations at the Chicago Campus.

Section 25. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of

New matter indicated by italics - deletions by strikeout
Trustees of the University of Illinois for the administration of a scholarship program through the Washington Center Illinois State Initiative.

Section 30. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for the Library Digitalization Project.

Section 35. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois to conduct a transportation efficiency study on the Chicago Transit Authority.

Section 40. The sum of $800,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for costs associated with the Hispanic Center for Excellence at the Chicago campus.

Section 45. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for the Pathways to Health Professions Program.

Section 50. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for Dixon Springs Agricultural Center.

Section 55. The sum of $300,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for Center- and campus-based specialists who will provide crucial expertise to respond to such highly needed local programs as economic development, workforce preparation, food safety and pesticide safety education for Spanish speaking audiences, and programs for young parents.

ARTICLE 18

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Western Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2007:

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2006-2007........... 49,426,100
For State Contributions to Social Security, for Medicare......................... 446,200
For Group Insurance............................ 1,744,800
For Contractual Services....................... 3,346,300
For Commodities.................................. 800,000
For Equipment.................................. 1,000,000
For Telecommunications Services.................. 450,000
Total $57,213,400

Section 10. The amount of $10,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Western Illinois University for scholarship grant awards from the sale of collegiate license plates.

ARTICLE 19

Section 5. The following sums, or so much thereof as may be necessary, respectively, are appropriated to the President of the Senate and the Speaker of the House of Representatives for furnishing the items provided in Section 4 of the General Assembly Compensation Act to members of their respective houses throughout the year in connection with their legislative duties and responsibilities and not in connection with any political campaign, as prescribed by law:
To the President of the Senate................. 4,900,750
To the Speaker of the House of Representatives.......................... 8,190,300
Total $13,091,050

Section 10. Payments from the amounts appropriated in Section 5 hereof shall be made only upon the delivery of a voucher approved by the member to the State Comptroller. The voucher shall also be approved by

New matter indicated by italics - deletions by strikeout
the President of the Senate or the Speaker of the House of Representatives as the case may be.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Senate:

For the ordinary and incidental expenses of legislative leadership and legislative staff assistants:

President.................................. 5,290,200
Minority Leader.......................... 5,290,200

For the ordinary and incidental expenses of committees, the general staff and operations, per diem employees, special and standing committees of the Senate and expenses incurred in transcribing and printing of Senate debate............. 4,036,000

For the ordinary and incidental expenses of the Senate, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies...................... 214,200

For allowances for the particular and additional services appertaining to or entailed by the respective officers of the Senate named in and in accordance with the following schedule:

President.................................. 83,500
Minority Leader.......................... 83,500

For travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in session....................... 57,700

Total $15,055,300
Section 20. The sum of $2,100,850, or so much thereof as may be necessary, is appropriated for the use of the Senate standing committees for expert witnesses, technical services, consulting assistance and other research assistance associated with special studies and long range research projects which may be requested by the standing committees.

Section 25. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Assembly Operations Revolving Fund to the Office of the President, to meet the ordinary and contingent expenses of the Senate.

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary, incidental and contingent expenses of the House Majority and Minority Leadership Staff and Office operations:

| For the Speaker | 4,751,550 |
| For the Minority Leader | 4,751,550 |
| **Total** | **$9,503,100** |

Section 35. The following named sums, or so much thereof as may be necessary, are appropriated to meet the ordinary, incidental and contingent expenses of the House Majority and Minority Leadership Staff and the general staff:

| For the Speaker | 357,700 |
| For the Minority Leader | 162,200 |
| **Total** | **$519,900** |

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, relating to the operation of the House of Representatives, are appropriated to meet its ordinary and contingent expenses:

For the ordinary and incidental expenses of

The general staff, operations, and special
And standing committees of the House,
for per diem employees and for
expenses incurred in transcribing and
printing of House debates..................... 5,346,100

New matter indicated by italics - deletions by strikeout
For the ordinary and incidental expenses of the House, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies, no part of which shall be expended for expenses of purchasing, handling or distributing such supplies and against which no indebtedness shall be incurred without the written approval of the Speaker of the House of Representatives............ 95,000

Pursuant to the Legislative Commission Reorganization Act of 1984, to the Speaker of the House for Standing House Committees.................... 2,382,200

Total $8,823,300

Section 45. The following named sum, or so much thereof as may be necessary, for the objects and purposes hereinafter named, relating to House membership, is appropriated to meet the ordinary and contingent expenses of the House:

For travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in session............ 30,400

Section 50. The following named sums, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2005, from an appropriation heretofore made for such purposes in Article 40 of Public Act 93-0842 as amended by this Act, are appropriated for expenses in connection with the planning and preparation of redistricting of legislative and representative districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

For the Speaker......................... 441,600
For the Minority Leader..................... 0
Total $441,600

New matter indicated by italics - deletions by strikeout
Section 55. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Assembly Operations Revolving Fund to the Office of the Speaker, to meet the ordinary and contingent expenses of the House.

Section 60. The amount of $341,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the General Assembly to meet ordinary and contingent expenses. Any use of funds appropriated under this Section must be approved jointly by the Clerk of the House of Representatives and the Secretary of the Senate.

Section 65. As used in Sections 30 and 35 hereof, except where the approval of the Speaker of the House of Representatives is expressly required for the expenditure of or the incurring of indebtedness against an appropriation for certain purchases on contract, "Speaker" means the leader of the party having the largest number of members of the House of Representatives as of January 12, 2005, and "Minority Leader" means the leader of the party having the second largest number of members of the House of Representatives as of January 12, 2005.

Section 70. The sum of $328,900, or so much thereof as may be necessary, is appropriated to the Legislative Ethics Commission to meet the ordinary and contingent expenses of the Commission and the Office of the Legislative Inspector General.

ARTICLE 20

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Commission on Government Forecasting and Accountability:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>814,108</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>32,242</td>
</tr>
<tr>
<td>For State Contributions to State Employees'</td>
<td></td>
</tr>
<tr>
<td>Retirement System</td>
<td>109,933</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>61,662</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Contractual Services......................... 120,100
For Travel........................................... 7,100
For Commodities................................... 2,800
For Printing........................................ 4,800
For Equipment....................................... 900
For Electronic Data Processing.................... 2,500
For Telecommunications Services.................. 8,800
For additional costs associated with
the assumption of duties of the
Pension Laws Commission....................... 199,038
Total                                         $1,363,143

Section 7. The amount of $5,000, or so much thereof as may be
necessary, is appropriated to the Commission on Governmental
Forecasting and Accountability for ordinary expenses and operations of
the Compensation Review Board.

Section 10. The following named amounts, or so much of those
amounts as may be necessary, respectively, are
appropriated for the objects
and purposes hereinafter named to meet the ordinary and contingent
expenses of the Legislative Information System:
For Personal Services............................ 2,289,000
For Employee Retirement Contributions
   Paid by Employer.................................. 91,600
For State Contribution to State Employees’
   Retirement System............................... 263,800
For State Contribution to Social
   Security............................................. 175,100
For Contractual Services........................... 403,100
For Travel........................................... 8,000
For Commodities................................. 5,200
For Printing........................................ 3,000
For Equipment....................................... 3,200
For Electronic Data Processing................. 1,396,000
For Purchase, Maintenance, and Rental
   of General Assembly Electronic Data Processing

New matter indicated by italics - deletions by strikeout
Section 15. The following amount, or so much of that amount as may be necessary, is appropriated to the Legislative Information System:

For Purchase, Maintenance, and Rental of Electronic Data Processing Equipment and Software relating to the development and implementation of legislative systems, and for consulting, technical, and design services related thereto .......................... 0

Section 20. The following amount, or so much of that amount as may be necessary, is appropriated from the General Assembly Computer Equipment Revolving Fund to the Legislative Information System:

For Purchase, Maintenance, and Rental of General Assembly Electronic Data Processing Equipment and for other operational purposes of the General Assembly .............. 1,600,000

Section 25. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Audit Commission:

For Personal Services.............................. 181,000
For Employee Retirement Contributions Paid by Employer.......................... 7,250
For State Contributions to State Employees' Retirement System.......................... 20,900
For State Contribution to Social Security.................................. 13,850
For Contractual Services............................. 20,700
For Travel............................................. 6,000
For Commodities..................................... 500
For Printing........................................... 2,500

New matter indicated by italics - deletions by strikeout
For Equipment........................................ 1,000
For Electronic Data Processing....................... 2,500
For Telecommunications Services.................... 1,600
Total                                                                 $257,800

Section 30. The following named amounts, or so much of those
amounts as may be necessary, respectively, are appropriated for the objects
and purposes hereinafter named to meet the ordinary and contingent
expenses of the Legislative Printing Unit:
For Personal Services.............................. 1,317,100
For Employee Retirement Contributions
  Paid by Employer.................................. 53,700
For State Contributions to State Employees'
  Retirement System................................ 154,100
For State Contribution to Social
  Security........................................... 102,000
For Contractual Services........................... 250,000
For Travel............................................ 0
For Commodities................................... 162,700
For Printing......................................... 85,000
For Equipment..................................... 278,900
For Telecommunications Services.................... 7,500
Total                                                                 $2,411,000

Section 35. The following named amounts, or so much of those
amounts as may be necessary, respectively, are appropriated for the objects
and purposes hereinafter named to meet the ordinary and contingent
expenses of the Legislative Research Unit:
For Personal Services.............................. 1,232,500
For Employee Retirement Contributions
  Paid by Employer.................................. 49,300
For State Contribution to State Employees'
  Retirement System................................ 142,100
For State Contribution to Social
  Security............................................. 94,300
For Contractual Services........................... 626,500

New matter indicated by italics - deletions by strikeout
For Travel.......................................... 19,600
For Commodities..................................... 15,800
For Printing........................................ 26,900
For Equipment....................................... 90,000
For Telecommunications Services..................... 30,700
For Council of State Governments Conference....... 100,000
For Model Illinois Government activities............ 10,000
For New Member Conference........................ 30,000
Total                                                                 $2,467,700

Section 40. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Illinois Legislative Research Unit for the following purposes:

For payment of expenses of the Legislative Staff Intern program, including stipends, tuition, and administration for 20 persons............... 564,500
For payment of expenses of the Zeke Giorgi Memorial Intern Program, including stipends, tuition, and administration for 4 persons.................................... 110,000
Total                                                                              $674,500

Section 45. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Legislative Reference Bureau:

For Personal Services......................... 1,772,400
For Employee Retirement Contributions
   Paid by Employer............................... 70,900
For State Contributions to State Employees' Retirement System......................... 204,300
For State Contribution to Social Security...................................................... 135,600
For Contractual Services....................... 141,900
For Travel........................................ 7,000

New matter indicated by italics - deletions by strikeout
Section 50. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Office of the Architect of the Capitol:

For Personal Services.............................. 457,500
For Employee Retirement Contributions
  Paid by Employer................................... 14,000
For State Contributions to State Employees' Retirement System....................... 73,300
For State Contribution to Social Security........................................... 28,800
For Contractual Services......................... 966,500
For Travel........................................... 7,600
For Commodities................................... 4,000
For Printing........................................ 2,000
For Equipment........................................ 6,300
For Electronic Data Processing.................... 11,700
For Telecommunications Services............... 9,500

Total  $1,581,200

Section 55. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Joint Committee on Administrative Rules:

For Personal Services.............................. 830,000
For Employee Retirement Contributions
  Paid by Employer................................... 35,000
For State Contributions to State Employees' Retirement System....................... 95,000
For State Contribution to Social

New matter indicated by italics - deletions by strikeout
Security.......................................... 63,000
For Contractual Services......................... 62,000
For Travel.......................................... 22,000
For Commodities................................. 12,300
For Equipment..................................... 27,000
For Telecommunications Services................. 11,000
Total                                                                 $1,157,300

Section 60. The sum of $113,700, or so much thereof as may be necessary, is appropriated for the ordinary and contingent expenses of the Senate Operations Commission including the planning costs, construction costs, moving expenses and all other costs associated with the construction and reconstruction of Senate offices in the Capitol Complex area.

ARTICLE 21

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Auditor General to meet the ordinary and contingent expenses of the Office of the Auditor General, as provided in the Illinois State Auditing Act:

For Personal Services:
For Regular Positions............................ 4,500,000

Employee Contribution to Retirement
   System by Employer............................... 0

For State Contribution to State
   Employees’ Retirement System................... 518,600

For State Contribution to Social Security................................. 344,300

For Contractual Services......................... 764,200
For Travel........................................ 80,000
For Commodities.................................. 22,000
For Printing...................................... 25,000
For Equipment................................... 65,000
For Electronic Data Processing.................... 90,000
For Telecommunications......................... 75,000
For Operation of Auto Equipment................. 6,000
Total                                                                 $6,490,100

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $18,109,995, or so much of that amount as may be necessary, is appropriated to the Auditor General from the Audit Expense Fund for audits, studies, and investigations.

ARTICLE 22

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated for the ordinary and contingent expenses of the Office of the Governor:

EXECUTIVE OFFICE

Payable from the General Revenue Fund:
For Personal Services......................... 5,082,900
For Employee Retirement Contributions
   Paid by Employer.......................... 0
For State Contributions to State
   Employees' Retirement System.......... 585,400
For State Contributions to
   Social Security.......................... 376,000
For Contractual Services.................... 680,600
For Travel................................ 140,000
For Commodities........................... 75,000
For Printing................................ 50,000
For Equipment.............................. 5,000
For Electronic Data Processing............. 160,000
For Telecommunications Services.......... 455,000
For Repairs and Maintenance............... 32,000
For Expenses Related to Ethnic Celebrations,
   Special Receptions, and Other Events..... 70,000
Total                                     $7,711,900

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Governor's Grant Fund to the Office of the Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the exercise of the powers or performance of the duties of the Office of the Governor.

ARTICLE 23

New matter indicated by italics - deletions by strikeout
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the Lieutenant Governor:

**GENERAL OFFICE**

- For Personal Services.............................. 950,000
- For Employee Retirement Contributions
  - Paid by Employer........................................ 0
- For State Contributions to State
  - Employees' Retirement System...................... 109,500
- For State Contributions to Social Security........ 72,700
- For Contractual Services.......................... 409,000
- For Travel............................................... 70,500
- For Commodities...................................... 25,000
- For Printing.............................................. 13,000
- For Equipment.......................................... 4,400
- For Electronic Data Processing.................... 15,000
- For Telecommunications Services.................. 68,000
- For Operational and Grant Expenses of the
  - Regional Affairs Council.......................... 364,000
- For Ordinary and Contingent Expenses of
  - The Illinois River Coordination Council......... 190,000

**Total**  $2,291,100

Section 10. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Office of Lieutenant Governor for all costs associated with the Rural Affairs Council including any grants or administration expenses.

Section 15. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Lieutenant Governor's Grant Fund to the Office of Lieutenant Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the

New matter indicated by italics - deletions by strikeout
exercise of the powers or performance of the duties of the Office of the Lieutenant Governor.

ARTICLE 24

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the following division of the Office of the Attorney General:

GENERAL OFFICE

For Personal Services .......................... 31,988,000
For State Contribution to State
  Employees' Retirement System ................. 3,686,600
  For State Contribution to Social Security ..... 2,447,100
For Employees' Retirement Contributions
  Paid by Employer ................................ 320,700
For Contractual Services ......................... 2,650,000
For Travel ........................................ 350,000
For Commodities .................................. 125,000
For Printing ....................................... 120,000
For Equipment .................................... 375,000
For Electronic Data Processing ................. 1,450,000
For Telecommunications ......................... 690,000
For Operation of Auto Equipment ............... 120,000
For Operational Expenses, Office
  of the Inspector General ...................... 300,000
Total ........................................... $44,622,400

Section 10. The sum of $1,175,000, or so much thereof as is available for use by the Attorney General, is appropriated to the Attorney General from the Illinois Gaming Law Enforcement Fund for State law enforcement purposes.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Asbestos Abatement Fund to the Attorney General to meet the ordinary and contingent expenses of the Environmental Enforcement-Asbestos Litigation Division:

ENVIRONMENTAL ENFORCEMENT-

New matter indicated by italics - deletions by strikeout
ASBESTOS LITIGATION DIVISION

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,217,500</td>
</tr>
<tr>
<td>For State Contribution to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>140,300</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>93,100</td>
</tr>
<tr>
<td>For Employees' Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by the Employer</td>
<td>12,200</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>319,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>430,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>45,000</td>
</tr>
<tr>
<td>For Operational Expenses</td>
<td>60,000</td>
</tr>
<tr>
<td>Total</td>
<td>$2,317,100</td>
</tr>
</tbody>
</table>

Section 20. The amount of $3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund to the Office of the Attorney General for use, subject to pertinent court order or agreement, in the performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 25. The amount of $1,300,000, or so much thereof as may be necessary, is appropriated from the Illinois Charity Bureau Fund to the Office of the Attorney General to enforce the provisions of the Solicitation for Charity Act and to gather and disseminate information about charitable trustees and organizations to the public.

Section 30. The amount of $1,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General Whistleblower Reward and Protection Fund to the Office of the Attorney General for State law enforcement purposes.

Section 35. The amount of $900,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the Attorney General for financial support under the Capital Crimes Litigation Act.

Section 40. The amount of $870,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund

New matter indicated by italics - deletions by strikeout
to the Attorney General for the funding of a unit responsible for oversight, enforcement, and implementation of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al. (Circuit Court of Cook County, No. 96L13146), for enforcement of the Tobacco Product Manufacturers' Escrow Act, and for handling remaining tobacco-related litigation.

Section 45. The amount of $3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General's State Projects and Court Ordered Distribution Fund to the Attorney General for payment of interagency agreements, for court-ordered distributions to third parties, and, subject to pertinent court order, for performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 50. The amount of $5,000, or so much thereof as may be necessary, is appropriated from the Attorney General's Grant Fund to the Office of the Attorney General to be expended in accordance with the terms and conditions upon which those funds were received.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the Attorney General:

**OPERATIONS**

Payable from the Violent Crime Victims Assistance Fund:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>787,500</td>
</tr>
<tr>
<td>For State Contribution to State Employees'</td>
<td></td>
</tr>
<tr>
<td>Retirement System</td>
<td>90,800</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>60,300</td>
</tr>
<tr>
<td>For Employees' Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by the Employer</td>
<td>7,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>246,500</td>
</tr>
<tr>
<td>For Operational Expenses</td>
<td></td>
</tr>
<tr>
<td>Crime Victims Services Division</td>
<td>110,000</td>
</tr>
<tr>
<td>For Operational Expenses</td>
<td></td>
</tr>
<tr>
<td>Automated Victim Notification System</td>
<td>800,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Awards and Grants under the Violent Crime Victims Assistance Act...............  7,800,000
Total                                           $9,903,000

Section 60. The amount of $280,000, or so much thereof as may be necessary, is appropriated from the Child Support Administrative Fund to the Office of the Attorney General for child support enforcement purposes.

Section 65. The amount of $2,000,000, or so much thereof as may be necessary, is appropriated from the Attorney General Federal Grant Fund to the Office of the Attorney General for funding for federal grants.

Section 70. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Sex Offender Management Board Fund to the Sex Offender Management Board for the purposes authorized by the Sex Offender Management Board Act including, but not limited to, sex offender evaluation, treatment, and monitoring programs and grants. Funding received from private sources is to be expended in accordance with the terms and conditions placed upon the funding.

Section 75. The amount of $50,000, or so much thereof as may be necessary, is appropriated from the Statewide Grand Jury Prosecution Fund to the Office of the Attorney General for expenses incurred in criminal prosecutions arising under the Statewide Grand Jury Act.

Section 80. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Attorney General for costs related to the Illinois Equal Justice Act.

Section 85. The sum of $20,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Attorney General for capital improvements including, but not limited to, construction, reconstruction, improvement, repair, and installation of capital facilities, cost of planning, supplies, materials, equipment, services, and all other expenses required for its Springfield office at 500 S. Second Street.

ARTICLE 25

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes

New matter indicated by italics - deletions by strikeout
hereinafter named, are appropriated to the Office of the Secretary of State to meet the ordinary, contingent, and distributive expenses of the following organizational units of the Office of the Secretary of State:

EXECUTIVE GROUP

For Personal Services:
For Regular Positions:
- Payable from General Revenue Fund ........................................ 4,980,800
- Payable from Securities Audit and Enforcement Fund...................... 0

For Extra Help:
- Payable from General Revenue Fund ........................................ 39,100

For Employee Contribution to State Employees' Retirement System:
- Payable from General Revenue Fund ........................................ 1,686,200
- Payable from Road Fund ........................................ 2,273,300
- Payable from Securities Audit and Enforcement Fund ...................... 0
- Payable from Vehicle Inspection Fund........................................ 0

For State Contribution to State Employees' Retirement System:
- Payable from General Revenue Fund........................................ 577,200
- Payable from Securities Audit and Enforcement Fund...................... 0

For State Contribution to Social Security:
- Payable from General Revenue Fund........................................ 364,900
- Payable from Securities Audit and Enforcement Fund...................... 0

For Group Insurance:

New matter indicated by italics - deletions by strikeout
Payable from Securities Audit and Enforcement Fund................................. 0

For Contractual Services:
Payable from General Revenue Fund........................................... 535,500

For Travel Expenses:
Payable from General Revenue Fund............................................ 68,500

For Commodities:
Payable from General Revenue Fund............................................ 27,300

For Printing:
Payable from General Revenue Fund........................................... 11,900

For Equipment:
Payable from General Revenue Fund............................................. 9,400

For Telecommunications:
Payable from General Revenue Fund........................................... 143,200

GENERAL ADMINISTRATIVE GROUP

For Personal Services:
For Regular Positions:
Payable from General Revenue Fund................................................. 47,957,300
Payable from Road Fund.............................................................. 0
Payable from Lobbyist Registration Fund........................................... 270,700
Payable from Registered Limited Liability Partnership Fund............... 76,300
Payable from Securities Audit and Enforcement Fund......................... 4,453,700
Payable from Department of Business Services Special Operations Fund......... 1,873,300

New matter indicated by italics - deletions by strikeout
For Extra Help:

Payable from General Revenue Fund............................... 1,045,400
Payable from Road Fund........................................ 0
Payable from Securities Audit and Enforcement Fund.................. 13,800
Payable from Department of Business Services Special Operations Fund........ 132,200

For Employee Contribution to State Employees' Retirement System:

Payable from Lobbyist Registration Fund.................. 6,800
Payable from Registered Limited Liability Partnership Fund................ 1,900
Payable from Securities Audit and Enforcement Fund.................. 112,500
Payable from Department of Business Services Special Operations Fund........ 50,100

For State Contribution to State Employees' Retirement System:

Payable from General Revenue Fund............................... 5,635,600
Payable from Road Fund........................................ 0
Payable from Lobbyist Registration Fund............................... 31,100
Payable from Registered Limited Liability Partnership Fund................ 8,800
Payable from Securities Audit and Enforcement Fund.................. 513,800
Payable from Department of Business Services Special Operations Fund........ 230,600

For State Contribution to Social Security:

Payable from General Revenue Fund............................... 3,738,500

New matter indicated by italics - deletions by strikeout
Payable from Road Fund............................... 0
Payable from Lobbyist Registration Fund.................. 28,200
Payable from Registered Limited Liability Partnership Fund............ 5,600
Payable from Securities Audit and Enforcement Fund.................. 340,800
Payable from Department of Business Services Special Operations Fund.................. 150,600
For Group Insurance:
Payable from Lobbyist Registration Fund........... 68,400
Payable from Registered Limited Liability Partnership Fund............ 27,600
Payable from Securities Audit and Enforcement Fund.................. 1,150,800
Payable from Department of Business Services Special Operations Fund.................. 544,000
For Contractual Services:
Payable from General Revenue Fund.......................... 11,765,300
Payable from Road Fund............................... 900,000
Payable from Motor Fuel Tax Fund.................. 1,000,000
Payable from Lobbyist Registration Fund.................. 79,500
Payable from Registered Limited Liability Partnership Fund............ 600
Payable from Securities Audit and Enforcement Fund.................. 1,305,500
Payable from Department of Business Services Special Operations Fund.................. 625,700
For Travel Expenses:
Payable from General Revenue Fund.......................... 284,700
Payable from Road Fund............................... 0

New matter indicated by italics - deletions by strikeout
Payable from Lobbyist Registration Fund............................................. 3,800
Payable from Securities Audit and Enforcement Fund......................... 44,500
Payable from Department of Business Services Special Operations Fund........ 8,000
For Commodities:
Payable from General Revenue Fund........................................... 1,016,300
Payable from Road Fund......................................................... 0
Payable from Lobbyist Registration Fund............................................. 2,000
Payable from Registered Limited Liability Partnership Fund................. 900
Payable from Securities Audit and Enforcement Fund......................... 22,300
Payable from Department of Business Services Special Operations Fund........ 44,600
For Printing:
Payable from General Revenue Fund........................................... 680,500
Payable from Road Fund.......................................................... 0
Payable from Lobbyist Registration Fund............................................. 2,000
Payable from Securities Audit and Enforcement Fund......................... 16,000
Payable from Department of Business Services Special Operations Fund........ 40,000
For Equipment:
Payable from General Revenue Fund........................................... 250,000
Payable from Road Fund.......................................................... 0
Payable from Lobbyist Registration Fund............................................. 3,500

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

Payable from Registered Limited Liability Partnership Fund....................... 0
Payable from Securities Audit and Enforcement Fund.............................. 153,000
Payable from Department of Business Services Special Operations Fund........... 50,000

For Electronic Data Processing:
Payable from General Revenue Fund...................... 0
Payable from Road Fund................................. 0
Payable from the Secretary of State Special Services Fund....................... 9,000,000

For Telecommunications:
Payable from General Revenue Fund...................... 445,200
Payable from Road Fund................................. 0
Payable from Lobbyist Registration Fund.................. 4,000
Payable from Registered Limited Liability Partnership Fund....................... 600
Payable from Securities Audit and Enforcement Fund.............................. 113,200
Payable from Department of Business Services Special Operations Fund.......... 96,200

For Operation of Automotive Equipment:
Payable from General Revenue Fund................................. 429,500
Payable from Securities Audit and Enforcement Fund.............................. 100,000
Payable from Department of Business Services Special Operations Fund.......... 75,000

For Refunds:
Payable from General Revenue Fund........................................... 14,000
Payable from Road Fund................................. 2,274,200

MOTOR VEHICLE GROUP

For Personal Services:

New matter indicated by italics - deletions by strikeout
For Regular Positions:
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund........</td>
<td>12,326,900</td>
</tr>
<tr>
<td>Payable from Road Fund.....................</td>
<td>84,205,500</td>
</tr>
<tr>
<td>Payable from the Secretary of State</td>
<td></td>
</tr>
<tr>
<td>Special License Plate Fund................</td>
<td>580,600</td>
</tr>
<tr>
<td>Payable from Motor Vehicle Review Board</td>
<td>267,200</td>
</tr>
<tr>
<td>Fund</td>
<td></td>
</tr>
<tr>
<td>Payable from Vehicle Inspection Fund.......</td>
<td>1,323,200</td>
</tr>
</tbody>
</table>

For Extra Help:
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund..........</td>
<td>118,800</td>
</tr>
<tr>
<td>Payable from Road Fund.....................</td>
<td>6,018,800</td>
</tr>
<tr>
<td>Payable from Vehicle Inspection Fund.......</td>
<td>39,400</td>
</tr>
</tbody>
</table>

For Employees Contribution to State Employees' Retirement System:
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund..........</td>
<td>14,500</td>
</tr>
<tr>
<td>Payable from Motor Vehicle Review Board</td>
<td>6,700</td>
</tr>
<tr>
<td>Fund</td>
<td></td>
</tr>
<tr>
<td>Payable from Vehicle Inspection Fund.......</td>
<td>34,100</td>
</tr>
</tbody>
</table>

For State Contribution to State Employees' Retirement System:
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund..........</td>
<td>1,431,200</td>
</tr>
<tr>
<td>Payable from Road Fund.....................</td>
<td>10,375,800</td>
</tr>
<tr>
<td>Payable from the Secretary of State</td>
<td></td>
</tr>
<tr>
<td>Special License Plate Fund................</td>
<td>66,800</td>
</tr>
<tr>
<td>Payable from Motor Vehicle Review Board</td>
<td>30,700</td>
</tr>
<tr>
<td>Fund</td>
<td></td>
</tr>
<tr>
<td>Payable from Vehicle Inspection Fund.......</td>
<td>156,700</td>
</tr>
</tbody>
</table>

For State Contribution to Social Security:
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund..........</td>
<td>924,800</td>
</tr>
<tr>
<td>Payable from Road Fund.....................</td>
<td>6,405,700</td>
</tr>
<tr>
<td>Payable from the Secretary of State</td>
<td></td>
</tr>
<tr>
<td>Special License Plate Fund................</td>
<td>43,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Board Fund................................. 20,400
Payable from Vehicle Inspection Fund......... 111,400

For Group Insurance:
Payable from the Secretary of State
Special License Plate Fund....................... 216,200
Payable from Motor Vehicle Review
Board Fund................................. 112,300
Payable from Vehicle Inspection Fund......... 454,500

For Contractual Services:
Payable from General Revenue Fund........... 2,840,900
Payable from Road Fund......................... 10,836,200
Payable from CDLIS/AAMVAnet Trust Fund
Trust Fund..................................... 620,000
Payable from the Secretary of State
Special License Plate Fund....................... 700,000
Payable from Motor Vehicle Review
Board Fund................................. 93,600
Payable from Vehicle Inspection Fund......... 703,200

For Travel Expenses:
Payable from General Revenue
Fund.......................................... 37,800
Payable from Road Fund......................... 414,500
Payable from the Secretary of State
Special License Plate Fund....................... 6,000
Payable from Motor Vehicle Review
Board Fund................................. 4,000
Payable from Vehicle Inspection
Fund.......................................... 100

For Commodities:
Payable from General Revenue
Fund.......................................... 72,300
Payable from Road Fund......................... 1,103,000
Payable from the Secretary of State
Special License Plate Fund....................... 2,500,000

New matter indicated by italics - deletions by strikeout
Payable from Motor Vehicle Review Board Fund........................................... 800
Payable from Vehicle Inspection Fund............................................... 26,200

For Printing:
Payable from General Revenue Fund........................................... 676,400
Payable from Road Fund................................. 1,326,600
Payable from the Secretary of State Special License Plate Fund.............. 2,080,900
Payable from Motor Vehicle Review Board Fund....................................... 0
Payable from Vehicle Inspection Fund........................................... 43,000

For Equipment:
Payable from General Revenue Fund........................................... 75,000
Payable from Road Fund................................. 400,000
Payable from CDLIS/AAMVAnet Trust Fund........... 443,800
Payable from the Secretary of State Special License Plate Fund.............. 100,000
Payable from Motor Vehicle Review Board Fund....................................... 0
Payable from Vehicle Inspection Fund........................................... 1,500

For Telecommunications:
Payable from General Revenue Fund........................................... 99,300
Payable from Road Fund................................. 1,631,100
Payable from the Secretary of State Special License Plate Fund.............. 300,000
Payable from Motor Vehicle Review Board Fund....................................... 2,000

New matter indicated by italics - deletions by strikeout
New matter indicated by italics - deletions by strikeout

Fund............................................. 3,800
For Operation of Automotive Equipment:
Payable from General Revenue Fund............... 20,000
Payable from Road Fund......................... 524,000

Section 10. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, and nonrecurring repairs and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Office of the Secretary of State, including sidewalks, terraces, and grounds and all labor, materials, and other costs incidental to the above work:

From General Revenue Fund...................... 450,000

Section 15. The sum of $1,000,000, or so much of this amount as may be necessary, is appropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N. Elston Ave., Chicago, Illinois 60630; Charles Chew Jr. Facility, 9901 S. King Drive, Chicago, Illinois 60628; and Capitol Complex buildings located in Springfield Illinois.

Section 25. The amount of $40,000, or so much thereof as may be necessary, is appropriated from the State Parking Facility Maintenance Fund to the Secretary of State for the maintenance of parking facilities owned or operated by the Secretary of State.

Section 30. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:
For annual equalization grants, per capita and area grants to library systems, and per capita grants to public libraries, under Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund...................... 16,668,400
From Live and Learn Fund....................... 16,004,200

New matter indicated by italics - deletions by strikeout
Section 35. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for library services for the blind and physically handicapped:

From General Revenue Fund.................... 2,427,200
From Live and Learn Fund....................... 300,000
From Accessible Electronic Information Service Fund..................... 40,000

Section 40. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes:
For annual per capita grants to all school districts of the State for the establishment and operation of qualified school libraries or the additional support of existing qualified school libraries under Section 8.4 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:
From General Revenue Fund...................... 375,000
From Live and Learn Fund..................... 1,025,000

Section 45. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for grants to library systems for library computers and new technologies to promote and improve interlibrary cooperation and resource sharing programs among Illinois libraries:
From Live and Learn Fund....................... 274,000
From Secretary of State Special Services Fund.. 226,000

Section 50. The following amounts, or so much of these amounts as may be necessary, are appropriated to the Office of the Secretary of State for annual library technology grants and for direct purchase of equipment and services that support library development and technology advancement in libraries statewide:
From General Revenue Fund....................... 644,900
From Live and Learn Fund....................... 700,000
From Secretary of State Special Services Fund................................ 1,600,000

New matter indicated by italics - deletions by strikeout
Section 55. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of making grants to libraries for construction and renovation as provided in Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From Live and Learn Fund:................. 620,800

Section 60. The sum of $100,000, or so much of this amount as may be necessary and remains unexpended on June 30, 2005 from appropriations heretofore made for such purposes in Section 65 of Article 44 of Public Act 93-0842, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for a grant to the Chicago Public Library for planning a new library for Grand Crossing.

Section 65. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For library services under the Federal Library Services and Technology Act, P.L. 104-208, as amended; and the National Foundation on the Arts and Humanities Act of 1965, P.L. 89-209. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Federal Library Services Fund:............ 7,454,500

Section 70. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for support and expansion of the Literacy Programs administered by education agencies, libraries, volunteers, or community based organizations or a coalition of any of the above:

From General Revenue Fund:................. 4,650,000
From Live and Learn Fund:.................... 500,000
From Federal Library Services Fund:
From LSTA Title IA:......................... 1,000,000
From Secretary of State Special Services Fund 1,300,000

Total $2,944,900

New matter indicated by italics - deletions by strikeout
Section 75. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for tuition and fees for Illinois Archival Depository System Interns:

From General Revenue Fund.............................. 45,000

Section 80. The sum of $250,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for the Penny Severns Summer Family Literacy Grants.

Section 85. In addition to any other amounts appropriated for such purposes, the sum of $1,700,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of Secretary of State for a grant to the Chicago Public Library.

Section 90. The sum of $325,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for all expenditures and grants to libraries for the Project Next Generation Program.

Section 95. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of promotion of organ and tissue donations:

From Live and Learn Fund.............................. 1,750,000

Section 100. The sum of $50,000, or so much of this amount as may be necessary, is appropriated from the Secretary of State Special License Plate Fund to the Office of the Secretary of State for grants to benefit Illinois Veterans Home libraries.

Section 105. The amount of $50,000, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Master Mason Fund to provide grants to the Illinois Masonic Foundation for the Prevention of Drug and Alcohol Abuse Among Children, Inc., a not-for-profit corporation, for the purpose of providing Model Student Assistance Programs in public and private schools in Illinois.

Section 110. The amount of $10,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Pan...
Hellenic Trust Fund to provide grants for charitable purposes sponsored by African-American fraternities and sororities.

Section 115. The amount of $15,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Park District Youth Program Fund to provide grants for the Illinois Association of Park Districts: After School Programming.

Section 120. The amount of $30,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Route 66 Heritage Project Fund to provide grants for the development of tourism, education, preservation and promotion of Route 66.

Section 125. The sum of $75,000, or so much of this amount as may be necessary, is appropriated from the Police Memorial Committee Fund to the Office of the Secretary of State for grants to the Police Memorial Committee for maintaining a memorial statue, holding an annual memorial commemoration, and giving scholarships to children to police officers killed in the line of duty.

Section 130. The sum of $110,000, or so much of this amount as may be necessary, is appropriated from the Mammogram Fund to the Office of the Secretary of State for grants to the Susan G. Komen Foundation for breast cancer research, education, screening, and treatment.

Section 135. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for such purposes in Section 3-646 of the Illinois Vehicle Code (625 ILCS 5), for grants to the Regional Organ Bank of Illinois and to Mid-America Transplant Services for the purpose of promotion of organ and tissue donation awareness. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Organ Donor Awareness Fund.......................... 125,000

Section 140. The amount of $500, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Chicago and Northeast Illinois District Council of Carpenters Fund to provide grants for charitable purposes.
Section 145. The amount of $30,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the U.S. Marine Corps Scholarship Fund to provide grants for scholarships for Higher Education.

Section 155. The amount of $546,000, or so much of this amount as may be necessary, is appropriated from the SOS Federal Projects Fund to the Office of the Secretary of State for the payment of any operational expenses relating to the cost incident to augmenting the Illinois Commercial Motor Vehicle safety program by assuring and verifying the identity of drivers prior to licensure, including CDL operators; for improved security for Drivers License and Personal Identification Cards; and any other related program deemed appropriate by the Office of the Secretary of State.

Section 160. The amount of $333,500, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Securities Investors Education Fund for any expenses used to promote public awareness of the dangers of securities fraud.

Section 165. The amount of $50,000, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Secretary of State Evidence Fund for the purchase of evidence, for the employment of persons to obtain evidence, and for the payment for any goods or services related to obtaining evidence.

Section 170. The amount of $225,000, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Office of Secretary of State for the cost of administering the Alternate Fuels Act.

Section 175. The amount of $14,149,800, or so much of this amount as may be necessary, is appropriated from the Secretary of State Special Services Fund to the Office of the Secretary of State for office automation and technology.

Section 180. The amount of $13,875,000, or so much of this amount as may be necessary, is appropriated from the Motor Vehicle License Plate Fund to the Office of the Secretary of State for the cost incident to providing new or replacement plates for motor vehicles.

New matter indicated by italics - deletions by strikeout
Section 185. The sum of $2,090,000, or so much of this amount as may be necessary, is appropriated from the Secretary of State DUI Administration Fund to the Office of Secretary of State for operation of the Department of Administrative Hearings of the Office of Secretary of State and for no other purpose.

Section 190. The amount of $50,000, or so much thereof as may be necessary, is appropriated from the Secretary of State Police DUI Fund to the Secretary of State for the payments of goods and services that will assist in the prevention of alcohol-related criminal violence throughout the State.

Section 195. The amount of $70,000 is appropriated from the Secretary of State Police Services Fund to the Secretary of State for purposes as indicated by the grantor or contractor or, in the case of money bequeathed or granted for no specific purpose, for any purpose as deemed appropriate by the Director of Police, Secretary of State in administering the responsibilities of the Secretary of State Department of Police.

Section 200. The amount of $700,000, or so much of this amount as may be necessary, is appropriated from the Office of the Secretary of State Grant Fund to the Office of the Secretary of State to be expended in accordance with the terms and conditions upon which such funds were received.

Section 205. The amount of $12,000, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the State Library Fund to increase the collection of books, records, and holdings; to hold public forums; to purchase equipment and resource materials for the State Library; and for the upkeep, repair, and maintenance of the State Library building and grounds.

Section 210. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, new construction, and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Secretary of State to enhance security measures in the Capitol Complex:

From the General Revenue Fund.................. 3,500,000

New matter indicated by italics - deletions by strikeout
Section 215. In addition to any other amounts appropriated for such purposes, the sum of $10,000, or so much of this amount as may be necessary, is appropriated from the Live and Learn Fund to the Office of Secretary of State for a grant to the Chicago Public Library, South Shore Branch.

Section 220. In addition to any other amounts appropriated for such purposes, the sum of $10,000, or so much of this amount as may be necessary, is appropriated from the Live and Learn Fund to the Office of Secretary of State for a grant to the Chicago Public Library, Black Stone Branch.

Section 225. In addition to any other amounts appropriated for such purposes, the sum of $50,000, or so much of this amount as may be necessary, is appropriated from the Live and Learn Fund to the Office of Secretary of State for a grant to the Chicago Public Library, Brainerd Branch.

ARTICLE 26

Section 1. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Office of the State Treasurer to meet the ordinary and contingent expenses of the Office of the State Treasurer:

For Personal Services:
- From General Revenue Fund: \(4,750,300\)
- From State Pensions Fund: \(2,565,300\)

For Employee Retirement Contribution (pickup):
- From General Revenue Fund: \(190,000\)
- From State Pensions Fund: \(102,700\)

For State Contributions to State Employees’ Retirement System:
- From General Revenue Fund: \(547,500\)
- From State Pensions Fund: \(295,700\)

For State Contribution to Social Security:
- From General Revenue Fund: \(353,400\)
- From State Pensions Fund: \(194,100\)

New matter indicated by italics - deletions by strikeout
For Group Insurance:
From State Pensions Fund ......................... 855,500

For Contractual Services:
From General Revenue Fund ....................... 1,016,300
From State Pensions Fund ......................... 3,035,600

For Travel:
From General Revenue Fund ....................... 121,100
From State Pensions Fund ......................... 110,000

For Commodities:
From General Revenue Fund ....................... 47,600
From State Pensions Fund ......................... 35,400

For Printing:
From General Revenue Fund ....................... 25,900
From State Pensions Fund ......................... 18,900

For Equipment:
From General Revenue Fund ....................... 56,200
From State Pensions Fund ......................... 18,900

For Electronic Data Processing:
From General Revenue Fund ....................... 948,000
From State Pensions Fund ......................... 1,019,100

For Telecommunications Services:
From General Revenue Fund ....................... 160,100
From State Pensions Fund ......................... 63,100

For Operation of Automotive Equipment:
From General Revenue Fund ....................... 7,600
From State Pensions Fund ......................... 2,700

Total, This Section  $16,541,000

Section 2. The amount of $8,100,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Bank Services Trust Fund for the purpose of making payments to financial institutions for banking services pursuant to the State Treasurer's Bank Services Trust Fund Act.

Section 3. The amount of $9,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the

New matter indicated by italics - deletions by strikeout
General Revenue Fund for the purpose of making refunds of overpayments of estate tax and accrued interest on those overpayments, if any, and payment of certain statutory costs of assessment.

Section 4. The amount of $6,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the General Revenue Fund for the purpose of making refunds of accrued interest on protested tax cases.

Section 5. The amount of $27,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Transfer Tax Collection Distributive Fund for the purpose of making payments to counties pursuant to Section 13b of the Illinois Estate and Generation-Skipping Transfer Tax Act.

Section 6. The amount of $500,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Matured Bond and Coupon Fund for payment of matured bonds and interest coupons pursuant to Section 6u of the State Finance Act.

Section 7. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the State Treasurer for the payment of interest on and retirement of State bonded indebtedness:

For payment of principal and interest on any and all bonds issued pursuant to the Anti-Pollution Bond Act, the Transportation Bond Act, the Capital Development Bond Act of 1972, the School Construction Bond Act, the Illinois Coal and Energy Development Bond Act, and the General Obligation Bond Act:

From the General Obligation Bond Retirement and Interest Fund:

- Principal.................................. 570,597,635
- Interest.................................. 1,114,275,617
- Total..................................... $1,684,873,252

Section 8. The amount of $450,900, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the State Treasurer’s costs to administer the Capital

New matter indicated by italics - deletions by strikeout
Litigation Trust Fund in accordance with the Capital Crimes Litigation Act.

Section 9. The amount of $2,691,200, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of expenses of the Cook County State's Attorney in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 10. The amount of $1,625,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of expenses of the Cook County Public Defender in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 11. The amount of $1,200,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of compensation and expenses of court appointed defense counsel, other than the Cook County Public Defender, in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 12. The following named amount of $3,000,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the separate account held by the State Treasurer for payment of compensation and expenses of court appointed counsel other than Public Defenders incurred in the defense of capital cases in counties other than Cook County in accordance with the Capital Crimes Litigation Act.

Section 13. The following named amount of $500,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the separate account held by the State Treasurer for payment of expenses of Public Defenders incurred in the defense of capital cases in counties other than Cook County in accordance with the Capital Crimes Litigation Act.

New matter indicated by italics - deletions by strikeout
Section 14. The following named amount of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Treasurer for expenses related to an Inspector General position.

Section 15. The following named amount of $5,000,000, or so much thereof as may be necessary, is appropriated from the Hospital Basic Services Preservation Fund to the State Treasurer to collateralize loans from financial institutions for capital projects as stated in the Hospital Basic Services Preservation Act.

ARTICLE 27

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the following divisions of the State Comptroller for the Fiscal Year ending June 30, 2007:

<table>
<thead>
<tr>
<th>Division</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>4,154,600</td>
</tr>
<tr>
<td>For Employee Retirement Payments</td>
<td>0</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>317,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,602,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>45,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>122,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>35,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>12,800</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>241,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>0</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>8,900</td>
</tr>
<tr>
<td>Total</td>
<td>$7,018,500</td>
</tr>
</tbody>
</table>

Statewide Fiscal Operations

New matter indicated by italics - deletions by strikeout
For Personal Services............................ 5,196,700
For Employee Retirement Contributions
  Paid by the Employer................................. 0
For State Contribution to State
  Employees’ Retirement System...................... 598,900
For State Contribution to Social Security............ 397,500
For Contractual Services............................ 189,400
For Travel............................................. 4,300
For Commodities..................................... 0
For Printing.......................................... 0
For Equipment........................................ 0
For Electronic Data Processing...................... 0
Total ................................................. $6,386,800

Electronic Data Processing
For Personal Services............................ 4,346,800
For Employee Retirement Contributions
  Paid by the Employer................................. 0
For State Contribution to State
  Employees’ Retirement System...................... 500,900
For State Contribution to Social Security............ 332,500
For Contractual Services............................ 1,015,700
For Travel............................................. 8,000
For Commodities..................................... 119,000
For Printing.......................................... 338,300
For Equipment........................................ 0
For Telecommunications.............................. 0
For Electronic Data Processing..................... 1,649,200
Total ................................................. $8,310,400

Special Audits
For Personal Services............................ 1,834,000
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid by the Employer................................... 0
For State Contribution to State
  Employees' Retirement System..................... 211,400
For State Contribution to
  Social Security.................................. 140,400
For Contractual Services........................... 75,400
For Travel.......................................... 70,500
For Commodities................................... 0
For Printing........................................ 0
For Equipment...................................... 0
For Electronic Data Processing........................ 0
For Expenses of Local Government
  Officials Training............................... 12,500
For Contractual Services for auditing
  and assisting local governments............... 25,000
Total                                                                 $2,369,200
Merit Commission
For Merit Commission Expenses........................ 93,000

Section 10. The sum of $1,200,000, or so much thereof as may be
  necessary, is appropriated to the State Comptroller from the Comptroller's
  Administrative Fund for the discharge of duties of the office.

Section 15. The amount of $50,300, or so much thereof as may be
  necessary, is appropriated to the State Comptroller from the State Lottery
  Fund for expenses in connection with the State Lottery.

Section 20. The amount of $200,000, or so much thereof as may be
  necessary, is appropriated to the State Comptroller to meet the ordinary
  and contingent expenses for the Office of Inspector General.

Section 25. The amount of $100,000, or so much thereof as may be
  necessary, is appropriated to the State Comptroller for expenses and the
  administration of Section 15-125 of the Pension Code.

ARTICLE 28

Section 5. The following named amounts, or so much thereof as
  may be necessary, respectively, are appropriated to the State Comptroller

New matter indicated by italics - deletions by strikeout
to pay the elected State officers of the Executive Branch of the State Government, at various rates prescribed by law:
For the Governor............................... 150,700
For the Lieutenant Governor.................... 115,300
For the Secretary of State....................... 133,000
For the Attorney General......................... 133,000
For the Comptroller............................... 115,300
For the State Treasurer.......................... 115,300
Total                                      $762,600

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:
From General Revenue Fund
Department on Aging
For the Director................................. 102,200
Department of Agriculture
For the Director................................. 117,800
For the Assistant Director....................... 100,000
Department of Central Management Services
For the Director................................. 125,800
For 2 Assistant Directors......................... 213,900
Department of Children and Family Services
For the Director................................. 128,100
Department of Corrections
For the Director................................. 128,100
For the Assistant Director....................... 112,900
Department of Commerce and Economic Opportunities
For the Director................................. 125,800
For the Assistant Director....................... 107,000
Environmental Protection Agency
For the Director................................. 117,800
Department of Financial and Professional Regulation
For the Secretary............................... 125,800

New matter indicated by italics - deletions by strikeout
For the Director.......................... 102,200
For the Director.......................... 117,800
For the Director.......................... 109,700

Department of Human Services
For the Secretary.......................... 128,100
For 2 Assistant Secretaries.................. 225,700

Department of Juvenile Justice
For the Director.......................... 112,900

Department of Labor
For the Director.......................... 109,700
For the Assistant Director.................. 100,000
For the Chief Factory Inspector............. 44,400
For the Superintendent of Safety Inspection and Education.................... 48,800

Department of State Police
For the Director.......................... 117,200
For the Assistant Director.................. 100,000

Department of Military Affairs
For the Adjutant General................... 102,200
For two Chief Assistants to the Adjutant General....................... 174,100

Department of Natural Resources
For the Director.......................... 117,800
For the Assistant Director.................. 100,000
For six Mine Officers....................... 79,800
For four Miners' Examining Officers........... 43,900

Illinois Labor Relations Board
For the Chairman.......................... 88,700
For four State Labor Relations Board members.............................. 319,200
For two Local Labor Relations Board members........................... 159,600

Department of Healthcare and Family Services
For the Director.......................... 125,800

New matter indicated by italics - deletions by strikeout
For the Assistant Director.......................... 107,000  
  Department of Public Health  
For the Director................................. 128,100  
For the Assistant Director....................... 112,900  
  Department of Revenue  
For the Director................................. 125,800  
For the Assistant Director....................... 107,000  
  Property Tax Appeal Board  
For the Chairman................................. 55,000  
For four members................................. 177,300  
  Department of Veterans' Affairs  
For the Director................................. 102,200  
For the Assistant Director....................... 87,100  
  Civil Service Commission  
For the Chairman................................. 26,900  
For four members................................. 82,400  
  Commerce Commission  
For the Chairman................................. 113,900  
For four members................................. 397,700  
  Court of Claims  
For the Chief Judge............................. 55,200  
For the six Judges............................... 305,400  
  State Board of Elections  
For the Chairman................................. 49,700  
For the Vice-Chairman............................ 40,800  
For six members................................. 191,500  
  Illinois Emergency Management Agency  
For the Director................................. 102,200  
For the Assistant Director....................... 102,200  
  Department of Human Rights  
For the Director................................. 102,200  
  Human Rights Commission  
For the Chairman................................. 44,400  
For twelve members............................... 478,700  

New matter indicated by italics - deletions by strikeout
Illinois Workers’ Compensation Commission
For the Chairman................................. 106,400
For nine members................................. 916,200

Liquor Control Commission
For the Chairman..................................... 33,100
For six members..................................... 173,600
For the Secretary.................................... 32,000
For the Chairman and one member as
designated by law, $200 per diem
for work on a license appeal
commission........................................... 55,000

Executive Ethics Commission
For nine members................................. 287,300

Pollution Control Board
For the Chairman................................. 102,900
For four members................................. 397,700

Prisoner Review Board
For the Chairman..................................... 81,500
For fourteen members of the
Prisoner Review Board............................ 1,021,300

Secretary of State Merit Commission
For the Chairman..................................... 14,700
For four members................................. 43,900

Educational Labor Relations Board
For the Chairman..................................... 88,700
For four members................................. 319,200

Department of State Police
For five members of the State Police
Merit Board, $202 per diem,
whichever is applicable in accordance
with law, for a maximum of 100
days each.............................................. 101,000

Department of Transportation
For the Secretary..................................... 128,100

New matter indicated by italics - deletions by strikeout
For the Assistant Secretary........................ 112,900  
Office of Small Business Utility Advocate
For the small business utility advocate.............. 0
... Total, General Revenue Fund  $11,243,900
Office of the State Fire Marshal
For the State Fire Marshal:  
From Fire Prevention Fund......................... 102,200
Illinois Racing Board
For eleven members of the Illinois Racing Board, $300 per diem to a maximum 10,640 as prescribed by law:
From the Horse Racing Fund.............. 117,100
Department of Employment Security
Payable from Title III Social Security and Employment Service Fund:
For the Director.......................... 125,800
For five members of the Board of Review........... 75,000
Total  $200,800
Department of Financial and Professional Regulation
Payable from Bank and Trust Company Fund:
For the Director.......................... 120,400
Subtotals:  
General Revenue................................. 11,243,900
Fire Prevention................................. 102,200
Horse Racing................................. 117,100
Bank and Trust Company Fund............... 120,400
Title III Social Security and Employment Service Fund............... 200,800
Total  $11,784,400

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain officers of the Legislative Branch of the State Government, at the various rates prescribed by law:

New matter indicated by italics - deletions by strikeout
Office of Auditor General
For the Auditor General......................... 112,600
For two Deputy Auditor Generals............... 209,300
Total ........................................... $321,900

Officers and Members of General Assembly
For salaries of the 118 members of the House of Representatives 6,914,300
For salaries of the 59 members of the Senate.............................. 3,514,800
Total ........................................... $10,429,100

For additional amounts, as prescribed by law, for party leaders in both chambers as follows:
For the Speaker of the House,
the President of the Senate and
Minority Leaders of both Chambers............... 93,600
For the Majority Leader of the House............... 19,800
For the eleven assistant majority and minority leaders in the Senate............... 193,000
For the twelve assistant majority and minority leaders in the House............... 184,200
For the majority and minority caucus chairmen in the Senate............... 35,100
For the majority and minority conference chairmen in the House............... 30,700
For the two Deputy Majority and the two Deputy Minority leaders in the House............... 67,300
For chairmen and minority spokesmen of standing committees in the Senate except the Rules Committee, the Committee on Committees and the Committee on the Assignment of Bills......................... 315,800

New matter indicated by italics - deletions by strikeout
committees in the House.......................... 666,600  
Total $1,606,100

For per diem allowances for the members of the Senate, as provided by law.............................. 324,000

For per diem allowances for the members of the House, as provided by law.............................. 709,000

For mileage for all members of the General Assembly, as provided by law.............................. 405,000  
Total $1,438,000

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the State Comptroller in connection with the payment of salaries for officers of the Executive and Legislative Branches of State Government:

For State Contribution to State Employees' Retirement System:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From General Revenue Fund</td>
<td>1,332,500</td>
</tr>
<tr>
<td>From Horse Racing Fund</td>
<td>13,500</td>
</tr>
<tr>
<td>From Fire Prevention Fund</td>
<td>11,800</td>
</tr>
<tr>
<td>From Bank and Trust Company Fund</td>
<td>13,900</td>
</tr>
<tr>
<td>From Title III Social Security and Employment Service Fund</td>
<td>23,200</td>
</tr>
<tr>
<td>Savings and Residential Finance Regulatory Fund</td>
<td>0</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,394,900</strong></td>
</tr>
</tbody>
</table>

For State Contribution to Social Security:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From General Revenue Fund</td>
<td>953,500</td>
</tr>
<tr>
<td>From Horse Racing Fund</td>
<td>9,000</td>
</tr>
<tr>
<td>From Fire Prevention Fund</td>
<td>7,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 25. The amount of $440,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for contingencies in the event that any amounts appropriated in Sections 5 through 20 of this Article are insufficient and other expenses associated with the administration of Sections 5 through 20.

ARTICLE 29

Section 1. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Office of the State Comptroller for the fiscal year ending June 30, 2006:

For Personal Services:
   Official Court Reporting....................... 36,217,900

For State Contributions to the State Employees’ Retirement System...................... 4,246,900

For Employee Retirement Contributions
   Paid by Employer................................. 1,393,500

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

Security................................. 2,819,000
For Travel:
  For Official Court Reporting................. 167,900
For Contractual Services:
  For Transcript Fees for Official Court Reporting............... 4,046,700
  For Other Operational Expenses............... 8,000

Section 2. The amount of $750,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for ordinary and contingent expenses associated with the payment to official court reporters pursuant to law.

ARTICLE 30

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the State Comptroller in connection with the Illinois Global Partnership Act:

From General Revenue Fund...................... 2,500,000
From Agricultural Premium Fund............... 1,006,200
From International Tourism Fund............. 2,500,000
Total $6,006,200

ARTICLE 31

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the State Board of Elections for its ordinary and contingent expenses as follows:

The Board
For Contractual Services...................... 19,000
For Travel.................................. 19,100
For Equipment................................ 500
Total $38,600

Administration
For Personal Services......................... 562,300
For Employee Retirement Contributions
  Paid By Employer.............................. 22,600
For State Contributions to State Employees'
  Retirement System............................ 43,800

New matter indicated by italics - deletions by strikeout
For State Contributions to
   Social Security..........................  43,100
For Contractual Services..................  385,500
For Travel...................................  18,500
For Commodities...........................  16,400
For Printing...............................  10,600
For Equipment.............................  2,000
For Telecommunications..................... 112,400
For Operation of Automotive Equipment..... 3,000
Total........................................  $1,220,200

Elections
For Personal Services......................  1,422,300
For Employee Retirement Contributions
   Paid By Employer...........................  57,000
For State Contributions to State
   Employees' Retirement System............  110,800
For State Contributions to Social Security 108,900
For Contractual Services..................  24,400
For Travel...................................  43,600
For Printing..................................  28,900
For Equipment.............................  5,200
For Purchase of Election Codes.............  15,000
For HAVA Maintenance of Effort
   Contribution-State.......................  550,000
For Reimbursement to Counties for Increased
   Compensation to Judges and other Election
   Officials, as provided in Public Acts
   81-850, 81-1149, and 90-672............. 3,740,000
For Payment of Lump Sum Awards to County Clerks,
   County Recorders, and Chief Election
   Clerks as Compensation for Additional
   Duties required of such officials
   by consolidation of elections law,
   as provided in Public Acts 82-691

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

and 90-713........................................ 812,500

For Payment to Election Authorities for expenses in supplying voter registration tapes to the State Board of Elections pursuant to Public Act 85-958............................ 20,250
Total $6,938,850

General Counsel
For Personal Services.............................. 249,500
For Employee Retirement Contributions
  Paid By Employer................................. 10,000
For State Contributions to State Employees' Retirement System.............. 19,300
For State Contributions to Social Security................................. 19,200
For Contractual Services............................ 140,200
For Travel........................................ 10,300
For Equipment........................................ 500
Total $449,000

Campaign Disclosure
For Personal Services.............................. 692,400
For Employee Retirement Contributions
  Paid By Employer................................. 27,700
For State Contributions to State Employees' Retirement System.............. 54,000
For State Contributions to Social Security................................. 53,100
For Contractual Services............................ 11,100
For Travel........................................ 11,300
For Printing........................................ 17,400
For Equipment........................................ 9,100
Total $876,100

Information Technology
For Personal Services.............................. 411,900
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid By Employer................................. 16,500
For State Contributions to State Employees' Retirement System................................. 32,100
For State Contributions to Social Security......... 31,500
For Contractual Services........................... 353,800
For Travel.......................................... 11,600
For Commodities..................................... 17,100
For Printing........................................... 700
For Equipment...................................... 103,500
Total                                                                                     $978,700

Section 10. The following amounts, or so much thereof as may be necessary, are reappropriated from the Help Illinois Vote Fund to the State Board of Elections for Implementation of the Help America Vote Act of 2002:
For distribution to Local Election Authorities under Section 251 of the Help America Vote Act................................. 80,950,000
For the implementation of the Statewide Voter Registration System as required by Section 1A-25 of the Illinois Election Code, including maintenance of the IDEA/VISTA program................................. 8,650,000
For distribution to Local Election Authorities for replacement of punch-card voting systems under Section 102 of the Help America Vote Act................................. 11,500,000
For administrative costs and discretionary grants to Local Election Authorities under Section 101 of the Help America Vote Act................................. 6,700,000
Total                                                                                     $107,800,000

Section 15. The amount of $150,000, or as much of that amount as may be necessary, is appropriated to the State Board of Elections from the Voters’ Guide Fund for the operations of that Fund.

New matter indicated by italics - deletions by strikeout
ARTICLE 32

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Supreme Court to pay the ordinary and contingent expenses of certain officers of the court system of Illinois as follows:

For Personal Services:
  Judges' Salaries............................ 147,859,600

For Travel:
  Judicial Officers............................ 1,208,900

For State Contributions
  to Social Security......................... 2,143,900

Total, this Section                       $151,212,400

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Supreme Court:

For Personal Services........................ 7,135,900

For State Contributions
  to State Employees' Retirement............. 822,400

For State Contributions
  to Social Security........................ 545,900

For Contractual Services.................... 1,624,500

For Travel................................... 15,500

For Commodities............................. 42,600

For Printing.................................. 227,100

For Equipment................................ 935,700

For Electronic Data Processing.............. 100,900

For Telecommunications....................... 124,900

For Operation of Automotive Equipment....... 8,000

For Permanent Improvements.................. 34,000

Total, this Section                     $11,617,400

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Supreme Court to meet the ordinary and contingent

New matter indicated by italics - deletions by strikeout
expenses of the Judges of the Appellate Courts, and the Clerks of the Appellate Courts, and the Appellate Judges Research Projects:

Administration of the First Appellate District

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>7,179,100</td>
</tr>
<tr>
<td>For State Contributions</td>
<td></td>
</tr>
<tr>
<td>to State Employees' Retirement</td>
<td>827,400</td>
</tr>
<tr>
<td>For State Contributions</td>
<td></td>
</tr>
<tr>
<td>to Social Security</td>
<td>549,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>854,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>1,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>34,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>35,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>150,900</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>84,300</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,717,300</strong></td>
</tr>
</tbody>
</table>

Administration of the Second Appellate District

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,917,100</td>
</tr>
<tr>
<td>For State Contributions</td>
<td></td>
</tr>
<tr>
<td>to State Employees' Retirement</td>
<td>336,200</td>
</tr>
<tr>
<td>For State Contributions</td>
<td></td>
</tr>
<tr>
<td>to Social Security</td>
<td>223,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,014,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>2,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>19,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td>203,700</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>1,200</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>82,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,807,000</strong></td>
</tr>
</tbody>
</table>

Administration of the Third Appellate District

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>2,209,600</td>
</tr>
<tr>
<td>For State Contributions</td>
<td></td>
</tr>
<tr>
<td>to State Employees' Retirement</td>
<td>254,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For State contributions
to Social Security.................................. 169,000
For Contractual Services.......................... 725,500
For Travel........................................... 1,100
For Commodities.................................. 20,700
For Printing....................................... 7,500
For Equipment.................................... 243,800
For Telecommunications.......................... 66,700
Total .............................................. $3,698,600

Administration of the Fourth Appellate District
For Personal Services......................... 2,259,700
For State Contributions
to State Employees' Retirement.................. 260,400
For State Contributions
to Social Security............................... 172,900
For Contractual Services........................ 666,400
For Travel......................................... 4,100
For Commodities................................ 19,900
For Printing....................................... 5,900
For Equipment................................... 72,700
For Telecommunications......................... 66,700
Total .............................................. $3,528,200

Administration of the Fifth Appellate District
For Personal Services......................... 2,254,400
For State Contributions to
State Employees' Retirement................... 259,800
For State Contributions to
Social Security.................................. 172,500
For Contractual Services....................... 632,500
For Travel......................................... 4,100
For Commodities................................ 9,300
For Printing...................................... 13,400
For Equipment................................... 199,000
For Telecommunications......................... 62,200

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment................ 1,300
Total                             $3,608,500

Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Supreme Court for ordinary and contingent expenses of the Circuit Court:
For Circuit Clerks' Additional Duties.......... 663,000
For Mandatory Arbitration......................... 678,500
For Sexually Violent Persons Commitment Act..... 324,500
For Probation Reimbursements..................... 60,052,500
For Personal Services:
   Circuit Court Personnel........................ 1,790,800
For State Contribution
to State Employees' Retirement.................... 206,400
For State Contribution
to Social Security.............................. 137,000
For Travel:
   Circuit Court Personnel........................ 160,200
For Contractual Services........................... 683,700
For Equipment...................................... 106,300
For Electronic Data Processing.................... 2,067,400
   Total, this Section                      $66,870,300

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Supreme Court for ordinary and contingent expenses of the Administrative Office of the Illinois Courts:
For Personal Services............................ 6,062,600
For Retirement - Paid by Employer............... 1,280,200
For State Contributions to
   State Employees' Retirement................... 698,700
For State Contributions to
   Social Security............................... 463,800
For Contractual Services......................... 2,977,700
For Travel......................................... 197,500
For Commodities................................. 67,200

New matter indicated by italics - deletions by strikeout
For Printing........................................ 83,000
For Equipment...................................... 369,200
For Electronic Data Processing................... 3,067,700
For Telecommunications............................. 218,900
For Operation of
Automotive Equipment............................. 17,400
For Probation Training.............................. 0
For Contractual Services: Judicial Conference
and Supreme Court Committees.................... 729,500
For Judges' Out-of-State
Educational Programs............................... 0
For Training of Circuit Court Officers
and Personnel...................................... 0
Total, this Section $16,233,400

Section 30. The sum of $54,100, or so much thereof as may be
necessary, is appropriated to the Supreme Court for the contingent

Section 35. The sum of $13,306,700, or so much thereof as may
be necessary, is appropriated from the Mandatory Arbitration Fund to the
Supreme Court for Mandatory Arbitration Programs.

Section 40. The sum of $121,500, or so much thereof as may be
necessary, is appropriated from the Foreign Language Interpreter Fund to
the Supreme Court for Foreign Language Interpreter Program.

Section 45. The sum of $757,100, or so much thereof as may be
necessary, is appropriated from the Lawyers' Assistance Program Fund to
the Supreme Court for lawyers' assistance programs.

Section 50. The sum of $520,000, or so much thereof as may be
necessary, is appropriated from the Reviewing Court Alternative Dispute
Resolution Fund to the Supreme Court for alternative dispute resolution
programs within the reviewing courts.

ARTICLE 33

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Court of Claims
for its ordinary and contingent expenses:

New matter indicated by italics - deletions by strikeout
CLAIMS ADJUDICATION
Payable from the General Revenue Fund:
For Personal Services............................ 973,300
For State Contribution to State
  Employees' Retirement System................. 112,100
For Employee Retirement Contributions
  Paid by Employer............................... 38,900
For State Contribution to Social
  Security.......................................... 74,500
For Contractual Services....................... 22,000
For Travel......................................... 21,000
For Commodities.................................. 12,000
For Printing....................................... 12,000
For Equipment.................................... 14,200
For Telecommunications Services............... 10,400
For Refunds....................................... 500
For Reimbursement for Incidental
  Expenses Incurred by Judges................. 35,300
Total                                                                 $1,326,200

Section 10. The amount of $300,000, or so much of that amount as
may be necessary, is appropriated from the Court of Claims
Administration and Grant Fund to the Court of Claims for administrative
expenses under the Crime Victims Compensation Act.

Section 15. The amount of $500,000, or so much of that amount as
may be necessary, is appropriated from the General Revenue Fund to the
Court of Claims for payment of awards solely as a result of the lapsing of
an appropriation originally made from any funds held by the State
Treasurer.

Section 20. The following named amounts, or so much of that
amount as may be necessary, are appropriated to the Court of Claims for
payment of claims as follows:
For claims under the Crime Victims
  Compensation Act:
  Payable from General Revenue

New matter indicated by italics - deletions by strikeout
Fund........................................ 24,000,000
For claims other than Crime Victims:
Payable from the General
Revenue Fund............................... 10,000,000
Payable from the
Road Fund................................. 1,000,000
Payable from the DCFS Children's
Services Fund............................. 1,500,000
Payable from the State Garage
Revolving Fund............................ 50,000
Payable from the Traffic and Criminal
Conviction Surcharge Fund............... 100,000
Payable from the Vocational
Rehabilitation Fund....................... 125,000
Total $36,775,000

ARTICLE 34

Section 1. The following named amounts are appropriated from the
General Revenue Fund to the Court of Claims to pay claims in conformity
with awards and recommendations made by the Court of Claims as
follows:
  No.92-CC-3356, Pearl Jackson, as special Administrator of the estate of
Cheryl Azbell, deceased, Angela Azbell, Cassandra Azbell and Latasha
Azbell, minors, by their grandmother and Next friend, Pearl Jackson
$400,000.00
  No. 95-CC-1398, Swedish American Hospital. Debt, against the
Department of Public Aid....................... $17,021.73
  No. 01-CC-2523, Forest Health System, Inc. of IL d/b/a Lovelton
Academy. Contract, against the Department of Children and Family
Services.......................................... $43,065.75
  No. 02-CC-0964, Bobby Joe Timberson. Personal Injury, against the
Department of Human Services............... $20,000.00
  No. 03-CC-0194, Sharon Bland. Personal Injury, against the
Department of Corrections............... $35,165.26

New matter indicated by italics - deletions by strikeout
No. 03-CC-0435, Zeta C. Moore. Personal Injury, against the Secretary of State............................... $14,509.92
No. 03-CC-0833, Ismael Mohammed. Personal Injury and Property Damage, against the Department of Corrections.......................... $7,056.00
No. 04-CC-0230, Craig Lowman. Attorney Fees, against the Department of Children and Family Services...................... $6,646.30
No. 04-CC-1145, Dennis and Valerie Graue. Reimbursement of attorney fees, against the Department of Children and Family Services $9,058.46
No. 05-CC-1540&1549, Reimburse State Fund 537, State Offender DNA Identification System Fund. Against the Department of State Police $230,700.00
No. 05-CC-1937, Reimburse Federal Fund 904, Illinois State Police Federal Projects Fund. Against the Department of State Police $10,125.00
No. 05-CC-2248, Julie Wilkey. Tort, against the Department of Corrections.......................... $15,500.00
No. 05-CC-2282, Stanley Howard. Illegal Incarceration, against the Department of Corrections................... $161,005.25
No. 06-CC-1924, Wexford Health Sources, Inc. Debt, against the Department of Corrections.................. $787,912.43
No. 06-CC-2200, Alejandro Dominguez. Illegal Incarceration, against the Department of Corrections.................. $60,150.00

Section 2. The following named amounts are appropriated to the Court of Claims from the Road Fund 011, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 93-CC-3432, Western Illinois Construction, Inc. Contract, against the Department of Transportation............................. $49,741.20
No. 99-CC-3183, Darlene A. Riskovsky. Tort, against the Department of Transportation............................. $17,000.00

New matter indicated by italics - deletions by strikeout
No. 02-CC-2692, Roslyn Steele. Personal Injury, against the Department of Transportation......................... $27,054.21
No. 06-CC-1065, Labor Tech Printing, Inc. Debt, against the Department of Transportation.......................... $129,809.42
No. 06-CC-1089, McCann Industries, Inc. Debt, against the Department of Transportation.......................... $86,123.00
No. 06-CC-1198, McCann Industries, Inc. Debt, against the Department of Transportation.......................... $84,607.00
No. 06-CC-1614, McCann Industries, Inc. Debt, against the Department of Transportation.......................... $90,815.00

Section 3. The following named amounts are appropriated to the Court of Claims from State Fund 012, Motor Fuel Tax Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $133.00

Section 4. The following named amounts are appropriated to the Court of Claims from Federal Fund 013, Alcoholism and Substance Abuse Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357...................................... $9,564.00

Section 5. The following named amounts are appropriated to the Court of Claims from State Fund 015, Penny Severns Breast, Cervical and Ovarian Cancer Research Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357..................................... $4,578.58

Section 6. The following named amounts are appropriated to the Court of Claims from State Fund 018, Transportation Regulatory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $1,622.00

New matter indicated by italics - deletions by strikeout
Section 7. The following named amounts are appropriated to the Court of Claims from State Fund 021, Financial Institution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................................. $20.34

Section 8. The following named amounts are appropriated to the Court of Claims from State Fund 022, General Professions Dedicated Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................................. $4,530.05

Section 9. The following named amounts are appropriated to the Court of Claims from State Fund 041, Wildlife and Fish Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................................. $2,527.71

Section 10. The following named amounts are appropriated to the Court of Claims from State Fund 047, Fire Prevention Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................................. $4,238.96

Section 11. The following named amounts are appropriated to the Court of Claims from Federal Fund 052, Title III Social Security and Employment Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................................................. $15,000.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................................. $41,483.13

Section 12. The following named amounts are appropriated to the Court of Claims from State Fund 059, Public Utility Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $9,704.30

Section 13. The following named amounts are appropriated to the Court of Claims from Federal Fund 063, Public Health Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $15,566.43

Section 14. The following named amounts are appropriated to the Court of Claims from Federal Fund 065, U.S. Environmental Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $2,308.10

Section 15. The following named amounts are appropriated to the Court of Claims from State Fund 067, Radiation Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $467.24

Section 16. The following named amounts are appropriated to the Court of Claims from State Fund 072, Underground Storage Tank Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................. $49,626.86

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $324.70

Section 17. The following named amounts are appropriated to the Court of Claims from State Fund 074, EPA Special State Projects Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

New matter indicated by italics - deletions by strikeout
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $887.19

Section 18. The following named amounts are appropriated to the Court of Claims from State Fund 078, Solid Waste Management Fund to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $737.00

Section 19. The following named amounts are appropriated to the Court of Claims from State Fund 084, County Water Commission Tax Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $9,878.77

Section 20. The following named amounts are appropriated to the Court of Claims from State Fund 091, Clean Air Act Permit Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $2,180.16

Section 21. The following named amounts are appropriated to the Court of Claims from State Fund 093, Illinois State Medical Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $1,200.00

Section 22. The following named amounts are appropriated to the Court of Claims from Federal Fund 117, State Appellate Defender Federal Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................................. $2,744.06

Section 23. The following named amounts are appropriated to the Court of Claims from State Fund 141, Capital Development Fund, to pay

New matter indicated by italics - deletions by strikeout
claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................... $4,180.00

Section 24. The following named amounts are appropriated to the Court of Claims from State Fund 152, State Crime Laboratory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................................................. $37,455.00

Section 25. The following named amounts are appropriated to the Court of Claims from State Fund 218, Professional Indirect Cost Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................... $630.56

Section 26. The following named amounts are appropriated to the Court of Claims from State Fund 220, DCFS Children’s Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................... $45,592.04

Section 27. The following named amounts are appropriated to the Court of Claims from State Fund 224, Asbestos Abatement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................... $290.35

Section 28. The following named amounts are appropriated to the Court of Claims from the State Fund 244, Savings and Residential Finance Regulatory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................... $588.09

New matter indicated by italics - deletions by strikeout
Section 29. The following named amounts are appropriated to the Court of Claims from the State Fund 258, Nursing Dedicated & Professional Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $345.20

Section 30. The following named amounts are appropriated to the Court of Claims from the State Fund 270, Water Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $66.00

Section 31. The following named amounts are appropriated to the Court of Claims from the State Fund 272, LaSalle Veteran’s Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $27.45

Section 32. The following named amounts are appropriated to the Court of Claims from State Fund 301, Working Capital Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................. $17,500.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $509.39

Section 33. The following named amounts are appropriated to the Court of Claims from the State Fund 303, State Garage Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $14.05

Section 34. The following named amounts are appropriated to the Court of Claims from the State Fund 304, Statistical Services Revolving Fund.
Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $3,323.91

Section 35. The following named amounts are appropriated to the Court of Claims from State Fund 312, Communications Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................. $10,609.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $9,083.27

Section 36. The following named amounts are appropriated to the Court of Claims from the State Fund 314, Facilities Management Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $402.00

Section 37. The following named amounts are appropriated to the Court of Claims from the State Fund 316, Illinois Prescription Drug Discount Program Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $25,000.00

Section 38. The following named amounts are appropriated to the Court of Claims from State Fund 336, Environmental Laboratory Certification Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000................................. $50,646.54

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $372.00

Section 39. The following named amounts are appropriated to the Court of Claims from the Federal Fund 343, Federal National Community

New matter indicated by italics - deletions by strikeout
Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $1,758.93

Section 40. The following named amounts are appropriated to the Court of Claims from the State Fund 363, Department of Business Services Special Operations Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $191.25

Section 41. The following named amounts are appropriated to the Court of Claims from the State Fund 372, Plumbing Licensure and Program Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $1,053.10

Section 42. The following named amounts are appropriated to the Court of Claims from the Federal Fund 379, ICC Federal Grants Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $277.50

Section 43. The following named amounts are appropriated to the Court of Claims from the Federal Fund 408, DHS Special Purpose Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $1,406.08

Section 44. The following named amounts are appropriated to the Court of Claims from the State Fund 421, Public Aid Recoveries Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $66.00

New matter indicated by italics - deletions by strikeout
Section 45. The following named amounts are appropriated to the Court of Claims from the State Fund 438, Illinois State Fair Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000............................................. $10,049.96

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $2,065.59

Section 46. The following named amounts are appropriated to the Court of Claims from the Federal Fund 447, GI Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $793.44

Section 47. The following named amounts are appropriated to the Court of Claims from Federal Fund 488, Criminal Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000............................................. $88,180.21

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $3,894.50

Section 48. The following named amounts are appropriated to the Court of Claims from the Federal Fund 495, Old Age Survivors Insurance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $548.00

Section 49. The following named amounts are appropriated to the Court of Claims from Federal Fund 497, Federal Civil Preparedness Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 06-CC-2305, LDV, Inc. Debt against the Emergency Management Agency............................................... $214,943.00

New matter indicated by italics - deletions by strikeout
Section 50. The following named amounts are appropriated to the Court of Claims from the State Fund 502, Early Intervention Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................................................... $19,752.03

Section 51. The following named amounts are appropriated to the Court of Claims from the State Fund 514, State Asset Forfeiture Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357......................................................... $149.00

Section 52. The following named amounts are appropriated to the Court of Claims from Federal Fund 526, Emergency Management Preparedness Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 06-CC-1747, Tetra Tech EM, Inc. Debt, against the Emergency Management Agency.......................... $166,716.30

No. 06-CC-2305, LDV, Inc. Debt, against the Emergency Management Agency.......................... 500,000.00

Section 53. The following named amounts are appropriated to the Court of Claims from the State Fund 534, Illinois Workers’ Compensation Commission Operations Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.................................................. $934.57

Section 54. The following named amounts are appropriated to the Court of Claims from State Fund 537, State Offender DNA Identification Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 06-CC-2766, The Bode Technology Group, Inc. Debt, against the Department of State Police.................. $157,115.00

Section 55. The following named amounts are appropriated to the Court of Claims from the State Fund 549, Illinois Charity Bureau Fund, to

New matter indicated by italics - deletions by strikeout
pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $374.76

Section 56. The following named amounts are appropriated to the Court of Claims from the State Fund 550, Supplemental Low Income Energy Assistance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $8,298.18

Section 57. The following named amounts are appropriated to the Court of Claims from the Federal Fund 561, SBE Federal Department of Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $3,479.55

Section 58. The following named amounts are appropriated to the Court of Claims from the Federal Fund 566, DCFS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $6,143.15

Section 59. The following named amounts are appropriated to the Court of Claims from the State Fund 581, Juvenile Accountability Incentive Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $6,727.00

Section 60. The following named amounts are appropriated to the Court of Claims from the Federal Fund 607, Special Projects Division Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357.......................... $1,255.50

New matter indicated by italics - deletions by strikeout
Section 61. The following named amounts are appropriated to the Court of Claims from State Fund 614, Capital Litigation Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than $50,000......................................... $91,291.47

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $19,527.14

Section 62. The following named amounts are appropriated to the Court of Claims from the Federal Fund 618, Services for Older Americans Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $2,833.92

Section 63. The following named amounts are appropriated to the Court of Claims from the Federal Fund 670, Federal Title IV Fire Protection Assistance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $247.96

Section 64. The following named amounts are appropriated to the Court of Claims from the State Fund 711, State Lottery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $1,927.21

Section 65. The following named amounts are appropriated to the Court of Claims from the State Fund 731, Illinois Clean Water Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $1,556.42

Section 66. The following named amounts are appropriated to the Court of Claims from the State Fund 732, Secretary of State DUI

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>61</td>
<td>Appropriated to the Court of Claims from State Fund 614, Capital Litigation Trust Fund</td>
<td>$91,291.47</td>
</tr>
<tr>
<td>62</td>
<td>Appropriated to the Court of Claims from the Federal Fund 618, Services for Older Americans Fund</td>
<td>$19,527.14</td>
</tr>
<tr>
<td>63</td>
<td>Appropriated to the Court of Claims from the Federal Fund 670, Federal Title IV Fire Protection Assistance Fund</td>
<td>$2,833.92</td>
</tr>
<tr>
<td>64</td>
<td>Appropriated to the Court of Claims from the State Fund 711, State Lottery Fund</td>
<td>$247.96</td>
</tr>
<tr>
<td>65</td>
<td>Appropriated to the Court of Claims from the State Fund 731, Illinois Clean Water Fund</td>
<td>$1,927.21</td>
</tr>
<tr>
<td>66</td>
<td>Appropriated to the Court of Claims from the State Fund 732, Secretary of State DUI</td>
<td>$1,556.42</td>
</tr>
</tbody>
</table>
Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $200.00

Section 67. The following named amounts are appropriated to the Court of Claims from the State Fund 733, Tobacco Settlement Recovery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 06-CC-0744, American Lung Association. Debt, against the Department of Public Health.................... $151,420.65
No. 06-CC-1118, DuPage County Health Department. Debt, against the Department of Public Health.................... $115,014.61

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357..................................... $14,689.14

Section 68. The following named amounts are appropriated to the Court of Claims from the State Fund 745, State’s Attorney Appellate Prosecutor’s County Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $110.71

Section 69. The following named amounts are appropriated to the Court of Claims from State Fund 757, Child Support Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 06-CC-0158, Adobe Systems Inc. Debt, against the Department of Human Services................................. $59,865.00
For payments of awards for lapsed appropriation claims less than $50,000........................................ $14,287.85

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357..................................... $9,528.55

Section 70. The following named amounts are appropriated to the Court of Claims from the State Fund 776, Presidential Library and Museum Operating Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

New matter indicated by italics - deletions by strikeout
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $61.47

Section 71. The following named amounts are appropriated to the Court of Claims from the State Fund 795, Bank & Trust Company Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $308.00

Section 72. The following named amounts are appropriated to the Court of Claims from the State Fund 801, AG State Projects and Court Order Distribution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $10.73

Section 73. The following named amounts are appropriated to the Court of Claims from the Federal Fund 826, Agriculture Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357................................. $329.00

Section 74. The following named amounts are appropriated to the Court of Claims from Federal Fund 873, Preventive Health and Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
No. 06-CC-0282, IL Coalition Against Sexual Assault. Debt, against the Department of Human Services............. $187,209.85

Section 75. The following named amounts are appropriated to the Court of Claims from State Fund 884, DNR Special Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:
For payments of awards for lapsed appropriation claims less than $50,000................................. $12,343.61

Section 76. The following named amounts are appropriated to the Court of Claims from the Federal Fund 904, Illinois State Police Federal

New matter indicated by italics - deletions by strikeout
Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357........................................ $32.11

Section 77. The following named amounts are appropriated to the Court of Claims from the Federal Fund 911, Juvenile Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $669.24

Section 78. The following named amounts are appropriated to the Court of Claims from the State Fund 920, Metabolic Screening & Treatment Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $12,900.89

Section 79. The following named amounts are appropriated to the Court of Claims from the State Fund 921, DHS Recoveries Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $2,083.40

Section 80. The following named amounts are appropriated to the Court of Claims from the State Fund 944, Environmental Protection Permit & Inspection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $1,146.96

Section 81. The following named amounts are appropriated to the Court of Claims from the State Fund 980, Manteno Veteran’s Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357............................................. $5,461.00
ARTICLE 35

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

FOR OPERATIONS

ADMINISTRATIVE SERVICES

Payable from General Revenue Fund:
- For Personal Services: 1,273,400
- For Employee Retirement Contributions
  - Paid by Employer: 0
- For State Contributions to State Employees' Retirement System: 146,800
- For State Contributions to Social Security: 97,500
- For Contractual Services: 331,800
- For Travel: 12,500
- For Commodities: 22,300
- For Printing: 14,000
- For Equipment: 18,300
- For Telecommunications Services: 42,500
- For Operation of Auto Equipment: 7,300
- For Refunds: 10,000
  Total: $1,976,400

Payable from Wholesome Meat Fund:
- For Personal Services: 494,200
- For Employee Retirement Contributions
  - Paid by Employer: 0
- For State Contributions to State Employees' Retirement System: 57,000
- For State Contributions to Social Security: 37,800
- For Group Insurance: 150,000
- For Contractual Services: 50,000
  Total: $827,400

New matter indicated by italics - deletions by strikeout
For Travel........................................ 20,100
For Commodities................................. 1,100
For Printing...................................... 1,100
For Equipment.................................. 28,000
For Telecommunications Services............. 20,000
For Operation of Auto Equipment............. 0
Total                                                                 $859,300

Payable from the Illinois Rural Rehabilitation Fund:
  For Illinois' part in administration of Titles I and II of the federal Bankhead-Jones Farm Tenant Act:
  For Operations................................ 5,000

  Section 10. The sum of $12,800,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

  Section 15. The sum of $1,693,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund.

  Section 17. The sum of $5,055,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for deposit into the State Cooperative Extension Service Trust Fund for operational expenses and programs at the University of Illinois Cook County Cooperative Extension Service.

  Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

  COMPUTER SERVICES

Payable from General Revenue Fund:
  For Personal Services......................... 275,000
  For Employee Retirement Contributions
    Paid by Employer................................ 0

New matter indicated by italics - deletions by strikeout
For State Contributions to State
   Employees' Retirement System............... 31,700
For State Contributions to
   Social Security.................................... 21,100
   Social Security................................. 21,100
For Contractual Services......................... 545,400
For Commodities.................................... 2,400
For Printing......................................... 100
For Equipment..................................... 70,300
For Telecommunications Services.................... 20,400
Total $966,400

Payable from Agricultural Premium Fund:
   For Personal Services.......................... 248,400
   For Employee Retirement Contributions
   Paid by Employer................................. 0
For State Contributions to State
   Employees' Retirement System............... 28,600
For State Contributions to
   Social Security.................................... 19,000
For Contractual Services......................... 109,100
For Equipment..................................... 29,000
For Telecommunications Services.................... 5,000
Total $439,100

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

   FOR OPERATIONS
   AGRICULTURE REGULATION

Payable from General Revenue Fund:
   For Personal Services.......................... 2,559,900
   For Employee Retirement Contributions
   Paid by Employer................................. 0
For State Contributions to State
   Employees' Retirement System............... 295,100

New matter indicated by italics - deletions by strikeout
For State Contributions to
  Social Security................................. 195,800
For Contractual Services...................... 20,000
For Travel........................................ 294,100
For Commodities................................. 20,000
For Printing...................................... 2,600
For Equipment.................................... 12,100
For Telecommunications Services............... 16,000
For Operation of Auto Equipment................ 10,000
Total                                       $3,425,600

Payable from the Agricultural Federal Projects Fund:
  For Expenses of Various Federal Projects.............. 350,000
Total                                       $350,000

Section 26. The sum of $2,000,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Agriculture to fund the Grain Insurance Reserve Fund
pursuant to 240 ILCS 40/30-25, because obligations pursuant to 240 ILCS
40/25-20(h) have been met.

Section 27. No contract shall be entered into or obligation incurred
or any expenditure made from appropriations herein made in Section 26
until after the purpose and amount of such expenditure has been approved
in writing by the Governor.

Section 30. The sum of $500,000, or so much thereof as may be
necessary, is appropriated from the Fertilizer Control Fund to the
Department of Agriculture for Fertilizer Research.

Section 35. The sum of $1,100,000, or so much thereof as may be
necessary, is appropriated from the Feed Control Fund to the Department
of Agriculture for Feed Control.

Section 40. The following named sums, or so much thereof as may be
necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Agriculture:

New matter indicated by italics - deletions by strikeout
MARKETING

Payable from General Revenue Fund:
For Personal Services............................ 431,300
For Employee Retirement Contributions
   Paid by Employer.................................... 0
For State Contributions to State
   Employees' Retirement System.................. 49,700
For State Contributions to
   Social Security................................. 33,000
For Contractual Services......................... 8,800
For Travel........................................... 5,700
For Commodities.................................... 1,900
For Printing......................................... 0
For Equipment........................................ 0
For Telecommunications Services....................... 3,600
For Operation of Auto Equipment......................... 2,800
Total ................................................................ $536,800

Payable from Agricultural Premium Fund:
For Expenses Connected With the Promotion
   and Marketing of Illinois Agriculture
   and Agriculture Exports.......................... 1,956,000
For Implementation of programs
   and activities to promote, develop
   and enhance the biotechnology
   industry in Illinois................................. 140,000
For expenses related to a contractual
   Viticulturist and a contractual
   Enologist............................................. 150,000

Payable from Agricultural Marketing
Services Fund:
For administering Illinois' part under Public
   Law No. 733, "An Act to provide for further
   research into basic laws and principles

New matter indicated by italics - deletions by strikeout
relating to agriculture and to improve
and facilitate the marketing and
distribution of agricultural products"............ 4,000
Payable from Agriculture Federal
Projects Fund:
For expenses of various Federal Projects........ 750,000
  Section 45. The sum of $5,100, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Agriculture for the Agriculture Assembly.
  Section 50. The sum of $576,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Department of Agriculture for the Illinois AgriFIRST Program.
  Section 53. The sum of $250,000, or so much thereof as may be
necessary, is appropriated from the Illinois AgriFIRST Program Fund for
AgriFIRST value added economic development grants.
  Section 55. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Agriculture for:

ANIMAL INDUSTRIES
Payable from General Revenue Fund:
For Personal Services.......................... 2,868,300
For Employee Retirement Contributions
  Paid by Employer............................. 0
For State Contributions to State
  Employees' Retirement System.............. 330,600
For State Contributions to Social Security........ 219,400
For Contractual Services..................... 363,500
For Travel..................................... 28,800
For Commodities............................. 350,400
For Printing................................... 9,600
For Equipment............................... 48,000
For Telecommunications Services............. 48,000
For Operation of Auto Equipment............. 57,600

New matter indicated by italics - deletions by strikeout
For Swine Disease Research ....................... 36,200
For Bovine Disease Research .................... 17,200
Total ........................................... $4,377,600

Payable from the Illinois Department of Agriculture Laboratory Services Revolving Fund:
For Expenses Authorized by the Animal Disease Laboratories Act .............................. 800,000

Payable from the Agriculture Federal Projects Fund:
For Expenses of Various Federal Projects ........................... 1,500,000

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

**MEAT AND POULTRY INSPECTION**

Payable from the General Revenue Fund:
For Personal Services ............................. 2,612,500
For Employee Retirement Contributions
Paid by Employer ............................... 0
For State Contributions to State Employees' Retirement System .......................... 301,100
For State Contributions to Social Security .............................. 199,900
For Telecommunications Services ................. 9,600
For Operation of Auto Equipment ................. 9,600
Total ..................................... $3,132,700

Payable from Wholesome Meat Fund:
For Personal Services ............................. 3,000,000
For Employee Retirement Contributions
Paid by Employer ............................... 0
For State Contributions to State Employees' Retirement System .......................... 345,800

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security.............................................. 229,500
For Group Insurance................................. 885,000
For Contractual Services............................ 90,000
For Travel................................................... 245,000
For Commodities.......................................... 20,000
For Printing.................................................. 3,000
For Equipment............................................. 185,000
For Telecommunications Services............... 71,000
For Operation of Auto Equipment............... 131,000
Total.................................................... $5,205,300
Payable from Agricultural Master Fund:
For Expenses Relating to
Inspection of Agricultural Products............ 470,000

Section 65. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Agriculture for:

WEIGHTS AND MEASURES

Payable from the General Revenue Fund:
For Personal Services................................. 418,300
For Employee Retirement Contributions
Paid by Employer........................................... 0
For State Contributions to State
Employees' Retirement System..................... 48,200
For State Contributions to
Social Security........................................... 32,000
For Contractual Services............................ 1,900
For Travel.................................................. 2,000
For Commodities........................................ 1,000
For Printing................................................. 1,000
For Equipment............................................ 1,900
For Telecommunications Services.............. 3,800
For Operation of Auto Equipment............... 22,100
For Expenses of a Motor Fuel and

New matter indicated by italics - deletions by strikeout
Petroleum Standards Program
pursuant to P.A. 86-0232......................... 23,700
Total $555,900

Payable from the Agriculture Federal Projects Fund:
For Expenses of various Federal Projects......................... 200,000
Total $200,000

Payable from the Weights and Measures Fund:
For Personal Services ...................... 1,313,000
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State Employees' Retirement System........ 151,300
For State Contributions to Social Security.......................... 100,400
For Group Insurance.............................. 364,000
For Contractual Services........................ 150,000
For Travel........................................ 95,000
For Commodities................................. 15,000
For Printing...................................... 13,000
For Equipment................................. 300,000
For Telecommunications Services............... 20,000
For Operation of Auto Equipment.............. 220,000
For Refunds................................. 10,000
Total $2,751,700

Payable from the Motor Fuel and Petroleum Standards Fund:
For the regulation of motor fuel quality........ 25,000

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

ENVIRONMENTAL PROGRAMS

Payable from the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services............................ 594,600
For Employee Retirement Contributions
   Paid by Employer............................... 0
For State Contributions to State
   Employees’ Retirement System.................. 68,600
For State Contributions to Social Security.................. 45,600
For Contractual Services...................... 1,600
For Travel........................................ 17,300
For Commodities.................................. 800
For Printing...................................... 900
For Equipment..................................... 800
For Telecommunications Services.................. 9,600
For Operation of Automotive Equipment............. 4,600
For Administration of the Livestock
   Management Facilities Act..................... 280,000
For the Detection, Eradication, and
   Control of Exotic Pests, such as
   the Asian Long-Homed Beetle and
   Gypsy Moth..................................... 200,000
Total ........................................... $1,224,400

Payable from Agriculture Pesticide Control Act Fund:
   For Expenses of Pesticide Enforcement Program.... 800,000
Payable from Pesticide Control Fund:
   For Administration and Enforcement
   of the Pesticide Act of 1979.................... 2,750,000
Payable from the Agriculture Federal Projects Fund:
   For expenses of Various Federal Projects........ 787,000
Payable from Livestock Management Facilities Fund:
   For Administration of the Livestock
   Management Facilities Act..................... 30,000
Payable from the Used Tire Management Fund:
   For Mosquito Control............................ 40,000

New matter indicated by italics - deletions by strikeout
Section 75. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

LAND AND WATER RESOURCES

Payable from the Agricultural Premium Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>790,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>91,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>60,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>110,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>22,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>7,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>7,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>39,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>20,500</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>15,000</td>
</tr>
<tr>
<td>For the Ordinary and Contingent Expenses of the Natural Resources Advisory Board</td>
<td>2,000</td>
</tr>
<tr>
<td>Total</td>
<td>$1,167,700</td>
</tr>
</tbody>
</table>

Payable from the Agriculture Federal Projects Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Expenses Relating to Various Federal Projects</td>
<td>815,000</td>
</tr>
</tbody>
</table>

Section 80. The sum of $4,600,000, or so much thereof as may be necessary, is appropriated to the Department of Agriculture from the Conservation 2000 Fund for the Conservation 2000 Program to implement agricultural resource enhancement programs for Illinois’ natural resources, including operational expenses, consisting of the following elements at the approximate costs set forth below:

Conservation Practices

New matter indicated by italics - deletions by strikeout
Cost Sharing Program......................... 2,300,000
Sustainable Agriculture Program............... 287,500
Soil and Water Conservation Grants............. 1,725,000
Streambank Restoration......................... 287,500

Section 85. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

SPRINGFIELD BUILDINGS AND GROUNDS

Payable from General Revenue Fund:

For Personal Services......................... 2,297,000
For Employee Retirement Contributions
   Paid by Employer............................ 0
For State Contributions to State
   Employees' Retirement System............... 264,800
For State Contributions to
   Social Security........................... 175,700
For Contractual Services....................... 1,655,000
For Payment to the City of Springfield
   for Fire Protection Services at the
   Illinois State Fairgrounds................... 127,400
For Commodities................................ 72,200
For Equipment................................... 109,400
For Telecommunications Services............... 52,800
For Operation of Auto Equipment............... 5,800
For setup and operations of the 2006
   National High School Finals Rodeo, and
   preparation and setup of the 2007 National High School Finals Rodeo............. 473,200
Total $5,233,300

Section 90. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Illinois State Fair Fund to the Department of Agriculture to promote and conduct activities at the Illinois State Fairgrounds at Springfield other than the Illinois State Fair, including

New matter indicated by italics - deletions by strikeout
administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairground uses sufficient to offset such expenditures have been collected and deposited into the Illinois State Fair Fund.

Section 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

**DUQUOIN BUILDINGS AND GROUNDS**

Payable from General Revenue Fund:

- For Personal Services.......................... 1,131,900
- For Employee Retirement Contributions
  - Paid by Employer..................................... 0
- For State Contributions to State
  - Employees' Retirement System.................. 130,500
- For State Contributions to
  - Social Security................................. 86,600
- For Contractual Services......................... 673,600
- For Travel......................................... 6,600
- For Commodities................................... 96,500
- For Equipment.................................... 106,800
- For Telecommunications Services............... 43,200
- For Operation of Auto Equipment............... 21,200

Total $2,296,900

Section 100. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture to conduct activities at the Illinois State Fairgrounds at DuQuoin other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairgrounds uses sufficient to offset such expenditures have been collected and deposited into the Agricultural Premium Fund.

Section 105. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

New matter indicated by italics - deletions by strikeout
### DUQUOIN STATE FAIR

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>317,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>36,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>24,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>392,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>21,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>7,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td>6,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>31,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>1,000</td>
</tr>
<tr>
<td>For Entertainment at the DuQuoin State Fair</td>
<td>442,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,287,300</strong></td>
</tr>
</tbody>
</table>

Payable from the Agricultural Premium Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Financial Assistance for the DuQuoin State Fair</td>
<td>455,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,287,300</strong></td>
</tr>
</tbody>
</table>

Section 110. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Agriculture for:

### ILLINOIS STATE FAIR

Payable from the Illinois State Fair Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Operations of the Illinois State Fair Including Entertainment and the Percentage Portion of Entertainment Contracts</td>
<td>4,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,000,000</strong></td>
</tr>
</tbody>
</table>

Section 115. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

### COUNTY FAIRS AND HORSE RACING

New matter indicated by italics - deletions by strikeout
Payable from the Agricultural Premium Fund:
For Personal Services............................. 50,000
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For State Contributions to State
  Employees' Retirement System.................. 5,800
For State Contributions to
  Social Security.................................. 6,000
For Contractual Services......................... 35,900
For Travel.......................................... 3,500
For Commodities.................................. 2,000
For Printing....................................... 3,500
For Equipment..................................... 11,300
For Telecommunications Services.................. 4,900
For Operation of Auto Equipment................. 2,000
Total $124,900

Payable from Illinois Standardbred Breeders Fund:
For Personal Services............................. 49,000
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For State Contributions to State
  Employees' Retirement System.................. 5,600
For State Contributions to
  Social Security.................................. 7,800
For Contractual Services......................... 57,200
For Travel.......................................... 3,000
For Commodities.................................. 2,500
For Printing....................................... 3,000
For Operation of Auto Equipment................. 5,500
Total $133,600

Payable from Illinois Thoroughbred Breeders Fund:
For Personal Services............................. 224,500

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
   Paid by Employer.................................  0
For State Contributions to State
   Employees' Retirement System...............  25,900
For State Contributions to
   Social Security...............................  25,200
For Contractual Services.........................  120,600
For Travel.........................................  4,000
For Commodities...................................  2,500
For Printing.......................................  2,100
For Equipment.....................................  28,400
For Telecommunications Services...............  15,600
For Operation of Auto Equipment.................  8,000
Total                                                                                  $456,800

Section 120. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Agriculture for:

   ADMINISTRATIVE SERVICES PROGRAMS
Payable from the Illinois Rural
Rehabilitation Fund:
   For Illinois' part in administration
      of Titles I and II of the federal
      Bankhead-Jones Farm Tenant Act:
      For Programs, Loans and Grants...............  20,000
Payable from the General Revenue Fund:
   For the Agricultural Leadership Foundation.....  30,000
   For distribution of institutional agricultural
      research grants to public universities
      authorized by the Food and Agriculture
      Research Act to include administrative costs
      incurred by the Department of Agriculture
      pursuant to Section 15 of the Food and
      Agriculture Research Act (Public
      Act 89-182)....................................  4,500,000

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For a grant to the AgrAbility Program
pursuant to Public Act 94-0216...............       200,000
Total                                      $4,750,000

Section 121. The following named amount, or so much thereof as
may be necessary, is appropriated to the Department of Agriculture for:

AGRICULTURE REGULATION

Payable from the General Revenue Fund:
For Anhydrous Ammonia Security Grants
pursuant to 20 ILCS 205/205-450..............      1,600,000

Section 125. The following named amount, or so much thereof as
may be necessary, is appropriated to the Department of Agriculture for:

ANIMAL INDUSTRIES PROGRAMS

Payable from General Revenue Fund:
For awards for destruction of livestock,
as provided by law..............................       4,500

Section 130. The following named amount, or so much thereof as
may be necessary, is appropriated to the Department of Agriculture for:

LAND AND WATER RESOURCES PROGRAMS

Payable from the General Revenue Fund:
For Soil Surveys in Mapping Illinois
Soil and operational expenses..................       360,000
For grants to Soil and Water Conservation
Districts for clerical and other personnel,
for education and promotional assistance,
and for expenses of Water Conservation
District Boards and administrative
Expenses...........................................       6,601,100
Total                                         $6,961,100

Section 135. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR PROGRAMS

Payable from the General Revenue Fund:
For Awards to Livestock Breeders

New matter indicated by italics - deletions by strikeout
and related expenses.......................... 154,100
For Awards and Premiums at the
Illinois State Fair
and related expenses.......................... 285,100
For Awards and Premiums for Grand
Circuit Horse Racing at the
Illinois State Fairgrounds
and related expenses......................... 132,500
Total $571,700

Payable from the Illinois State Fair Fund:
For Awards to Livestock Breeders
and related expenses.......................... 63,800
For Awards and Premiums at the
Illinois State Fair
and related expenses.......................... 185,100
For Awards and Premiums for Grand
Circuit Horse Racing at the
Illinois State Fairgrounds
and related expenses......................... 54,900
Total $303,800

Section 140. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Agriculture for:

DUQUOIN STATE FAIR PROGRAMS
Payable from General Revenue Fund:
For awards and premiums to the
DuQuoin State Fair and related expenses....... 133,600
For harness racing at the
DuQuoin State Fair and related expenses....... 28,400
Total $162,000

Section 145. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING PROGRAMS
Payable from the Illinois Racing

New matter indicated by italics - deletions by strikeout
Quarterhorse Breeders Fund:
For promotion of the Illinois horse racing and breeding industry.................... 71,200

Payable from the Illinois Standardbred Breeders Fund:
For grants and other purposes.................. 1,473,200

Payable from the Illinois Thoroughbred Breeders Fund:
For grants and other purposes.................. 2,007,900
  Total $3,552,300

Payable from the Agricultural Premium Fund:
For distribution to encourage and aid county fairs and other agricultural societies. This distribution shall be prorated and approved by the Department of Agriculture......................... 2,146,100
For premiums to agricultural extension or 4-H clubs to be distributed at a uniform rate.............................. 762,000
For premiums to vocational agriculture fairs.............................. 179,500
For rehabilitation of county fairgrounds............ 2,732,000
For grants and other purposes for county fair and state fair horse racing............ 413,000
  Total $6,232,600

Payable from the General Revenue Fund:
For distribution to county fairs for premiums and rehabilitation as set forth in the Agriculture Fair Act............... 639,400
  Total $639,400

Payable from Fair and Exposition Fund:
For distribution to County Fairs and Fair and Exposition Authorities ............ 1,357,400
  Total $1,357,400

New matter indicated by italics - deletions by strikeout
Section 150. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for grants, contracts, and administrative expenses associated with the development of the Illinois Grape and Wine Industry, including prior year costs.

ARTICLE 36

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Arts Council:

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,272,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement Contributions</td>
<td>144,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>95,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>244,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>27,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>9,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>70,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>7,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>20,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>23,000</td>
</tr>
<tr>
<td>For Travel and Meeting Expenses of Arts Council and Panel Members</td>
<td>35,000</td>
</tr>
</tbody>
</table>

Total $1,949,000

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Grants and Financial Assistance for</td>
<td></td>
</tr>
</tbody>
</table>
Arts Organizations............................ 6,545,000
For Grants and Financial Assistance for Special Constituencies............... 2,401,200
For Grants and Financial Assistance for International Grant Awards.......... 1,121,000
For Grants and Financial Assistance for Arts Education......................... 1,553,400
Total                                                                                       $11,620,600

Payable from Illinois Arts Council Federal Grant Fund:
For Grants and Programs to Enhance the Cultural Environment.............. 775,000

Section 15. The sum of $992,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for the purpose of funding administrative and grant expenses associated with humanities programs and related activities.

Section 20. The amount of $377,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations for operating costs.

Section 25. The amount of $4,860,600, or so much thereof as may be necessary is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations and related administrative expenses, pursuant to the Public Radio and Television Grant Act.

ARTICLE 37

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF ADMINISTRATIVE OPERATIONS PAYABLE FROM GENERAL REVENUE FUND
For Personal Services.......................... 1,985,300
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid by Employer...</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System...</td>
<td>228,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>152,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>378,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>60,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>12,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>19,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>5,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>241,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>48,700</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>5,700</td>
</tr>
<tr>
<td>For Refunds</td>
<td>1,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,138,800</strong></td>
</tr>
</tbody>
</table>

PAYABLE FROM STATE GARAGE REVOLVING FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>118,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer...</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System...</td>
<td>13,600</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>9,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>29,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>15,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>0</td>
</tr>
<tr>
<td>For Commodities</td>
<td>3,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>2,800</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>1,026,800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>1,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,222,300</strong></td>
</tr>
</tbody>
</table>

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>438,900</td>
</tr>
</tbody>
</table>
For Employee Retirement Contributions
Paid by Employer...................................... 0
For State Contribution to State
Employees' Retirement Fund......................... 50,600
For State Contributions to Social Security.................. 33,600
For Group Insurance.................................. 79,800
For Contractual Services.................................. 15,900
For Travel.................................................. 900
For Commodities...................................... 3,000
For Printing.............................................. 3,000
For Equipment........................................ 2,900
For Electronic Data Processing........................... 5,800
For Telecommunications Services......................... 4,600
Total                                                                                                       $639,000

PAYABLE FROM PAPER AND PRINTING REVOLVING FUND
For Personal Services................................... 0
For Employee Retirement Contributions
Paid by Employer...................................... 0
For State Contributions to State
Employees' Retirement System.......................... 0
For State Contribution to Social Security.................. 0
For Group Insurance.................................. 0
For Contractual Services.................................. 0
For Commodities...................................... 0
For Printing.............................................. 0
For Equipment........................................ 0
For Electronic Data Processing........................... 0
For Telecommunications Services......................... 0
Total                                                                                                       $0

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services................................... 318,800
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
### Public Act 94-0798

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>36,700</td>
</tr>
<tr>
<td>For State Contribution to Social Security</td>
<td>24,400</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>87,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>34,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>0</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>6,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>3,900</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>3,283,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>2,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,800,900</strong></td>
</tr>
</tbody>
</table>

**Payable from Professional Services Fund**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>6,130,000</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>706,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>469,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,601,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,853,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>205,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>26,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>38,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>75,500</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>109,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>88,000</td>
</tr>
<tr>
<td>For Professional Services Including Administrative and Related Costs</td>
<td>2,580,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$13,883,400</strong></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 7. In addition to any other amounts appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Central Management Services for costs and expenses associated with or in support of a General and Regulatory Shared Services Center:

Payable from the General Revenue Fund............... 2,401,800
Payable from the Health Insurance Reserve Fund.....  479,700
Payable from State Garage Revolving Fund............  637,600
Payable from Statistical Services
  Revolving Fund.......................................  3,212,300
Payable from Communications Revolving Fund.......  1,589,500
Payable from Professional Services Fund............  101,300
Payable from State Surplus Property
  Revolving Fund......................................  76,000
Payable from Facilities Management
  Revolving Fund........................................  1,025,200
Total $9,523,400

Section 10. In addition to any other amounts heretofore appropriated for such purpose, $6,500,000, or so much thereof as may be necessary, is appropriated from the Efficiency Initiatives Revolving Fund to the Department of Central Management Services for expenses authorized under Sections 6p-5 and 8.16c of the State Finance Act, including related operating and administrative costs.

Section 12. The amount of $100,000, or so much thereof as may be necessary, is appropriated from the CMS State Projects Fund to the Department of Central Management Services for purposes authorized under Section 405-25 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois and associated operating and administrative costs.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Central Management Services:

ILLINOIS INFORMATION SERVICES

New matter indicated by italics - deletions by strikeout
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services......................... 609,200
For Employee Retirement Contributions
  Paid by Employer............................... 0
For State Contributions to State
  Employees' Retirement System................. 70,200
For State Contributions to Social
  Security........................................ 46,700
For Contractual Services...................... 41,800
For Travel........................................ 7,300
For Commodities................................ 5,200
For Printing..................................... 100
For Equipment................................... 36,000
For Telecommunications Services.............. 36,200
For Operation of Auto Equipment............... 4,200
Total $856,900

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services......................... 5,699,300
For Employee Retirement Contributions
  Paid by Employer............................... 0
For State Contributions to State
  Employees' Retirement System................. 723,400
For State Contributions to Social
  Security........................................ 472,800
For Group Insurance............................ 1,357,600
For Contractual Services...................... 2,122,500
For Travel....................................... 55,500
For Commodities................................. 93,800
For Printing.................................... 94,900
For Equipment.................................. 314,300
For Electronic Data Processing................. 125,800
For Telecommunications Services.............. 29,000
For Operation of Auto Equipment............... 121,700
For Lump Sum and other purposes............... 0

New matter indicated by italics - deletions by strikeout
For Lump Sum – Information Services.................. 0
Total $11,210,600

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

**BUREAU OF STRATEGIC SOURCING AND PROCUREMENT**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,658,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>191,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>127,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>81,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>30,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>22,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>10,700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>4,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>33,300</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$2,158,800</td>
</tr>
</tbody>
</table>

**PAYABLE FROM STATE GARAGE REVOLVING FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>8,522,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>982,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>652,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>2,633,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,130,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>39,200</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities.................................. 116,700
For Printing...................................... 34,100
For Equipment.................................... 743,300
For Telecommunications Services.............. 149,400
For Operation of Auto Equipment............... 25,042,100
For Refunds.................................... 10,000
Total                                                                                       $40,055,000

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND
For Personal Services......................... 1,114,500
For Employee Retirement Contributions
   Paid by Employer................................ 0
For State Contributions to State
   Employees' Retirement System................ 128,500
For State Contributions to
   Social Security................................ 85,300
For Group Insurance............................ 324,400
For Contractual Services....................... 519,700
For Travel........................................ 30,800
For Commodities................................ 13,100
For Printing.................................... 4,900
For Equipment................................... 17,700
For Electronic Data Processing................... 6,600
For Telecommunications Services.............. 18,400
Total                                                                                         $2,263,900

PAYABLE FROM PAPER AND PRINTING REVOLVING FUND
For Personal Services......................... 138,000
For Employee Retirement Contributions
   Paid by Employer................................ 0
For State Contributions to State
   Employees' Retirement System............... 15,900
For State Contributions to Social
   Security....................................... 10,600
For Group Insurance............................. 43,500
For Contractual Services...................... 113,800

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Travel</td>
<td>6,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>25,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>71,000</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>107,100</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>4,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>4,500</td>
</tr>
<tr>
<td>For Warehouse Stock for all State Agencies and for printing and</td>
<td>1,971,100</td>
</tr>
<tr>
<td>distribution of wall certificates</td>
<td></td>
</tr>
<tr>
<td>For Refunds</td>
<td>5,000</td>
</tr>
<tr>
<td>Total</td>
<td>2,522,100</td>
</tr>
</tbody>
</table>

PAYABLE FROM COMMUNICATIONS REVOLVING FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>990,500</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>114,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>75,700</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>216,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>12,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>12,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>19,600</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>19,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>14,700</td>
</tr>
<tr>
<td>Total</td>
<td>1,481,100</td>
</tr>
</tbody>
</table>

PAYABLE FROM HEALTH INSURANCE RESERVE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>615,400</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Employees' Retirement System .............. 70,900
For State Contributions to Social Security ................................................. 47,000
For Contractual Services ...................... 8,500
For Travel ........................................ 23,300
For Commodities............................. 3,000
For Printing ........................................ 700
For Equipment................................. 11,900
For Electronic Data Processing .............. 14,900
For Telecommunications Services .......... 9,700
Total ............................................. $805,300

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF BENEFITS

PAYABLE FROM GENERAL REVENUE FUND
For Group Insurance ......................... 32,349,200
For payment of claims under the Representation and Indemnification in Civil Lawsuits Act ....................... 1,347,400
For auto liability, adjusting and administration of claims, loss control and prevention services, and auto liability claims ............... 1,600,200
Total ............................................. $35,296,800

PAYABLE FROM GROUP INSURANCE PREMIUM FUND
For expenses of Cost Containment Program .... 288,000
For Life Insurance Coverage As Elected By Members Per The State Employees Group Insurance Act of 1971 ...................... 85,919,400

PAYABLE FROM HEALTH INSURANCE RESERVE FUND
For Expenses of a Cost Containment Program .... 158,900
For provisions of Health Care Coverage As Elected by Eligible Members Per

New matter indicated by italics - deletions by strikeout
The State Employees Group Insurance Act
of 1971........................................... 13,752,000

PAYABLE FROM WORKERS’ COMPENSATION REVOLVING
FUND

For Personal Services.......................... 1,731,600
For Employee Retirement Contributions
  Paid by Employer............................... 0
For State Contributions to State
  Employees’ Retirement System............... 199,600
For State Contributions to Social
  Security....................................... 132,500
For Group Insurance............................ 507,500
For Contractual Services....................... 90,100
For Travel....................................... 15,000
For Commodities................................ 9,000
For Printing..................................... 3,000
For Equipment................................... 2,000
For Electronic Data Processing............... 10,900
For Telecommunications Services............. 19,000
For Operation of Automotive Equipment...... 400
Total ........................................... $2,720,600

For administrative costs of claims services
and payment of temporary total
disability claims of any state agency
or university employee......................... 650,000
For payment of Workers’ Compensation
Act claims and contractual services in
connection with said claims payments........ 108,200,000

Expenditures from appropriations for treatment and expense may be
made after the Department of Central Management Services has
certified that the injured person was employed and that the nature of the
injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then

New matter indicated by italics - deletions by strikeout
has determined the amount of such compensation to be paid to the injured person.

PAYABLE FROM STATE EMPLOYEES DEFERRED COMPENSATION FUND

For expenses related to the administration of the State Employees Deferred Compensation Plan............................ 1,698,300

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF PERSONNEL

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services......................... 4,122,300
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For State Contributions to State Employees' Retirement System............... 475,200
For State Contributions to Social Security.............................. 315,500
For Contractual Services.......................... 179,900
For Travel........................................ 42,300
For Commodities................................... 26,600
For Printing....................................... 33,200
For Equipment.................................... 10,700
For Telecommunications Services.............. 50,800
For Operation of Auto Equipment............... 1,000
For Awards to Employees and Expenses of Employees' Suggestion Award Board.............................. 8,200
For Wage Claims.................................. 809,500
For Expenses of the Upward Mobility Program ... 4,250,000
For Veterans' Job Assistance Program.......... 282,200
For Governor's and Vito Marzullo's

New matter indicated by italics - deletions by strikeout
Internship programs................. 695,000
For Nurses' Tuition.................... 70,000
Total $11,372,400

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Department of Central Management Services:

**BUSINESS ENTERPRISE PROGRAM**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>285,500</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>33,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>21,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>54,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>13,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>6,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>8,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>7,400</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>2,300</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$432,900</strong></td>
</tr>
</tbody>
</table>

**PAYABLE FROM MINORITY AND FEMALE BUSINESS ENTERPRISE FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Expenses of the Business Enterprise Program</td>
<td>50,000</td>
</tr>
</tbody>
</table>

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

**BUREAU OF PROPERTY MANAGEMENT**

**PAYABLE FROM GENERAL REVENUE FUND**

New matter indicated by italics - deletions by strikeout
For Contractual Services................. 20,071,500  
For Permanent Improvements............. 100,000  
Total                                    $20,171,500  

PAYABLE FROM STATE SURPLUS PROPERTY REVOLVING FUND

For Personal Services........................... 975,800  
For Employee Retirement Contributions  
   Paid by Employer...................................... 0  
For State Contributions to State  
   Employees' Retirement System.................... 112,500  
For State Contributions to Social Security................................................. 74,700  
For Group Insurance............................... 275,300  
For Contractual Services......................... 568,500  
For Travel........................................ 39,400  
For Commodities.................................... 10,100  
For Printing....................................... 4,800  
For Equipment...................................... 524,400  
For Electronic Data Processing.................... 82,000  
For Telecommunications Services.............. 25,000  
For Operation of Auto Equipment............... 127,700  
For Expenses of a Recycling Program............ 148,800  
For Refunds........................................ 5,000  
Total                                    $2,974,000  

Section 45. The following named amounts, or so much thereof as may be necessary, is appropriated from the Facilities Management Revolving Fund to the Department of Central Management Services for expenses related to the following.

PAYABLE FROM FACILITIES MANAGEMENT REVOLVING FUND

For Personal Services........................... 21,423,000  
For Employee Retirement Contributions  
   Paid by Employer...................................... 0  
For State Contributions to State

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees’ Retirement System</td>
<td>2,469,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,638,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>5,060,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>186,178,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>286,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,511,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>124,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>821,300</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>1,401,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>1,210,600</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>808,600</td>
</tr>
<tr>
<td>For Lump Sum</td>
<td>33,123,200</td>
</tr>
<tr>
<td>For Lump Sum Operations</td>
<td>0</td>
</tr>
<tr>
<td>For Lump Sum except Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>Awards and Grants</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>257,057,200</strong></td>
</tr>
</tbody>
</table>

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to the Department of Central Management Services:

**BUREAU OF COMMUNICATION AND COMPUTER SERVICES**

**PAYABLE FROM GENERAL REVENUE FUND**

For Deposit into the Communications Revolving Fund for the purpose of Education Technology, including, but not necessarily limited to, operating and administrative costs: 18,152,600

**PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND**

For Personal Services: 48,188,000

For Employee Retirement Contributions
Paid by Employer: 0

For State Contributions to State Employees’ Retirement System: 5,553,800

For State Contributions to Social

New matter indicated by italics - deletions by strikeout
Security...................................... 3,686,400
For Group Insurance......................... 10,274,600
For Contractual Services...................... 3,937,300
For Travel........................................ 376,400
For Commodities.............................. 236,200
For Printing..................................... 203,100
For Equipment............................... 743,500
For Electronic Data Processing............. 72,382,900
For Telecommunications Services............ 4,304,100
For Operation of Auto Equipment............ 25,000
For Refunds................................. 7,593,400
For expenses related to the study,
Development and implementation of
Technology Standards....................... 0
Total $157,504,700

PAYABLE FROM COMMUNICATIONS REVOLVING FUND
For Personal Services....................... 7,053,600
For Employee Retirement Contributions
Paid by Employer.............................. 0
For State Contributions to State
Employees' Retirement System............... 813,000
For State Contributions to Social
Security......................................... 539,600
For Group Insurance......................... 1,751,600
For Contractual Services.................... 3,415,700
For Travel...................................... 130,300
For Commodities............................ 20,400
For Printing.................................. 55,100
For Equipment............................ 25,600
For Telecommunications Services.......... 110,332,000
For Operation of Auto Equipment........... 15,000
For Refunds.......................... 4,000,000
For Education Technology..................... 18,618,000
Total $146,769,900

New matter indicated by italics - deletions by strikeout
Section 60. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Central Management Services for all costs associated with a pilot program to increase access to broadband services in rural areas.

ARTICLE 38

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the State Civil Service Commission:

- For Personal Services: $232,600
- For Employee Retirement Contributions
  - Paid by Employer: $0
- For State Contributions to State Employees' Retirement System: $26,800
- For State Contributions to Social Security: $17,100
- For Contractual Services: $55,400
- For Travel: $35,600
- For Commodities: $3,900
- For Printing: $1,200
- For Equipment: $1,000
- For Telecommunications Services: $7,500

Total: $381,100

ARTICLE 39

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

GENERAL ADMINISTRATION

OPERATIONS

Payable from the General Revenue Fund:
- For Personal Services: $3,764,300
- For Extra Help: $9,400
- For State Contributions to State Employees' Retirement System: $435,000

New matter indicated by italics - deletions by strikeout
For State Contributions to
  Social Security.......................... 288,700
  For Contractual Services................. 3,419,800
  For Travel.............................. 139,900
  For Commodities........................... 65,000
  For Printing............................ 41,200
  For Equipment............................ 70,500
  For Electronic Data Processing.......... 536,400
  For Telecommunications Services......... 150,700
  For Operation of Automotive Equipment... 45,200
Total........................................ $8,966,100

Payable from the Tourism Promotion Fund:
  For Personal Services.................... 1,072,500
  For State Contributions to State
    Employees' Retirement System.......... 123,700
  For State Contributions to
    Social Security........................ 82,100
  For Group Insurance...................... 275,500
  For Contractual Services................. 1,246,600
  For Travel.................................. 14,100
  For Commodities.......................... 16,200
  For Printing.............................. 30,000
  For Equipment............................ 72,900
  For Electronic Data Processing.......... 194,300
  For Telecommunications Services......... 31,300
  For Operation of Automotive Equipment... 11,000
Total........................................ $3,170,200

Payable from the Intra-Agency Services Fund:
  For Personal Services.................... 2,958,500
  For Extra Help............................ 79,500
  For State Contributions to State
    Employees' Retirement System......... 350,200
  For State Contributions to
    Social Security........................ 232,500

New matter indicated by italics - deletions by strikeout
For Group Insurance.............................. 725,000
For Contractual Services......................... 3,227,500
For Travel........................................ 34,900
For Commodities................................. 18,400
For Printing...................................... 21,400
For Equipment.................................... 150,000
For Electronic Data Processing................... 559,900
For Telecommunications Services................ 60,300
For Operation of Automotive Equipment......... 20,000
For Refunds...................................... 500,000
Total                                                                 $8,938,100

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TOURISM OPERATIONS

Payable from the Tourism Promotion Fund:
For Personal Services........................... 1,221,000
For State Contributions to State Employees' Retirement System........ 140,800
For State Contributions to Social Security.............................. 93,500
For Group Insurance.................................. 311,800
For Contractual Services........................... 520,700
For Travel.......................................... 70,000
For Commodities................................... 14,300
For Printing....................................... 607,600
For Equipment..................................... 19,300
For Telecommunications Services............... 35,000
For administrative and grant expenses associated with statewide tourism promotion and development, including prior year costs... 5,536,500
For Advertising and Promotion of Tourism Throughout Illinois Under Subsection (2)

New matter indicated by italics - deletions by strikeout
of Section 4a of the Illinois Promotion Act.. 12,578,700
For Advertising and Promotion of Illinois
Tourism in International Markets.............. 2,740,500
For Illinois State Fair Ethnic
Village Expenses................................ 61,000
Total $23,950,700

Section 15. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Commerce and Economic Opportunity:

BUREAU OF TOURISM
GRANTS-IN-AID

Payable from General Revenue Fund:
For Grants, Contracts and Administrative
Expenses Associated with the Development
Of the Illinois Grape and Wine Industry,
Including Prior Year Costs....................... 150,000

Payable from the International Tourism Fund:
For grants to Convention and Tourism Bureaus—
Chicago Convention and Tourism Bureau and
Chicago Office of Tourism....................... 3,638,000
Balance of State............................... 2,976,500
Total $6,614,500

Payable from Local Tourism Fund:
For grants to Convention and Tourism Bureaus--
Chicago Convention and Tourism Bureau....... 2,217,100
Chicago Office of Tourism..................... 1,883,900
Balance of State............................... 8,197,800
For grants, contracts, and administrative
expenses associated with the
Local Tourism and Convention Bureau
Program pursuant to 20 ILCS 605/605-705
including prior year costs...................... 280,000
Total $12,578,800

New matter indicated by italics - deletions by strikeout
Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:
Payable from the Tourism Promotion Fund:
For the Tourism Matching Grant Program
Pursuant to 20 ILCS 665/8-1 for
Counties under 1,000,000..................... 1,094,000
For the Tourism Matching Grant Program
Pursuant to 20 ILCS 665/8-1 for
Counties over 1,000,000......................... 656,000
For the Tourism Attraction Development
Grant Program Pursuant to 20 ILCS 665/8a..... 1,876,900
For Purposes Pursuant to the Illinois
Promotion Act, 20 ILCS 665/4a-1 to
Match Funds from Sources in the Private
Sector............................................. 600,000
For Grants to Regional Tourism
Development Organizations....................... 720,000
Total                                                                                         $4,946,900

The Department, with the consent in writing from the Governor, may reappropriate not more than ten percent of the total appropriation of Tourism Promotion Fund, in Section 20 above, among the various purposes therein recommended.

Section 22. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated to the Department of Commerce and Economic Opportunity from the Tourism Promotion Fund for grants pursuant to Section 605-710 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF WORKFORCE DEVELOPMENT
GRANTS-IN-AID
Payable from the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For grants pursuant to the Illinois Guaranteed Job Opportunity Act.................. 500,000
For grants to community non-profit agencies or organizations for the operation of a statewide network of outreach services for veterans, as provided for in the Veteran’s Employment Act.............................. 669,400
Total $1,169,400
Payable from the Federal Workforce Training Fund:
For Grants, Contracts and Administrative Expenses Associated with the Workforce Investment Act and other workforce training programs, including refunds and prior year costs.......................... 275,000,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TECHNOLOGY AND INDUSTRIAL COMPETITIVENESS OPERATIONS

Payable from the General Revenue Fund:
For Personal Services.............................. 705,800
For State Contributions to State Employees’ Retirement System...................... 81,500
For State Contributions to Social Security........................................... 54,100
For Contractual Services.......................... 55,000
For Travel.............................................. 22,600
For Commodities................................. 1,200
For Printing.......................................... 800
For Equipment...................................... 4,800
For Telecommunications Services.......... 15,600
For Operation of Automotive Equipment..... 1,000
For transfer to the Digital Divide

New matter indicated by italics - deletions by strikeout
Elimination Fund.......................... 3,000,000
Total $3,942,400

Payable from the Federal Industrial Services Fund:

For Personal Services......................... 836,800
For State Contributions to State
Employees' Retirement System............... 96,500
For State Contributions to
Social Security............................... 64,100
For Group Insurance.......................... 217,500
For Contractual Services..................... 274,800
For Travel................................... 67,900
For Commodities............................. 12,700
For Printing................................ 20,000
For Equipment.............................. 237,000
For Telecommunications Services.......... 30,000
For Operation of Automotive Equipment..... 9,500
For Other Expenses of the Occupational
Safety and Health Administration Program.. 451,000
Total $2,317,800

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TECHNOLOGY AND INDUSTRIAL
COMPETITIVENESS GRANTS-IN-AID

Payable from General Revenue Fund:

For the Job Training and Economic Development
Grant Program Act of 1997, as amended,
including grants, contracts, and administrative
expenses, including prior year costs........ 1,392,000
For Grants, Contracts and Administrative
Expenses of the Employer Training Investment
Program pursuant but not limited to 20 ILCS
605/605-800, and 20 ILCS 605/605-802,
including Prior Year Costs................. 15,492,600

New matter indicated by italics - deletions by strikeout
For Grants and Administrative Expenses Pursuant to the High Technology School-to-Work Act, Including Prior Year Costs

For Grants and Administrative Expenses for the Illinois Technology Enterprise Corporation Program, including prior year costs

For all costs relating to the Center for Safe Food for Small Business at the Illinois Institute of Technology

For a Grant to the University of Illinois For Illinois VENTURES

For grants, investments and contracts associated with the Illinois Coalition and other technology initiatives

For the Manufacturing Extension Program

For Grants, Contracts and Administrative Expenses for the Innovation Challenge Grant Program

For Grants, Investments, Contracts and Administrative Expenses associated with the Entrepreneur in Residence Program

Total

Payable from the Workforce, Technology, and Economic Development Fund:

Payable from the Digital Divide Elimination Fund:

New matter indicated by italics - deletions by strikeout
BUREAU OF TECHNOLOGY AND INDUSTRIAL COMPETITIVENESS REFUNDS

Section 65. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Federal Industrial Services Fund to the Department of Commerce and Economic Opportunity for refunds to the federal government and other refunds.

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF REGIONAL ECONOMIC DEVELOPMENT OPERATIONS

Payable from General Revenue Fund:
For Personal Services......................... 2,156,900
For State Contributions to State
  Employees' Retirement System............... 248,700
For State Contributions to
  Social Security............................. 165,100
For Contractual Services....................... 216,800
For Travel.................................... 96,700
For Commodities............................... 5,200
For Printing.................................. 4,600
For Equipment................................ 2,400
For Telecommunications Services............. 110,000
For Operation of Automotive Equipment....... 0
Total $3,066,400

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF BUSINESS DEVELOPMENT OPERATIONS

Payable from General Revenue Fund:
For Personal Services......................... 2,430,800
For State Contributions to State
  Employees' Retirement System............... 280,300

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security.............................................. 186,100
For Contractual Services.................................................. 668,300
For Travel................................................................. 64,800
For Commodities........................................................... 7,100
For Printing................................................................. 600
For Equipment............................................................... 5,300
For Telecommunications Services................................. 59,900
For Operation of Automotive Equipment...................... 1,800
For Advertising and Promotion................................. 480,000
For Administrative and Related Expenses of the Illinois Women's Business Ownership Council.................................................. 9,600
Total.................................................................................. $4,194,600

Payable from Economic Research and Information Fund:
For Purposes Set Forth in Section 605-20 of the Civil Administrative Code of Illinois (20 ILCS 605/605-20)................................. 230,000

Payable from the Commerce and Community Assistance Fund:
For Personal Services.................................................... 611,500
For State Contributions to State Employees' Retirement System................................. 70,500
For State Contributions to Social Security................................. 46,800
For Group Insurance.................................................... 152,300
For Contractual Services................................................ 236,800
For Travel................................................................. 76,000
For Commodities........................................................... 14,800
For Printing................................................................. 19,100
For Equipment............................................................... 15,600
For Telecommunications Services................................. 45,400
Total.................................................................................. $1,288,800

New matter indicated by italics - deletions by strikeout
Payable from Illinois Capital Revolving Loan Fund:
For Administration and Related Support Pursuant to Public Act 84-0109, as amended

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF BUSINESS DEVELOPMENT
GRANTS-IN-AID

Payable from the General Revenue Fund:
For grants, contracts, and administrative expenses associated with the Bureau of Homeland Security Market Development, including prior year costs

For Small Business Development Centers, Including Prior Year Costs

For the Purpose of Providing Grants to Procurement Centers to Expand Participation in the Government Contracting Process and to Increase the Opportunities for Purchasing Outsourcing Among Illinois Suppliers

For grants, contracts, and administrative expenses associated with Entrepreneurship Centers, including prior year costs

For grants and administrative expenses
For NAFTA Opportunity Centers

Total

Payable from the Small Business Environmental Assistance Fund:
For grants and administrative expenses of the Small Business

New matter indicated by italics - deletions by strikeout
Environmental Assistance Program.............. 350,000
Payable from the Urban Planning Assistance Fund:
For grants, contracts, administrative expenses and refunds associated with the U.S. Department of Defense Procurement Assistance Program,
Including prior year costs...................... 725,000
Payable from Commerce and Community Assistance Fund:
For Small Business Development Center
Including Prior Year Costs..................... 1,800,000
For Administration and Grant Expenses Relating to Small Business Development Management and Technical Assistance,
Labor Management Programs for New and Expanding Businesses, and Economic and Technological Assistance to Illinois Communities and Units of Local Government, Including Prior Year Costs.............. 4,000,000
Total $5,800,000
Payable from the Corporate Headquarters Relocation Assistance Fund:
For Grants Pursuant to the Corporate Headquarters Relocation Act, including prior year costs...................... 1,500,000
Payable from the Illinois Capital Revolving Loan Fund:
For the Purpose of Grants, Loans, and Investments in Accordance with the Provisions of the Small Business Development Act.................. 12,500,000
Payable from the Illinois Equity Fund:
For the purpose of Grants, Loans, and Investments in Accordance with the Provisions of the Small Business Development Act.................. 3,000,000

New matter indicated by italics - deletions by strikeout
Payable from the Large Business Attraction Fund:
For the purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 10 of the Build Illinois Act.................. 3,200,000

Payable from the Public Infrastructure Construction Loan Revolving Fund:
For the Purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 8 of the Build Illinois Act.................. 2,900,000

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF BUSINESS DEVELOPMENT
REFUNDS

Payable from Commerce and Community Assistance Fund:
For Refunds to the Federal Government and other refunds............................... 50,000

Section 95. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF COAL DEVELOPMENT AND MARKETING
GRANTS-IN-AID

Payable from the Coal Technology Development Assistance Fund:
For Grants, Contracts and Administrative Expenses Under the Provisions of the Illinois Coal Technology Development Assistance Act, Including Prior Years Costs.......................... 23,856,100

Section 100. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

ILLINOIS FILM OFFICE

New matter indicated by italics - deletions by strikeout
Payable from Tourism Promotion Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>522,800</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>60,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>40,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>130,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>47,100</td>
</tr>
<tr>
<td>For Travel</td>
<td>35,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>13,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>20,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>5,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>24,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>3,400</td>
</tr>
<tr>
<td>For Administrative and Grant Expenses Associated with Advertising and Promotion</td>
<td>133,200</td>
</tr>
</tbody>
</table>

Total: $1,035,100

Section 105. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

**OFFICE OF TRADE AND INVESTMENT OPERATIONS**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,281,800</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>147,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>98,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,293,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>43,400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>7,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>11,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>5,800</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>106,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
and Expanding International Markets
to Increase Export and Reverse
Investment Opportunities for Illinois
Business and Industries, Including
Prior Year Costs.................................. 1,334,400
Total $4,330,900

Payable from the International and Promotional Fund:
For Grants, Contracts, Administrative
Expenses, and Refunds Pursuant to
20 ILCS 605/605-25, including
Including prior year costs....................... 717,000

Section 110. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Commerce and
Economic Opportunity:

BUREAU OF COMMUNITY DEVELOPMENT
OPERATIONS

Payable from the General Revenue Fund:
For Personal Services............................ 807,700
For State Contributions to State
Employees' Retirement System.................... 93,200
For State Contributions to
Social Security..................................... 61,900
For Contractual Services............................ 104,800
For Travel............................................... 19,400
For Commodities.................................. 3,600
For Printing............................................. 500
For Equipment....................................... 2,500
For Telecommunications Services............... 18,200
For Operation of Automotive Equipment........ 3,700
Total $1,115,500

Payable from the Federal Moderate Rehabilitation
Housing Fund:
For Personal Services................................ 76,900
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees' Retirement System.......................... 8,900
For State Contributions to
   Social Security.................................. 5,900
For Group Insurance................................. 29,000
For Contractual Services........................... 12,400
For Travel........................................... 8,300
For Commodities................................. 1,700
For Printing....................................... 300
For Equipment.................................... 6,000
For Telecommunications Services................. 4,700
For Operation of Automotive Equipment.......... 500
Total                                                                                        $154,600
Payable from the Community Services Block Grant Fund:
For Personal Services............................. 422,100
For State Contributions to State
   Employees' Retirement System .................... 48,700
For State Contributions to
   Social Security.................................. 32,300
For Group Insurance............................... 101,500
For Contractual Services........................ 58,200
For Travel......................................... 43,000
For Commodities................................. 2,800
For Printing....................................... 1,000
For Equipment.................................... 22,500
For Telecommunications Services................. 11,500
For Operation of Automotive Equipment.......... 1,300
Total                                                                                        $744,900
Payable from Community Development/Small Cities Block Grant Fund:
For Personal Services............................ 546,000
For State Contributions to State
   Employees' Retirement System .................... 63,000
For State Contributions to
   Social Security.................................. 41,800

New matter indicated by italics - deletions by strikeout
For Group Insurance.............................. 174,000
For Contractual Services......................... 21,200
For Travel......................................... 47,900
For Commodities................................. 4,600
For Printing........................................ 1,300
For Equipment..................................... 13,500
For Telecommunications Services............... 15,000
For Operation of Automotive Equipment......... 1,100
For Administrative and Grant Expenses
Relating to Training, Technical
Assistance, and Administration of
the Community Development Assistance
Programs.......................................... 1,000,000
Total.............................................. $1,929,400

Section 115. The following named amounts, or so much thereof as
may be necessary, respectively are appropriated to the Department of
Commerce and Economic Opportunity:

   BUREAU OF COMMUNITY DEVELOPMENT
   GRANTS-IN-AID

Payable from the General Revenue Fund:
For Grants, Contracts and Administrative
Expenses Associated with the Illinois
Tomorrow Program, Including Prior
Year Costs........................................ 468,000
For the Northeast DuPage Special
Recreation Association......................... 250,000
For Administrative and Grant Expenses
Relating to Research, Planning, Technical
Assistance, Technological Assistance and
Other Financial Assistance to Assist
Businesses, Communities, Regions and
Other Economic Development Purposes,
including prior year costs...................... 682,000
For Grants, Contracts and Administrative

New matter indicated by italics - deletions by strikeout
Expenses Associated with the
African American Family Commission............... 250,000
For a grant to Chicago State
University for the Chicagoland
Regional College Program...................... 3,500,000
Total $5,150,000

Payable from the Agricultural Premium Fund:
For the Ordinary and Contingent Expenses
of the Rural Affairs Institute at
Western Illinois University............... 160,000

Payable from the Federal Moderate Rehabilitation
Housing Fund:
For Housing Assistance Payments
Including Reimbursement of Prior
Year Costs.......................... 1,450,000

Payable from the Community Services
Block Grant Fund:
For Grants to Eligible Recipients
as Defined in the Community
Services Block Grant Act, including
prior year costs ...................... 50,000,000

Payable from the Community Development
Small Cities Block Grant Fund:
For Grants to Local Units of Government
or Other Eligible Recipients as Defined
in the Community Development Act
of 1974, as amended, for Illinois Cities with
Populations Under 50,000, Including
Reimbursements for Costs in Prior Years..... 110,000,000

Section 125. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Commerce and Economic Opportunity:

COMMUNITY DEVELOPMENT REFUNDS
For refunds to the Federal Government and other refunds:

New matter indicated by italics - deletions by strikeout
Payable from Federal Moderate Rehabilitation Housing Fund.......................... 250,000
Payable from Community Services Block Grant Fund............................... 170,000
Payable from Community Development/ Small Cities Block Grant Fund.............. 300,000
Total $720,000

Section 130. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

ENERGY AND RECYCLING GRANTS-IN-AID
Payable from the Solid Waste Management Fund:
For Grants, Contracts and Administrative Expenses Associated with Providing Financial Assistance for Recycling and Reuse in Accordance with Section 22.15 of the Environmental Protection Act, the Illinois Solid Waste Management Act and the Solid Waste Planning and Recycling Act, including prior year costs.......................... 9,607,200
Payable from the Used Tire Management Fund:
For Grants, Contracts and Administrative Expenses Associated with the Purposes as Provided for in Section 55.6 of the Environmental Protection Act, Including Prior Year Costs................................. 24,100
Payable from the Alternate Fuels Fund:
For Administration and Grant Expenses of the Ethanol Fuel Research Program, Including Prior Year Costs.......................... 500,000
Payable from the Renewable Energy Resources Trust Fund:
For Grants, Loans, Investments and Administrative Expenses of the Renewable

New matter indicated by italics - deletions by strikeout
Energy Resources Program, and the  
Illinois Renewable Fuels Development  
Program, Including Prior Year Costs........   26,000,000  
Payable from the Energy Efficiency Trust Fund:  
For Grants and Administrative Expenses  
Relating to Projects that Promote Energy  
Efficiency, Including Prior Year Costs........  3,600,000  
Payable from the DCEO Energy Projects Fund:  
For Expenses and Grants Connected with  
Energy Programs, Including Prior Year  
Costs...........................................   4,000,000  
Payable from the Federal Energy Fund:  
For Expenses and Grants Connected with  
the State Energy Program, Including  
Prior Year Costs.............................   3,000,000  
Payable from the Petroleum Violation Fund:  
For Expenses and Grants Connected with  
Energy Programs, Including Prior Year  
Costs...........................................   3,000,000  

Section 135. The following named amounts, or so much thereof as  
may be necessary, respectively, are appropriated to the Department of  
Commerce and Economic Opportunity:  
Payable from the General Revenue Fund:  
For all costs associated with the Central  
Illinois Economic Development Authority.....   500,000  
For all costs associated with Lifelong  
Learning Accounts..............................   400,000  
For a grant associated with  
Illinois Manufacturers’ Association.........   2,000,000  
For a grant associated with Chicago  
Rehabilitation Network Technical  
Assistance......................................   200,000  
For a grant associated with the  
Anticipatory Design Science Center............   100,000  

New matter indicated by italics - deletions by strikeout
For all costs associated with the Mid-America Medical District................. 250,000
For a grant to the Coalition for United Community Action.................... 400,000
For grants, contracts and administrative expenses associated with the expanding employment opportunities for minorities and targeted populations in construction trades........................................ 6,250,000
For grants to local governments for infrastructure improvements and economic development purposes......................... 9,100,000
For grants to units of local government, for profit organizations, not-for-profit organizations, community organizations and educational facilities for all costs associated with operational expenses and infrastructure improvements including but not limited to planning, construction, reconstruction, renovation, equipment, vehicles, other capital and related expenses, and for all costs associated with economic development programs, educational and training programs, social service programs, and public health and safety programs.................. 3,634,000
For grants to units of local government, for profit organizations, not-for-profit organizations, community organizations and educational facilities for all costs associated with operational expenses and infrastructure improvements including but not limited to planning, construction, reconstruction, renovation,
equipment, vehicles, other capital and related expenses, and for all costs associated with economic development programs, educational and training programs, social service programs, and public health and safety programs.

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,437,800</td>
</tr>
</tbody>
</table>

Total $30,271,800

Section 140. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the Board of Trustees of Southern Illinois University for the purpose of providing facility operating and research funds for the National Corn-to-Ethanol Research Center at Southern Illinois University at Edwardsville.

Section 145. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the Board of Trustees of Southern Illinois University for construction, expansion, remodeling, equipment, and related costs of the National Corn-to-Ethanol Research Facility at Southern Illinois University at Edwardsville.

Section 150. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the Board of Trustees of Western Illinois University for support of efforts provided through the Illinois Institute for Rural Affairs to promote the advancement of corn kernel to fuel alcohol and value added co-products.

ARTICLE 40

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses to the Illinois Commerce Commission:

<table>
<thead>
<tr>
<th>CHAIRMAN AND COMMISSIONER’S OFFICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Transportation Regulatory Fund:</td>
</tr>
<tr>
<td>For Personal Services     .................</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
</tr>
</tbody>
</table>
Paid by Employer..................................... 0
For State Contributions to State
    Employees' Retirement System................. 9,700
For State Contributions to
    Social Security............................... 6,400
For Group Insurance............................. 14,500
For Contractual Services....................... 400
For Travel........................................ 2,100
For Equipment..................................... 5,800
For Telecommunications......................... 7,200
For Operation of Auto Equipment............... 1,100
Total                                       $131,200

Payable from Public Utility Fund:
For Personal Services......................... 810,000
For Employee Retirement Contributions
    Paid by Employer..................................... 0
For State Contributions to State
    Employees' Retirement System............... 93,200
For State Contributions to
    Social Security.............................. 62,000
For Group Insurance........................... 174,000
For Contractual Services...................... 22,700
For Travel........................................ 64,900
For Commodities................................ 2,100
For Equipment..................................... 2,300
For Telecommunications....................... 20,000
For Operation of Auto Equipment.............. 800
Total                                       $1,252,000

Section 10. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for ordinary and
contingent expenses to the Illinois Commerce Commission, as follows:

PUBLIC UTILITIES
Payable from Public Utility Fund:
For Personal Services......................... 14,010,000

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
  Paid by Employer.................................  0
For State Contributions to State
  Employees' Retirement System...................  1,611,200
For State Contributions to
  Social Security................................  1,071,800
For Group Insurance...............................  3,045,000
For Contractual Services..........................  1,650,000
For Travel.........................................  240,000
For Commodities..................................  46,700
For Printing.......................................  35,500
For Equipment.....................................  80,000
For Electronic Data Processing...................  841,800
For Telecommunications.........................  425,000
For Operation of Auto Equipment...............  40,000
For Refunds......................................  17,000
Total                                                                 $23,114,000

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Commerce Commission:

TRANSPORTATION
Payable from Transportation Regulatory Fund:
  For Personal Services..........................  4,772,500
  For Employee Retirement Contributions
    Paid by Employer.................................  0
  For State Contributions to State
    Employees' Retirement System................  550,000
  For State Contributions to
    Social Security...............................  365,100
  For Group Insurance.............................  1,000,500
  For Contractual Services.......................  634,400
  For Travel......................................  177,100
  For Commodities.................................  20,000
  For Printing....................................  20,000

New matter indicated by italics - deletions by strikeout
For Equipment................................. 109,400
For Electronic Data Processing............... 376,200
For Telecommunications......................... 387,900
For Operation of Auto Equipment................. 115,200
For Refunds........................................ 25,000
Total                                           $8,553,300

Section 20.  The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for disbursing funds collected for the Single State Insurance Registration Program to be distributed to: (1) participating states, provided that no distributions exceed funds made available from registration collections; (2) for refunds for overpayments; and (3) for administrative expenses.

Section 22.  The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for railroad crossing improvement initiatives.

Section 25.  The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Digital Divide Elimination Infrastructure Fund to the Illinois Commerce Commission for grants and awards for the construction of high-speed data transmission facilities.

Section 30.  The sum of $74,000, or so much thereof as may be necessary, is appropriated from the Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for a grant to the Statewide One-call Notice System, as required in the Illinois Underground Utility Facilities Damage Prevention Act.

The sum of $1,000, or so much thereof as may be necessary, is appropriated from the Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for refunds.

Section 35.  The sum of $42,900,000, or so much thereof as may be necessary, is appropriated from the Wireless Service Emergency Fund to the Illinois Commerce Commission for grants to emergency telephone system boards, qualified government entities, or the Department of State Police for the design, implementation, operation, maintenance, or upgrade

New matter indicated by italics - deletions by strikeout
of wireless 9-1-1 or E9-1-1 emergency services and public safety answering points and for reimbursement of the Communications Revolving Fund for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

Section 40. The sum of $27,500,000, or so much thereof as may be necessary, is appropriated from the Wireless Carrier Reimbursement Fund to the Illinois Commerce Commission for reimbursement of wireless carriers for costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 services mandates and for reimbursement of the Communications Revolving Fund for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

ARTICLE 41

Section 1. The sum of $22,523,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund for payment to the Board of the Comprehensive Health Insurance Plan pursuant to subsection (b) of Section 12 of the Comprehensive Health Insurance Plan Act.

ARTICLE 42

Section 5. The sum of $7,000,000, or so much thereof as may be necessary, is appropriated from the Drycleaner Environmental Response Trust Fund to the Drycleaner Environmental Response Trust Fund Council for use in accordance with the Drycleaner Environmental Response Trust Fund Act.

ARTICLE 43

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Employment Security:

OFFICE OF THE DIRECTOR

Payable from Title III Social Security and Employment Service Fund:
For Personal Services.......................... 6,740,700
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid by Employer................................. 0
For State Contributions to State
  Employees' Retirement System............... 776,900
For State Contributions to
  Social Security............................. 515,700
For Group Insurance........................ 1,696,500
For Contractual Services................... 501,200
For Travel.................................... 127,300
For Telecommunications Services........... 237,700
Total                                  $10,596,000

Section 10. The following named amounts, or so much thereof as
may be necessary, respectively, for the purposes hereinafter named, are
appropriated to meet the ordinary and contingent expenses of the
Department of Employment Security:

FINANCE AND ADMINISTRATION BUREAU
Payable from Title III Social Security
and Employment Service Fund:
For Personal Services....................... 21,040,300
For State Contributions to State
  Employees' Retirement System............. 2,424,900
For State Contributions to
  Social Security........................... 1,609,600
For Group Insurance......................... 5,292,500
For Contractual Services................... 42,909,300
For Travel.................................... 153,300
For Commodities............................ 1,206,300
For Printing.................................. 1,939,100
For Equipment............................... 4,022,400
For Telecommunications Services......... 2,645,700
For Operation of Auto Equipment.......... 106,300
Payable from Title III Social Security
and Employment Service Fund:
For expenses related to America's
  Labor Market Information System........... 4,500,000

New matter indicated by italics - deletions by strikeout
Section 15. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

**WORKFORCE DEVELOPMENT**

Payable from Title III Social Security and Employment Service Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>77,135,500</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>8,889,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>5,900,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>23,678,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,088,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>1,195,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>6,247,800</td>
</tr>
<tr>
<td>For Permanent Improvements</td>
<td>85,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>300,000</td>
</tr>
<tr>
<td>For the expenses related to the Development of Training Programs</td>
<td>100,000</td>
</tr>
<tr>
<td>For the expenses related to Employment Security Automation</td>
<td>5,000,000</td>
</tr>
<tr>
<td>For expenses related to a Benefit Information System Redefinition</td>
<td>15,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$152,622,100</strong></td>
</tr>
</tbody>
</table>

Payable from the Unemployment Compensation Special Administration Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For expenses related to Legal Assistance as required by law</td>
<td>2,000,000</td>
</tr>
<tr>
<td>For deposit into the Title III Social Security and Employment Service Fund</td>
<td>10,000,000</td>
</tr>
<tr>
<td>For Interest on Refunds of Erroneously Paid Contributions, Penalties and Interest</td>
<td>100,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Total $12,100,000

Section 20. The amount of $1,500,000, or so much thereof as may be necessary, is appropriated from the Title III Social Security and Employment Services Fund to the Department of Employment Security, for all costs, including administrative costs associated with providing community partnerships for enhanced customer service.

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT
Grants-In-Aid
Payable from Title III Social Security
and Employment Service Fund:
For Grants................................. 500,000
For Tort Claims............................ 715,000
Total $1,215,000

Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Employment Security, for unemployment compensation benefits, other than benefits provided for in Section 3, to Former State Employees as follows:

TRUST FUND UNIT
Grants-In-Aid
Payable from the Road Fund:
For benefits paid on the basis of wages
paid for insured work for the Department
of Transportation......................... 1,900,000
Payable from the Illinois Mathematics
and Science Academy Income Fund.......... 16,700
Payable from Title III Social Security
and Employment Service Fund................ 1,734,300
Payable from the General Revenue Fund..... 15,298,300
Total $18,949,300

ARTICLE 44

New matter indicated by italics - deletions by strikeout
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Environmental Protection Agency:

ADMINISTRATION
For Personal Services.......................... 641,900
For Employee Retirement Contributions
   Paid by Employer................................ 0
For State Contributions to State
   Employees' Retirement System............... 74,100
For State Contributions to Social Security........ 49,200
For Contractual Services...................... 9,100
For Travel...................................... 6,900
For Commodities............................... 17,600
For Printing................................... 0
For Equipment................................. 2,900
For Telecommunications Services.............. 19,000
For Operation of Auto Equipment.............. 8,400
Total........................................... $829,100

Section 6. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Environmental Protection Agency for a grant to the Addison Creek Restoration Commission for purposes related to floodplain management.

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

Payable from U.S. Environmental Protection Fund:
For Contractual Services...................... 1,712,700
For Electronic Data Processing............... 306,600
Payable from Underground Storage Tank Fund:
For Contractual Services...................... 234,900
For Electronic Data Processing............... 2,500

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual Services</td>
<td>258,200</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>96,100</td>
</tr>
<tr>
<td>Payable from Subtitle D Management Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>93,900</td>
</tr>
<tr>
<td>Payable from Clean Air Act Permit Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>1,281,800</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>676,000</td>
</tr>
<tr>
<td>Payable from Water Revolving Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>641,500</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>458,300</td>
</tr>
<tr>
<td>Payable from Community Water Supply Laboratory Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>153,600</td>
</tr>
<tr>
<td>Payable from Used Tire Management Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>123,900</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>109,000</td>
</tr>
<tr>
<td>Payable from Conservation 2000 Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>31,100</td>
</tr>
<tr>
<td>Payable from Hazardous Waste Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>495,600</td>
</tr>
<tr>
<td>Payable from Environmental Protection Permit and Inspection Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>436,100</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>257,100</td>
</tr>
<tr>
<td>Payable from Vehicle Inspection Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>522,700</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>122,400</td>
</tr>
<tr>
<td>Payable from the Clean Water Fund:</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>609,200</td>
</tr>
<tr>
<td>Electronic Data Processing</td>
<td>132,700</td>
</tr>
</tbody>
</table>

**Total**: $8,755,900

Section 15. The sum of $640,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for pollution prevention activities.

New matter indicated by italics - deletions by strikeout
Section 20. The sum of $200,000, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency from the EPA Special States Projects Trust Fund for the purpose of funding the planning, administration, and operation of environmental intern programs to be funded by advance contributions.

Section 25. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for all costs associated with projects for the National Enforcement Information Exchange Network, enforcement, and compliance assurance assistance and related federal grant initiatives.

Section 30. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for the purpose of administering the toxic and hazardous materials program and the regulatory innovation program.

Section 35. The sum of $10,000, or so much thereof as may be necessary, is appropriated from the Industrial Hygiene Regulatory and Enforcement Fund to the Environmental Protection Agency for the purpose of administering the industrial hygiene licensing program.

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Environmental Protection Permit and Inspection Fund to the Environmental Protection Agency:

- For Personal Services .................................................. 185,800
- For Employee Retirement Contributions
  - Paid by Employer .................................................. 0
- For State Contributions to the State
  - Employee’s Retirement System ............................... 21,400
- For State Contributions to Social Security ....................... 14,200
- For Group Insurance ................................................. 43,500
  Total ........................................................................... $264,900

New matter indicated by italics - deletions by strikeout
Section 45. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Oil Spill Response Fund to the Environmental Protection Agency for use in accordance with Section 25c-1 of the Environmental Protection Act.

Section 50. The amount of $6,000,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for awards and grants as directed by the Environmental Protection Trust Fund Commission.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

AIR POLLUTION CONTROL
Payable from U.S. Environmental Protection Fund:
For Personal Services......................... 3,004,600
For Employee Retirement Contributions
  Paid by Employer............................ 0
For State Contributions to State Employees' Retirement System............ 346,300
For State Contributions to Social Security........................... 229,900
For Group Insurance........................... 652,500
For Contractual Services.................... 1,425,700
For Travel.................................... 76,100
For Commodities.............................. 132,000
For Printing.................................. 40,000
For Equipment................................ 500,000
For Telecommunications Services........... 215,000
For Operation of Auto Equipment............. 60,000
For Use by the City of Chicago............... 374,600
For Expenses Related to the Development and Implementation of a Targeted Clean Air Information and Education Program............. 900,000

New matter indicated by italics - deletions by strikeout
Total $7,956,700

Payable from the Environmental Protection Permit and Inspection Fund for Air Permit and Inspection Activities:
- For Personal Services.......................... 2,791,500
- For Other Expenses............................. 2,028,200
- For Refunds...................................... 100,000
  Total $4,919,700

Payable from the Vehicle Inspection Fund:
- For Personal Services.......................... 3,706,700
  For Employee Retirement Contributions
    Paid by Employer...................................... 0
  For State Contributions to State
    Employees' Retirement System.................... 427,200
  For State Contributions to
    Social Security.................................. 283,600
  For Group Insurance............................... 1,232,500
  For Vehicle Inspections, including
    prior year costs.................................. 52,682,300
  For Contractual Services......................... 1,658,900
  For Travel......................................... 40,000
  For Commodities.................................... 15,000
  For Printing....................................... 359,000
  For Equipment...................................... 100,000
  For Telecommunications............................ 125,000
  For Operation of Auto Equipment............... 30,000
  Total $60,660,200

  Section 60. The following named amounts, or so much thereof as
  may be necessary, is appropriated from the Clean Air Act Permit Fund to
the Environmental Protection Agency for the purpose of funding Clean Air
Act Title V activities in accordance with Clean Air Act Amendments of
1990:
- For Personal Services and Other Expenses of the Program.............. 16,174,000
- For Refunds......................................... 150,000

  New matter indicated by italics - deletions by strikeout
Total $16,324,000

Section 75. The named amounts, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Environmental Protection Agency for the purpose of administering the Alternate Fuels Rebate Program and the Ethanol Fuel Research Program:

For Personal Services and Other
Expenses.......................... 200,000
For Grants and Rebates................. 1,500,000
Total $1,700,000

Section 80. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Alternate Compliance Market Account Fund to the Environmental Protection Agency for all costs associated with the emissions reduction market program.

Section 85. The amount of $1,500,000, or so much thereof as may be necessary, is appropriated from the Special State Projects Trust Fund to the Environmental Protection Agency for all costs associated with the Drive Green Illinois initiative and other clean air public awareness programs.

LABORATORY SERVICES

Section 90. The named amounts, or so much thereof as may be necessary, are appropriated from the Community Water Supply Laboratory Fund to the Environmental Protection Agency for the purpose of performing laboratory testing of samples from community water supplies and for administrative costs of the Agency and the Community Water Supply Testing Council.

For Personal Services and Other
Expenses of the Program.................. 3,003,100
For Permanent Improvements............... 7,600
Total $3,010,700

Section 95. The sum of $665,800, or so much thereof as may be necessary, is appropriated from the Environmental Laboratory Certification Fund to the Environmental Protection Agency for the purpose of administering the environmental laboratories certification program.
Section 100. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the EPA Special State Projects Trust Fund to the Environmental Protection Agency for the purpose of performing laboratory analytical services for government entities.

Section 105. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

**LAND POLLUTION CONTROL**

<table>
<thead>
<tr>
<th>Payable from U.S. Environmental Protection Fund:</th>
<th>3,006,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services...............................................</td>
<td>3,006,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td>0</td>
</tr>
<tr>
<td>Paid by Employer..................................................................</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System......</td>
<td>342,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security............................</td>
<td>227,500</td>
</tr>
<tr>
<td>For Contractual Services................................................................</td>
<td>745,200</td>
</tr>
<tr>
<td>For Travel............................................................................</td>
<td>40,000</td>
</tr>
<tr>
<td>For Commodities......................................................................</td>
<td>25,000</td>
</tr>
<tr>
<td>For Printing...........................................................................</td>
<td>20,000</td>
</tr>
<tr>
<td>For Equipment..........................................................................</td>
<td>50,000</td>
</tr>
<tr>
<td>For Telecommunications Services.............................................</td>
<td>100,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment...........................................</td>
<td>35,000</td>
</tr>
<tr>
<td>For Use by the Office of the Attorney General..........................</td>
<td>25,000</td>
</tr>
<tr>
<td>For Underground Storage Tank Program...................................</td>
<td>2,338,300</td>
</tr>
<tr>
<td>Total</td>
<td>$7,234,800</td>
</tr>
</tbody>
</table>

Section 110. The following named sums, or so much thereof as may be necessary, including prior year costs, are appropriated to the Environmental Protection Agency, payable from the U. S. Environmental Protection Fund, for use of remedial, preventive or corrective action in accordance with the Federal Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended:

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 2,099,400
For Employee Retirement Contributions
Paid by Employer.................................. 0
For State Contributions to State
Employees' Retirement System.................... 242,000
For State Contributions to Social Security........ 160,600
For Group Insurance............................... 493,000
For Contractual Services........................ 185,000
For Travel.......................................... 60,000
For Commodities.................................. 50,000
For Printing........................................ 10,000
For Equipment..................................... 130,000
For Telecommunications Services.................. 50,000
For Operation of Auto Equipment................... 60,000
For Contractual Expenses Related to Remedial, Preventive or Corrective Actions in Accordance with the Federal Comprehensive and Liability Act of 1980, including Costs in Prior Years......................... 9,500,000
Total.............................................. $13,040,000

Section 115. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for the purpose of funding the Underground Storage Tank Program.
Payable from the Underground Storage Tank Fund:
For Personal Services........................... 2,591,400
For Employee Retirement Contributions
Paid by Employer.................................. 0
For State Contributions to State
Employees' Retirement System.................... 298,700
For State Contributions to Social Security........ 198,200

New matter indicated by italics - deletions by strikeout
For Group Insurance..............................       638,000
For Contractual Services..........................       289,600
For Travel........................................       29,500
For Commodities.....................................       15,000
For Printing.......................................         5,000
For Equipment......................................       105,000
For Telecommunications Services.................       25,000
For Operation of Auto Equipment...................       10,700
For Reimbursements to Eligible Owners/
    Operators of Leaking Underground
    Storage Tanks, including claims
    submitted in prior years and for
    costs associated with site remediation.......       75,200,000
Total                                                                                       $79,406,100

Section 120. The following named sums, or so much thereof as
may be necessary, are appropriated to the Environmental Protection
Agency for use in accordance with Section 22.2 of the Environmental
Protection Act:
Payable from the Hazardous Waste Fund:
    For Personal Services.........................   4,009,200
    For Employee Retirement Contributions
        Paid by Employer....................................       0
    For State Contributions to State
        Employees' Retirement System..................       462,100
    For State Contributions to
        Social Security.................................       306,200
    For Group Insurance.............................       1,044,000
    For Contractual Services..........................       1,062,000
    For Travel..........................................       55,500
    For Commodities...................................       38,000
    For Printing....................................         65,000
    For Equipment....................................       102,000
    For Telecommunications Services..............       55,000
    For Operation of Auto Equipment...............       42,000

New matter indicated by italics - deletions by strikeout
For Personal Services and Other
Expenses Related to Removal or
Remedial Actions and for Expenses
Related to Reviewing the Performance
of Response Actions Pursuant
to Title XVII of the Environmental
Protection Act........................................                                                   0
For Contractual Services for Site
Remediations, including costs
in Prior Years.................................
Total
19,000,000
$26,241,000

Section 125. The following named sums, or so much thereof as
may be necessary, are appropriated from the Environmental Protection
Permit and Inspection Fund to the Environmental Protection Agency for
land permit and inspection activities:
For Personal Services............... 2,370,800
For Employee Retirement Contributions
Paid by Employer.............................. 0
For State Contributions to State
Employees' Retirement System......... 273,200
For State Contributions to
Social Security............................. 181,400
For Group Insurance..................... 594,500
For Contractual Services............ 210,000
For Travel...................................... 7,500
For Commodities......................... 13,000
For Printing................................. 11,000
For Equipment............................... 9,800
For Telecommunications Services.... 18,000
For Operation of Auto Equipment..... 5,500
Total $3,694,700

Section 130. The following named sums, or so much thereof as
may be necessary, are appropriated from the Solid Waste Management

New matter indicated by italics - deletions by strikeout
Fund to the Environmental Protection Agency for use in accordance with Section 22.15 of the Environmental Protection Act:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>4,440,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>511,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>339,700</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,104,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>200,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>25,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>15,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>34,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>35,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>68,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>32,600</td>
</tr>
<tr>
<td>For Refunds</td>
<td>5,000</td>
</tr>
<tr>
<td>For financial assistance to units of</td>
<td></td>
</tr>
<tr>
<td>local government for operations under</td>
<td></td>
</tr>
<tr>
<td>delegation agreements</td>
<td>1,750,000</td>
</tr>
<tr>
<td>For grants and contracts for</td>
<td></td>
</tr>
<tr>
<td>removing waste, including costs for</td>
<td></td>
</tr>
<tr>
<td>demolition, removal and disposal</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Total</td>
<td>11,561,800</td>
</tr>
</tbody>
</table>

Section 135. The following named sums, or so much therefore as may be necessary, are appropriated to the Environmental Protection Agency for conducting a household hazardous waste collection program, including costs from prior years:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from the Solid Waste Management Fund</td>
<td>3,058,000</td>
</tr>
<tr>
<td>Payable from the Special State Projects Trust Fund</td>
<td>450,000</td>
</tr>
</tbody>
</table>
Section 140. The following named amounts, or so much thereof as may be necessary, are appropriated from the Used Tire Management Fund to the Environmental Protection Agency for purposes as provided for in Section 55.6 of the Environmental Protection Act.

For Personal Services....................... 1,727,000
For Employee Retirement Contributions
   Paid by Employer............................ 0
For State Contributions to State
   Employees' Retirement System.............. 199,000
For State Contributions to Social Security........... 132,100
For Group Insurance.......................... 435,000
For Contractual Services..................... 2,947,300
For Travel..................................... 45,000
For Commodities................................ 40,000
For Printing................................... 7,000
For Equipment................................. 125,000
For Telecommunications Services............. 30,000
For Operation of Auto Equipment............ 25,000
Total ........................................ $5,712,400

Section 145. The following named amounts, or so much thereof as may be necessary, are appropriated from the Subtitle D Management Fund to the Environmental Protection Agency for the purpose of funding the Subtitle D permit program in accordance with Section 22.44 of the Environmental Protection Act:

For Personal Services....................... 1,341,300
For Employee Retirement Contributions
   Paid by Employer............................ 0
For State Contributions to State
   Employees' Retirement System.............. 154,500
For State Contributions to Social Security................ 102,600
For Group Insurance.......................... 290,000
For Contractual Services...................... 327,000

New matter indicated by italics - deletions by strikeout
For Travel............................... 27,300
For Commodities........................... 40,000
For Printing............................... 53,000
For Equipment.............................. 100,000
For Telecommunications........................... 70,000
For Operation of Auto Equipment............... 20,000
Total $2,525,700

Section 150. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Landfill Closure and Post Closure Fund to the Environmental Protection Agency for the purpose of funding closure activities in accordance with Section 22.17 of the Environmental Protection Act.

Section 155. The sum of $95,000, or so much thereof as may be necessary, is appropriated from the Hazardous Waste Occupational Licensing Fund to the Environmental Protection Agency for expenses related to the licensing of Hazardous Waste Laborers and Crane and Hoisting Equipment Operators, as mandated by Public Act 85-1195.

Section 160. The following named amount, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency for use in accordance with the Brownfields Redevelopment program:
Payable from the Brownfields Redevelopment Fund:
For Personal Services and Other Expenses of the Program......................... 1,063,000

Section 165. The sum of $8,500,000, or so much thereof as may be necessary, is appropriated from the Brownfields Redevelopment Fund to the Environmental Protection Agency for financial assistance for brownfields redevelopment in accordance with 58.3(5), 58.13 and 58.15 of the Environmental Protection Act, including costs in prior years.

Section 175. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:
BUREAU OF WATER
Payable from U.S. Environmental Protection Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services......................... 6,503,000
For Employee Retirement Contributions
  Paid by Employer............................. 0
For State Contributions to State
  Employees' Retirement System............. 749,500
For State Contributions to
  Social Security............................. 497,500
For Group Insurance......................... 1,638,500
For Contractual Services.................... 2,242,600
For Travel...................................... 113,900
For Commodities............................. 30,500
For Printing................................... 58,100
For Equipment................................. 223,400
For Telecommunications Services............ 106,400
For Operation of Auto Equipment............ 61,500
For Use by the Department of
  Public Health............................... 703,000
For non-point source pollution management
  and special water pollution studies
  including costs in prior years............. 10,950,000
For all costs associated with
  the Drinking Water Operator
  Certification Program, including
  costs in prior years....................... 1,300,000
For Water Quality Planning,
  including costs in prior years............ 350,000
For Use by the Department of
  Agriculture................................. 100,000
Total                                  $25,627,900

Section 180. The following named sums, or so much thereof as
may be necessary, are appropriated from the Hazardous Waste Fund to the
Environmental Protection Agency for use in accordance with Section 22.2
of the Environmental Protection Act:
For Personal Services......................... 279,000

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer........................................ 0
For State Contribution to State
   Employees' Retirement System................... 32,200
For State Contribution to Social Security............ 21,300
For Group Insurance.................................. 72,500
For Contractual Services............................ 29,000
For Travel............................................. 6,000
For Commodities................................... 6,000
For Equipment..................................... 95,400
For Telecommunications............................. 20,000
For Operation of Automotive Equipment.............. 22,800
Total                                                                 $484,800

Section 185. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:
Payable from the Environmental Protection Permit and Inspection Fund:
For Personal Services................................. 1,411,000
For Employee Retirement Contributions
   Paid by Employer........................................ 0
For State Contribution to State
   Employees' Retirement System................... 162,600
For State Contribution to Social Security............ 107,900
For Group Insurance.................................. 377,000
For Contractual Services............................ 118,500
For Travel............................................. 28,200
For Commodities................................... 38,400
For Printing......................................... 6,000
For Equipment..................................... 95,400
For Telecommunications Services..................... 30,500
For Operation of Automotive Equipment.............. 22,800

New matter indicated by italics - deletions by strikeout
Section 190. The named amounts, or so much thereof as may be necessary, are appropriated from the Conservation 2000 Fund to the Environmental Protection Agency for the purpose of funding lake management activities:

For Personal Services and Other Expenses of the Program........................ 570,600
For Financial Assistance........................................ 1,000,000
Total.................................................. $1,570,600

Section 195. The sum of $4,569,764, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purpose in Article 59, Sections 190, 195 and 200 of Public Act 94-15, is reappropriated from the Conservation 2000 Fund to the Environmental Protection Agency for financial assistance for lake management activities.

Section 205. The amount of $7,058,500, or so much thereof as may be necessary, is appropriated from the Clean Water Fund to the Environmental Protection Agency for all costs associated with clean water activities.

Section 210. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Clean Water Fund to the Environmental Protection Agency for refunds.

Section 215. The following named amounts, or so much thereof as may be necessary, respectively, for the object and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from the Water Revolving Fund:
For Administrative Costs of Water Pollution Control Revolving Loan Program........................................ 2,123,900
For Program Support Costs of Water Pollution Control Program................................. 7,631,500
For Administrative Costs of the Drinking Water Revolving Loan Program......................... 1,206,100
For Program Support Costs of the Drinking Water Revolving Loan Program

New matter indicated by italics - deletions by strikeout
Water Program................................. 2,081,800
For Wellhead Protection, capacity development and technical assistance to public water supplies............... 402,000
Total $13,445,300

Section 220. The sum of $900,000, or so much thereof as may be necessary, is appropriated from the Special State Projects Trust Fund to the Environmental Protection Agency for all costs associated with environmental studies and activities.

Section 225. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Environmental Protection Agency for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Pollution Control Board Division.

POLLUTION CONTROL BOARD DIVISION
Payable from Pollution Control Board Fund:
For Contractual Services............................ 12,500
For Printing............................................. 0
For Telecommunications Services...................... 4,000
For Refunds.......................................... 1,000
Total $17,500
Payable from the Environmental Protection Permit and Inspection Fund:
For Personal Services............................... 656,800
For Employee Retirement Contributions Paid by Employer........................................ 0
For State Contributions to State Employees' Retirement System................................ 75,700
For State Contributions to Social Security........ 50,200
For Group Insurance................................. 159,500
For Contractual Services............................. 9,900
For Travel........................................... 5,000
For Electronic Data Processing....................... 1,000
For Telecommunications Services..................... 7,200

New matter indicated by italics - deletions by strikeout
Total $965,300

Payable from the Clean Air Act Permit Fund:
For Personal Services.............................. 699,700
For Employee Retirement Contributions
Paid by Employer........................................ 0
For State Contributions to State Employees' Retirement System......................... 80,600
For State Contributions to Social Security........ 53,500
For Group Insurance................................ 203,000
For Contractual Services............................ 10,000
Total $1,046,800

Section 230. The amount of $17,800, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the Environmental Protection Agency for the purposes as provided for in Section 55.6 of the Environmental Protection Act.

ARTICLE 45

Section 5. The sum of $370,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Executive Ethics Commission for its ordinary and contingent expenses.

ARTICLE 46

Section 5. The sum of $6,705,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Executive Inspector General for its ordinary and contingent expenses.

ARTICLE 47

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Professions Dedicated Fund to the Department of Financial and Professional Regulation:

GENERAL PROFESSIONS
For Personal Services.............................. 2,337,600
For Employee Retirement Contributions
   Paid by Employer........................................ 0
For State Contributions to State Employees' Retirement System......................... 269,400

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security................................. 178,800
For Group Insurance............................ 710,500
For Contractual Services......................... 102,000
For Travel........................................ 85,000
For Refunds..................................... 30,000
Total                                                                                      $3,713,300

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Dental Disciplinary Fund to the Department of Financial and Professional Regulation:
For Personal Services.......................... 478,700
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State
Employees' Retirement System................... 55,200
For State Contributions to
Social Security.................................. 36,600
For Group Insurance............................ 116,000
For Contractual Services......................... 60,500
For Travel........................................ 20,000
For Refunds..................................... 2,500
Total                                                                                      $769,500

Section 12. The sum of $75,000, or so much thereof as may be necessary, is appropriated from the Illinois State Dental Disciplinary Fund to the Department of Financial and Professional Regulation for the development, support or administration of a public health study.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Medical Disciplinary Fund to the Department of Financial and Professional Regulation:
For Personal Services......................... 2,840,400
For Employee Retirement Contributions
Paid by Employer................................. 0

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>327,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>217,300</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>710,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>231,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>80,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>10,000</td>
</tr>
<tr>
<td>Total</td>
<td>$4,416,600</td>
</tr>
</tbody>
</table>

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Optometric Licensing and Disciplinary Committee Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>306,500</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>35,400</td>
</tr>
<tr>
<td>For Social Security</td>
<td>23,500</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>87,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>75,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>12,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>2,500</td>
</tr>
<tr>
<td>Total</td>
<td>$541,900</td>
</tr>
</tbody>
</table>

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Design Professionals Administration and Investigation Fund to the Department of Financial and Professional Regulation:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>374,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees’ Retirement System</td>
<td>43,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For State Contributions to
Social Security................................. 28,700
For Group Insurance............................. 116,000
For Contractual Services....................... 90,000
For Travel......................................... 60,000
For Refunds....................................... 2,500
Total................................................ 715,400

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Pharmacy Disciplinary Fund to the Department of Financial and Professional Regulation:
For Personal Services.......................... 623,700
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For State Contributions to State
  Employees' Retirement System.................. 71,900
For State Contributions to
  Social Security.................................. 47,700
For Group Insurance............................. 116,000
For Contractual Services....................... 116,000
For Travel......................................... 30,000
For Refunds....................................... 12,000
Total................................................ 1,017,300

Section 32. The sum of $2,114,000, or so much thereof as may be necessary, is appropriated from the Illinois State Pharmacy Disciplinary Fund to the Department of Financial and Professional Regulation for grants authorized by the State Board of Pharmacy for the development, support or administration of pharmacy practice educational or training programs at institutions of higher education within the State of Illinois.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Podiatric Disciplinary Fund to the Department of Financial and Professional Regulation:
For Contractual Services....................... 5,000

New matter indicated by italics - deletions by strikeout
For Travel......................................... 5,000
For Refunds........................................ 1,000
Total ............................................. $11,000

Section 40. The sum of $473,600, or so much thereof as may be necessary, is appropriated from the Registered CPA Administration and Disciplinary Fund to the Department of Financial and Professional Regulation for the administration of the Registered CPA Program.

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation:
For Personal Services............................. 868,700
For Employee Retirement Contributions
    Paid by Employer................................ 0
For State Contributions to State
    Employees' Retirement System............... 100,100
For State Contributions to
    Social Security................................ 66,500
For Group Insurance............................... 232,000
For Contractual Services......................... 181,000
For Travel......................................... 25,000
For Refunds....................................... 10,000
Total ............................................ $1,483,300

Section 47. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation for the establishment and operation of an Illinois Center for Nursing.

Section 50. The sum of $30,000, or so much thereof as may be necessary, is appropriated from the Professional Regulation Evidence Fund to the Department of Financial and Professional Regulation for the purchase of equipment to conduct covert activities.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Professions

New matter indicated by italics - deletions by strikeout
Indirect Cost Fund to the Department of Financial and Professional Regulation:
  For Personal Services.......................... 9,370,500
For Employee Retirement Contributions
  Paid by Employer...................................... 0
For State Contributions to State
  Employees' Retirement System.................... 1,085,500
For State Contributions to
  Social Security........................................ 712,100
For Group Insurance................................. 2,356,200
For Contractual Services.......................... 8,640,200
For Travel.............................................. 307,300
For Commodities...................................... 260,800
For Printing............................................. 347,200
For Equipment......................................... 314,300
For Electronic Data Processing.................... 4,197,900
For Telecommunications Services................... 1,316,900
For Operation of Auto Equipment................... 243,300
Total                                                                                       $29,152,200

Section 57. The sum of $3,855,600, or so much thereof as may be necessary, is appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation for costs and expenses related to or in support of a Regulatory G & A shared service center.

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Financial Institution Fund to the Department of Financial and Professional Regulation:
  For Personal Services.............................. 2,378,200
For Employee Retirement Contributions
  Paid by Employer...................................... 0
For State Contributions to the State
  Employees' Retirement System.................... 274,100

New matter indicated by italics - deletions by strikeout
Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Credit Union Fund to the Department of Financial and Professional Regulation:

CREDIT UNION

Payable from Credit Union Fund:
For Personal Services ......................... 1,576,600
For Employee Retirement Contributions
   Paid by Employer .............................. 0
For State Contributions to State
   Employees' Retirement System .............. 181,800
For State Contributions to
   Social Security ............................. 120,700
For Group Insurance ........................... 348,000
For Contractual Services ..................... 92,500
For Travel ...................................... 244,000
For Commodities ................................ 0
For Printing ..................................... 0
For Equipment ................................... 0
For Electronic Data Processing ............... 0
For Telecommunications Services .......... 0
For Operation of Auto Equipment .......... 0
For Refunds .................................... 3,500

Total $3,764,000

New matter indicated by italics - deletions by strikeout
Section 70. In addition to the amounts heretofore appropriated, the following named amount, or so much thereof as may be necessary, is appropriated from the TOMA Consumer Protection Fund to the Department of Financial and Professional Regulation:

TOMA CONSUMER PROTECTION
For Refunds........................................ 20,000

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Bank and Trust Company Fund to the Department of Financial and Professional Regulation:

DOMESTIC AND FOREIGN COMMERCIAL BANK REGULATION
For Personal Services......................... 8,806,300
For Employee Retirement Contributions
  Paid by Employer........................................... 0
For State Contribution to State
  Employees' Retirement System............. 1,015,000
For State Contributions to
  Social Security................................. 673,700
For Group Insurance............................ 1,740,000
For Contractual Services..................... 345,800
For Travel............................................. 762,700
For Commodities................................. 0
For Printing.......................................... 0
For Equipment.......................................... 0
For Electronic Data Processing............... 0
For Telecommunications Services........... 0
For Operation of Auto Equipment........... 0
For Refunds........................................ 3,000
For Corporate Fiduciary Receivership...... 500,000
Total .................................................. $13,846,500

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter

New matter indicated by italics - deletions by strikeout
named, are appropriated from the Pawnbroker Regulation Fund to the Department of Financial and Professional Regulation:

**PAWNBROKER REGULATION**

For Personal Services................. 59,300
For Employee Retirement Contributions
   Paid by Employer....................... 0
For State Contributions to State
   Employees' Retirement System........ 6,900
For State Contributions to
   Social Security....................... 4,600
For Group Insurance.................... 14,500
For Contractual Services............... 4,000
For Travel.................................. 3,000
For Commodities......................... 0
For Printing............................... 0
For Electronic Data Processing........... 0
For Telecommunications Services......... 0
Total $92,300

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Savings and Residential Finance Regulatory Fund to the Department of Financial and Professional Regulation:

**MORTGAGE BANKING AND THRIFT REGULATION**

For Personal Services................. 2,482,400
For Personal Services:
   Per Diem................................. 0
For Employee Retirement Contributions
   Paid by Employer....................... 0
For State Contributions to State
   Employees' Retirement System........ 286,100
For State Contributions to
   Social Security....................... 190,000
For Group Insurance.................... 623,500
For Contractual Services............... 180,100

New matter indicated by italics - deletions by strikeout
For Travel....................................... 150,500
For Commodities................................. 0
For Printing........................................ 0
For Equipment.................................... 0
For Electronic Data Processing..................... 0
For Telecommunications Services.................... 0
For Operation of Automotive Equipment.............. 0
For Refunds...................................... 5,000

Total $3,917,600

Section 90. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Real Estate License Administration Fund to the Department of Financial and Professional Regulation:

REAL ESTATE LICENSING AND ENFORCEMENT

For Personal Services............................. 2,019,700
For Personal Services:
Per Diem............................................ 0
For Employee Retirement Contributions
Paid by Employer.................................... 0
For State Contributions to State
Employees' Retirement System...................... 232,800
For State Contributions to
Social Security.................................... 154,500
For Group Insurance............................... 464,000
For Contractual Services............................ 216,600
For Travel.......................................... 58,000
For Commodities.................................. 0
For Printing........................................ 0
For Equipment..................................... 0
For Electronic Data Processing...................... 0
For Telecommunications Services.................... 0
For Operation of Auto Equipment..................... 0
For Refunds....................................... 8,000

Total $3,153,600

New matter indicated by italics - deletions by strikeout
Section 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Appraisal Administration Fund to the Department of Financial and Professional Regulation:

**APPRaisal LICENSING**

For Personal Services............................... 253,400  
For Personal Services:  
  Per Diem.............................................. 0  
For Employee Retirement Contributions  
  Paid by Employer...................................... 0  
For State Contributions to State  
  Employees' Retirement System...................... 29,200  
For State Contributions to State  
  Social Security...................................... 19,400  
For Group Insurance................................. 72,500  
For Contractual Services............................. 131,800  
For Travel............................................. 5,000  
For Commodities.................................... 0  
For Printing.......................................... 0  
For Equipment....................................... 0  
For Electronic Data Processing..................... 0  
For Telecommunications Services.................... 0  
For forwarding real estate appraisal fees  
  to the federal government........................... 30,000  
For Refunds........................................ 3,000  
Total                                                                 $544,300  

Section 100. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Auction Regulation Administration Fund to the Department of Financial and Professional Regulation:

**AUCTIONEER REGULATION**

For Personal Services.............................. 111,400  
For Personal Services:  
  Per Diem............................................. 0  

New matter indicated by italics - deletions by strikeout
### FOR EMPLOYEE RETIREMENT CONTRIBUTIONS

- Paid by Employer: $0
- State Contributions to State Employees' Retirement System: $12,900
- Social Security: $8,600
- Group Insurance: $29,000
- Contractual Services: $46,600
- Travel: $7,000
- Commodities: $0
- Printing: $0
- Equipment: $0
- Electronic Data Processing: $0
- Telecommunications Services: $0

**Total:** $216,500

### SECTION 105

The sum of $70,000, or so much thereof as may be necessary, is appropriated from the Real Estate Research and Education Fund to the Department of Financial and Professional Regulation for research and education in accordance with Section 25-25 of the Real Estate License Act of 2000.

### SECTION 110

The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Home Inspector Administration Fund to the Department of Financial and Professional Regulation:

**HOME INSPECTOR REGULATION**

- Personal Services: $62,300
- Personal Services: Per Diem: $0
- Employee Retirement Contributions Paid by Employer: $0
- State Contributions to State Employees' Retirement System: $7,200

New matter indicated by italics - deletions by strikeout
Section 115. The sum of $40,000, or so much thereof as may be necessary, is appropriated from the Real Estate Audit Fund to the Department of Financial and Professional Regulation for operating expenses for Real Estate audits.

Section 120. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Producer Administration Fund to the Department of Financial and Professional Regulation:

PRODUCER ADMINISTRATION

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Security</td>
<td>4,800</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>14,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>9,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>8,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>0</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>0</td>
</tr>
<tr>
<td>For Refunds</td>
<td>1,000</td>
</tr>
<tr>
<td>Total</td>
<td>$107,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 125. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Financial Regulation Fund to the Department of Financial and Professional Regulation:

**FINANCIAL REGULATION**

<table>
<thead>
<tr>
<th>For Personal Services</th>
<th>7,043,800</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to the State Employee's Retirement System</td>
<td>811,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>538,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>1,798,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>325,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>373,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Printing</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>0</td>
</tr>
<tr>
<td>For Operation of Auto</td>
<td>0</td>
</tr>
<tr>
<td>For Refunds</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$10,941,100</strong></td>
</tr>
</tbody>
</table>

Section 130. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Financial and Professional Regulation:

**PENSION DIVISION**

Payable from Public Pension Regulation Fund:

<table>
<thead>
<tr>
<th>For Personal Services</th>
<th>503,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to the State</td>
<td>0</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Employees' Retirement System ....................... 58,000
For State Contributions to  
  Social Security ........................................ 38,500
For Group Insurance .................................... 130,500
For Contractual Services ............................... 12,600
For Travel .................................................. 48,500
For Printing ................................................ 0
For Equipment .............................................. 0
For Telecommunications Services ................. ___ 0
Total  $791,200

Section 135. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of Financial and Professional Regulation for the administration of the Senior Health Insurance Program:
Payable from the Senior Health Insurance Program Fund ....................... 800,000
Total  $800,000

Section 140. The sum of $950,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Department of Financial and Professional Regulation for costs associated with the administration and operations of the Insurance Fraud Division of the Illinois Workers’ Compensation Commission’s anti-fraud program.

ARTICLE 48
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:
FOR OPERATIONS  
EXECUTIVE OFFICE  
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services ................................. 1,263,600
For State Contributions to State Employees' Retirement System ............... 145,700

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security
For Contractual Services
For Contractual Services
For Travel
For Commodities
For Printing
For Electronic Data Processing
For Telecommunications Services
For expenses related to or in support
of the Amistad Commission
For expenses related to or in support
of the Lincoln Bicentennial
Total
PAYABLE FROM ILLINOIS HISTORIC SITES FUND
For Contractual Services
For Commodities
For Printing
For Equipment
Total
For historic preservation programs
administered by the Executive Office,
only to the extent that funds are received
through grants, and awards, or gifts
Section 10. The sum of $187,500, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the Historic
Preservation Agency for a grant to the McLean County Historical Society
for operations, maintenance, repairs, permanent improvements, special
events, and all other costs related to the operation of the Adlai Stevenson
Home in Bloomington, Illinois.
Section 15. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Historic Preservation Agency:
FOR OPERATIONS

New matter indicated by italics - deletions by strikeout
PRESERVATION SERVICES DIVISION
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services............................                                          546,800
For State Contributions to State
  Employees' Retirement System.................                                  63,100
For State Contributions to Social Security ......                              41,200
For Contractual Services.......................                                          5,200
For Travel.........................................                                                  4,500
For Commodities....................................                                            2,300
For Telecommunications.............................                                       6,600
For the Main Street Program......................                                     188,300
Total                                                                                            $858,000

PAYABLE FROM ILLINOIS HISTORIC SITES FUND
For Personal Services............................                                          363,400
For State Contributions to State
  Employees' Retirement System..................                                  41,900
For State Contributions to Social Security ......                              27,800
For Group Insurance..............................                                         101,500
For Contractual Services.......................                                         79,000
For Travel........................................                                                 26,000
For Commodities....................................                                            3,000
For Printing.......................................                                                  1,000
For Equipment......................................                                              2,000
For Electronic Data Processing....................                                      5,000
For Telecommunications Services.................                                       18,000
For historic preservation programs
made either independently or in cooperation with the Federal Government
or any agency thereof, any municipal corporation, or political subdivision
of the State, or with any public or private corporation, organization, or individual,
or for refunds..................................
Total                                                                                         $662,800

New matter indicated by italics - deletions by strikeout
Section 20. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 25. The sum of $295,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 61, Sections 25, 27, 30, and 35 of Public Act 94-15, is reappropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 30. The sum of $23,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 61, Section 40 of Public Act 94-15, as amended, is reappropriated from the General Revenue Fund to the Historic Preservation Agency to make Illinois Heritage Grants for the purpose of planning, survey, rehabilitation, restoration, reconstruction, landscaping and acquisition of Illinois properties designated on the National Register of Historic Places or as a landmark based on a county or municipal ordinance or those located within certain historic districts deemed historically significant.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
ADMINISTRATIVE SERVICES DIVISION
PAYABLE FROM GENERAL REVENUE FUND

New matter indicated by italics - deletions by strikeout
For Personal Services.................
845,700
For State Contributions to State
    Employees' Retirement System........
97,500
For State Contributions to Social Security ....
64,700
For Contractual Services................
304,200
For Travel..............................
900
For Commodities........................
15,200
For Printing............................
1,300
For Telecommunications Services...........
19,800
For Operation of Auto Equipment...........
12,000
Total
$1,361,300

Section 40. The sum of $300,000 or so much thereof as may be necessary is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for the ordinary and contingent expenses of the Administrative Services division for costs associated with but not limited to Union Station, the Old State Capitol and the Old Journal Register Building.

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
HISTORIC SITES DIVISION
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services.................
5,077,800
For State Contributions to State
    Employees' Retirement System........
585,200
For State Contributions to Social Security .....  
388,500
For Contractual Services.............
916,400
For Travel..............................
13,600
For Commodities.......................  
146,300
For Equipment.........................
46,600
For Telecommunications Services........
52,900
For Operation of Auto Equipment.......  
39,900

New matter indicated by italics - deletions by strikeout
Total $7,267,200

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAYABLE FROM ILLINOIS HISTORIC SITES FUND</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>38,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>4,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>3,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>14,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>180,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>35,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>25,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>15,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>10,000</td>
</tr>
<tr>
<td>For Historic Preservation Programs Administered</td>
<td></td>
</tr>
<tr>
<td>by the Historic Sites Division, Only to the</td>
<td></td>
</tr>
<tr>
<td>Extent that Funds are Received Through</td>
<td></td>
</tr>
<tr>
<td>Grants, Awards, or Gifts</td>
<td>350,000</td>
</tr>
<tr>
<td>For Permanent Improvements</td>
<td>75,000</td>
</tr>
<tr>
<td>Total</td>
<td>$754,900</td>
</tr>
</tbody>
</table>

Section 50. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for operations, maintenance, repairs, permanent improvements, special events, and all other costs related to the operation of Illinois Historic Sites and only to the extent which donations are received at Illinois State Historic Sites.

Section 55. The sum of $196,300, or so much thereof as may be necessary, is appropriated to the Historic Preservation Agency from the General Revenue Fund for programs and purposes including repairing, maintaining, reconstructing, rehabilitating, replacing, fixed assets, construction and development, studies, all costs for supplies, materials, labor, land acquisition and its related costs, services and other expenses at historic sites.

Section 60. The sum of $236,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Sites Division.
Preservation Agency for the operational expenses of the Lewis and Clark Historic Site in Madison County.

Section 65. No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Section 50 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS
ABRAHAM LINCOLN PRESIDENTIAL
LIBRARY AND MUSEUM DIVISION
PAYABLE FROM GENERAL REVENUE FUND

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>947,200</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>109,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>72,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>18,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>3,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>12,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>27,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>9,300</td>
</tr>
<tr>
<td>For On-Line Computer Library Center (OCLC)</td>
<td>67,800</td>
</tr>
<tr>
<td>For Purchase and Care of Lincolniana</td>
<td>18,600</td>
</tr>
<tr>
<td>For Lincoln Legals</td>
<td>135,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,422,900</strong></td>
</tr>
</tbody>
</table>

PAYABLE FROM THE ILLINOIS HISTORIC SITES FUND

For historic preservation programs administered by the Executive Office, only to the extent that funds are received through grants, and awards, or gifts

For research projects associated with

New matter indicated by italics - deletions by strikeout
Abraham Lincoln ...................................... 200,000  
For microfilming Illinois newspapers 
and manuscripts and performing 
genealogical research ............................ 225,000  
Total                                                                                         $560,000  
PAYABLE FROM THE ABRAHAM LINCOLN PRESIDENTIAL 
LIBRARY AND MUSEUM FUND 
For the ordinary and contingent expenses 
of the Abraham Lincoln Presidential 
Library and Museum in Springfield ............ 12,032,200  

ARTICLE 49 
Section 5. The following named amounts, or so much thereof as 
may be necessary, are appropriated from the General Revenue Fund to the 
Illinois Labor Relations Board for the objects and purposes hereinafter 
named:  

OPERATIONS 
For Personal Services ............................. 1,204,100  
For Employee Retirement Contributions 
Paid by Employer .................................. 0  
For State Contributions to State 
Employees' Retirement System .................... 138,900  
For State Contributions to 
Social Security .................................... 92,200  
For Contractual Services ......................... 274,700  
For Travel .......................................... 25,000  
For Commodities .................................. 3,600  
For Printing ...................................... 4,000  
For Equipment .................................... 22,000  
For Electronic Data Processing ................. 40,000  
For Telecommunications Services .............. 52,000  
Total                                                                                         $1,856,500  

ARTICLE 50 
Section 5. The following named amounts, or so much thereof as 
may be necessary, respectively, for the objects and purposes hereinafter 

New matter indicated by italics - deletions by strikeout
named, are appropriated from the General Revenue Fund for the ordinary and contingent expenses of the Governor’s Office of Management and Budget in the Executive Office of the Governor:

**GENERAL OFFICE**

For Personal Services............................................. 1,994,900
For Employee Retirement Contributions
  Paid by Employer.................................................. 0
For State Contributions to the State
  Employees' Retirement System.............................. 229,900
For State Contributions to Social Security.................... 152,600
For Contractual Services........................................ 180,000
For Travel.......................................................... 86,400
For Commodities.................................................... 5,000
For Printing.......................................................... 25,000
For Equipment......................................................... 6,000
For Electronic Data Processing................................. 60,000
For Telecommunications Services.............................. 81,600
**Total**.................................................................... $2,821,400

**Section 10.** The amount of $1,384,600, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of General Obligation bonds.

**Section 15.** The amount of $425,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Governor’s Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of Build Illinois bonds.

**Section 20.** The amount of $298,160,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the purpose of making payments to the Trustee under the Master Indenture as defined by and pursuant to the Build Illinois Bond Act.

New matter indicated by italics - deletions by strikeout
Section 25. The amount of $113,400, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Governor’s Office of Management and Budget for operational expenses related to the School Infrastructure Program.

Section 30. The sum of $14,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Civic Center Bond Retirement and Interest Fund to the Governor’s Office of Management and Budget for the principal and interest and premium, if any, on Limited Obligation Revenue bonds issued pursuant to the Metropolitan Civic Center Support Act.

Section 35. No contract shall be entered into or obligation incurred for any expenditures from the appropriations made in Sections 10, 15, and 20 until after the purposes and amounts have been approved in writing by the Governor.

ARTICLE 51

Section 5. The sum of $6,400,000, new appropriation, is appropriated, and the sum of $11,608,421, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 31, Section 5 of Public Act 94-15, as amended, and Article 31, Section 7 of Public Act 94-15, are reapproropriated from the Conservation 2000 Fund to the Department of Natural Resources for the Conservation 2000 Program to implement ecosystem-based management for Illinois' natural resources.

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

GENERAL OFFICE

For Personal Services:
- Payable from General Revenue Fund.............. 2,676,300
- Payable from State Boating Act Fund.............. 138,500
- Payable from Wildlife and Fish Fund.............. 419,000

For Employee Retirement Contributions
Paid by State:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund...................... 0
Payable from State Boating Act Fund..................... 0
Payable from Wildlife and Fish Fund..................... 0

For State Contributions to State
Employees’ Retirement System:
Payable from General Revenue Fund..................... 308,400
Payable from State Boating Act Fund..................... 15,900
Payable from Wildlife and Fish Fund..................... 48,200

For State Contributions to Social Security:
Payable from General Revenue Fund..................... 204,800
Payable from State Boating Act Fund..................... 10,600
Payable from Wildlife and Fish Fund..................... 32,000

For Group Insurance:
Payable from State Boating Act Fund..................... 43,100
Payable from Wildlife and Fish Fund..................... 103,100

For Contractual Services:
Payable from General Revenue Fund..................... 1,457,600
Payable from State Boating Act Fund..................... 15,000
Payable from Wildlife and Fish Fund..................... 62,700

For Contractual Services for DNR Headquarters:
Payable from General Revenue Fund..................... 513,300
Payable from State Boating Act Fund..................... 100,000
Payable from Wildlife and Fish Fund..................... 237,400
Payable from Underground Resources
Conservation Enforcement Fund.......................... 16,900
Payable from Federal Surface Mining Control
and Reclamation Fund.................................... 40,800
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust
Fund.................................................... 53,700

For Travel:
Payable from General Revenue Fund..................... 57,600
Payable from Wildlife and Fish Fund..................... 1,600

For Commodities:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

Payable from General Revenue Fund.................. 22,000
For Printing:
Payable from General Revenue Fund.................. 31,300
Payable from State Boating Act Fund.................. 38,400
Payable from Wildlife and Fish Fund.................. 71,600
For Equipment:
Payable from General Revenue Fund.................. 4,900
Payable from Wildlife and Fish Fund.................. 18,300
For Telecommunications Services:
Payable from General Revenue Fund.................. 386,200
For Telecommunications Services for DNR Headquarters:
Payable from General Revenue Fund.................. 185,750
Payable from State Parks Fund......................... 22,300
Payable from Wildlife and Fish Fund.................. 96,200
Payable from Aggregate Operations Regulatory Fund............................................. 16,000
Payable from Federal Surface Mining Control and Reclamation Fund.......................... 16,900
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.......................... 12,900
For Operation of Auto Equipment:
Payable from General Revenue Fund.................. 41,000
Payable from Wildlife and Fish Fund.................. 17,900
For deposit into the General Obligation Bond Retirement and Interest Fund for costs associated with the debt service payments of rolling stock and capital equipment Payable from the General Revenue Fund................. 0
For furniture, fixtures, equipment, displays, telecommunications, cabling, network hardware, software, relays and switches and related expenses for new DNR Headquarters:

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund............ 373,000
For all costs associated with the Illinois River Sediment Initiative:
Payable from the General Revenue Fund............ 250,000
For expenses of the Park and Conservation Program:
Payable from Park and Conservation Fund.................. 379,900
For expenses of the Bikeways Program:
Payable from Park and Conservation Fund.................. 0
For expenses of DNR Headquarters:
Payable from Park and Conservation Fund............ 22,400
Total $8,563,500

ILLINOIS RIVER INITIATIVES

Section 15. The sum of $91, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 31, Section 15 of Public Act 94-15, as amended, is reappropriated from the General Revenue Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 20. The sum of $250,000, new appropriation, is appropriated and the sum of $422,775, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 31, Section 20 of Public Act 94-15, as amended, and in Article 31, Section 22 of Public Act 94-15, are reappropriated from the Wildlife and Fish Fund to the
Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**ARCHITECTURE, ENGINEERING AND GRANTS**

For Personal Services:

- Payable from General Revenue Fund............... 101,300
- Payable from State Boating Act Fund............... 76,100

For Employee Retirement Contributions

Paid by State:

- Payable from General Revenue Fund.................. 0

For State Contributions to State Employees’ Retirement System:

- Payable from General Revenue Fund............... 11,700
- Payable from State Boating Act Fund............... 8,800

For State Contributions to Social Security:

- Payable from General Revenue Fund............... 7,800
- Payable from State Boating Act Fund............... 5,800

For Group Insurance:

- Payable from State Boating Act Fund................. 16,800

For Contractual Services:

- Payable from General Revenue Fund............... 20,800

For Travel:

- Payable from General Revenue Fund............... 10,000
- Payable from Wildlife and Fish Fund............... 3,200

New matter indicated by italics - deletions by strikeout
For Commodities:
  Payable from General Revenue Fund..................                               4,700
For Printing:
  Payable from General Revenue Fund..................                               100
For Equipment:
  Payable from Wildlife and Fish Fund...............                                32,000
For Operation of Auto Equipment:
  Payable from General Revenue Fund..................                               7,000
For expenses of the Heavy Equipment Dredging Crew:
  Payable from State Boating Act Fund..............                              771,000
  Payable from Wildlife and Fish Fund..............                               202,900
For expenses of the OSLAD Program:
  Payable from Open Space Lands Acquisition and Development Fund..................                                      889,800
For Ordinary and Contingent Expenses:
  Payable from Park and Conservation Fund..........................................                                                  2,378,800
For expenses of the Bikeways Program:
  Payable from Park and Conservation Fund............................................ [115,500
Total $4,664,100
Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:
OFFICE OF REAL ESTATE AND ENVIRONMENTAL PLANNING
For Personal Services:
  Payable from General Revenue Fund...............                           1,274,800
  Payable from Wildlife and Fish Fund...............                           207,700
For Employee Retirement Contributions
Paid by State:
  Payable from General Revenue Fund..................                           0
For State Contributions to State Employees' Retirement System:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund................ 146,900
Payable from Wildlife and Fish Fund.............. 23,900
For State Contributions to Social Security:
  Payable from General Revenue Fund............... 97,500
  Payable from Wildlife and Fish Fund............... 15,900
For Group Insurance:
  Payable from Wildlife and Fish Fund............... 40,500
For Contractual Services:
  Payable from General Revenue Fund............... 564,000
For Travel:
  Payable from General Revenue Fund............... 33,000
For Commodities:
  Payable from Wildlife and Fish Fund............... 8,100
For Printing:
  Payable from General Revenue Fund............... 2,000
For Equipment:
  Payable from Wildlife and Fish Fund............... 26,100
For Electronic Data Processing:
  Payable from General Revenue Fund............... 7,500
For Telecommunications Services:
  Payable from General Revenue Fund............... 20,000
For Operation of Auto Equipment:
  Payable from General Revenue Fund............... 10,000
For expenses of the Consultation Program:
  Payable from Wildlife and Fish Fund............... 324,800
For expenses of Natural Areas Execution:
  Payable from the Natural Areas
  Acquisition Fund.................................... 202,200
For expenses of the OSLAD Program:
  Payable from Open Space Lands Acquisition
  and Development Fund............................... 330,600
For Natural Resources Trustee Program:
  Payable from Natural Resources
  Restoration Trust Fund............................. 1,400,000

New matter indicated by italics - deletions by strikeout
For Ordinary and Contingent Expenses:
Payable from Park and Conservation Fund.............................................. 1,141,600
For expenses of the Bikeways Program:
Payable from Park and Conservation Fund............................................ 332,800
Total                                                                                         $6,209,900

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF BUSINESS SERVICES

For Personal Services:
Payable from General Revenue Fund............... 1,006,900
Payable from State Boating Act Fund............... 412,300
Payable from Wildlife and Fish Fund............... 1,224,400

For Employee Retirement Contributions
Paid by State:
Payable from General Revenue Fund............... 0
Payable from State Boating Act Fund............... 0
Payable from Wildlife and Fish Fund............... 0

For State Contributions to State Employees' Retirement System:
Payable from General Revenue Fund............... 115,300
Payable from State Boating Act Fund............... 47,500
Payable from Wildlife and Fish Fund............... 141,200

For State Contributions to Social Security:
Payable from General Revenue Fund............... 76,800
Payable from State Boating Act Fund............... 31,600
Payable from Wildlife and Fish Fund............... 93,700

For Group Insurance:
Payable from State Boating Act Fund............... 119,400
Payable from Wildlife and Fish Fund............... 396,800

For Contractual Services:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798  

Payable from General Revenue Fund................. 750,300
Payable from State Boating Act Fund............. 161,000
Payable from Wildlife and Fish Fund........... 397,000
Payable from Federal Surface Mining Control and Reclamation Fund............. 5,400
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 3,000

For Contractual Services for Postage Expenses for DNR Headquarters:
Payable from General Revenue Fund................. 48,700
Payable from State Boating Act Fund............. 25,000
Payable from Wildlife and Fish Fund........... 25,000
Payable from Federal Surface Mining Control and Reclamation Fund............. 12,500
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund.............. 12,500

For the purpose of remitting funds collected from the sale of Federal Duck Stamps to the U. S. Fish and Wildlife Service:
Payable from Wildlife and Fish Fund............. 23,600

For Travel:
Payable from General Revenue Fund................. 7,000

For Commodities:
Payable from General Revenue Fund................. 13,950

For Commodities for DNR Headquarters:
Payable from General Revenue Fund................. 46,900
Payable from State Boating Act Fund............. 3,000
Payable from Wildlife and Fish Fund........... 44,000
Payable from Aggregate Operations Regulatory Fund......................... 2,100
Payable from Federal Surface Mining Control and Reclamation Fund......................... 3,000

New matter indicated by italics - deletions by strikeout
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund............ 1,500

For Printing:
  Payable from General Revenue Fund.................. 36,100
  Payable from State Boating Act Fund.............. 125,000
  Payable from Wildlife and Fish Fund............ 204,000

For Equipment:
  Payable from General Revenue Fund.................. 0
  Payable from Wildlife and Fish Fund............ 36,000

For Electronic Data Processing:
  Payable from General Revenue Fund.................. 681,450
  Payable from State Boating Act Fund.............. 101,600
  Payable from Wildlife and Fish Fund............ 788,700
  Payable from Natural Areas Acquisition Fund.... 23,000
  Payable from Federal Surface Mining Control
    and Reclamation Fund.............................. 117,700
  Payable from Illinois Forestry Development Fund.. 13,200
  Payable from Abandoned Mined Lands
    Reclamation Council Federal Trust Fund........ 117,600

For Telecommunications Services:
  Payable from General Revenue Fund.................. 3,000

For Operation of Auto Equipment for DNR Headquarters:
  Payable from General Revenue Fund.................. 76,100
  Payable from State Boating Act Fund.............. 4,800

For expenses incurred for the implementation,
Education and maintenance of the Point of
Sale System:
  Payable from the Wildlife & Fish Fund........... 2,150,000

For expenses incurred in acquiring salmon
stamp designs and printing salmon stamps:
  Payable from Salmon Fund......................... 10,000

For expenses of Business Services:
  Payable from the Natural Areas
    Acquisition Fund............................. 77,400

New matter indicated by italics - deletions by strikeout
For Ordinary and Contingent Expenses:
Payable from Park and Conservation Fund............................................ 200,400
Total                                                                 $10,017,400

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

PUBLIC SERVICES

For Personal Services:
Payable from General Revenue Fund..................... 480,800
Payable from Wildlife and Fish Fund................. 51,700

For Employee Retirement Contributions
Paid by State:
Payable from General Revenue Fund....................... 0

For State Contributions to State Employees' Retirement System:
Payable from General Revenue Fund......................... 55,400
Payable from Wildlife and Fish Fund......................... 6,000

For State Contributions to Social Security:
Payable from General Revenue Fund......................... 36,800
Payable from Wildlife and Fish Fund......................... 4,000

For Group Insurance:
Payable from Wildlife and Fish Fund......................... 9,600

For Contractual Services:
Payable from General Revenue Fund......................... 40,000
Payable from Wildlife and Fish Fund......................... 17,000

For Travel:
Payable from General Revenue Fund......................... 10,000
Payable from Wildlife and Fish Fund......................... 5,000

For Commodities:
Payable from General Revenue Fund......................... 30,000

For Printing:
Payable from General Revenue Fund......................... 10,000

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund.............. 10,000
For Expenses of the Environment and Nature
  Training Institute for Conservation
  Education (E.N.T.I.C.E.):
    Payable from General Revenue Fund.............. 273,400
For expenses incurred in producing
and distributing site brochures,
public information literature and
other printed materials from revenues
received from the sale of advertising:
    Payable from State Boating Act Fund.............. 25,000
    Payable from State Parks Fund.................. 50,000
    Payable from Wildlife and Fish Fund............. 50,000
For operation and maintenance of
new sites and facilities, including Sparta:
    Payable from State Parks Fund.................. 50,000
For the purpose of publishing and
distributing a bulletin or magazine
and for purchasing, marketing and
distributing conservation related
products for resale, and refunds for
such purposes:
    Payable from Wildlife and Fish Fund............. 600,000
For Educational Publications Services and
Expenses, Contingent upon Revenues
collected for same:
    Payable from Wildlife and Fish Fund............. 25,000
For Ordinary and Contingent Expenses
of Public Services:
    Payable from Park and Conservation Fund........ 346,500
Total                                      $2,186,200

Section 45. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,

New matter indicated by italics - deletions by strikeout
are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

### SPECIAL EVENTS

#### For Personal Services:
- Payable from General Revenue Fund: 83,900
- Payable from State Boating Act Fund: 38,400
- Payable from Wildlife and Fish Fund: 510,100

#### For Employee Retirement Contributions
- Paid by State:
  - Payable from General Revenue Fund: 0
  - Payable from State Boating Act Fund: 0
  - Payable from Wildlife and Fish Fund: 0

#### For State Contributions to State Employees' Retirement System:
- Payable from General Revenue Fund: 9,500
- Payable from State Boating Act Fund: 4,400
- Payable from Wildlife and Fish Fund: 58,800

#### For State Contributions to Social Security:
- Payable from General Revenue Fund: 6,500
- Payable from State Boating Act Fund: 2,900
- Payable from Wildlife and Fish Fund: 39,000

#### For Group Insurance:
- Payable from State Boating Act Fund: 10,400
- Payable from Wildlife and Fish Fund: 153,700

#### For Contractual Services:
- Payable from General Revenue Fund: 84,000
- Payable from Wildlife and Fish Fund: 95,000

#### For Travel:
- Payable from General Revenue Fund: 20,500

#### For Commodities:
- Payable from General Revenue Fund: 24,000
- Payable from Wildlife and Fish Fund: 24,000

#### For Operation of Auto Equipment:
- Payable from General Revenue Fund: 5,000

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund............ 5,000
For operation and maintenance of the
Sparta World Shooting Complex:
    Payable from General Revenue Fund.......... 1,436,300
For the coordination of public events and
promotions from activity fees, donations
and vendor revenue:
    Payable from State Parks Fund............... 47,100
    Payable from Wildlife and Fish Fund......... 47,100
For expenses associated with the
Sportsman Against Hunger Program:
    Payable from the Wildlife & Fish Fund....... 100,000
For Ordinary and Contingent Expenses of
Special Events:
    Payable from Park and Conservation Fund...... 340,400
Total  $3,146,000

Section 50. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Natural Resources:

OFFICE OF RESOURCE CONSERVATION
For Personal Services:
    Payable from General Revenue Fund.......... 1,710,200
    Payable from Wildlife and Fish Fund......... 10,261,900
    Payable from Salmon Fund..................... 189,700
    Payable from Natural Areas Acquisition Fund... 1,221,600
For Employee Retirement Contributions
Paid by State:
    Payable from General Revenue Fund.......... 0
    Payable from Wildlife and Fish Fund.......... 0
    Payable from Salmon Fund..................... 0
    Payable from Natural Areas Acquisition Fund... 0
For State Contributions to State
Employees' Retirement System:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund.............. 197,200
Payable from Wildlife and Fish Fund............ 1,182,800
Payable from Salmon Fund.............................. 21,900
Payable from Natural Areas Acquisition Fund...... 140,800

For State Contributions to Social Security:
Payable from General Revenue Fund.............. 130,700
Payable from Wildlife and Fish Fund............ 779,400
Payable from Salmon Fund.............................. 14,500
Payable from Natural Areas Acquisition Fund...... 93,400

For Group Insurance:
Payable from Wildlife and Fish Fund............ 2,735,900
Payable from Salmon Fund.............................. 41,000
Payable from Natural Areas Acquisition Fund...... 303,800

For Contractual Services:
Payable from General Revenue Fund.............. 623,750
Payable from Wildlife and Fish Fund............ 1,867,900
Payable from Salmon Fund.............................. 2,900
Payable from Natural Areas Acquisition Fund...... 64,300
Payable from Natural Heritage Fund.............. 59,200

For Travel:
Payable from General Revenue Fund.............. 31,200
Payable from Wildlife and Fish Fund............ 76,000
Payable from Natural Areas Acquisition Fund...... 32,200

For Commodities:
Payable from General Revenue Fund.............. 174,900
Payable from Wildlife and Fish Fund............ 1,253,600
Payable from Natural Areas Acquisition Fund...... 40,200
Payable from the Natural Heritage Fund........... 16,000

For Printing:
Payable from General Revenue Fund.............. 17,700
Payable from Wildlife and Fish Fund............ 133,700
Payable from Natural Areas Acquisition Fund...... 11,600

For Equipment:
Payable from General Revenue Fund.............. 9,000

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund.............. 279,700
Payable from Natural Areas Acquisition Fund...... 109,200
Payable from Illinois Forestry Development Fund......................... 108,600

For Telecommunications Services:
Payable from General Revenue Fund................ 105,750
Payable from Wildlife and Fish Fund.............. 251,800
Payable from Natural Areas Acquisition Fund....... 34,200

For Operation of Auto Equipment:
Payable from General Revenue Fund.............. 150,600
Payable from Wildlife and Fish Fund.............. 432,000
Payable from Natural Areas Acquisition Fund....... 57,700

For the Purposes of the "Illinois Non-Game Wildlife Protection Act":
Payable from Illinois Wildlife Preservation Fund........................... 500,000

For programs beneficial to advancing forests and forestry in this State as provided for in Section 7 of the "Illinois Forestry Development Act", as now or hereafter amended:
Payable from Illinois Forestry Development Fund................................ 1,044,100

For Administration of the "Illinois Natural Areas Preservation Act":
Payable from Natural Areas Acquisition Fund.... 1,378,100

For payment of the expenses of the Illinois Forestry Development Council:
Payable from Illinois Forestry Development Fund.. 118,500

For an Urban Fishing Program in conjunction with the Chicago Park District to provide fishing and resource management at the park district lagoons:
Payable from Wildlife and Fish Fund.............. 243,400

New matter indicated by italics - deletions by strikeout
For workshops, training and other activities
to improve the administration of fish
and wildlife federal aid programs from
federal aid administrative grants
received for such purposes:
Payable from Wildlife and Fish Fund.............. 11,400

For expenses of the Natural Areas
Stewardship Program:
Payable from Natural Areas Acquisition Fund.... 1,053,300

For evaluating, planning, and implementation
for the updating and modernization of
the inventory and identification
of natural areas in Illinois:
Payable from Natural Areas Acquisition Fund.... 2,000,000

For expenses of the Urban Forestry Program:
Payable from Illinois Forestry Development Fund................. 451,100

For expenses associated with the Inner
City Urban Revitalization program:
Payable from the Illinois Forestry Development Fund............... 240,900

Total $32,009,300

Section 55. The sum of $1,314,137, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2006, from appropriations heretofore made in Article 31, Section 25, page
248, line 4, and Article 31, Sections 30 and 32 of Public Act 94-15, as
amended, is reappropriated from the Illinois Wildlife Preservation Fund to
the Department of Natural Resources for purposes associated with the
“Illinois Non-Game Wildlife Protection Act.”

Section 60. The sum of $328,011 or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2006, from appropriations heretofore made in Article 31, Section 25, page
249, line 8, and Article 31, Section 33 of Public Act 94-15, as amended, is
reappropriated from the Illinois Forestry Development Fund to the

New matter indicated by italics - deletions by strikeout
Department of Natural Resources for the Inner City Urban Revitalization Program.

Section 65. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**OFFICE OF LAW ENFORCEMENT**

For Personal Services:
- Payable from General Revenue Fund.............. 6,072,800
- Payable from State Boating Act Fund.............. 2,063,700
- Payable from State Parks Fund.................... 813,700
- Payable from Wildlife and Fish Fund.............. 3,659,100

For Employee Retirement Contributions
  Paid by State:
  - Payable from General Revenue Fund...................... 0
  - Payable from State Boating Act Fund.................... 0
  - Payable from State Parks Fund.......................... 0
  - Payable from Wildlife and Fish Fund.................... 0

For State Contributions to State Employees' Retirement System:
- Payable from General Revenue Fund.................. 700,000
- Payable from State Boating Act Fund............... 237,800
- Payable from State Parks Fund....................... 93,800
- Payable from Wildlife and Fish Fund................. 421,800

For State Contributions to Social Security:
- Payable from General Revenue Fund............... 108,900
- Payable from State Boating Act Fund.............. 27,400
- Payable from State Parks Fund..................... 13,500
- Payable from Wildlife and Fish Fund.............. 36,200

For Group Insurance:
- Payable from State Boating Act Fund............... 433,300
- Payable from State Parks Fund..................... 161,500
- Payable from Wildlife and Fish Fund.............. 782,100

For Contractual Services:

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Category</th>
<th>Fund 1</th>
<th>Fund 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from General Revenue Fund</td>
<td>136,900</td>
<td></td>
</tr>
<tr>
<td>Payable from State Boating Act Fund</td>
<td>76,100</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>159,900</td>
<td></td>
</tr>
<tr>
<td>For Travel:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>71,100</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>39,400</td>
<td></td>
</tr>
<tr>
<td>For Commodities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>158,600</td>
<td></td>
</tr>
<tr>
<td>Payable from State Boating Act Fund</td>
<td>14,400</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>44,200</td>
<td></td>
</tr>
<tr>
<td>For Printing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>20,100</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>5,800</td>
<td></td>
</tr>
<tr>
<td>For Equipment:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>18,300</td>
<td></td>
</tr>
<tr>
<td>Payable from State Parks Fund</td>
<td>112,800</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>122,200</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>207,800</td>
<td></td>
</tr>
<tr>
<td>For Telecommunications Services:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>492,400</td>
<td></td>
</tr>
<tr>
<td>Payable from State Boating Act Fund</td>
<td>142,900</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>197,000</td>
<td></td>
</tr>
<tr>
<td>For Operation of Auto Equipment:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>322,900</td>
<td></td>
</tr>
<tr>
<td>Payable from State Boating Act Fund</td>
<td>178,700</td>
<td></td>
</tr>
<tr>
<td>Payable from Wildlife and Fish Fund</td>
<td>181,300</td>
<td></td>
</tr>
<tr>
<td>For Snowmobile Programs:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from State Boating Act Fund</td>
<td>32,900</td>
<td></td>
</tr>
<tr>
<td>For Payment of Timber Buyers bond forfeitures:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payable from Illinois Forestry Development Fund:</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>For use in enforcing laws regulating controlled substances and cannabis on</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Department of Natural Resources regulated lands and waterways to the extent funds are received by the Department:

Payable from the Drug Traffic Prevention Fund................................. 25,000

For use in alcohol related enforcement efforts and training to the extent funds are available to the Department:

Payable from the General Revenue Fund.................. 0
Payable from State Boating Fund................... 20,000

For Operations and Maintenance of Training Facility:

Payable from Wildlife and Fish Fund............. 50,000

Total $18,481,300

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAND MANAGEMENT AND EDUCATION

For Personal Services:

Payable from General Revenue Fund............. 15,020,800
Payable from State Boating Act Fund............ 1,624,600
Payable from State Parks Fund.................. 1,181,100
Payable from Wildlife and Fish Fund............. 5,794,600

For Employee Retirement Contributions

Paid by State:

Payable from General Revenue Fund............. 0
Payable from State Boating Act Fund............ 0
Payable from State Parks Fund.................. 0
Payable from Wildlife and Fish Fund............. 0

For State Contributions to State Employee's Retirement System:

Payable from General Revenue Fund............. 1,731,200
Payable from State Boating Act Fund............ 187,200
Payable from State Parks Fund.................. 136,200

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund.............. 667,800

For State Contributions to Social Security:
  Payable from General Revenue Fund.............. 1,149,200
  Payable from State Boating Act Fund.............. 124,400
  Payable from State Parks Fund.................... 90,400
  Payable from Wildlife and Fish Fund.............. 443,100

For Group Insurance:
  Payable from State Boating Act Fund.............. 529,200
  Payable from State Parks Fund.................... 398,900
  Payable from Wildlife and Fish Fund.............. 1,944,100

For Contractual Services:
  Payable from General Revenue Fund.............. 1,586,950
  Payable from State Boating Act Fund.............. 451,200
  Payable from State Parks Fund.................... 2,616,500
  Payable from Wildlife and Fish Fund.............. 693,700

For Travel:
  Payable from General Revenue Fund.............. 4,200
  Payable from State Boating Act Fund.............. 5,900
  Payable from State Parks Fund.................... 49,700
  Payable from Wildlife and Fish Fund.............. 14,700

For Commodities:
  Payable from General Revenue Fund.............. 512,800
  Payable from State Boating Act Fund.............. 51,000
  Payable from State Parks Fund.................... 443,400
  Payable from Wildlife and Fish Fund.............. 537,700

For Printing:
  Payable from General Revenue Fund............... 14,600

For Equipment:
  Payable from General Revenue Fund.............. 53,100
  Payable from State Parks Fund.................... 711,800
  Payable from Wildlife and Fish Fund.............. 287,300

For Telecommunications Services:
  Payable from General Revenue Fund............... 64,150
  Payable from State Parks Fund.................... 282,500

New matter indicated by italics - deletions by strikeout
Payable from Wildlife and Fish Fund.............. 32,500
For Operation of Auto Equipment:
Payable from General Revenue Fund.............. 323,900
Payable from State Parks Fund.................... 258,100
Payable from Wildlife and Fish Fund.............. 170,700
For Illinois-Michigan Canal:
Payable from State Parks Fund.................... 118,000
For Union County and Horseshoe Lake
Conservation Areas, Farming and Wildlife
Operations:
Payable from Wildlife and Fish Fund.............. 466,100
For operations and maintenance from revenues
derived from the sale of surplus crops
and timber harvest:
Payable from the State Parks Fund.............. 1,000,000
Payable from the Wildlife and Fish Fund........ 1,050,000
For Snowmobile Programs:
Payable from State Boating Act Fund............. 46,900
For expenses related to Pyramid State Park
contingent upon revenues generated at the site:
Payable from State Parks Fund.................... 40,000
For operating expenses of the North
Point Marina at Winthrop Harbor:
Payable from the Illinois Beach Marina Fund...... 2,004,700
For expenses of the Park and Conservation
program:
Payable from Park and Conservation Fund........ 4,494,400
For expenses of the Bikeways program:
Payable from Park and Conservation Fund........ 1,217,900
For Wildlife Prairie Park Operations and
Improvements:
Payable from General Revenue Fund.............. 828,200
Payable from Wildlife Prairie Park Fund........ 100,000
For Operations and Maintenance, including

New matter indicated by italics - deletions by strikeout
costs associated with operating new
sites and facilities:

Payable from State Parks Fund................. 1,521,900
Total                                      $53,077,300

Section 75. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Natural Resources:

OFFICE OF MINES AND MINERALS

For Personal Services:

Payable from General Revenue Fund........... 2,464,000
Payable from Mines and Minerals Underground
  Injection Control Fund......................... 153,600
Payable from Plugging and Restoration Fund.... 180,100
Payable from Underground Resources
  Conservation Enforcement Fund............... 319,500
Payable from Federal Surface Mining Control
  and Reclamation Fund......................... 1,506,700
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund..... 1,664,800

For Employee Retirement Contributions

Paid by State:

Payable from General Revenue Fund............. 0
Payable from Mines and Minerals Underground
  Injection Control Fund....................... 0
Payable from Plugging and Restoration Fund... 0
Payable from Underground Resources
  Conservation Enforcement Fund............... 0
Payable from Federal Surface Mining Control
  and Reclamation Fund....................... 0
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund.... 0

For State Contributions to State Employees' Retirement System:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund................. 283,900
Payable from Mines and Minerals Underground
Injection Control Fund............................. 17,700
Payable from Plugging and Restoration Fund ...... 20,800
Payable from Underground Resources
Conservation Enforcement Fund...................... 36,800
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 173,600
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.............. 191,800
For State Contributions to Social Security:
Payable from General Revenue Fund.................. 188,500
Payable from Mines and Minerals Underground
Injection Control Fund............................. 11,800
Payable from Plugging and Restoration Fund ...... 13,800
Payable from Underground Resources
Conservation Enforcement Fund...................... 24,400
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 115,300
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.............. 127,400
For Group Insurance:
Payable from Mines and Minerals Underground
Injection Control Fund............................. 52,100
Payable from Plugging and Restoration Fund ...... 44,500
Payable from Underground Resources
Conservation Enforcement Fund...................... 123,800
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 383,200
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund.............. 385,300
For Contractual Services:
Payable from General Revenue Fund.................. 76,850
Payable from Mines and Minerals Underground

New matter indicated by italics - deletions by strikeout
Injection Control Fund................................. 0
Payable from Plugging and Restoration Fund ...... 18,700
Payable from Underground Resources
Conservation Enforcement Fund...................... 85,700
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 468,200
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund......... 220,700

For Travel:
Payable from General Revenue Fund............... 37,600
Payable from Mines and Minerals Underground
Injection Control Fund............................... 5,000
Payable from Plugging and Restoration Fund ...... 5,000
Payable from Underground Resources
Conservation Enforcement Fund...................... 6,000
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 31,400
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund......... 30,700

For Commodities:
Payable from General Revenue Fund............... 27,900
Payable from Mines and Minerals Underground
Injection Control Fund............................... 0
Payable from Plugging and Restoration Fund ...... 5,000
Payable from Underground Resources
Conservation Enforcement Fund...................... 9,600
Payable from Federal Surface Mining Control
and Reclamation Fund................................. 12,400
Payable from Abandoned Mined Lands
Reclamation Council Federal Trust Fund......... 25,800

For Printing:
Payable from General Revenue Fund............... 5,200
Payable from Mines and Minerals Underground
Injection Control Fund............................... 0

New matter indicated by italics - deletions by strikeout
Payable from Plugging and Restoration Fund ........ 500
Payable from Underground Resources
  Conservation Enforcement Fund......................... 3,300
Payable from Federal Surface Mining Control
  and Reclamation Fund........................................ 11,200
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund............. 1,000
For Equipment:
  Payable from General Revenue Fund.................... 80,900
  Payable from Mines and Minerals Underground Injection Control Fund.............................. 20,000
  Payable from Plugging and Restoration Fund ....... 38,200
  Payable from Underground Resources
    Conservation Enforcement Fund........................ 47,800
  Payable from Federal Surface Mining Control
    and Reclamation Fund........................................ 109,600
  Payable from Abandoned Mined Lands
    Reclamation Council Federal Trust Fund............ 118,800
For Electronic Data Processing:
  Payable from General Revenue Fund.................... 13,200
  Payable from Mines and Minerals Underground Injection Control Fund.............................. 0
  Payable from Plugging and Restoration Fund ....... 8,000
  Payable from Underground Resources
    Conservation Enforcement Fund........................ 31,000
  Payable from Federal Surface Mining Control
    and Reclamation Fund........................................ 119,800
  Payable from Abandoned Mined Lands
    Reclamation Council Federal Trust Fund............ 84,500
For Telecommunications Services:
  Payable from General Revenue Fund.................... 54,700
  Payable from Mines and Minerals Underground Injection Control Fund.............................. 0
  Payable from Plugging and Restoration Fund ....... 18,200

New matter indicated by italics - deletions by strikeout
Payable from Underground Resources
  Conservation Enforcement Fund.................. 15,600
Payable from Federal Surface Mining Control
  and Reclamation Fund........................... 32,000
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund........ 32,200

For Operation of Auto Equipment:
Payable from General Revenue Fund............... 56,000
Payable from Mines and Minerals Underground
  Injection Control Fund......................... 28,500
Payable from Plugging and Restoration Fund....... 43,200
Payable from Underground Resources
  Conservation Enforcement Fund................... 45,000
Payable from Federal Surface Mining Control
  and Reclamation Fund........................... 50,300
Payable from Abandoned Mined Lands
  Reclamation Council Federal Trust Fund......... 40,200

For the purpose of coordinating training
  and education programs for miners and
  laboratory analysis and testing of
  coal samples and mine atmospheres:
Payable from the General Revenue Fund......... 13,700
Payable from the Coal Mining Regulatory Fund..... 32,800
Payable from Federal Surface Mining
  Control and Reclamation Fund................... 308,300

For expenses associated with Aggregate
  Mining Regulation:
Payable from Aggregate Operations
  Regulatory Fund.................................. 261,900

For expenses associated with Explosive
  Regulation:
Payable from Explosives Regulatory Fund......... 98,300

For expenses associated with Environmental
  Mitigation Projects, Studies, Research,

New matter indicated by italics - deletions by strikeout
and Administrative Support:
Payable from Abandoned Mined Lands
Reclamation Council Federal
Trust Fund........................................... 400,000

For the purpose of reclaiming surface
mined lands, with respect to which a
bond has been forfeited:
Payable from Land Reclamation Fund............. 350,000

For expenses associated with
Surface Coal Mining Regulation:
Payable from Coal Mining Regulatory Fund........ 287,600

For the State of Illinois' share of
expenses of Interstate Oil Compact
Commission created under the authority
of "An Act ratifying and approving an
Interstate Compact to Conserve Oil and
Gas", approved July 10, 1935, as amended:
Payable from General Revenue Fund............... 6,600

For State expenses in connection with
the Interstate Mining Compact:
Payable from General Revenue Fund............. 19,300

For expenses associated with litigation of
Mining Regulatory actions:
Payable from Federal Surface Mining
Control and Reclamation Fund..................... 15,000

For Small Operators' Assistance Program:
Payable from Federal Surface Mining
Control and Reclamation Fund..................... 150,000

For Plugging & Restoration Projects:
Payable from Plugging & Restoration Fund....... 1,000,000

For Interest Penalty Escrow:
Payable from General Revenue Fund............... 500
Payable from Underground Resources
Conservation Enforcement Fund.................... 500

New matter indicated by italics - deletions by strikeout
For the purpose of carrying out the Illinois Petroleum Education and Marketing Act:

Payable from the Petroleum Resources Revolving Fund.................................. \(900,000\)

Total \(\$14,503,400\)

Section 80. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

**OFFICE OF WATER RESOURCES**

For Personal Services:
- Payable from General Revenue Fund.............. \(3,821,600\)
- Payable from State Boating Act Fund.............. \(283,300\)

For Employee Retirement Contributions
- Paid by State:
  - Payable from General Revenue Fund............. \(0\)
  - Payable from State Boating Act Fund............. \(0\)

For State Contributions to State Employees' Retirement System:
- Payable from General Revenue Fund............. \(440,500\)
- Payable from State Boating Act Fund............. \(32,600\)

For State Contributions to Social Security:
- Payable from General Revenue Fund............. \(292,400\)
- Payable from State Boating Act Fund............. \(21,700\)

For Group Insurance:
- Payable from State Boating Act Fund............. \(106,900\)

For Contractual Services:
- Payable from General Revenue Fund............. \(229,600\)
- Payable from State Boating Act Fund............. \(23,000\)

For Travel:
- Payable from General Revenue Fund............. \(148,500\)
- Payable from State Boating Act Fund............. \(6,500\)

For Commodities:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund..................  7,000
Payable from State Boating Act Fund...............  14,200
For Printing:
  Payable from General Revenue Fund..................  4,600
For Equipment:
  Payable from General Revenue Fund..................  10,400
  Payable from State Boating Act Fund...............  30,900
For Telecommunications Services:
  Payable from General Revenue Fund..................  53,850
  Payable from State Boating Act Fund...............  7,800
For Operation of Auto Equipment:
  Payable from General Revenue Fund..................  88,200
  Payable from State Boating Act Fund...............  2,900
For payment of the Department’s share
of operation and maintenance of statewide
stream gauging network, water data
storage and retrieval system, in
cooperation with the U.S. Geological
Survey:
  Payable from the Wildlife and Fish Fund...........  200,000
For execution of state assistance
programs to improve the administration
of the National Flood Insurance
Program (NFIP) and National Dam
Safety Program as approved by the
Federal Emergency Management Agency
(82 Stat. 572):
  Payable from National Flood Insurance
  Program Fund....................................  400,000
For Repairs and Modifications to Facilities:
  Payable from State Boating Act Fund...............  53,900
Total
  $6,280,400

Section 81. Pursuant to Executive Order 2006-01, the sum of
$650,000, or so much thereof as may be necessary, is appropriated from

New matter indicated by italics - deletions by strikeout
the DNR Special Projects Fund to the Department of Natural Resources for the Office of Water Resources to develop a comprehensive program for state and regional water supply planning and management and develop a plan for its implementation consistent with existing laws, regulations and property rights, incorporation with local officials and regional planning committees.

Section 82. The sum of $400,000, or so much thereof as may be necessary, is appropriated from the DNR Special Projects Fund to the Department of Natural Resources to provide for grants to priority regions to recruit and assign responsibilities to Regional Water Supply Planning Committees formed to assist the State agencies in comparing population forecast with water supply needs, establishing a public participation process for plan formulation and developing management options for meeting long-term water supply needs including conservation strategies.

Section 83. The sum of $4,802,528 or so much thereof as may be necessary, is appropriated from the DNR Federal Projects Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for Floodplain Map Modernization as approved by the Federal Emergency Management Agency.

Section 85. The sum of $1,480,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the objects, uses, and purposes specified, including grants for such purposes and electronic data processing expenses, at the approximate costs set forth below:

Corps of Engineers Studies - To jointly plan local flood protection projects with the U.S. Army Corps of Engineers and to share planning expenses as required by Section 203 of the U.S. Water Resources Development Act of 1996 (P.L. 104-303)............................... 61,000

Federal Facilities - For payment of the State's share of operation and

New matter indicated by italics - deletions by strikeout
maintenance costs as local sponsor
of the federal Aquatic Nuisance
Barrier in the Chicago Sanitary
and ship canal and the federal Rend
Lake Reservoir and the federal
projects on the Kaskaskia River................. 600,000
Lake Michigan Management - For studies
carrying out the provisions of the
Level of Lake Michigan Act, 615 ILCS 50
and the Lake Michigan Shoreline Act,
615 ILCS 55........................................ 21,100
National Water Planning - For expenses to
participate in national and regional
water planning programs including
membership in regional and national
associations, commissions and compacts........ 141,800
River Basin Studies - For purchase of
necessary mapping, surveying, test
boring, field work, equipment, studies,
legal fees, hearings, archaeological
and environmental studies, data,
gineering, technical services,
appraisals and other related
expenses to make water resources
reconnaissance and feasibility
studies of river basins, to
identify drainage and flood
problem areas, to determine
viable alternatives for flood
damage reduction and drainage
improvement, and to prepare
project plans and specifications............. 134,400
Design Investigations - For purchase
of necessary mapping, equipment

New matter indicated by italics - deletions by strikeout
test boring, field work for
Geotechnical investigations and
other design and construction
related studies................................. 2,500
Rivers and Lakes Management - For
purchase of necessary surveying,
equipment, obtaining data, field work
studies, publications, legal fees,
hearings and other expenses in order to
expedite the fulfillment of the
provisions of the 1911 Act in
relation to the "Regulation of
Rivers, Lakes and Streams Act",
615 ILCS 5/4.9 et seq............................ 20,500
State Facilities - For materials,
equipment, supplies, services,
field vehicles, and heavy
construction equipment required
to operate, maintain, repair,
construct, modify or rehabilitate
facilities controlled or constructed
by the Office of Water Resources,
and to assist local governments
preserve the streams of the State............. 71,000
State Water Supply and Planning - For
data collection, studies, equipment
and related expenses for analysis
and management of the water resources
of the State, implementation of the
State Water Plan, and management
of state-owned water resources.............. 67,200
USGS Cooperative Program - For
payment of the Department's
share of operation and

New matter indicated by italics - deletions by strikeout
maintenance of statewide stream gauging network, water data storage and retrieval system, preparation of topography mapping, and water related studies; all in cooperation with the U.S. Geological Survey. 

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geological Survey</td>
<td>360,800</td>
</tr>
<tr>
<td>Total</td>
<td>$1,480,300</td>
</tr>
</tbody>
</table>

Section 90. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

WASTE MANAGEMENT AND RESEARCH CENTER

For Personal Services:
- Payable from General Revenue Fund: 1,854,800

For State Contributions to Social Security:
- Payable from General Revenue Fund: 22,600

For Contractual Services:
- Payable from General Revenue Fund: 316,000

For Travel:
- Payable from General Revenue Fund: 16,500

For Commodities:
- Payable from General Revenue Fund: 88,000

For Printing:
- Payable from General Revenue Fund: 1,000

For Equipment:
- Payable from General Revenue Fund: 40,000

For Telecommunications Services:
- Payable from General Revenue Fund: 24,600

For Operation of Auto Equipment:
- Payable from General Revenue Fund: 25,000

For Ordinary and Contingent Expenses:
- Payable from Toxic Pollution Prevention Fund: 89,700

New matter indicated by italics - deletions by strikeout
Payable from Hazardous Waste Research Fund.............................. 472,100
Total $2,950,300

STATE GEOLOGICAL SURVEY

For Personal Services:
Payable from General Revenue Fund.............. 6,420,900
For State Contributions to Social Security:
Payable from General Revenue Fund.............. 41,500
For Contractual Services:
Payable from General Revenue Fund.............. 262,400
For Travel:
Payable from General Revenue Fund.............. 51,300
For Commodities:
Payable from General Revenue Fund.............. 87,200
For Printing:
Payable from General Revenue Fund.............. 39,800
For Equipment:
Payable from General Revenue Fund.............. 112,800
For Telecommunications Services:
Payable from General Revenue Fund.............. 67,750
For Operation of Auto Equipment:
Payable from General Revenue Fund.............. 55,000
Total $7,138,650

STATE NATURAL HISTORY SURVEY

For Personal Services:
Payable from General Revenue Fund.............. 3,300,900
For State Contributions to Social Security:
Payable from General Revenue Fund.............. 32,300
For Contractual Services:
Payable from General Revenue Fund.............. 233,100
For Travel:
Payable from General Revenue Fund.............. 17,000
For Commodities:
Payable from General Revenue Fund.............. 49,000

New matter indicated by italics - deletions by strikeout
For Printing:
  Payable from General Revenue Fund.................. 7,200
For Equipment
  Payable from General Revenue Fund.................. 131,000
For Telecommunications Services:
  Payable from General Revenue Fund.................. 65,350
For Operation of Auto Equipment:
  Payable from General Revenue Fund.................. 30,100
For Mosquito Abatement and Research including the diseases they spread:
  Payable from the Emergency Public Health Fund.................. 200,000
  Payable from Used Tire Management Fund........... 200,000
  Total $4,265,950

STATE WATER SURVEY
For Personal Services:
  Payable from General Revenue Fund.................. 3,485,200
For State Contributions to Social Security:
  Payable from General Revenue Fund.................. 27,500
For Contractual Services:
  Payable from General Revenue Fund.................. 176,100
For Travel:
  Payable from General Revenue Fund.................. 9,900
For Commodities:
  Payable from General Revenue Fund.................. 27,400
For Printing:
  Payable from General Revenue Fund.................. 1,800
For Equipment:
  Payable from General Revenue Fund.................. 92,200
For Telecommunications Services:
  Payable from General Revenue Fund.................. 50,750
For Operation of Auto Equipment:
  Payable from General Revenue Fund.................. 27,300
  Total $3,898,150

New matter indicated by italics - deletions by strikeout
STATE MUSEUMS

For Personal Services:
Payable from General Revenue Fund.................. 3,503,500

For Employee Retirement Contributions
Paid by the State:
Payable from General Revenue Fund.................. 0

For State Contributions to State
Employees Retirement System:
Payable from General Revenue Fund.................. 422,900

For State Contributions to Social Security:
Payable from General Revenue Fund.................. 265,500

For Contractual Services:
Payable from General Revenue Fund.................. 632,700

For Travel:
Payable from General Revenue Fund.................. 29,300

For Commodities:
Payable from General Revenue Fund.................. 140,000

For Printing:
Payable from General Revenue Fund.................. 71,200

For Equipment:
Payable from General Revenue Fund.................. 55,000

For Telecommunications Services:
Payable from General Revenue Fund.................. 91,350

For Operation of Auto Equipment:
Payable from General Revenue Fund.................. 15,700

Total $5,227,150

FOR REFUNDS

Section 95. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Natural Resources:

For Payment of Refunds:
Payable from General Revenue Fund.................. 1,500
Payable from State Boating Act Fund.................. 30,000
Payable from State Parks Fund......................... 50,000
Payable from Wildlife and Fish Fund.................. 1,150,000

New matter indicated by italics - deletions by strikeout
Payable from Plugging and Restoration Fund ........ 25,000
Payable from Underground Resources Conservation Enforcement Fund ................ 25,000
Payable from Illinois Beach Marina Fund .......... 25,000
Total $1,306,500

Section 100. The following named sum, new appropriation, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Department of Natural Resources:
Payable from General Revenue Fund:
For Multiple Use Facilities and Programs for conservation purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, material labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation ................ 1,555,200

Section 105. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:
Payable from the General Revenue Fund:
(From Article 31, Section 75 of Public Act 94-15, as amended and Article 31, Section 80 of Public Act 94-15)
For Multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, material labor, land acquisition, services,

New matter indicated by italics - deletions by strikeout
studies and all other expenses required
to comply with the intent of this
appropriation.................................. 1,418,962

Section 110. The amount of $3,000,000, or so much thereof as may
be necessary, is appropriated from the General Revenue Fund to the
Department of Natural Resources for contributions of funds to park
districts and other entities as provided by the "Illinois Horse Racing Act of
1975" and to public museums and aquariums located in park districts, as
provided by "An Act concerning aquariums and museums in public parks"
and the "Illinois Horse Racing Act of 1975" as now or hereafter amended.

Section 115. The amount of $1,000,000, or so much thereof as
may be necessary, is appropriated from the General Revenue Fund to the
Department of Natural Resources for purposes including, but not limited
to education, training, and recreation activities.

ARTICLE 52

Section 5. The sum of $300,000, or so much thereof as may be
necessary, is appropriated from the General Revenue Fund to the
Procurement Policy Board for its ordinary and contingent expenses.

ARTICLE 53

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for the objects and
purposes hereinafter named, to meet the ordinary and contingent expenses
of the Property Tax Appeal Board:
Payable from the General Revenue Fund:
For Personal Services......................... 1,603,700
For Employee Contributions Paid
By Employer........................................... 0
For State Contributions to State
Employees' Retirement System............... 184,850
For State Contributions to
Social Security................................. 121,550
For Contractual Services....................... 47,000
For Travel........................................... 33,600
For Commodities................................. 9,600

New matter indicated by italics - deletions by strikeout
For Printing.............................................  5,800
For Equipment...........................................  4,600
For Electronic Data Processing....................  43,200
For Telecommunication Services...................  30,000
For Operation of Auto Equipment...................  14,000
For Refunds..............................................  200
For Costs Associated with the Appeal
Process and the Reestablishment of a
Cook County Office.....................................  57,900
Total.................................................................. $2,156,000

ARTICLE 54
Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated to meet the ordinary and contingent expenses of
the Department of Revenue:

OPERATIONS
GOVERNMENT SERVICES

For Personal Services:
   Payable from General Revenue Fund..............  3,286,500
   Payable from Motor Fuel Tax Fund.................  109,100
   Payable from Illinois Tax Increment Fund.........  199,200
   Payable from Personal Property Tax Replacement Fund........  873,500

For State Contributions to State
Employees' Retirement System:
   Payable from General Revenue Fund..............  378,000
   Payable from Motor Fuel Tax Fund.................  12,600
   Payable from Illinois Tax Increment Fund.........  22,900
   Payable from Personal Property Tax Replacement Fund........  100,500

For State Contributions to Social Security:
   Payable from General Revenue Fund..............  246,200

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>7,500</td>
</tr>
<tr>
<td>Payable from Illinois Tax Increment Fund</td>
<td>14,900</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>65,500</td>
</tr>
<tr>
<td><strong>For Group Insurance:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>41,500</td>
</tr>
<tr>
<td>Payable from Illinois Tax Increment Fund</td>
<td>59,200</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>261,000</td>
</tr>
<tr>
<td><strong>For Contractual Services:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>232,000</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>50,300</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>For Travel:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>64,600</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>13,100</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>16,800</td>
</tr>
<tr>
<td><strong>For Commodities:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>5,500</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>1,000</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>3,600</td>
</tr>
<tr>
<td><strong>For Equipment:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>126,800</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>65,000</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>46,000</td>
</tr>
<tr>
<td><strong>For Electronic Data Processing:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>For Administration of the</strong></td>
<td></td>
</tr>
</tbody>
</table>
Illinois Affordable Housing Act:
Payable from Illinois Affordable Housing Trust Fund......................... 2,600,000

For Administration of the Rental Housing Program:
Payable from the Rental Housing Support Program Fund.................... 1,750,000

Total                                                                    $10,663,800

Section 6. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Revenue to conduct a study to determine the impact of P.A. 93-715.

Section 7. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Revenue for the South Suburban Reactivation Project.

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

OPERATIONS
TAX ENFORCEMENT

For Personal Services:
Payable from General Revenue Fund............ 45,354,000
Payable from Motor Fuel Tax Fund............. 7,590,600
Payable from Underground Storage Tank Fund......................... 189,000
Payable from Illinois Gaming Law Enforcement Fund..................... 260,300
Payable from Home Rule Municipal Retailers Occupation Tax Fund........ 180,400
Payable from County Option Motor Fuel Tax Fund......................... 120,600
Payable from Child Support Administrative Fund......................... 1,455,700

New matter indicated by italics - deletions by strikeout
Payable from Personal Property Tax Replacement Fund.................................. 1,064,900

For State Contributions to State Employees' Retirement System:
Payable from General Revenue Fund............... 5,216,100
Payable from Motor Fuel Tax Fund............... 872,900
Payable from Underground Storage Tank Fund......................... 21,700
Payable from Illinois Gaming Law Enforcement Fund....................... 29,900
Payable from Home Rule Municipal Retailers Occupation Tax Fund........... 20,800
Payable from County Option Motor Fuel Tax Fund............................ 13,900
Payable from Child Support Administrative Fund.......................... 167,400
Payable from Personal Property Tax Replacement Fund........................ 122,500

For State Contributions to Social Security:
Payable from General Revenue Fund............... 3,314,600
Payable from Motor Fuel Tax Fund............... 569,300
Payable from Underground Storage Tank Fund......................... 14,200
Payable from Illinois Gaming Law Enforcement Fund....................... 19,000
Payable from Home Rule Municipal Retailers Occupation Tax Fund........... 13,500
Payable from County Option Motor Fuel Tax Fund............................ 9,000
Payable from Child Support Administrative Fund.......................... 109,200
Payable from Personal Property Tax Replacement Fund........................ 79,900

For Group Insurance:

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>1,508,000</td>
</tr>
<tr>
<td>Payable from Underground Storage Tank Fund</td>
<td>43,500</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>58,000</td>
</tr>
<tr>
<td>Payable from Home Rule Municipal Retailers Occupation Tax Fund</td>
<td>43,500</td>
</tr>
<tr>
<td>Payable from County Option Motor Fuel Tax Fund</td>
<td>29,000</td>
</tr>
<tr>
<td>Payable from Child Support Administrative Fund</td>
<td>435,000</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>319,000</td>
</tr>
<tr>
<td>For Contractual Services:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>1,227,500</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>71,900</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>4,300</td>
</tr>
<tr>
<td>Payable from Personnel Property Tax Replacement Fund</td>
<td>100,000</td>
</tr>
<tr>
<td>For Travel:</td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>1,468,800</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>1,161,200</td>
</tr>
<tr>
<td>Payable from Underground Storage Tank Fund</td>
<td>15,200</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>25,200</td>
</tr>
<tr>
<td>Payable from Home Rule Municipal Retailers Occupation Tax Fund</td>
<td>25,800</td>
</tr>
<tr>
<td>Payable from County Option Motor Fuel Tax Fund</td>
<td>15,300</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>143,100</td>
</tr>
<tr>
<td>For Commodities:</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund .................. $5,400
Payable from Motor Fuel Tax Fund .................. $1,800
Payable from Underground Storage Tank Fund ........... $800
Payable from Illinois Gaming Law Enforcement Fund .......... $2,900
Payable from Personal Property Tax Replacement Fund ........ $900

For Electronic Data Processing:
Payable from General Revenue Fund .................. $2,700
Payable from Motor Fuel Tax Fund .................. $3,400
Payable from Illinois Gaming Law Enforcement Fund .......... $4,100
Payable from Personal Property Tax Replacement Fund ........ $1,000

For Administrative Costs of Joint State/Federal Motor Fuel Tax Enforcement Program:
Payable from Motor Fuel Tax Fund .................. $71,000

For Administration of the Dyed Diesel Fuel Roadside Enforcement Plan per PA 91-173,
Including prior year costs:
Payable from Tax Compliance and Administration Fund ........ $29,600

For Administrative Costs Associated with the Illinois Department of Revenue Federal Trust Fund:
Payable from the Illinois Department of Revenue Federal Trust Fund .......... $250,000

For Administrative Costs Associated with Statewide Debt Collection:
Payable from the Debt Collection Fund ................. $10,000

Total $76,335,200

New matter indicated by italics - deletions by strikeout
Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Revenue:

**OPERATIONS**

**TAX OPERATIONS**

For Personal Services:
- Payable from General Revenue Fund............ $31,573,200
- Payable from Motor Fuel Tax Fund............. $4,832,300
- Payable from Underground Storage Tank Fund........ $360,800
- Payable from Illinois Gaming Law Enforcement Fund....................... $355,700
- Payable from County Option Motor Fuel Tax Fund.......................... $200,200
- Payable from Tax Compliance and Administration Fund...................... $279,000
- Payable from Personal Property Tax Replacement Fund.................... $3,373,300

For Extra Help:
- Payable from General Revenue Fund............. $87,100

For State Contributions to State Employees' Retirement System:
- Payable from General Revenue Fund............ $3,630,800
- Payable from Motor Fuel Tax Fund............. $555,700
- Payable from Underground Storage Tank Fund ...... $41,500
- Payable from Illinois Gaming Law Enforcement Fund....................... $40,900
- Payable from County Option Motor Fuel Tax Fund.......................... $23,000
- Payable from Tax Compliance and Administration Fund...................... $32,100
- Payable from Personal Property Tax Replacement Fund.................... $387,900

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security:
Payable from General Revenue Fund.............. 2,400,900
Payable from Motor Fuel Tax Fund............... 364,500
Payable from Underground Storage Tank Fund ...... 27,100
Payable from Illinois Gaming
    Law Enforcement Fund.......................... 26,700
Payable from County Option Motor
    Fuel Tax Fund................................... 15,000
Payable from Tax Compliance and
    Administration Fund........................... 21,100
Payable from Personal Property Tax
    Replacement Fund................................ 253,000

For Group Insurance:
Payable from Motor Fuel Tax Fund............... 1,087,500
Payable from Underground
    Storage Tank Fund................................ 130,500
Payable from Illinois Gaming
    Law Enforcement Fund.......................... 116,000
Payable from County Option Motor
    Fuel Tax Fund................................... 72,500
Payable from Tax Compliance and
    Administration Fund........................... 87,000
Payable from Personal Property Tax
    Replacement Fund................................ 1,145,500

For Contractual Services:
Payable from General Revenue Fund............. 10,618,400
Payable from Motor Fuel Tax Fund............... 1,459,200
Payable from Underground Storage Tank Fund..... 6,800
Payable from Illinois Gaming Law
    Enforcement Fund................................ 176,400
Payable from Home Rule Municipal
    Retailers Occupation Tax....................... 132,300
Payable from County Option Motor Fuel Tax Fund.... 18,000
Payable from Illinois Tax Increment Fund........ 265,200

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Child Support Administration Fund</td>
<td>6,800</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>1,163,800</td>
</tr>
<tr>
<td><strong>For Travel:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>153,500</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>11,900</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>4,000</td>
</tr>
<tr>
<td><strong>For Commodities:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>472,200</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>57,800</td>
</tr>
<tr>
<td>Payable from Underground Storage Tank Fund</td>
<td>1,300</td>
</tr>
<tr>
<td>Payable from County Option Motor Fuel Tax Fund</td>
<td>2,400</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>48,000</td>
</tr>
<tr>
<td><strong>For Printing:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>891,800</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>150,900</td>
</tr>
<tr>
<td>Payable from Underground Storage Tank Fund</td>
<td>1,500</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>1,500</td>
</tr>
<tr>
<td>Payable from Personal Property Tax Replacement Fund</td>
<td>24,600</td>
</tr>
<tr>
<td><strong>For Electronic Data Processing:</strong></td>
<td></td>
</tr>
<tr>
<td>Payable from General Revenue Fund</td>
<td>3,293,700</td>
</tr>
<tr>
<td>Payable from Motor Fuel Tax Fund</td>
<td>1,145,000</td>
</tr>
<tr>
<td>Payable from Transportation Regulatory Fund</td>
<td>1,000</td>
</tr>
<tr>
<td>Payable from Illinois Gaming Law Enforcement Fund</td>
<td>52,900</td>
</tr>
<tr>
<td>Payable from Tax Compliance and Administration Fund</td>
<td>105,000</td>
</tr>
<tr>
<td>Payable from Child Support Administrative Fund</td>
<td>1,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Payable from Personal Property
  Tax Replacement Fund .......................  2,951,800

For Telecommunications Services:
  Payable from General Revenue Fund ..........  2,363,200
  Payable from Motor Fuel Tax Fund ..........  235,900
  Payable from Underground
    Storage Tank Fund ......................  28,000
  Payable from Illinois Gaming
    Law Enforcement Fund ....................  10,500
  Payable from Home Rule Municipal
    Retailers Occupation Tax Fund ..........  3,700
  Payable from County Option Motor
    Fuel Tax Fund .........................  12,500
  Payable from Illinois Tax
    Increment Fund .........................  14,600
  Payable from Tax Compliance and
    Administration Fund ....................  5,700
  Payable from Child Support Administrative
    Fund .....................................  15,600
  Payable from Personal Property Tax
    Replacement Fund ......................  147,200

For Operation of Auto Equipment:
  Payable from General Revenue Fund ..........  37,400
  Payable from Motor Fuel Tax Fund ..........  25,400
  Payable from Illinois Gaming
    Law Enforcement Fund ....................  18,600
  Payable from Personal Property Tax
    Replacement Fund ......................  16,000

For Expenses Related to or in support
of a government services shared
services center:
  Payable from the General Revenue Fund ....  6,084,000
  Payable from the Motor Fuel Tax Fund .......  865,400
  Payable from the Tax Compliance and

New matter indicated by italics - deletions by strikeout
Administration Fund............................... 76,100
For Administration of the Illinois Petroleum Education
and Marketing Act:
Payable from the Tax Compliance
and Administration Fund......................... 9,000
For Administration of the Dry Cleaners Environmental
Response Trust Fund Act:
Payable from the Tax Compliance
and Administration Fund......................... 63,600
For Administration of the Simplified Telecommunications Act:
Payable from the Tax Compliance and
Administration Fund................................. 1,455,800
For administrative costs associated with the Municipality
Sales Tax as directed in Public Act 93-1053:
Payable from the Tax Compliance
and Administration Fund......................... 130,000
Total $86,455,700

GOVERNMENT SERVICES GRANTS
Section 20. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Revenue as
follows:
Payable from General Revenue Fund:
For the State's Share of County
Supervisors of Assessments' or
County Assessors' salaries,
as provided by law......................... 2,550,000
For additional compensation for local
assessors, as provided by Sections 2.3
and 2.6 of the "Revenue Act of 1939", as
amended........................................ 500,000
For additional compensation for local
assessors, as provided by Section 2.7
of the "Revenue Act of 1939", as
amended........................................ 702,000

New matter indicated by italics - deletions by strikeout
For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended................. 663,000
For the State’s Share of State’s Attorneys’ And Assistant State’s Attorneys’ salaries, Including prior years costs............... 12,372,700
For the annual stipend for Sheriffs as Provided in subsection (d) of Section 4-6300 and Section 4-8002 of the Counties Code........................................... 663,000
For the annual stipend to county Coroners pursuant to 55 ILCS 5/4-6002 Including prior years costs............... 663,000
For the State’s Share of county Public Defenders’ salaries Pursuant to 55 ILCS 5/3-4007.................. 3,700,000
Total $21,813,700
Payable from State and Local Sales Tax Reform Fund:
For Allocation to Chicago for additional 1.25% Use Tax Pursuant to P.A. 86-0928.......................... 46,386,400
Payable from Local Government Distributive Fund:
For Allocation to Local Governments of additional 1.25% Use Tax Pursuant to P.A. 86-0928..................... 123,489,700
Payable from R.T.A. Occupation and Use Tax Replacement Fund:
For Allocation to RTA for 10% of the 1.25% Use Tax Pursuant to P.A. 86-0928...... 23,193,200
Payable from Senior Citizens' Real Estate Deferred Tax Revolving Fund:
For Payments to Counties as Required

New matter indicated by italics - deletions by strikeout
by the Senior Citizens Real
Estate Tax Deferral Act.................. 5,900,000
Payable from Illinois Tax
Increment Fund:
For Distribution to Local Tax
Increment Finance Districts............. 21,076,600

TAX ENFORCEMENT GRANTS
Section 25. The following named sums, or so much thereof as may
be necessary, are appropriated to the Department of Revenue for the
purposes as follows:
Payable from the Illinois Gaming Law
Enforcement Fund:
For a Grant for Allocation to Local Law
Enforcement Agencies for joint state and
local efforts in Administration of the
Charitable Games, Pull Tabs and Jar
Games Act.................................. 1,300,000

TAX OPERATIONS GRANTS
Section 30. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Revenue for:
Payable from the Motor Fuel Tax Fund:
For Reimbursement to International
Fuel Tax Agreement Member
States........................................ 42,000,000

TAX OPERATIONS REFUNDS
For Refunds and Repayment to persons
as provided by law:
Payable from Motor Fuel Tax Fund........ 16,016,200
For Refund of certain taxes in lieu of
credit memoranda, where such refunds are
authorized by law:
Payable from General Revenue Fund......... 6,576,500
For Refunds provided for in Section 13a.8 of

New matter indicated by italics - deletions by strikeout
the Motor Fuel Tax Act:
Payable from the Underground
Storage Tank Fund............................... 12,000

For Refunds associated with the Simplified
Municipal Telecommunications Act:
Payable from the Municipal
Telecommunications Fund......................... 12,000

GOVERNMENT SERVICE GRANTS

Section 35. The sum of $62,400,000 is appropriated from
the Illinois Affordable Housing Trust Fund to the Department of Revenue for
Grants, (down payment assistance, rental subsidies, security deposit
subsidies, technical assistance, outreach, building an organization's
capacity to develop affordable housing projects and other related
purposes), mortgages, loans, or for the purpose of securing bonds pursuant
to the Illinois Affordable Housing Act, administered by the Illinois
Housing Development Authority.

Section 36. The sum of $6,300,000, or so much thereof as may be
necessary, is appropriated from the Illinois Affordable Housing Trust Fund
to the Department of Revenue for grants to other state agencies for rental
assistance, supportive living and adaptive housing.

Section 37. The sum of $25,000,000, or so much thereof as may be
necessary, is appropriated from the Rental Housing Support Program
Fund to the Department of Revenue to provide rental assistance pursuant
to the Rental Housing Support Program, administered by the Illinois
Housing Development Fund.

Section 40. The sum of $23,000,000, new appropriation, is
appropriated and the sum of $15,402,100, or so much thereof as may be
necessary and as remains unexpended at the close of business on June 30,
2006, from appropriations and reappropriations heretofore made in Article
41, Section 40 of Public Act 94-0015 is reappropriated from the Federal
HOME Investment Trust Fund to the Department of Revenue for the
Illinois HOME Investment Partnerships Program administered by the
Illinois Housing Development Authority.

ILLINOIS GAMING BOARD

New matter indicated by italics - deletions by strikeout
Section 45. The sum of $122,000,000, or so much thereof as may be necessary, is appropriated from the State Gaming Fund to the Department of Revenue for distributions to local governments for admissions and wagering tax.

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Revenue for the ordinary and contingent expenses of the Illinois Gaming Board:

Payable from State Gaming Fund:

For Personal Services......................... 6,060,300
For State Contributions to the
State Employees' Retirement System............ 696,900
For State Contributions to
Social Security.............................. 277,800
For Group Insurance.......................... 1,291,000
For Contractual Services...................... 859,300
For Travel.................................... 61,000
For Commodities................................ 20,000
For Printing.................................. 5,900
For Equipment................................ 194,100
For Electronic Data Processing.................. 54,000
For Telecommunications......................... 333,000
For Operation of Auto Equipment............... 50,500
For Expenses Related to the Illinois
State Police.................................. 8,300,000
For Expenses Related to or in
support of a government services
shared services center.......................... 490,700
Total $18,694,500

REFUNDS

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Revenue for:

ILLINOIS GAMING BOARD

New matter indicated by italics - deletions by strikeout
Payable from State Gaming Fund:
For Refunds...................................... 50,000

LIQUOR CONTROL

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Dram Shop Fund to the Department of Revenue:

For Personal Services....................... 2,249,600
For State Contributions to State
  Employees' Retirement System.............. 258,700
For State Contributions to
  Social Security............................. 167,400
For Group Insurance......................... 594,500
For Contractual Services.................... 326,100
For Travel..................................... 117,000
For Commodities............................. 15,800
For Printing................................. 5,900
For Equipment............................... 19,500
For Electronic Data Processing.............. 44,800
For Telecommunications Services............ 54,900
For Operation of Automotive Equipment..... 75,000
For Refunds................................... 10,000
Total $3,939,200

Section 63. The sum of $97,600, or so much thereof as may be necessary, is appropriated from the Dram Shop Fund to the Department of Revenue for expenses related to or in support of a government services shared services center.

Section 65. The amount of $281,700, or so much thereof as may be necessary, is appropriated from the Dram Shop Fund to the Department of Revenue to conduct a study to determine the extent of enforcement of laws relating to access by minors to tobacco products.

Section 70. The sum of $165,500 or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to

New matter indicated by italics - deletions by strikeout
the Department of Revenue for the purpose of operating the local
government tobacco enforcement grant program.

Section 75. The sum of $1,000,000, or so much thereof as may be
necessary, is appropriated from the Tobacco Settlement Recovery Fund to
the Department of Revenue for grants to local governmental units to
establish enforcement programs that will reduce youth access to tobacco
products.

Section 80. The sum of $196,700, or so much thereof as may be
necessary, respectively, are appropriated for the Retailer Education
Program from the Dram Shop Fund to the Department of Revenue.

Section 85. The sum of $268,600, or so much thereof as may be
necessary, is appropriated from the Dram Shop Fund to the Department of
Revenue for the purpose of operating the Beverage Alcohol Sellers and
Servers Education and Training (BASSET) Program.

LOTTERY

Section 90. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated from the State Lottery Fund to meet the ordinary
and contingent expenses of the Department of Revenue for Lottery,
including operating expenses related to Multi-State Lottery games
pursuant to the Illinois Lottery Law:

OPERATIONS

Payable from State Lottery Fund:
For Personal Services......................... 7,868,100
For State Contributions for the State
Employees' Retirement System............... 904,800
For State Contributions to
Social Security.............................. 589,200
For Group Insurance......................... 2,239,000
For Contractual Services.................... 30,088,300
For Travel.................................. 107,400
For Commodities......................... 58,400
For Printing............................... 29,700
For Equipment............................ 260,500

New matter indicated by italics - deletions by strikeout
For Electronic Data Processing.................. 2,505,700
For Telecommunications Services................ 9,488,200
For Operation of Auto Equipment............... 425,000
For Expenses of Developing and
Promoting Lottery Games....................... 7,533,200
For Expenses of the Lottery Board............. 8,300
For Expenses Related to or in support
of a government services shared services
center........................................ 832,700
For Refunds.................................... 48,000
Total                                                                 $62,986,500

Section 95. The sum of $315,050,000, or so much thereof as may
be necessary, is appropriated from the State Lottery Fund to the
Department of the Revenue for Lottery, for payment of prizes to holders of
winning lottery tickets or shares, including prizes related to Multi-State
Lottery games, and payment of promotional or incentive prizes associated
with the sale of lottery tickets, pursuant to the provisions of the "Illinois
Lottery Law".

RACING

Section 105. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated from the Horse Racing Fund to the Department of
Revenue for the ordinary and contingent expenses of the Illinois Racing
Board:

OPERATIONS
GENERAL OFFICE
For Personal Services......................... 1,002,900
For State Contributions to State
  Employees' Retirement System............... 115,300
For State Contributions to
  Social Security............................. 75,100
For Group Insurance......................... 246,500
For Contractual Services.................... 285,200
For Travel................................... 32,700

New matter indicated by italics - deletions by strikeout
For Commodities.................................... 7,500
For Printing...................................... 10,700
For Equipment..................................... 18,400
For Electronic Data Processing............... 140,100
For Telecommunications Services............... 91,600
For Operation of Auto Equipment.............. 21,500
For Expenses related to the Laboratory
  Program........................................ 1,893,100
For Expenses related to the Regulation
  Of Racing Program............................ 3,962,200
For Expenses Related to or in support
  of a government services shared
  services center................................ 62,100
For Refunds..................................... 300
Total $7,965,200

ARTICLE 55

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for the objects and
purposes hereinafter named to meet the ordinary and contingent expenses
of the State Employees' Retirement System:

FOR OPERATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR THE SOCIAL SECURITY ENABLING ACT</td>
<td></td>
</tr>
<tr>
<td>For Personal Services</td>
<td>46,800</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to the State Employees' Retirement System</td>
<td>5,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>3,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>17,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>1,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>200</td>
</tr>
<tr>
<td>For Printing</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Electronic Data Processing......................... 0
For Telecommunications Services....................... 400
Total                                            $75,100

CENTRAL OFFICE
For Employee Retirement Contributions
Paid by Employer for Prior Fiscal Year:
Payable from General Revenue Fund................... 136,500

Section 10. The sum of $0, minus the amount transferred to the State Employees' Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the State Employees' Retirement System pursuant to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

Section 15. The sum of $35,236,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the Judges' Retirement System for the State's Contribution, as provided by law.

Section 20. The sum of $0, minus the amount transferred to the Judges' Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the Judges' Retirement System pursuant to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

Section 25. The sum of $5,220,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the General Assembly Retirement System for the State's Contribution, as provided by law.

Section 30. The sum of $0, minus the amount transferred to the General Assembly Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the General Assembly Retirement System, pursuant
to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

**ARTICLE 56**

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Corrections for the fiscal year ending June 30, 2007:

### FOR OPERATIONS

**GENERAL OFFICE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>11,137,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,203,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>816,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>6,557,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>214,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>84,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>6,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>32,300</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>5,396,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>2,542,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>2,300</td>
</tr>
<tr>
<td>For Tort Claims</td>
<td>470,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$28,463,700</strong></td>
</tr>
</tbody>
</table>

### STATEWIDE SERVICES AND GRANTS

Section 10. The sum of $63,460,000, or so much thereof as may be necessary, is appropriated from the Department of Corrections Reimbursement and Education Fund to meet the ordinary and contingent expenses of the Department of Corrections described below and having the estimated cost as follows:

For payment of expenses associated

New matter indicated by italics - deletions by strikeout
with School District Programs .................. 15,000,000
For payment of expenses associated
with federal programs, including,
but not limited to, construction of
additional beds, treatment programs,
and juvenile supervision..................... 28,960,000
For payment of expenses associated
with miscellaneous programs, including,
but not limited to, medical costs,
food expenditures, and various
construction costs........................... 19,500,000
Total                                                                                       $63,460,000
Payable From the General Revenue Fund:
For Sheriffs' Fees for Conveying Prisoners ...... 374,900
For the State's share of Assistant
State's Attorneys' salaries -
reimbursement to counties pursuant
to Chapter 53 of the Illinois
Revised Statutes............................. 418,200
For Repairs, Maintenance and Other
Capital Improvements.......................... 1,323,300
Total                                                                                         $2,116,400

Section 15. The sum of $7,500,000, or so much thereof as may be
necessary, is appropriated to the Department of Corrections from the
General Revenue Fund for a grant to Cook County for expenses associated
with the operations of the Cook County Juvenile Detention Center.

Section 20. The amount of $1,500,000, or so much thereof as may
be necessary, is appropriated from the General Revenue Fund to the
Department of Corrections for a grant to the Cook County Sheriff's Office
for the expenses of the Cook County Boot Camp.

Section 25. The amounts appropriated for repairs and
maintenance, and other capital improvements in Sections 5, 10, and 65 for
repairs and maintenance, roof repairs and/or replacements, and
miscellaneous capital improvements at the Department's various

New matter indicated by italics - deletions by strikeout
institutions are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Sections 5, 10, and 65 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 35. The amount of $300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the St. Clair County Detention Center for expenses associated with the Halfway Back Program.

Section 40. The amount of $250,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for chaplain services provided to inmates at correctional facilities.

Section 45. The amount of $5,454,700, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for expenses related to Statewide hospitalization services.

Section 50. The amount of $11,750,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for expenses related to hiring frontline staff.

Section 55. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Corrections:

**ADULT EDUCATION**

For Personal Services......................... 10,819,000
For Employee Retirement Contributions
   Paid by Employer.................................. 0
For Student, Member and Inmate
   Compensation..................................... 24,000
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund for:

New matter indicated by italics - deletions by strikeout
**PUBLIC SAFETY SHARED SERVICES**

For payments in relation to administrative shared services.......................... 7,372,900

**BIG MUDDY RIVER CORRECTIONAL CENTER**

For Personal Services.................................................. 17,259,300
For Employee Retirement Contributions
  Paid by Employer.................................................... 0
For Student, Member and Inmate Compensation........................................... 302,300
For State Contributions to State Employees' Retirement System.................. 2,021,500
For State Contributions to Social Security............................................. 1,286,500
For Contractual Services.................................................. 6,192,500
For Travel................................................................. 18,300
For Travel and Allowances for Committed, Paroled and Discharged Prisoners........... 53,100
For Commodities.......................................................... 1,944,200
For Printing............................................................... 21,600
For Equipment............................................................. 42,800
For Telecommunications Services.................................................. 75,600
For Operation of Auto Equipment.................................................. 105,300
Total................................................................................. 29,323,000

**CENTRALIA CORRECTIONAL CENTER**

For Personal Services..................................................... 19,096,000
For Employee Retirement Contributions
  Paid by Employer......................................................... 0
For Student, Member and Inmate Compensation............................................ 286,300
For State Contributions to State Employees' Retirement System.................. 2,242,000
For State Contributions to Social Security.................................................. 1,415,800
For Contractual Services.................................................... 4,132,400

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

For Travel........................................ 13,800
For Travel and Allowances for Committed, Paroled and Discharged Prisoners.............. 33,700
For Commodities.............................. 1,593,200
For Printing.................................... 19,800
For Equipment.................................. 45,600
For Telecommunications Services........... 79,400
For Operation of Auto Equipment........... 78,700
Total $29,036,700

DANVILLE CORRECTIONAL CENTER
For Personal Services......................... 18,200,500
For Employee Retirement Contributions Paid by Employer.................................. 0
For Student, Member and Inmate Compensation................................................. 326,900
For State Contributions to State Employees' Retirement System......................... 2,091,000
For State Contributions to Social Security.................................................... 1,347,900
For Contractual Services...................... 5,474,300
For Travel........................................ 10,300
For Travel and Allowances for Committed, Paroled and Discharged Prisoners.............. 10,000
For Commodities.............................. 1,547,800
For Printing.................................... 17,900
For Equipment.................................. 45,000
For Telecommunications Services........... 75,500
For Operation of Auto Equipment........... 95,000
Total $29,242,100

DECATUR WOMEN'S CORRECTIONAL CENTER
For Personal Services......................... 12,384,000
For Employee Retirement Contributions Paid by Employer.................................. 0
For Student, Member and Inmate

New matter indicated by italics - deletions by strikeout
Compensation.......................... 90,600
For State Contributions to State
Employees' Retirement System........... 1,443,600
For State Contributions to
Social Security.......................... 911,200
For Contractual Services............... 3,359,800
For Travel.................................. 5,600
For Travel and Allowances for
Committed, Paroled and
Discharged Prisoners.................... 20,600
For Commodities....................... 602,900
For Printing.............................. 12,300
For Equipment............................ 30,500
For Telecommunications Services....... 61,700
For Operation of Auto Equipment....... 51,000
Total $18,973,800

DIXON CORRECTIONAL CENTER
For Personal Services.................... 28,901,600
For Employee Retirement Contributions
Paid by Employer.......................... 0
For Student, Member and Inmate
Compensation.............................. 381,900
For State Contributions to State
Employees' Retirement System.......... 3,340,800
For State Contributions to
Social Security......................... 2,132,100
For Contractual Services.............. 12,450,600
For Travel................................. 12,800
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners....... 20,300
For Commodities....................... 2,424,800
For Printing............................... 17,600
For Equipment........................... 55,400
For Telecommunications Services...... 124,200

New matter indicated by italics - deletions by strikeout
For Operation of Auto Equipment.......................... 177,100
Total                                           $50,039,200

DWIGHT CORRECTIONAL CENTER
For Personal Services................................. 20,927,100
For Employee Retirement Contributions
  Paid by Employer........................................ 0
For Student, Member and Inmate
  Compensation........................................... 156,300
For State Contributions to State
  Employees' Retirement System....................... 2,425,200
For State Contributions to Social Security........... 1,561,400
For Contractual Services............................... 7,533,700
For Travel.................................................. 29,700
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............... 17,300
For Commodities........................................... 1,855,900
For Printing................................................ 24,500
For Equipment.............................................. 58,300
For Telecommunications Services....................... 144,500
For Operation of Auto Equipment...................... 189,900
Total                                           $34,923,800

EAST MOLINE CORRECTIONAL CENTER
For Personal Services................................. 14,864,000
For Employee Retirement Contributions
  Paid by Employer........................................ 0
For Student, Member and Inmate
  Compensation........................................... 242,100
For State Contributions to State
  Employees' Retirement System....................... 1,724,900
For State Contributions to Social Security........... 1,103,700
For Contractual Services............................... 4,182,900
For Travel.................................................. 13,900

New matter indicated by italics - deletions by strikeout
For Travel and Allowances for Committed, Paroled and Discharged Prisoners................. 38,500
For Commodities........................................ 1,149,100
For Printing................................................. 9,600
For Equipment............................................... 36,800
For Telecommunications Services................... 71,300
For Operation of Auto Equipment..................... 86,000
Total                                                                                       $23,522,800

SOUTHWESTERN ILLINOIS CORRECTIONAL CENTER
For Personal Services................................. 13,518,200
For Employee Retirement Contributions
Paid by Employer............................................ 0
For Student, Member and Inmate
Compensation.................................................. 148,500
For State Contributions to State
Employees' Retirement System......................... 1,565,400
For State Contributions to
Social Security............................................. 1,001,100
For Contractual Services............................... 4,064,900
For Travel..................................................... 6,700
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............ 4,700
For Commodities.......................................... 709,600
For Printing.................................................. 11,100
For Equipment................................................. 29,900
For Telecommunications Services................... 34,400
For Operation of Auto Equipment..................... 51,000
Total                                                                                       $21,145,500

Section 61. The sum of $1,900,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to Southwestern Illinois Correctional Center for expenses associated with methamphetamine treatment.

GRAHAM CORRECTIONAL CENTER
For Personal Services................................. 23,277,600

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
  Paid by Employer...................................... 0
For Student, Member and Inmate
  Compensation........................................... 259,600
For State Contributions to State
  Employees' Retirement System...................... 2,730,500
For State Contributions to Social Security........... 1,714,400
For Contractual Services............................. 6,267,800
For Travel.................................................. 16,100
For Travel and Allowances for Committed, Paroled and Discharged Prisoners.......... 15,200
For Commodities........................................ 2,016,400
For Printing.............................................. 27,400
For Equipment............................................ 45,700
For Telecommunications Services..................... 70,600
For Operation of Auto Equipment...................... 85,400
Total                                                                                       $36,526,700

ILLINOIS RIVER CORRECTIONAL CENTER
For Personal Services............................... 18,993,300
For Employee Retirement Contributions
  Paid by Employer...................................... 0
For Student, Member and Inmate
  Compensation........................................... 337,400
For State Contributions to State
  Employees' Retirement System...................... 2,212,500
For State Contributions to Social Security .... 1,406,600
For Contractual Services............................. 6,319,500
For Travel.................................................. 11,600
For Travel and Allowance for Committed, Paroled and Discharged Prisoners.......... 23,800
For Commodities....................................... 1,745,200
For Printing.............................................. 15,100
For Equipment............................................ 54,500

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Telecommunications Services</td>
<td>66,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>73,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$31,259,400</strong></td>
</tr>
</tbody>
</table>

**HILL CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>16,724,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate</td>
<td>308,700</td>
</tr>
<tr>
<td>Compensation</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>1,922,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,236,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>5,731,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>9,300</td>
</tr>
<tr>
<td>For Travel and Allowance for Committed, Paroled and Discharged Prisoners</td>
<td>37,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,159,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>10,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>32,400</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>37,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>47,300</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$28,257,300</strong></td>
</tr>
</tbody>
</table>

**JACKSONVILLE CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>25,256,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate</td>
<td>406,600</td>
</tr>
<tr>
<td>Compensation</td>
<td></td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>2,926,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,865,500</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,101,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>4,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Travel and Allowance for Committed, Paroled and Discharged Prisoners................. 31,700
For Commodities........................................... 2,154,800
For Printing......................................................... 17,800
For Equipment....................................................... 39,000
For Telecommunications Services.................. 70,500
For Operation of Auto Equipment..................... 136,000
Total                                                                                       $36,010,800

**LAWRENCE CORRECTIONAL CENTER**

For Personal Services................................. 19,744,900
For Employee Retirement Contributions Paid by Employer............................................ 0
For Student, Member and Inmate Compensation......................................................... 254,800
For State Contributions to State Employees' Retirement System............................ 2,272,200
For State Contributions to Social Security.................................................... 1,452,600
For Contractual Services............................. 6,456,400
For Travel.......................................................... 9,100
For Travel and Allowances for Committed, Paroled and Discharged Prisoners............ 24,300
For Commodities.................................................. 2,346,800
For Printing......................................................... 18,100
For Equipment....................................................... 33,500
For Telecommunications Services.................. 115,600
For Operation of Auto Equipment..................... 49,900
Total                                                                                       $32,778,200

**LINCOLN CORRECTIONAL CENTER**

For Personal Services................................. 12,501,500
For Employee Retirement Contributions Paid by Employer............................................ 0
For Student, Member and Inmate Compensation......................................................... 195,800

New matter indicated by italics - deletions by strikeout
For State Contributions to State
  Employees’ Retirement System................................. 1,450,200
For State Contributions to
  Social Security................................................. 925,900
  For Contractual Services................................. 4,626,000
  For Travel.................................................. 6,800
  For Travel and Allowances for Committed,
    Paroled and Discharged Prisoners....................... 12,700
  For Commodities........................................... 859,900
  For Printing.................................................. 13,700
  For Equipment................................................. 32,200
  For Telecommunications Services......................... 73,500
  For Operation of Auto Equipment......................... 81,300
Total............................................................................. $20,779,500

LOGAN CORRECTIONAL CENTER
For Personal Services................................. 19,791,600
For Employee Retirement Contributions
  Paid by Employer................................................. 0
For Student, Member and Inmate
  Compensation.................................................. 361,400
For State Contributions to State
  Employees’ Retirement System................................. 2,300,100
For State Contributions to
  Social Security................................................. 1,469,400
  For Contractual Services................................. 4,095,000
  For Travel.................................................. 3,200
  For Travel and Allowances for Committed,
    Paroled and Discharged Prisoners....................... 23,300
  For Commodities........................................... 2,240,800
  For Printing.................................................. 19,100
  For Equipment................................................. 42,500
  For Telecommunications Services......................... 120,700
  For Operation of Auto Equipment......................... 244,900
Total............................................................................. $30,712,000

New matter indicated by italics - deletions by strikeout
### MENARD CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>44,532,800</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>381,900</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>5,147,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>3,297,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>8,720,800</td>
</tr>
<tr>
<td>For Travel</td>
<td>42,900</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>17,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,199,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>30,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>60,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>150,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>138,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$66,720,400</strong></td>
</tr>
</tbody>
</table>

### PINCKNEYVILLE CORRECTIONAL CENTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>23,869,700</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>310,900</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>2,775,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,763,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>6,785,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>16,400</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>65,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities................................ 2,135,600
For Printing................................... 24,700
For Equipment.................................. 30,400
For Telecommunications Services......... 99,800
For Operation of Auto Equipment........ 58,500
Total .................................. $37,936,200

PONTIAC CORRECTIONAL CENTER
For Personal Services..................... 34,737,100
For Employee Retirement Contributions
Paid by Employer.......................... 0
For Student, Member and Inmate
Compensation................................ 221,000
For State Contributions to State
Employees' Retirement System......... 4,017,400
For State Contributions to
Social Security.......................... 2,579,600
For Contractual Services.............. 8,098,900
For Travel.................................. 23,800
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners...... 11,500
For Commodities......................... 2,732,400
For Printing................................. 31,900
For Equipment.............................. 55,000
For Telecommunications Services...... 160,600
For Operation of Auto Equipment...... 101,800
Total ................................ $52,771,000

ROBINSON CORRECTIONAL CENTER
For Personal Services..................... 14,063,700
For Employee Retirement Contributions
Paid by Employer.......................... 0
For Student, Member and
Inmate Compensation..................... 227,000
For State Contributions to State
Employees' Retirement System........ 1,621,200

New matter indicated by italics - deletions by strikeout
For State Contribution to
   Social Security................................. 1,037,300
   For Contractual Services....................... 3,743,300
   For Travel........................................ 22,200
   For Travel and Allowances for
   Committed, Paroled and Discharged
   Prisoners........................................ 9,800
   For Commodities................................ 1,285,300
   For Printing...................................... 12,200
   For Equipment.................................... 40,800
   For Telecommunications Services................. 32,600
   For Operation of Automotive Equipment........... 89,600
Total $22,185,000

SHAWNEE CORRECTIONAL CENTER
For Personal Services......................... 19,229,700
For Employee Retirement Contributions
   Paid by Employer.................................. 0
For Student, Member and
   Inmate Compensation............................. 368,700
For State Contributions to State
   Employees' Retirement System.................. 2,253,000
For State Contributions to
   Social Security................................. 1,420,200
   For Contractual Services....................... 5,416,200
   For Travel........................................ 18,400
   For Travel and Allowances for Committed,
   Paroled and Discharged Prisoners............... 94,400
   For Commodities................................ 2,310,400
   For Printing...................................... 17,100
   For Equipment................................... 22,200
   For Telecommunications Services.............. 80,300
   For Operation of Auto Equipment............... 93,200
Total $31,323,800

SHERIDAN CORRECTIONAL CENTER

New matter indicated by italics - deletions by strikeout
For Personal Services............................... 16,419,700
For Employee Retirement Contributions  
   Paid by Employer..................................... 0
For Student, Member and Inmate  
   Compensation........................................... 173,300
For State Contributions to State  
   Employees' Retirement System.......................... 1,860,000
For State Contributions to  
   Social Security........................................... 1,218,900
For Contractual Services....................... 16,402,300
For Travel............................................... 25,600
For Travel and Allowances for Committed,  
   Paroled and Discharged Prisoners .................... 31,100
For Commodities..................................... 1,230,600
For Printing............................................ 15,400
For Equipment......................................... 35,500
For Telecommunications Services............. 162,200
For Operation of Auto Equipment............. 98,600
Total                                                                                       $37,673,200

TAMMS CORRECTIONAL CENTER
For Personal Services............................... 17,459,700
For Employee Retirement Contributions  
   Paid by Employer..................................... 0
For Student, Member and Inmate  
   Compensation........................................... 115,000
For State Contributions to State  
   Employees' Retirement System.......................... 2,045,400
For State Contributions to  
   Social Security........................................... 1,282,900
For Contractual Services....................... 4,871,200
For Travel............................................... 31,900
For Travel and Allowance for Committed,  
   Paroled and Discharged Prisoners .................... 800
For Commodities..................................... 723,700
PUBLIC ACT 94-0798

For Printing.......................... 13,600
For Equipment.......................... 41,200
For Telecommunications Services........... 117,500
For Operation of Auto Equipment........... 83,100
Total $26,786,000

STATEVILLE CORRECTIONAL CENTER
For Personal Services............. 61,932,200
For Employee Retirement Contributions
  Paid by Employer...................... 0
For Student, Member and Inmate Compensation............. 218,000
For State Contributions to State Employees' Retirement System........ 7,181,900
For State Contributions to Social Security............. 4,622,100
For Contractual Services........... 14,819,300
For Travel............................ 127,900
For Travel and Allowances for Committed, Paroled and Discharged Prisoners........ 28,500
For Commodities...................... 4,808,300
For Printing.......................... 91,900
For Equipment.......................... 60,500
For Telecommunications Services........... 301,500
For Operation of Auto Equipment........... 452,700
Total $94,644,800

TAYLORVILLE CORRECTIONAL CENTER
For Personal Services............. 12,958,000
For Employee Retirement Contributions
  Paid by Employer...................... 0
For Student, Member and Inmate Compensation............. 229,200
For State Contributions to State Employees' Retirement System........ 1,497,800
For State Contribution to Social Security............. 959,600

New matter indicated by italics - deletions by strikeout
For Contractual Services....................... 4,066,200
For Travel......................................... 4,100
For Travel and Allowance for
Committed, Paroled and Discharged
Prisoners......................................... 20,900
For Commodities................................. 1,244,400
For Printing...................................... 16,700
For Equipment................................... 19,200
For Telecommunications Services.............. 39,200
For Operation of Automotive Equipment........ 63,100
Total                                       $21,118,400

VANDALIA CORRECTIONAL CENTER
For Personal Services.......................... 21,570,700
For Employee Retirement Contributions
Paid by Employer.................................. 0
For Student, Member and Inmate
Compensation..................................... 253,000
For State Contributions to State
Employees' Retirement System................... 2,484,300
For State Contributions to
Social Security.................................... 1,584,900
For Contractual Services....................... 3,637,000
For Travel......................................... 8,000
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners............... 22,100
For Commodities.................................. 1,740,100
For Printing...................................... 17,700
For Equipment................................... 35,900
For Telecommunications Services.............. 85,200
For Operation of Auto Equipment.............. 120,300
Total                                       $31,559,200

THOMSON CORRECTIONAL CENTER
For Personal Services.......................... 3,723,700
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>39,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>429,200</td>
</tr>
<tr>
<td>Social Security</td>
<td>284,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,734,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>14,100</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>7,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>421,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>9,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>73,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>82,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>44,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,862,700</strong></td>
</tr>
</tbody>
</table>

**VIENNA CORRECTIONAL CENTER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>18,980,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>234,000</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>2,210,100</td>
</tr>
<tr>
<td>Social Security</td>
<td>1,400,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>3,104,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>5,300</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>51,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,251,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>16,100</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Equipment.......................... 35,200  
For Telecommunications Services............. 64,600  
For Operation of Auto Equipment............. 76,900  
Total $28,429,900  

WESTERN ILLINOIS CORRECTIONAL CENTER  
For Personal Services................. 20,490,600  
For Employee Retirement Contributions  
  Paid by Employer.......................... 0  
For Student, Member and Inmate  
  Compensation.......................... 309,900  
For State Contributions to State  
  Employees' Retirement System........... 2,372,900  
For State Contributions to  
  Social Security......................... 1,511,500  
For Contractual Services................. 5,292,500  
For Travel................................ 7,100  
For Travel and Allowances for Committed,  
  Paroled and Discharged Prisoners......... 46,500  
For Commodities......................... 2,080,200  
For Printing.............................. 23,200  
For Equipment............................ 14,000  
For Telecommunications Services.......... 52,600  
For Operation of Auto Equipment.......... 85,700  
Total $32,286,700  

Section 65. The following named amounts, or so much thereof as  
may be necessary, respectively, are appropriated to the Department of  
Corrections from the Working Capital Revolving Fund:  
ILLINOIS CORRECTIONAL INDUSTRIES  
For Personal Services................. 9,593,500  
For Employee Retirement Contributions  
  Paid by Employer.......................... 0  
For the Student, Member and Inmate  
  Compensation.......................... 1,800,000  
For State Contributions to State  

New matter indicated by italics - deletions by strikeout
Employees' Retirement System.................  794,700
For State Contributions to
  Social Security............................  733,900
For Group Insurance.........................  2,208,000
For Contractual Services.....................  2,286,200
For Travel..................................  70,000
For Commodities............................  21,481,100
For Printing................................  11,000
For Equipment..............................  100,000
For Telecommunications Services.............  80,000
For Operation of Auto Equipment...............  842,300
For Repairs, Maintenance and Other
  Capital Improvements......................  147,000
For Refunds..................................  15,000
Total                                     $40,162,700

Section 70. The amount of $6,250,000, or so much thereof as may
be necessary, is appropriated to the Department of Corrections from the
General Revenue Fund for a grant to Operation Ceasefire to be used in the
following locations.
The City of Chicago:
The neighborhood of Auburn/Gresham...........  250,000
The neighborhood of Logan Square...............  250,000
The neighborhood of East Garfield..............  250,000
The neighborhood of Grand Boulevard..........  250,000
The neighborhood of Rogers Park................  250,000
The neighborhood of Roseland..................  250,000
The neighborhood of Humboldt Park.............  250,000
The neighborhood of Pilsen and Little Village..  250,000
The neighborhood of Lawndale and Garfield....  250,000
The neighborhood of Woodlawn..................  250,000
The neighborhood of Englewood...............  250,000
The neighborhood of Westlawn..................  250,000
The neighborhood of Chicago Lawn.............  250,000
The neighborhood of Brighton Park............  250,000
The neighborhood of Albany Park.................... 250,000
The neighborhood of Foss Park...................... 250,000
The neighborhood of Austin......................... 250,000

Total $4,250,000

The City of Decatur................................. 250,000
The City of Zion................................... 250,000
The City of Aurora................................. 250,000
The Cities of Cicero and Berwyn.................... 250,000
The City of Rockford............................... 250,000
The City of Bellwood............................... 250,000
The City of Maywood............................... 250,000
The City of East St. Louis........................ 250,000

Total $2,000,000

Section 75. The amount of $790,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for re-entry, transitional and related services.

Section 80. The amount of $1,500,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a juvenile methamphetamine pilot program at the Franklin County Juvenile Detention Center.

Section 85. The amount of $150,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for all costs associated with staff and administrative support for the Long-Term Prisoners Study Committee, per House Joint Resolution 80.

Section 90. The amount of $200,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund to provide matching funds for federally supported job preparation program expansion.

Section 95. The amount of $240,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund to provide matching funds for federally supported transitional jobs program.
Section 100. The amount of $50,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the South Suburban Disproportionate Minority Confinement Foundation for all costs associated with the study of Disproportionate Minority Confinement.

ARTICLE 57

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Juvenile Justice for the fiscal year ending June 30, 2007.

FOR OPERATIONS

GENERAL OFFICE

For Personal Services............................. 64,300
For Employee Retirement Contributions
  Paid by Employer...................................... 0
For State Contributions to State
  Employees' Retirement System....................... 5,200
For State Contributions to Social Security........ 5,000
For Contractual Services........................... 91,000
For Travel............................................. 0
For Commodities........................................ 0
For Printing........................................... 0
For Equipment.......................................... 0
For Electronic Data Processing....................... 0
For Telecommunications Services..................... 0
For Operation of Auto Equipment.................... 0
Total.................................................................... $165,500

SCHOOL DISTRICT

For Personal Services............................... 5,005,900
For Employee Retirement Contributions
  Paid by Employer........................................ 0
For Student, Member and Inmate

New matter indicated by italics - deletions by strikeout
Compensation................................. 0
For State Contributions to State
Employees' Retirement System............... 435,800
For State Contributions to Teachers'
Retirement System.......................... 1,700
For State Contributions to Social Security ..... 416,000
For Contractual Services...................... 321,900
For Travel.................................... 200
For Commodities.............................. 46,600
For Printing.................................. 7,900
For Equipment................................ 0
For Telecommunications Services............. 1,900
For Operation of Auto Equipment.............. 1,900
Total $6,239,800

AFTER CARE SERVICES
For Personal Services....................... 2,117,800
For Employee Retirement Contributions
Paid by Employer........................... 0
For Student, Member and Inmate
Compensation............................... 0
For State Contributions to State
Employees' Retirement System............... 202,300
For State Contributions to Social Security .......... 164,400
For Contractual Services.................... 3,840,900
For Travel.................................. 5,500
For Travel and Allowance for Prisoners........ 2,400
For Commodities............................ 6,400
For Printing................................. 300
For Equipment............................... 0
For Telecommunications Services........... 1,200
For Operation of Auto Equipment............ 60,000
Total $6,401,200

New matter indicated by italics - deletions by strikeout
Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Juvenile Justice from the General Revenue Fund:

ILLINOIS YOUTH CENTER - CHICAGO

For Personal Services.......................... 4,474,400
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For Student, Member and Inmate
  Compensation.................................. 8,500
For State Contributions to State
  Employees' Retirement System............... 528,400
For State Contributions to
  Social Security.................................. 336,200
For Contractual Services....................... 2,377,750
For Travel........................................ 5,400
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners............. 300
For Commodities.................................. 204,200
For Printing....................................... 2,900
For Equipment.................................... 15,000
For Telecommunications Services............... 30,600
For Operation of Auto Equipment.............. 26,900
Total                                     $8,010,550

ILLINOIS YOUTH CENTER - HARRISBURG

For Personal Services......................... 13,562,100
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For Student, Member and Inmate
  Compensation.................................. 56,700
For State Contributions to State
  Employees' Retirement System............... 1,562,700
For State Contributions to
  Social Security............................... 1,003,900
For Contractual Services..................... 2,231,550

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Travel</td>
<td>9,600</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>5,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>614,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>9,100</td>
</tr>
<tr>
<td>For Equipment</td>
<td>40,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>61,700</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>57,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,214,450</strong></td>
</tr>
</tbody>
</table>

**ILLINOIS YOUTH CENTER - JOLIET**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>10,686,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>44,800</td>
</tr>
<tr>
<td>For State Contributions to Employees' Retirement System</td>
<td>1,276,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>795,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,788,150</td>
</tr>
<tr>
<td>For Travel</td>
<td>3,000</td>
</tr>
<tr>
<td>For Travel and Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>2,600</td>
</tr>
<tr>
<td>For Commodities</td>
<td>385,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>3,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>30,700</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>58,100</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>56,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,131,250</strong></td>
</tr>
</tbody>
</table>

**ILLINOIS YOUTH CENTER - KEWANEE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>9,505,700</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation</td>
<td>10,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>1,105,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>705,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>4,150,850</td>
</tr>
<tr>
<td>For Travel</td>
<td>7,000</td>
</tr>
<tr>
<td>For Travel Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>400</td>
</tr>
<tr>
<td>For Commodities</td>
<td>309,500</td>
</tr>
<tr>
<td>For Printing</td>
<td>6,800</td>
</tr>
<tr>
<td>For Equipment</td>
<td>12,500</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>88,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>47,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,950,650</strong></td>
</tr>
</tbody>
</table>

**ILLINOIS YOUTH CENTER - MURPHYSBORO**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>6,475,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Student, Member and Inmate Compensation</td>
<td>15,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>756,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>483,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>965,150</td>
</tr>
<tr>
<td>For Travel</td>
<td>6,900</td>
</tr>
<tr>
<td>For Travel Allowances for Committed, Paroled and Discharged Prisoners</td>
<td>2,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>233,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>4,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>15,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>38,400</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>26,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
ILLINOIS YOUTH CENTER - PERE MARQUETTE

For Personal Services......................... 2,352,700
For Employee Retirement Contributions
  Paid by Employer................................. 0
For Student, Member and Inmate
  Compensation..................................... 13,800
For State Contributions to State
  Employees' Retirement System............... 280,300
For State Contributions to
  Social Security............................... 180,500
For Contractual Services...................... 331,050
For Travel......................................... 1,400
For Travel and Allowances for Committed,
  Paroled and Discharged Prisoners............. 1,300
For Commodities................................. 150,800
For Printing...................................... 4,100
For Equipment................................... 15,100
For Telecommunications Services............... 22,800
For Operation of Auto Equipment............. 19,000
Total............................................. $3,372,850

ILLINOIS YOUTH CENTER - ST. CHARLES

For Personal Services......................... 15,406,700
For Employee Retirement Contributions
  Paid by Employer................................. 0
For Student, Member and Inmate
  Compensation..................................... 56,200
For State Contributions to State
  Employees' Retirement System............... 1,838,600
For State Contributions to
  Social Security............................... 1,145,500
For Contractual Services...................... 3,702,250
For Travel......................................... 25,600
For Travel and Allowances for Committed,

Total............................................. $9,022,850
Paroled and Discharged Prisoners .................. 200
For Commodities ................................. 764,500
For Printing ...................................... 16,000
For Equipment ................................. 30,300
For Telecommunications Services .................. 123,900
For Operation of Auto Equipment ............... 182,200
Total ............................................ $23,291,950

ILLINOIS YOUTH CENTER - WARRENVILLE
For Personal Services ............................ 5,337,350
For Employee Retirement Contributions
Paid by Employer ................................. 0
For Student, Member and Inmate
Compensation ...................................... 19,500
For State Contributions to State
Employees' Retirement System ............... 623,000
For State Contributions to
Social Security ................................. 398,500
For Contractual Services ...................... 1,416,350
For Travel ...................................... 5,100
For Travel and Allowances for Committed,
Paroled and Discharged Prisoners ............. 100
For Commodities ................................. 172,300
For Printing ...................................... 7,700
For Equipment ................................. 21,000
For Telecommunications Services ............. 62,600
For Operation of Auto Equipment ............... 42,300
Total ............................................ $8,105,800

STATEWIDE SERVICES AND GRANTS
Section 30. The sum of $9,500,000, or so much thereof as may be
necessary, is appropriated from the Department of Corrections
Reimbursement and Education Fund to meet the ordinary and contingent
expenses of the Department of Juvenile Justice described below and
having the estimated cost as follows:
For payment of expenses associated

New matter indicated by italics - deletions by strikeout
with School District Programs................... 5,000,000
For payment of expenses associated
with federal programs, including,
but not limited to, construction of
additional beds, treatment programs,
and juvenile supervision......................... 2,000,000
For payment of expenses associated
with miscellaneous programs, including,
but not limited to, medical costs,
food expenditures, and various
construction costs............................. 2,500,000
Total                                           $9,500,000

Section 35. The sum of $489,800, or so much thereof as may be
necessary, is appropriated to the Department of Juvenile Justice from the
General Revenue Fund for costs and expenses associated with payment of
statewide hospitalization.

Section 40. The amount of $1,250,000, or so much thereof as may
be necessary, is appropriated from the General Revenue Fund to the
Department of Juvenile Justice for expenses related to frontline staff.

ARTICLE 58

Section 5. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the
Department of Labor:

FOR OPERATIONS - GENERAL OFFICE

Payable from General Revenue Fund:
For Personal Services........................... 629,100
For Employee Retirement Contributions
   Paid by Employer................................. 0
For State Contributions to State
   Employees' Retirement System............... 72,500
For State Contributions to
   Social Security............................... 48,200
For Contractual Services....................... 173,400
For Travel................................................. 20,000
For Commodities....................................... 6,000
For Printing.............................................. 5,000
For Equipment.......................................... 0
For Electronic Data Processing.................... 50,000
For Telecommunications Services............... 25,400
For Operation of Auto Equipment.................. 0
For Administration and operations of Displaced Homemaker Grant Program.............. 55,200
Total                                                                                       $1,084,800

Section 10. The following named amount of $621,300, or so much thereof as may be necessary, is appropriated to the Department of Labor for Displaced Homemaker Grants.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

**PUBLIC SAFETY**

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>813,100</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement</td>
<td>93,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>62,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>14,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>70,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>4,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>4,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>5,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>10,000</td>
</tr>
<tr>
<td>Total</td>
<td>$1,076,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

**FAIR LABOR STANDARDS**

Payable from General Revenue Fund:

- For Personal Services.......................... 2,508,300
- For Employee Retirement Contributions
  - Paid by Employer................................. 0
- For State Contributions to State
  - Employees' Retirement System................. 289,200
- For State Contributions to Social Security........................................ 192,000
- For Contractual Services.................................. 29,000
- For Travel.......................................... 62,000
- For Commodities.................................. 6,000
- For Printing...................................... 11,000
- For Equipment.................................... 20,000
- For Telecommunications Services............... 46,900

Total $3,164,400

Payable From the Child Labor and Day and Temporary Labor Services Enforcement Fund:

- For Administration of the Child Labor Law and Day and Temporary Labor Services Act................................ 200,000

Section 25. In addition to any other funds appropriated for that purpose, the sum of $159,000 is appropriated from the General Revenue Fund to the Department of Labor for all costs associated with conducting the study mandated by P.A. 87-405, regarding the employment progress of women and minorities.

**ARTICLE 59**

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated to meet the ordinary and contingent expenses of the Department of Military Affairs:

FOR OPERATIONS

OFFICE OF THE ADJUTANT GENERAL

Payable from General Revenue Fund:
For Personal Services............................ 807,000
For State Contributions to State
  Employees' Retirement System..................... 93,200
For State Contributions to
  Social Security................................. 61,900
For Contractual Services....................... 14,400
For Travel........................................ 23,000
For Commodities................................. 19,800
For Printing....................................... 2,800
For Equipment...................................... 4,900
For Electronic Data Processing.................... 13,500
For Telecommunications Services................. 37,400
For Operation of Auto Equipment................. 23,800
For State Officer's Candidate School............. 700
For Lincoln's Challenge........................ 3,116,700
For Lincoln’s Challenge Allowances............. 506,900
Total                                                                 $4,726,000

Payable from Federal Support Agreement Revolving Fund:
Lincoln's Challenge............................ 4,889,700
Lincoln's Challenge Allowances................. 1,200,000
Total                                                                 $6,089,700

FACILITIES OPERATIONS

Payable from General Revenue Fund:
For Personal Services......................... 5,146,000
For State Contributions to State
  Employees' Retirement System............... 593,100
For State Contributions to
  Social Security.............................. 393,800
For Contractual Services.................... 1,992,400

New matter indicated by italics - deletions by strikeout
For Commodities....................................... 57,700
For Equipment......................................... 24,800
Total .................................................. $8,207,800

Payable from Federal Support Agreement Revolving Fund:
Army/Air Reimbursable Positions............... 8,836,300
Total .................................................. $8,836,300

Section 10. The sum of $11,500,000, or so much thereof as may be necessary, is appropriated from the Federal Support Agreement Revolving Fund to the Department of Military Affairs Facilities Division for expenses related to Army National Guard Facilities operations and maintenance as provided for in the Cooperative Funding Agreements, including costs in prior years.

Section 15. The sum of $337,000, or so much thereof as may be necessary, is appropriated from the Federal Support Agreement Revolving Fund to the Department of Military Affairs Facilities Division for expenses related to the Bartonville and Kankakee armories for operations and maintenance according to the Joint-Use Agreement, including costs in prior years.

Section 20. The sum of $43,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs Facilities Division for rehabilitation and minor construction at armories and camps.

Section 25. The sum of $7,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs Office of the Adjutant General Division for expenses related to the care and preservation of historic artifacts.

Section 30. The sum of $1,432,000, or so much thereof as may be necessary, is appropriated from the Military Affairs Trust Fund to the Department of Military Affairs Office of the Adjutant General Division to support youth and other programs, provided such amounts shall not exceed funds to be made available from public or private sources.

Section 35. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Military Affairs Office of the Adjutant General Division.

New matter indicated by italics - deletions by strikeout
Division for the issuance of grants to persons or families of persons who are members of the Illinois National Guard or Illinois residents who are members of the armed forces of the United States and who have been called to active duty as a result of the September 11, 2001 terrorist attacks, including costs in prior years.

Section 40. The sum of $567,500, or so much thereof as may be necessary, is appropriated from General Revenue Fund to the Department of Military Affairs Office of the Adjutant General Division for costs and expenses related to or in support of the public safety shared services center.

Section 45. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs, Office of the Adjutant General, for transfer into the Federal Support Agreement Revolving Fund.

Section 50. No contract shall be entered into or obligation incurred for any expenditures made from an appropriation herein made in Section 20 until after the purpose and amounts have been approved in writing by the Governor.

ARTICLE 60

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF ADMINISTRATION

Payable from General Revenue Fund:

For Personal Services..........................                                         5,137,700
For State Contributions to State
  Employees' Retirement System....................                                 592,200
For State Contributions to
  Social Security........................................ 323,500
For Contractual Services.......................                                       3,352,400
For Travel........................................                                                 23,600
For Commodities..................................                                          532,100
For Printing......................................                                                 90,000
For Equipment.....................................                                             34,700

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................. 112,400
For Operation of Auto Equipment................. 300,000
For Contractual Services:
For Payment of Tort Claims....................... 28,000
For Refunds........................................ 2,000
For Expenses regarding implementation of the Juvenile Justice Reform provisions....................... 174,700
For costs and expenses related to or in support of a public safety shared services center.................. 2,140,200
For Repairs and Maintenance and Permanent Improvements........................................ 30,000
Total $12,873,500
Payable from the State Police Wireless Service Emergency Fund:
For costs associated with the administration and fulfillment of its responsibilities under the Wireless Emergency Telephone Safety Act........................................ 1,800,000
Payable from the State Police Vehicle Fund:
For purchase of vehicles and accessories....... 8,400,000
Payable from the State Police Vehicle Maintenance Fund:
For Operation of Auto.......................... 2,000,000

Section 10. The sum of $3,500,000, or so much thereof as may be necessary, is appropriated from the State Asset Forfeiture Fund to the Department of State Police for payment of their expenditures as outlined in the Illinois Drug Asset Forfeiture Procedure Act, the Cannabis Control Act, the Controlled Substances Act, and the Environmental Safety Act.

Section 15. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Federal Asset Forfeiture Fund to the

New matter indicated by italics - deletions by strikeout
Department of State Police for payment of their expenditures in accordance with the Federal Equitable Sharing Guidelines.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

INFORMATION SERVICES BUREAU

Payable from General Revenue Fund:

For Personal Services......................... 4,999,900
For State Contributions to State Employees' Retirement System................. 576,300
For State Contributions to Social Security.............................................. 375,000
For Contractual Services.......................... 778,800
For Travel........................................... 20,000
For Commodities................................... 34,000
For Printing....................................... 35,200
For Equipment..................................... 3100
For Electronic Data Processing................. 2,497,100
For Telecommunications Services............... 439,000
Total                                                                 $9,758,400

Payable from LEADS Maintenance Fund:
For Expenses Related to LEADS System............................................... 3,500,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF OPERATIONS

Payable from General Revenue Fund:
For Personal Services......................... 79,949,500
For State Contributions to State Employees' Retirement System............... 9,214,200
For State Contributions to Social Security.................................................. 2,678,400
For Contractual Services.......................... 5,123,400

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Travel</td>
<td>483,900</td>
</tr>
<tr>
<td>For Commodities</td>
<td>613,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>97,600</td>
</tr>
<tr>
<td>For Equipment</td>
<td>222,800</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>7,600</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>3,901,000</td>
</tr>
<tr>
<td>Total</td>
<td>$110,268,900</td>
</tr>
</tbody>
</table>

Payable from the Road Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>86,493,900</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>9,968,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>847,700</td>
</tr>
<tr>
<td>Total</td>
<td>$97,310,000</td>
</tr>
</tbody>
</table>

Payable from the Traffic and Criminal Conviction Surcharge Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,237,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>373,100</td>
</tr>
<tr>
<td>For Social Security</td>
<td>96,800</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>612,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>465,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>38,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>174,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>26,500</td>
</tr>
<tr>
<td>Total</td>
<td>115,700</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>212,200</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Total $5,351,800
Payable from the State Police Services Fund:
  For Payment of Expenses:
    Fingerprint Program.......................... 24,400,000
  For Payment of Expenses:
    Federal & IDOT Programs.................... 6,688,800
  For Payment of Expenses:
    Riverboat Gambling.......................... 2,000,000
  For Payment of Expenses:
    Miscellaneous Programs.................... 3,800,000
  Total $36,888,800
Payable from the Illinois State Police
Federal Projects Fund:
  For Payment of Expenses..................... 17,400,000
Payable from the Sex Offender Registration Fund:
  For expenses of the Sex Offender
  Registration Program......................... 20,000
Payable from the Motor Carrier Safety Inspection Fund:
  For expenses associated with the
  enforcement of Federal Motor Carrier
  Safety Regulations and related
  Illinois Motor Carrier
  Safety Laws.................................... 2,300,000

Section 30. The sum of $4,300,000, or so much thereof as may be necessary, is appropriated from the Federal Civil Preparedness Administrative Fund to the Department of State Police for Terrorism Task Force Approved Purchases for Homeland Security.

Section 45. The following amounts, or so much thereof as may be necessary for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund and the Drug Traffic Prevention Fund to the Department of State Police, Division of Operations, pursuant to the provisions of the "Intergovernmental Drug Laws Enforcement Act" for Grants to Metropolitan Enforcement Groups.
For Grants to Metropolitan

New matter indicated by italics - deletions by strikeout
Enforcement Groups:
Payable from General Revenue Fund............. 710,400
Payable from Drug Traffic Prevention Fund..... 150,000

Section 50. In the event of the receipt of funds from the Motor Vehicle Theft Prevention Council, through a grant from the Criminal Justice Information Authority, the amount of $1,200,000, or so much thereof as may be necessary, is appropriated from the State Police Motor Vehicle Theft Prevention Trust Fund to the Department of State Police for payment of expenses.

Section 55. The sum of $1,500,000 or so much thereof as may be necessary, is appropriated from the State Police Whistleblower Reward and Prevention Fund to the Department of State Police for payment of their expenditures for state law enforcement purposes in accordance with the State Whistleblower Protection Act.

Section 60. The following amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Department of State Police for the expenses of Fraud Investigations:

DIVISION OF OPERATIONS
FINANCIAL FRAUD AND FORGERY UNIT
For Personal Services......................... 4,386,500
For State Contributions to State Employees' Retirement System.................. 505,700
For State Contributions to Social Security.......................... 77,300
Total ........................................ $4,969,500

Section 65. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Medicaid Fraud and Abuse Prevention Fund to the Department of State Police, Division of Operations - Financial Fraud and Forgery Unit for the detection, investigation or prosecution of recipient or vendor fraud.

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION

New matter indicated by italics - deletions by strikeout
Payable from the General Revenue Fund:
For Personal Services......................... 36,727,600
For State Contributions to State
   Employees' Retirement System............... 4,232,900
For State Contributions to
   Social Security.............................. 2,590,400
For Contractual Services...................... 5,742,400
For Travel.................................... 56,000
For Commodities............................... 1,455,600
For Printing................................... 67,300
For Equipment.................................. 1,250,700
   For Telecommunications Services.......... 507,500
For Operation of Auto Equipment............... 97,800
For Administration of a Statewide Sexual
   Assault Evidence Collection Program......... 87,300
For Operational Expenses Related to the
   Combined DNA Index System.................. 3,448,000
For local law enforcement agencies for
   costs associated with the expedition
   of DNA backlog reduction.................... 100,000
Total $56,363,500

For Administration and Operation
   of State Crime Laboratories:
   Payable from State Crime Laboratory Fund..... 750,000
   Payable from State Police
   DUI Fund...................................... 750,000
   Payable from State Offender DNA
   Identification System Fund................. 3,423,500

Section 75. The sum of $300,000, or so much thereof as may be
   necessary, is appropriated to the Department of State Police, Division of
   Forensic Services and Identification, from the Firearm Owner's
   Notification Fund for the administration and operation of the Firearm
   Owner's Identification Card Program.

New matter indicated by italics - deletions by strikeout
Section 85. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for Internal Investigation expenses as follows:

DIVISION OF INTERNAL INVESTIGATION

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..............................</td>
<td>1,574,600</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System.......................</td>
<td>181,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security........</td>
<td>28,800</td>
</tr>
<tr>
<td>For Contractual Services...........................</td>
<td>75,300</td>
</tr>
<tr>
<td>For Travel..........................................</td>
<td>5,000</td>
</tr>
<tr>
<td>For Commodities....................................</td>
<td>12,600</td>
</tr>
<tr>
<td>For Printing........................................</td>
<td>3,200</td>
</tr>
<tr>
<td>For Equipment.......................................</td>
<td>8,100</td>
</tr>
<tr>
<td>For Telecommunications Services....................</td>
<td>76,900</td>
</tr>
<tr>
<td>For Operation of Auto Equipment....................</td>
<td>183,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,149,000</strong></td>
</tr>
</tbody>
</table>

ARTICLE 61

Section 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

CENTRAL OFFICES, ADMINISTRATION AND PLANNING OPERATIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..............................</td>
<td>20,319,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System.......................</td>
<td>2,341,800</td>
</tr>
<tr>
<td>For State Contributions to Social Security .......</td>
<td>1,508,500</td>
</tr>
<tr>
<td>For Contractual Services...........................</td>
<td>9,829,300</td>
</tr>
<tr>
<td>For Travel..........................................</td>
<td>679,400</td>
</tr>
<tr>
<td>For Commodities....................................</td>
<td>329,800</td>
</tr>
<tr>
<td>For Printing........................................</td>
<td>804,300</td>
</tr>
<tr>
<td>For Equipment.......................................</td>
<td>113,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Equipment:
- Purchase of Cars & Trucks: 112,000
- For Telecommunications Services: 417,000
- For Operation of Automotive Equipment: 270,700
  Total: $36,725,200

LUMP SUMS

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:
- For Planning, Research and Development Purposes: 500,000
- For costs associated with asbestos abatement: 300,000
- For metropolitan planning and research purposes as provided by law, provided such amount shall not exceed funds to be made available from the federal government or local sources: 42,000,000
- For metropolitan planning and research purposes as provided by law: 2,000,000
- For federal reimbursement of planning activities as provided by the SAFETEA-LU: 1,750,000
- For the federal share of the IDOT ITS Program, provided expenditures do not exceed funds to be made available by the Federal Government: 4,000,000
- For the state share of the IDOT ITS Corridor Program: 2,600,000
- For the Department's share of costs with the Illinois Commerce Commission for monitoring railroad crossing safety: 288,000
  Total: $53,438,000

AWARDS AND GRANTS

New matter indicated by italics - deletions by strikeout
Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Tort Claims, including payment pursuant to P.A. 80-1078............................... 540,300

For representation and indemnification for the Department of Transportation, the Illinois State Police and the Secretary of State provided that the representation required resulted from the Road Fund portion of their normal operations............................................... 250,000

For Transportation Enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures do not exceed funds made available by the federal government............... 10,000,000

For a grant to the Illinois Environmental Protection Agency for vehicle inspections.......................... 14,200,000

For auto liability payments for the Department of Transportation, the Illinois State Police and the Secretary of State provided that the liability resulted from the Road Fund portion of their normal operations........................................ 2,200,000

Total $27,190,300

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

BUREAU OF INFORMATION PROCESSING

New matter indicated by italics - deletions by strikeout
OPERATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>5,259,800</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>606,200</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>397,200</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>10,421,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>59,800</td>
</tr>
<tr>
<td>For Commodities</td>
<td>25,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>8,300</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>9,039,325</td>
</tr>
<tr>
<td>For Telecommunications</td>
<td>596,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$26,413,725</strong></td>
</tr>
</tbody>
</table>

Section 25. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

CENTRAL OFFICES, DIVISION OF HIGHWAYS

OPERATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>25,962,400</td>
</tr>
<tr>
<td>For Extra Help</td>
<td>914,700</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>3,097,600</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>1,999,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>5,505,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>461,700</td>
</tr>
<tr>
<td>For Commodities</td>
<td>349,300</td>
</tr>
<tr>
<td>For Equipment</td>
<td>265,500</td>
</tr>
<tr>
<td>For Equipment: Purchase of Cars and Trucks</td>
<td>416,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>2,149,800</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>272,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$41,394,300</strong></td>
</tr>
</tbody>
</table>

LUMP SUMS

Section 30. The sum of $633,600 or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

Section 35. The sum of $960,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for all costs associated with the State Radio Communications for the 21st Century (STARCOM).

Section 40. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Transportation Safety Highway Hire-back Fund to the Department of Transportation for agreements with the Illinois Department of State Police to provide patrol officers in highway construction work zones.

AWARDS AND GRANTS

Section 45. The sum of $2,517,800, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for reimbursement to participating counties in the County Engineers Compensation Program, providing those reimbursements do not exceed funds to be made available from their federal highway allocations retained by the Department.

Section 50. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for grants to local governments for the following purposes:
For reimbursement of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations........... 3,000,000
For reimbursement of eligible expenses arising from City, County, and other State Maintenance Agreements................. 16,000,000
Total $19,000,000

REFUNDS

New matter indicated by italics - deletions by strikeout
Section 55. The following named amount, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds....................................... 26,900

Section 60. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses of the Division of Traffic Safety:

**TRAFFIC SAFETY OPERATIONS**

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>5,624,800</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>648,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>415,600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,400,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>89,900</td>
</tr>
<tr>
<td>For Commodities</td>
<td>142,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>278,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>2,700</td>
</tr>
<tr>
<td>For Equipment:</td>
<td></td>
</tr>
<tr>
<td>Purchase of Cars and Trucks</td>
<td>0</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>125,300</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$8,727,500</strong></td>
</tr>
</tbody>
</table>

**LUMP SUMS**

Section 65. The sum of $7,250,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for improvements to traffic safety, provided such amount not exceed funds to be made available from the federal government pursuant to the primary seatbelt enforcement incentive grant.

**REFUNDS**

Section 70. The following named amount, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
For Refunds........................................ 8,800

Section 75. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for the administration of the Cycle Rider Safety Training Program by the Division of Traffic Safety:

**OPERATIONS**

For Personal Services............................. 114,100
For State Contributions to State
  Employees' Retirement System................... 13,100
  For State Contributions to Social Security ...... 8,600
  For Group Insurance........................... 29,600
  For Contractual Services....................... 10,000
  For Travel..................................... 12,900
  For Commodities............................... 800
  For Printing.................................. 1,900
  For Equipment................................ 2,000
  For Operation of Automotive Equipment........... 0
  Total                                          $193,000

**AWARDS AND GRANTS**

Section 80. The sum of $3,600,000, or so much thereof as may be necessary, is appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for reimbursement to State and local universities and colleges for Cycle Rider Safety Training Programs.

Section 85. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Traffic Control Signal Preemption Devices for Ambulances Fund to the Department of Transportation for grants to municipalities subject to provisions of Public Act 94-373 for the purpose of equipping their ambulances with traffic control signal preemption devices.

New matter indicated by italics - deletions by strikeout
Section 90. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DAY LABOR OPERATIONS**

- For Personal Services: 4,398,400
- For State Contributions to State Employees' Retirement System: 506,900
- For State Contributions to Social Security: 336,500
- For Contractual Services: 1,102,500
- For Travel: 210,900
- For Commodities: 122,900
- For Equipment: 201,900
- For Equipment:
  - Purchase of Cars and Trucks: 379,400
  - For Telecommunications Services: 26,800
  - For Operation of Automotive Equipment: 502,600

**Total**: $7,788,800

Section 95. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 1, SCHAUMBURG OFFICE OPERATIONS**

- For Personal Services: 81,610,800
- For Extra Help: 9,125,800
- For State Contributions to State Employees' Retirement System: 10,457,400
- For State Contributions to Social Security: 6,852,100
- For Contractual Services: 15,978,500
- For Travel: 175,600
- For Commodities: 6,377,300
- For Equipment: 1,447,700
- For Equipment:
  - Purchase of Cars and Trucks: 6,766,400

New matter indicated by italics - deletions by strikeout
For Telecommunications Services.............. 1,542,500
For Operation of Automotive Equipment......... 6,540,500
Total                                      $146,874,600

Section 100. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 2, DIXON OFFICE**

**OPERATIONS**

For Personal Services......................... 25,157,600
For Extra Help.................................. 2,074,900
For State Contributions to State
  Employees' Retirement System............... 3,138,500
For State Contributions to Social Security .... 2,053,700
For Contractual Services....................... 3,924,800
For Travel....................................... 212,700
For Commodities............................... 2,568,900
For Equipment................................. 982,900
For Equipment:
  Purchase of Cars and Trucks............... 2,698,600
For Telecommunications Services.............. 347,800
For Operation of Automotive Equipment........ 2,854,600
Total                                      $46,015,000

Section 105. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 3, OTTAWA OFFICE**

**OPERATIONS**

For Personal Services......................... 23,000,100
For Extra Help.................................. 2,152,800
For State Contributions to State
  Employees' Retirement System............... 2,898,900
For State Contributions to Social Security .... 1,894,300
For Contractual Services....................... 3,069,300
For Travel....................................... 104,100

New matter indicated by italics - deletions by strikeout
For Commodities............................... 2,575,700  
For Equipment................................. 791,000  

For Equipment:  
Purchase of Cars and Trucks................. 2,247,700  
For Telecommunications Services............... 285,900  
For Operation of Automotive Equipment....... 2,753,100  

Total                                                                 $41,772,900  

Section 110. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 4, PEORIA OFFICE  
OPERATIONS  

For Personal Services.......................... 23,351,500  
For Extra Help.................................. 2,469,100  
For State Contributions to State  
Employees' Retirement System.................. 2,975,800  
For State Contributions to Social Security .... 1,928,900  
For Contractual Services....................... 4,754,200  
For Travel....................................... 120,800  
For Commodities............................... 1,623,300  
For Equipment................................. 1,030,900  

For Equipment:  
Purchase of Cars and Trucks................. 1,048,900  
For Telecommunications Services............... 256,700  
For Operation of Automotive Equipment....... 2,561,200  

Total                                                                 $42,121,300  

Section 115. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 5, PARIS OFFICE  
OPERATIONS  

For Personal Services.......................... 20,810,800  
For Extra Help.................................. 2,026,000  
For State Contributions to State  

New matter indicated by italics - deletions by strikeout
Employees' Retirement System................. 2,631,900
For State Contributions to Social Security .... 1,715,300
For Contractual Services....................... 2,845,100
For Travel........................................ 79,000
For Commodities................................ 1,758,800
For Equipment.................................. 1,056,000
For Equipment:
Purchase of Cars and Trucks................... 2,980,600
For Telecommunications Services.................. 184,300
For Operation of Automotive Equipment........... 2,436,900
Total                                                                                       $38,524,700

Section 120. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 6, SPRINGFIELD OFFICE
OPERATIONS

For Personal Services......................... 24,883,100
For Extra Help................................. 1,546,800
For State Contributions to State
Employees' Retirement System................... 3,045,900
For State Contributions to Social Security .... 1,983,000
For Contractual Services....................... 3,834,500
For Travel....................................... 116,500
For Commodities................................ 2,022,800
For Equipment................................... 812,900
For Equipment:
Purchase of Cars and Trucks................... 1,868,000
For Telecommunications Services............... 267,100
For Operation of Automotive Equipment........ 3,107,700
Total                                                                                       $43,488,300

Section 125. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 7, EFFINGHAM OFFICE

New matter indicated by italics - deletions by strikeout
OPERATIONS

For Personal Services.......................... 18,952,300
For Extra Help..................................... 1,324,700
For State Contributions to State
  Employees' Retirement System............... 2,336,900
  For State Contributions to Social Security .... 1,518,900
For Contractual Services....................... 2,763,000
For Travel........................................ 143,400
For Commodities.................................. 1,472,700
For Equipment..................................... 1,007,400
For Equipment:
  Purchase of Cars and Trucks.................. 1,375,400
For Telecommunications Services............... 177,800
For Operation of Automotive Equipment........ 2,404,500
Total ............................................. $33,477,000

Section 130. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 8, COLLINSVILLE OFFICE

OPERATIONS

For Personal Services.......................... 33,044,500
For Extra Help..................................... 2,104,200
For State Contributions to State
  Employees' Retirement System............... 4,050,900
  For State Contributions to Social Security .... 2,643,600
For Contractual Services....................... 6,549,000
For Travel........................................ 186,500
For Commodities.................................. 1,930,400
For Equipment..................................... 1,366,800
For Equipment:
  Purchase of Cars and Trucks.................. 1,569,100
For Telecommunications Services............... 571,300
For Operation of Automotive Equipment........ 2,809,200
Total ............................................. $56,825,500

New matter indicated by italics - deletions by strikeout
Section 135. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

**DISTRICT 9, CARBONDALE OFFICE**

**OPERATIONS**

For Personal Services.......................... 18,261,400
For Extra Help................................... 1,583,300
For State Contributions to State

Employees' Retirement System............... 2,287,100
For State Contributions to Social Security ... 1,486,500
For Contractual Services....................... 2,981,700
For Travel........................................ 64,200
For Commodities............................... 1,226,200
For Equipment.................................... 944,300
For Equipment:

Purchase of Cars and Trucks............... 698,600
For Telecommunications Services.......... 135,000
For Operation of Automotive Equipment.... 1,738,100
Total.................................................. $31,406,400

Section 140. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to the Department of Transportation for the ordinary and contingent expenses of Aeronautics Operations:

**AERONAUTICS DIVISION**

**OPERATIONS**

For Personal Services:

Payable from the Road Fund............... 4,590,000
For State Contributions to State

Employees' Retirement System:

Payable from the Road Fund............... 529,000
For State Contributions to Social Security:

Payable from the Road Fund............... 348,500
For Contractual Services:

Payable from the Road Fund............... 3,496,500

New matter indicated by italics - deletions by strikeout
Payable from Air Transportation
Revolving Fund.................................. 800,000
For Travel:
Payable from the Road Fund....................... 112,500
For Travel: Executive Air Transportation
Expenses of the General Assembly:
Payable from the General Revenue Fund............. 130,000
For Travel: Executive Air Transportation
Expenses of the Governor's Office:
Payable from the General Revenue Fund............. 130,000
For Commodities:
Payable from Aeronautics Fund..................... 74,500
Payable from the Road Fund....................... 875,000
For Equipment:
Payable from the General Revenue Fund.............. 0
Payable from the Road Fund.......................... 271,900
For Equipment: Purchase of Cars and Trucks:
Payable from the Road Fund........................ 0
For Telecommunications Services:
Payable from the Road Fund.......................... 97,000
For Operation of Automotive Equipment:
Payable from the Road Fund......................... 25,500
Total  $11,480,400

REFUNDS

Section 145. The following named amount, or so much thereof as may be necessary, is appropriated from the Aeronautics Fund to the Department of Transportation for the objects and purposes hereinafter named:
For Refunds......................................... 500

Section 150. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for the objects and purposes hereinafter named:
For Refunds......................................... 35,000

New matter indicated by italics - deletions by strikeout
AWARDS AND GRANTS

Section 155. The sum of $350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

LUMP SUM

Section 160. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Tax Recovery Fund to the Department of Transportation for payments to the Will County Treasurer for payments of property taxes from rental fees.

Section 165. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses incident to Public Transportation and Railroads Operations:

PUBLIC AND INTERMODAL TRANSPORTATION DIVISION OPERATIONS

For Personal Services..........................                                        2,383,600
For State Contributions to State Employees' Retirement System....................                                 274,700
For State Contributions to Social Security........................................                                                  176,900
For Contractual Services.........................                                  47,700
For Travel........................................                                                 34,900
For Commodities....................................                                            3,800
For Equipment: Purchase of Cars and Trucks.............                              0
For Telecommunications Services.....................                                 37,800
For Operation of Automotive Equipment..............                      0
Total                                                                                         $2,977,600

LUMP SUMS

Section 170. The sum of $676,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for public transportation technical studies.

New matter indicated by italics - deletions by strikeout
Section 175. The sum of $775,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by the SAFETEA-LU.

Section 180. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for administrative expenses incurred in connection with the purposes of Section 18 of the Federal Transit Act (Section 5311 of the USC), as amended, provided such amount shall not exceed funds available from the Federal government under that Act.

AWARDS AND GRANTS

Section 185. The sum of $342,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making grants to eligible recipients of funding under Article II of the Downstate Public Transportation Act for the purpose of reimbursing the recipients which provide reduced fares for mass transportation services for students, handicapped persons and the elderly.

Section 190. The sum of $37,318,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making grants to the Regional Transportation Authority for the purpose of reimbursing the Service Boards for providing reduced fares for mass transportation services for students, handicapped persons, and the elderly to be allocated proportionately among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.

Section 195. The sum of $186,900,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for the purpose stated in Section 4.09 of the "Regional Transportation Authority Act", as amended.

Section 200. The sum of $40,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional State Assistance to be used for its
purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1989.

Section 205. The sum of $95,300,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional Financial Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c-5) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1999.

Section 210. The following named sums, or so much thereof as may be necessary, are appropriated from the Downstate Public Transportation Fund to the Department of Transportation for operating assistance grants to provide a portion of the eligible operating expenses for the following carriers for the purposes stated in Article II of Public Act 78-1109, as amended:

**URBANIZED AREAS**

- Champaign-Urbana Mass Transit District.......... 11,384,100
- Greater Peoria Mass Transit District............. 8,788,100
- Rock Island County Metropolitan Mass Transit District
  - Mass Transit District......................... 7,178,115
- Rockford Mass Transit District.................... 6,241,700
- Springfield Mass Transit District................ 6,069,900
- Bloomington-Normal Public Transit System....... 3,095,045
- City of Decatur................................. 2,981,100
- City of Pekin.................................. 447,500
- River Valley Metro Mass Transit District...... 1,368,620
- City of South Beloit............................. 40,600
- St. Clair County Transit District............... 16,170,550

New matter indicated by italics - deletions by strikeout
City of Dekalb.......................... 1,400,000
City of Macomb............................ 797,500
Total, Urbanized Areas $65,962,830

NON-URBANIZED AREAS
City of Danville.......................... 1,084,300
City of Quincy............................. 1,490,600
RIDES Mass Transit District.............. 2,128,875
South Central Illinois Mass Transit District... 1,950,690
City of Galesburg.......................... 677,700
Jackson County Mass Transit District...... 146,410
Shawnee Mass Transit District.............. 660,000
West Central Mass Transit District......... 350,000
Monroe-Randolph.......................... 385,000
Total, Non-Urbanized Areas $8,873,575

Section 215. The sum of $9,720,000, or so much thereof as may be necessary, is appropriated from the Metro East Public Transportation Fund to the Department of Transportation for operating assistance grants subject to the provisions of the "Downstate Public Transportation Act", as amended by the 81st General Assembly.

Section 220. The sum of $237,900, or so much thereof as may be necessary, is appropriated from the Downstate Public Transportation Fund to the Department of Transportation for audit adjustments in accordance with Section 15.1 of the "Downstate Public Transportation Act", approved August 9, 1974, as amended.

Section 225. The sum of $54,251,555, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for the funding of the Americans with Disabilities Act of 1990 (ADA) paratransit services and for other costs and services.

RAIL PASSENGER
AWARDS AND GRANTS
Section 230. The sum of $24,250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the
Department of Transportation for funding the State's share of intercity rail passenger service and making necessary expenditures for services and other program improvements.

Section 235. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Intercity Passenger Rail Fund to the Department of Transportation for grants to Amtrak or its successor for the operation of intercity rail services in the state.

Section 240. The following named sums, or so much thereof as may be necessary, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the ordinary and contingent expenses incident to the operations and functions of administering the provisions of the "Illinois Highway Code", relating to use of Motor Fuel Tax Funds by the counties, municipalities, road districts and townships:

MOTOR FUEL TAX ADMINISTRATION
OPERATIONS

For Personal Services.......................... 6,131,200
For State Contributions to State
Employees' Retirement System.................... 706,600
For State Contributions to Social Security ...... 456,800
For Group Insurance............................ 1,463,000
For Contractual Services.......................... 43,300
For Travel........................................ 61,800
For Commodities.................................... 7,000
For Printing...................................... 26,500
For Equipment..................................... 13,100
For Telecommunications Services............... 18,300
For Operation of Automotive Equipment......... 5,100
Total $8,932,700

AWARDS AND GRANTS

Section 245. The following named sums, or so much thereof as are available for distribution in accordance with Section 8 of the Motor Fuel Tax Law, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the purposes stated:

DISTRIBUTIVE ITEMS

New matter indicated by italics - deletions by strikeout
For apportioning, allotting, and paying as provided by law:
To Counties................................ 232,600,000
To Municipalities......................... 326,300,000
To Counties for Distribution to Road Districts............................ 105,600,000
Total                                                                 $664,500,000

Section 250. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Commercial Motor Vehicle Safety Program under provisions of Title IV of the Surface Transportation Assistance Act of 1982, as amended by the SAFETEA-LU:

FOR THE DIVISION OF TRAFFIC SAFETY
For Personal Services......................... 1,206,500
For State Contributions to State
Employees' Retirement System............... 139,000
For State Contributions to Social Security .... 91,100
For Contractual Services..................... 2,109,700
For Travel.................................. 40,300
For Commodities.......................... 10,000
For Printing................................ 4,900
For Equipment............................ 47,300
For Equipment: Purchase of Cars and Trucks....... 0
For Telecommunications Services........... 81,900
For Operation of Automotive Equipment........ 0
Total                                     $3,730,700

FOR THE DEPARTMENT OF STATE POLICE
For Personal Services......................... 5,185,500
For State Contributions to State
Employees' Retirement System............... 596,300
For State Contributions to Social Security .... 82,200
For Contractual Services................... 333,100
For Travel................................ 339,600

New matter indicated by italics - deletions by strikeout
Section 255. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended:

FOR THE SECRETARY OF STATE

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>0</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>0</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>45,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>0</td>
</tr>
<tr>
<td>For Commodities</td>
<td>15,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>35,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$95,000</td>
</tr>
</tbody>
</table>

FOR THE DEPARTMENT OF STATE POLICE

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,361,900</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>195,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>19,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>7,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>12,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>15,400</td>
</tr>
<tr>
<td>For Printing</td>
<td>1,000</td>
</tr>
<tr>
<td>Total</td>
<td>$2,848,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Equipment....................................  138,500
For Operation of Auto Equipment.................  98,900
Total                                                                 $1,849,200

FOR THE DIVISION OF TRAFFIC SAFETY
For Personal Services.............................  1,150,600
For State Contributions to State Employees' Retirement System..............  132,600
For State Contributions to Social Security ........  85,400
For Contractual Services..........................  1,904,000
For Travel........................................  90,000
For Commodities..................................  308,000
For Printing.....................................  180,000
For Equipment.....................................  10,000
For Telecommunications Services.....................  0
Total                                                                 $3,860,600

FOR LOCAL GOVERNMENTS
For local highway safety projects
by county and municipal governments,
state and private universities and other
private entities.................................  4,843,800

Section 260. The following named sums, or so much thereof as
may be necessary for the agencies hereafter named, are appropriated from
the Road Fund to the Department of Transportation for implementation of
the Alcohol Traffic Safety Programs of Title XXIII of the Surface
Transportation Assistance Act of 1982, as amended by the SAFETEA-LU:

FOR THE ILLINOIS LIQUOR CONTROL COMMISSION (410)
For Personal Services.............................  45,000
For the State Contribution to State Employees’ Retirement System..............  3,200
For the State Contribution to Social Security........................................  3,100
For Contractual Services..........................  16,000
For Travel........................................  26,400
For Printing.....................................  5,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Telecommunication Services</td>
<td>1,300</td>
</tr>
<tr>
<td>Total</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

FOR THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (410)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>25,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>25,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>5,000</td>
</tr>
<tr>
<td>Total</td>
<td>$55,400</td>
</tr>
</tbody>
</table>

FOR THE DIVISION OF TRAFFIC SAFETY (410)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Contractual Services</td>
<td>2,280,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>10,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>0</td>
</tr>
<tr>
<td>For Printing</td>
<td>0</td>
</tr>
<tr>
<td>For Equipment</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$2,290,000</td>
</tr>
</tbody>
</table>

FOR THE SECRETARY OF STATE (410)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>40,000</td>
</tr>
<tr>
<td>For the State Contribution to State Employees' Retirement System</td>
<td>6,500</td>
</tr>
<tr>
<td>For the State Contribution to Social Security</td>
<td>600</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>27,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>11,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>48,900</td>
</tr>
<tr>
<td>For Printing</td>
<td>10,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>12,800</td>
</tr>
<tr>
<td>For Telecommunication Services</td>
<td>100</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$157,900</td>
</tr>
</tbody>
</table>

FOR THE DEPARTMENT OF STATE POLICE (410)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>1,053,800</td>
</tr>
<tr>
<td>For the State Contribution to State Employees' Retirement System</td>
<td>210,800</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Security........................................ 13,800
For Contractual Services...................... 5,500
For Travel..................................... 3,100
For Commodities.............................. 21,400
For Equipment............................... 1,600
For Operation of Auto Equipment............. 90,000
Total                                        $1,400,000

FOR THE ILLINOIS LAW ENFORCEMENT
STANDARDS TRAINING BOARD (410)

For Contractual Services.................... 140,000
For Printing.................................. 10,000
Total                                      $150,000

FOR LOCAL GOVERNMENTS

For local highway safety projects
by county and municipal governments,
state and private universities and
other private entities....................... 2,170,300

Section 265. The following named sums or so much thereof as
may be necessary for the agencies hereafter named, are appropriated from
the Road Fund to the Department of Transportation for implementation of
the Section 163 Impaired Driving Incentive Grant Program (.08 Alcohol)
as authorized by the SAFETEA-LU:

FOR THE DIVISION OF TRAFFIC SAFETY (.08)
For Contractual Services.................... 1,000,000
For Commodities............................. 50,000
For Equipment............................... 200,000
For Telecommunications...................... 0
Total                                      $1,250,000

FOR THE DEPARTMENT OF STATE POLICE (.08)
For Personal Services....................... 1,057,200
For the State Contribution to State
Employees' Retirement System.............. 251,500
For the State Contribution to Social
Security........................................ 14,600

New matter indicated by italics - deletions by strikeout
For Contractual Services                      3,400
For Travel                                        5,500
For Commodities                                   24,900
For Equipment                                     15,000
For Operation of Auto Equipment                   58,100
Total                                              $1,430,200

FOR THE SECRETARY OF STATE (.08)
For Personal Services                           215,000
For the State Contribution to State
Employees' Retirement System                     34,700
For the State Contribution to Social
Security                                          14,700
For Contractual Services                        223,200
For Travel                                       15,300
For Commodities                                  13,200
For Printing                                     7,700
For Equipment                                    35,900
For Operation of Auto Equipment                  40,600
Total                                             $600,300

FOR THE DEPARTMENT OF PUBLIC HEALTH (.08)
For Contractual Services                        190,000

FOR LOCAL GOVERNMENTS (.08)
For local highway safety projects
by county and municipal governments,
state and private universities and
other private entities                        1,663,500

Section 270.  The sum of $300,000, or so much thereof as may be
necessary is appropriated from the General Revenue Fund to the
Department of Transportation for the expenses of an emissions
testing/inspection program for diesel powered vehicles in the counties of
Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair and
Monroe and the townships of Aux Sable, Goose Lake and Oswego.

Section 275.  The sum of $1,000,000, or so much thereof as may be
necessary, is appropriated from the Federal Civil Preparedness

New matter indicated by italics - deletions by strikeout
Administrative Fund to the Illinois Department of Transportation for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

Section 280. The sum of $1,650,000, or so much thereof as may be necessary, is appropriated from the I-FLY Fund to the Department of Transportation for grants to the Quincy Regional Airport, the Decatur Airport, and the Williamson County Regional Airport, pursuant to the I-FLY Act.

Section 285. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in Section 155 GRF Aeronautics
Section 185 GRF Reduced Fares Downstate
Section 190 GRF Reduced Fares RTA
Section 200 SCIP Debt Service I
Section 205 SCIP Debt Service II
Section 230 GRF Rail Passenger

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

ARTICLE 61A
CENTRAL ADMINISTRATION AND PLANNING
LUMP SUMS

Section 5. The sum of $1,924,710, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in the line item, "For Planning, Research and Development Purposes" for the Central Offices, Administration and Planning in Article 43, Section 10 and Article 44, Section 5 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 10. The sum of $2,394,228, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation concerning Asbestos Abatement heretofore made in Article 43, Section 10 and Article 44,
Section 10 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 15. The sum of $40,651,926, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made for metropolitan planning in Article 43, Section 10 and Article 44, Section 15 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 20. The sum of $6,050,713, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 43, Section 10 and Article 44, Section 20 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for metropolitan planning and research purposes.

Section 25. The sum of $1,871,690, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 44, Section 25 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for Phase II of the ADVANCE demonstration project for the state share as provided by law.

Section 30. The sum of $3,037,779, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 44, Section 30 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for Phase II of the ADVANCE demonstration project for the federal and private share as provided by law.

Section 35. The sum of $19,384,674, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 43, Section 10 and Article 44, Section 35 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the federal share of the IDOT ITS program.

Section 40. The sum of $18,070,929, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30,
2006, from the appropriation and reappropriation heretofore made in Article 43, Section 10 and Article 44, Section 40 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the state share of the IDOT ITS program.

AWARDS AND GRANTS

Section 45. The sum of $64,138,956, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 43, Section 15 and Article 44, Section 45 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for Enhancement and Congestion Mitigation and Air Quality Projects.

CENTRAL OFFICE, DIVISION OF HIGHWAYS

LUMP SUM

Section 60. The sum of $922,650, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation concerning vehicle damages heretofore made in Article 43, Section 30 and Article 44, Section 60 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 65. The sum of $8,201,114, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 43, Section 260 and Article 44, Section 65 of Public Act 94-0015, as amended by the Act, is reappropriated from the Federal Civil Preparedness Administrative Fund to the Illinois Department of Transportation for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

AWARDS AND GRANTS

Section 70. The sum of $30,799,969, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriations and reappropriation heretofore made for Local Traffic Signal Maintenance Agreements and City, County and other State Maintenance Agreements in Article 43, Section 45 and Article 44,
Section 70 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

DIVISION OF TRAFFIC SAFETY
LUMP SUMS

Section 73. The sum of $7,718,603, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation heretofore made in Article 43, Section 60 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for improvements to traffic safety, provided such amount not exceed funds to be made available from the federal government pursuant to the primary seatbelt enforcement incentive grant.

DIVISION OF TRAFFIC SAFETY
AWARDS AND GRANTS

Section 75. The sum of $3,646,704, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made, in Article 43, Section 75 and Article 44, Section 75 of Public Act 94-0015, as amended, is reappropriated from the Cycle Rider Safety Training Fund to the Department of Transportation for the same purposes.

DIVISION OF AERONAUTICS
AWARDS AND GRANTS

Section 80. The sum of $1,943,233, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation concerning airport improvements heretofore made in Article 43, Section 145 and Article 44, Section 80 of Public Act 94-0015, as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

HIGHWAY SAFETY PROGRAM – DIVISION OF TRAFFIC SAFETY
AWARDS AND GRANTS

Section 85. The sum of $12,289,642, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation concerning Highway

New matter indicated by italics - deletions by strikeout
Safety Grants heretofore made in Article 43, Section 240 and Article 44, Section 85 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 90. The sum of $3,573,337, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation concerning Section 163 Impaired Driving Incentive Grants (.08 alcohol) heretofore made in Article 43, Section 250 and Article 44, Section 90 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for local highway safety projects by county and municipal governments, state and private universities and other private entities.

Section 95. The sum of $4,368,185, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006 from the appropriation and reappropriation concerning Alcohol Traffic Safety Grants (410) heretofore made in Article 43, Section 245 and Article 44, Section 95 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for local highway safety projects by county and municipal governments, state and private universities and other private entities.

PUBLIC AND INTERMODAL TRANSPORTATION DIVISION
LUMP SUMS

Section 100. The sum of $365,566, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made for public transportation technical studies in Article 43, Section 160 and Article 44, Section 100 of Public Act 94-0015, as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

Section 103. The sum of $500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 44, Section 103 of Public Act 94-0015, as amended, is reappropriated from the General

New matter indicated by italics - deletions by strikeout
Revenue Fund to the Department of Transportation for the Intertownship Transportation Program for Northwest Suburban Cook County.

Section 105. The sum of $2,116,339, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 43, Section 165 and Article 44, Section 105 of Public Act 94-0015, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by the Transportation Equity Act for the 21st Century.

Section 110. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriations heretofore made in Article 43, Section 80, Section 85, Section 90, Section 95, Section 100, Section 105, Section 110, Section 115, Section 120, and Section 125 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes as follows:

Day Labor
For Purchase of Cars and Trucks.......................... 80,000

District 1, Schaumburg Office
For Purchase of Cars and Trucks.......................... 2,817,900

District 2, Dixon Office
For Purchase of Cars and Trucks.......................... 1,019,100

District 3, Ottawa Office
For Purchase of Cars and Trucks.......................... 1,030,200

District 4, Peoria Office
For Purchase of Cars and Trucks.......................... 750,200

District 5, Paris Office
For Purchase of Cars and Trucks.......................... 782,200

New matter indicated by italics - deletions by strikeout
District 6, Springfield Office  
For Purchase of  
Cars and Trucks.............................. 711,100

District 7, Effingham Office  
For Purchase of  
Cars and Trucks.............................. 522,600

District 8, Collinsville Office  
For Purchase of  
Cars and Trucks.............................. 1,292,400

District 9, Carbondale Office  
For Purchase of  
Cars and Trucks.............................. 597,900
Total                                $9,603,600

Section 115. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in: Section 80  GRF Aeronautics of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

ARTICLE 62

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the State Appellate Defender.

For Personal Services......................... 13,661,533
For State Contribution to State Employees’ Retirement System.............................. 1,574,492
For Social Security................................ 1,045,107
For Contractual Services....................... 2,331,626
For Travel......................................... 111,800
For Commodities.................................. 40,000
For Printing....................................... 28,100
For Equipment..................................... 62,400
For Electronic Data Processing............... 607,935

New matter indicated by italics - deletions by strikeout
For Telecommunications............................. 149,800
For Law Student Program............................... 0
Total                                               $19,612,793

Section 10. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated from the General Revenue Fund to the Office of the State Appellate Defender for the ordinary and contingent expenses of the Post Conviction Unit.
For Personal Services................................. 798,807
For State Contribution to State Employees’
  Retirement System................................. 90,910
For Social Security.................................. 60,344
For Contractual Services............................ 211,101
For Travel............................................. 25,000
For Commodities..................................... 3,000
For Printing.......................................... 3,000
For Equipment....................................... 10,500
For Electronic Data Processing....................... 26,170
For Telecommunications............................. 16,900
Total                                               $1,245,732

Section 15. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the office of the State Appellate Defender for expenses related to federally assisted programs to work on systemic sentencing issues appeals cases to which the agency is appointed.
Payable from State Appellate Defender
  Federal Trust Fund............................... 300,000
Required State Match:
  Payable from General Revenue Fund............. 80,000

Section 20. The sum of $2,782,600, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the Office of the State Appellate Defender for expenses incurred in providing assistance to trial attorneys under item (c)(5) of Section 10 of the State Appellate Defender Act.

New matter indicated by italics - deletions by strikeout
Section 25. The sum of $250,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for the ordinary and contingent expenses of the Expungement Program.

Section 30. The sum of $40,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender to provide statewide training to Public Defenders under the Public Defender Training Program.

ARTICLE 63

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Office of the State's Attorneys Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2007:

For Personal Services:
Payable from General Revenue Fund for Collective Bargaining Unit.......................... 2,481,800
Payable from General Revenue Fund for Administrative Unit.......................... 850,300
Payable from State's Attorney Appellate Prosecutor's County Fund.................. 679,600

For State Contribution to the State Employees' Retirement System Pick Up:
Payable from General Revenue Fund for Collective Bargaining Unit.......................... 99,300
Payable from General Revenue Fund for Administrative Unit.......................... 34,100
Payable from State's Attorneys Appellate Prosecutor's County Fund.................. 27,200

For State Contribution to the State Employees' Retirement System:
Payable from General Revenue Fund for Collective Bargaining Unit.......................... 286,100
Payable from General Revenue Fund for Administrative Unit.......................... 98,000

New matter indicated by italics - deletions by strikeout
Payable from State's Attorneys Appellate Prosecutor's County Fund................................. 78,400

For State Contribution to Social Security:
Payable from General Revenue Fund for Collective Bargaining Unit............................. 189,900
Payable from General Revenue Fund for Administrative Unit........................................... 65,100
Payable from State's Attorneys Appellate Prosecutor's County Fund............................ 52,000

For County Reimbursement to State for Group Insurance:
Payable from State's Attorneys Appellate Prosecutor's County Fund............................. 152,300

For Contractual Services:
Payable from General Revenue Fund................................. 354,100
Payable from State's Attorneys Appellate Prosecutor's County Fund............................ 614,700

For Contractual Services for Tax Objection Casework:
Payable from General Revenue Fund................................. 0
Payable from State's Attorneys Appellate Prosecutor's County Fund............................. 33,300

For Contractual Services for Rental of Real Property:
Payable from General Revenue Fund................................. 228,700
Payable from State's Attorneys Appellate Prosecutor's County Fund............................ 132,700

For Travel:
Payable from General Revenue Fund................................. 16,700
Payable from State's Attorneys Appellate Prosecutor's County Fund............................ 9,100

For Commodities:
Payable from General Revenue Fund................................. 14,900
Payable from State's Attorneys Appellate Prosecutor's County Fund............................ 9,400

For Printing:
Payable from General Revenue Fund................................. 4,900

New matter indicated by italics - deletions by strikeout
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 3,600

For Equipment:
Payable from General Revenue Fund.................. 25,600
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 30,900

For Electronic Data Processing:
Payable from General Revenue Fund.................. 16,200
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 31,400

For Telecommunications:
Payable from General Revenue Fund.................. 20,900
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 34,700

For Operation of Automotive Equipment:
Payable from General Revenue Fund.................. 10,600
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 8,300

For Law Intern Program:
Payable from General Revenue Fund.................. 100
Payable from State's Attorneys Appellate
Prosecutor's County Fund.......................... 27,400

For Continuing Legal Education:
Payable from General Revenue Fund.................. 100
Payable from Continuing Legal Education Trust Fund.................. 150,000

For Legal Publications:
Payable from General Revenue Fund.................. 3,500
Payable from State's Attorneys Appellate
Prosecutor's County Fund.................. 13,900

For expenses for assisting County State's Attorneys for services provided under the Illinois Public Labor Relations Act:

For Personal Services:
Payable from General Revenue Fund.................. 88,000

New matter indicated by italics - deletions by strikeout
Payable from State's Attorneys Appellate Prosecutor's County Fund............... 51,000
For State Contribution to the State Employees' Retirement System Pick Up:
Payable from General Revenue Fund......................... 3,600
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 2,100
For State Contribution to the State Employees' Retirement System:
Payable from General Revenue Fund......................... 10,200
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 5,900
For Contribution to Social Security:
Payable from General Revenue Fund......................... 6,800
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 3,900
For County Reimbursement to State for Group Insurance:
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 14,500
For Contractual Services:
Payable from General Revenue Fund......................... 6,300
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 251,300
For Travel:
Payable from General Revenue Fund......................... 1,200
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 1,200
For Commodities:
Payable from General Revenue Fund......................... 600
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 800
For Equipment:
Payable from General Revenue Fund......................... 600
Payable from State's Attorneys Appellate Prosecutor's County Fund......................... 1,200

New matter indicated by italics - deletions by strikeout
For Operation of Automotive Equipment:
  Payable from General Revenue Fund............... 1,100
  Payable from State's Attorneys Appellate
    Prosecutor's County Fund......................... 1,100

For expenses pursuant to
  Narcotics Profit Forfeiture Act:
    Payable from Narcotics Profit Forfeiture Fund....... 0

For Expenses Pursuant to Drug Asset
  Forfeiture Procedure Act:
    Payable from Narcotics Profit
    Forfeiture Fund.............................. 1,350,000

For Expenses Pursuant to P.A. 84-1340,
  which requires the Office of the State's
  Attorneys Appellate Prosecutor to conduct
  training programs for Illinois State's Attorneys,
  Assistant State's Attorneys and Law Enforcement
  Officers on techniques and methods of
  eliminating or reducing the trauma of testifying
  in criminal proceedings for children who serve
  as witnesses in such proceedings;
  and other authorized criminal justice
  training programs:
    Payable from General Revenue Fund............... 80,000

For Expenses Related to federally assisted
  Programs to assist local
  State's Attorneys including violent crimes,
  drug related cases and cases arising under
  the Narcotics Profit Forfeiture Act
  on the request of the State's Attorney:
    Payable from Special Federal Grant
    Project Fund.................................. 2,000,000

For Local Matching Purposes:
  Payable from State's Attorneys Appellate
  Prosecutor's County Fund.............................. 0

New matter indicated by italics - deletions by strikeout
For State Matching Purposes:
  Payable from General Revenue Fund....................... 138,500
For Expenses Pursuant to Grant Agreements
  For Training Grant Programs:
    Payable from Continuing Legal Education
    Trust Fund........................................... 0
For Expenses Pursuant to the Capital
  Crimes Litigation Act:
    Payable from the Capital Litigation
    Trust Fund........................................... 500,000
For Appropriation to the State Treasurer
  for Expenses Incurred by State's Attorneys
  other than Cook County:
    Payable from the Capital Litigation
    Trust Fund........................................... 1,000,000
For Appropriation to the State's Attorneys
  Appellate Prosecutor for a grant to the
  Cook County State's Attorney for expenses
  incurred in filing appeals in Cook County...... 2,700,000
(Total, $15,109,700;
General Revenue Fund, $7,837,800;
Office of the State's Attorneys Appellate
Prosecutor's County Fund, $2,271,900;
Continuing Legal Education Trust Fund, $150,000;
Narcotics Profit Forfeiture Fund, $1,350,000;
Special Federal Grant Project Funds, $2,000,000;
Capital Litigation Trust Fund, $1,500,000)
ARTICLE 64
Section 5. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Illinois Emergency Management
Agency for the objects and purposes hereinafter named:
  MANAGEMENT AND ADMINISTRATIVE SUPPORT
Payable from General Revenue Fund:
  For Personal Services................................. 402,300

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State
Employees' Retirement System................... 46,500
For State Contributions to Social Security........ 30,300
For Contractual Services....................... 1,423,400
For Travel....................................... 3,800
For Commodities................................ 1,300
For Printing.................................... 6,600
For Equipment.................................. 6,900
For Electronic Data Processing.................. 2,800
For Telecommunications.......................... 11,200
For Operation of Auto Equipment................. 5,300
For Training and Education..................... 206,300
For costs and services related to ILEAS/MABAS administration.......................... 125,000
For costs and expenses related to or in support of a public safety shared service center.................. 381,800
Total ............................................ $2,653,500

Payable from Radiation Protection Fund:
For Personal Services.......................... 106,500
For Employee Retirement Contributions Paid by Employer................................. 0
For State Contributions to State Employees' Retirement System................... 12,200
For State Contributions to Social Security............................... 8,200
For Group Insurance.............................. 29,000
For Contractual Services....................... 165,400
For Travel.................................... 5,000
For Commodities................................. 5,300
For Printing.................................... 4,900

New matter indicated by italics - deletions by strikeout
For Electronic Data Processing................. 49,400
For Telecommunications Services............... 11,000
For Operation of Auto Equipment............... 10,000
For costs and services related to
or in support of a public safety
shared service center.......................... 156,700
Total                                        $563,600

Payable from Nuclear Safety Emergency
Preparedness Fund:
For Personal Services.......................... 1,445,800
For Employee Retirement Contributions
Paid by Employer..................................... 0
For State Contributions to State
Employees' Retirement System.................. 166,700
For State Contributions to
Social Security...................................... 110,600
For Group Insurance............................. 362,500
For Contractual Services....................... 545,600
For Travel........................................... 11,600
For Commodities.................................. 5,800
For Printing........................................ 1,000
For Equipment...................................... 21,300
For Electronic Data Processing............... 154,900
For Telecommunications Services............. 63,900
For Operation of Auto Equipment............ 28,200
For costs and services related to
or in support of a public safety
shared service center........................... 912,700
Total                                        $3,830,600

Payable from Nuclear Civil Protection Planning Fund:
For Federal Projects............................. 300,000

Payable from the Emergency Management
Preparedness Fund:
For an Emergency Management

New matter indicated by italics - deletions by strikeout
Preparedness Program....................... 5,459,200
For costs and services related to
or in support of a public safety
shared service center......................... 215,800
Payable from Federal Civil Preparedness
Administrative Fund:
For Training and Education.................. 1,000,000
For Terrorism Preparedness and
Training costs in the current
and prior years.............................. 148,200,000
For Terrorism Preparedness and
Training costs in the current
and prior years in the Chicago
Urban Area................................. 179,500,000
Payable from the September 11th Fund:
For grants, contracts, and administrative
expenses pursuant to 625 ILCS 5/3-653,
including prior year costs.................... 100,000

Whenever it becomes necessary for the State or any governmental
unit to furnish in a disaster area emergency services directly related to or
required by a disaster and existing funds are insufficient to provide such
services, the Governor may, when he considers such action in the best
interest of the State, release funds from the General Revenue disaster relief
appropriation in order to provide such services or to reimburse local
governmental bodies furnishing such services. Such appropriation may be
used for payment of the Illinois National Guard when called to active duty
in case of disaster, and for the emergency purchase or renting of
equipment and commodities. Such appropriation shall be used for
emergency services and relief to the disaster area as a whole and shall not
be used to provide private relief to persons sustaining property damages or
personal injury as a result of a disaster.
Payable from General Revenue Fund:
For disaster relief costs incurred
in current and prior years.................... 500,000

New matter indicated by italics - deletions by strikeout
Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for grants to local emergency organizations for objects and purposes hereinafter named:

Payable from the Federal Hardware Assistance Fund:
- For Communications and Warning Systems: $500,000
- For Emergency Operating Centers: $500,000

Payable from the Federal Civil Preparedness Administrative Fund:
- For Urban Search and Rescue: $2,000,000

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

**OPERATIONS**

Payable from General Revenue Fund:
- For Personal Services: $992,200
- For Employee Retirement Contributions
  - Paid by Employer: $0
- For State Contributions to State Employees' Retirement System: $122,600
- For State Contributions to Social Security: $81,400
- For Contractual Services: $72,300
- For Travel: $6,000
- For Commodities: $2,800
- For Printing: $4,500
- For Equipment: $47,000
- For Electronic Data Processing: $5,500
- For Telecommunications: $164,000
- For Operation of Auto Equipment: $41,500
  - Total: $1,539,800

Payable from Nuclear Safety Emergency Preparedness Fund:
- For Personal Services: $1,078,800

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State Employees' Retirement System.................. 124,300
For State Contributions to Social Security .......... 82,600
For Group Insurance.............................. 333,500
For Contractual Services......................... 143,600
For Travel........................................ 31,300
For Commodities................................... 24,000
For Printing........................................ 3,000
For Equipment..................................... 25,200
For Electronic Data Processing..................... 6,300
For Telecommunications........................... 231,600
For Operation of Auto Equipment................... 27,000
Total $2,111,200

Payable from the Emergency Management Preparedness Fund:
For an Emergency Management Preparedness Program.......................... 3,200,000

Payable from Federal Civil Preparedness Administrative Fund:
For Training and Education........................ 400,000

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

RADIATION SAFETY

Payable from Radiation Protection Fund:
For Personal Services............................. 2,805,800
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State Employees' Retirement System.............. 323,400
For State Contributions to Social Security.......................... 214,600

New matter indicated by italics - deletions by strikeout
For Group Insurance
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Electronic Data Processing
For Telecommunications
For Operation of Auto
For Refunds
For reimbursing other governmental agencies for their assistance in responding to radiological emergencies

Total

Section 25. The amount of $500,000, or so much thereof as may be necessary, is appropriated from the Indoor Radon Mitigation Fund to the Illinois Emergency Management Agency for expenses relating to the federally funded State Indoor Radon Abatement Program.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

NUCLEAR FACILITY SAFETY

Payable from Nuclear Safety Emergency Preparedness Fund:

For Personal Services
For Employee Retirement Contributions
  Paid by Employer
For State Contributions to State Employees' Retirement System
For State Contributions to Social Security
For Group Insurance
For Contractual Services
For Travel

New matter indicated by italics - deletions by strikeout
For Commodities.......................... 235,300
For Printing............................... 1,000
For Equipment............................. 433,900
For Electronic Data Processing.......... 273,600
For Telecommunications Services....... 597,400
For Operation of Auto.................... 13,000
Total $7,899,900

Section 35. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

DISASTER ASSISTANCE AND PREPAREDNESS

Payable from General Revenue Fund:
For Personal Services..................... 399,700
For Employee Retirement Contributions
    Paid by Employer......................... 0
For State Contributions to State
    Employees’ Retirement System......... 46,100
For State Contributions to Social Security........................ 30,700
For Contractual Services.................. 3,000
For Travel.................................. 2,100
For Commodities.......................... 1,000
For Printing.............................. 1,300
For Telecommunications Services........ 8,200
For Operation of Automotive Equipment... 6,500
For State Share of Individual and Household
    Grant Program for Disaster Declarations
    in Current and Prior Years............... 491,700
Total $990,300

Payable from Nuclear Safety Emergency Preparedness Fund:
For Personal Services.................... 452,000
For Employee Retirement Contributions
    Paid by Employer........................ 0
For State Contributions to State

New matter indicated by italics - deletions by strikeout
Employees’ Retirement System................... 54,000
For State Contributions to Social Security.......................... 36,000
For Group Insurance........................................... 116,000
For Contractual Services................................. 86,200
For Travel......................................................... 29,500
For Commodities........................................... 11,900
For Printing.................................................... 3,000
For Equipment.................................................. 20,800
For Electronic Data Processing.......................... 4,300
For Telecommunications Services..................... 12,200
For Operation of Automotive Equipment........... 12,600
For compensation to local governments for expenses attributable to implementation and maintenance of plans and programs authorized by the Nuclear Safety Preparedness Act.............................. 650,000
Total $1,488,500
Payable from the Federal Aid Disaster Fund:
For Federal Disaster Declarations:
In Current and Prior Years................................. 50,000,000
For State administration of the Federal Disaster Relief Program.................. 1,000,000
Disaster Relief - Hazard Mitigation in Current and Prior Years........... 40,000,000
For State administration of the Hazard Mitigation Program.................. 1,000,000
Total $92,000,000
Payable from the Emergency Planning and Training Fund:
For Activities as a Result of the Illinois Emergency Planning and Community Right To Know Act................................. 150,000
Payable from the Nuclear Civil Protection Planning Fund:
For Federal Projects................................. 500,000

New matter indicated by italics - deletions by strikeout
For Mitigation Assistance ................. 3,000,000
Total                                    $3,650,000

Payable from the Federal Civil Preparedness Administrative Fund:
For Training and Education ................. 2,091,200

Payable from the Emergency Management Preparedness Fund:
For Emergency Management Preparedness .... 4,500,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

ENVIRONMENTAL SAFETY

Payable from Nuclear Safety Emergency Preparedness Fund:
For Personal Services ....................... 1,675,700
For Employee Retirement Contributions
  Paid by Employer ............................. 0
For State Contributions to State Employees' Retirement System ...................... 200,000
For State Contributions to Social Security .............................................. 132,800
For Group Insurance ............................ 362,500
For Contractual Services ..................... 423,400
For Travel ........................................ 32,500
For Commodities ............................... 72,100
For Printing ..................................... 2,000
For Equipment .................................. 146,200
For Electronic Data Processing .............. 7,200
For Telecommunications ...................... 25,200
For Operation of Auto ......................... 13,000
Total                                    $3,092,600

Payable from Low-Level Radioactive Waste Facility Development and Operation Fund:
For Refunds for Overpayments made by Low-Level Waste Generators ...................... 5,000

New matter indicated by italics - deletions by strikeout
Section 45. The sum of $1,166,900, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for licensing facilities where radioactive uranium and thorium mill tailings are generated or located, and related costs for regulating the decontamination and decommissioning of such facilities and for identification, decontamination and environmental monitoring of unlicensed properties contaminated with such radioactive mill tailings.

Section 50. The sum of $561,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for the purpose of funding costs related to environmental cleanup of the Ottawa Radiation Areas Superfund Project under cooperative agreements with the Federal Government.

Section 55. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for recovery and remediation of radioactive materials and contaminated facilities or properties when such expenses cannot be paid by a responsible person or an available surety.

Section 60. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for related training and travel expenses and to reimburse the Illinois State Police and the Illinois Commerce Commission for costs incurred for activities related to inspecting and escorting shipments of spent nuclear fuel, high-level radioactive waste, and transuranic waste in Illinois as provided under the rules of the Agency.

Section 65. The sum of $180,000, or so much thereof as may be necessary, is appropriated from the Sheffield Agreed Order Fund to the Illinois Emergency Management Agency for the care, maintenance, monitoring, testing, remediation and insurance of the low-level radioactive waste disposal site near Sheffield, Illinois.

Section 70. The sum of $686,600, or so much thereof as may be necessary, is appropriated from the Low-Level Radioactive Waste Facility Development and Operation Fund to the Illinois Emergency Management

New matter indicated by italics - deletions by strikeout
Agency for use in accordance with Section 14(a) of the Illinois Low-Level Radioactive Waste Management Act for costs related to establishing a low-level radioactive waste disposal facility.

ARTICLE 65

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

**GENERAL OFFICE**

Payable from the Fire Prevention Fund:
- For Personal Services.................. 7,610,134
- For Employee Retirement Contributions
  - Paid by Employer.................... 0
- For State Contributions to the State
  - Employees' Retirement System...... 877,513
  - For State Contributions to Social Security.. 533,118
  - For Group Insurance................ 1,852,880
  - For Contractual Services........... 882,144
  - For Travel........................... 129,700
  - For Commodities.................... 91,000
  - For Printing.......................... 63,400
  - For Equipment....................... 430,000
  - For Electronic Data Processing...... 1,242,984
  - For Telecommunications.............. 198,512
  - For Operation of Auto Equipment..... 309,000
  - For Refunds........................ 4,000
- Total .................................. $14,224,385

Payable from the Underground Storage Tank Fund:
- For Personal Services................ 1,613,000
- For Employee Retirement Contributions
  - Paid by Employer.................... 0
- For State Contributions to the State
  - Employees' Retirement System...... 185,900
  - For State Contributions to Social Security.. 113,000
  - For Group Insurance................ 423,300

New matter indicated by italics - deletions by strikeout
For Contractual Services................. 270,900
For Travel.................................... 25,000
For Commodities................................ 8,000
For Printing................................... 6,000
For Equipment................................ 161,500
For Electronic Data Processing............. 115,000
For Telecommunications...................... 47,000
For Operation of Auto Equipment.............. 60,000
For Refunds.................................. 10,000
For Expenses of Hearing Officers............. 75,000
Total                                      $3,113,600

Section 10. The sum of $627,815, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for costs and expenses related to or in support of a public safety shared services center.

Section 15. The sum of $700,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for administrative expenses of the Elevator Safety and Regulation Act.

Section 20. The sum of $185,000, or so much thereof as may be necessary, is appropriated from the Illinois Firefighters' Memorial Fund to the Office of the State Fire Marshal for expenses related to the maintenance of the Illinois Firefighters' Memorial, holding the annual Fallen Firefighter Ceremony, and other expenses as allowed under Public Act 91-0832.

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State Fire Marshal as follows:
Payable from the Fire Prevention Fund:
For Fire Prevention Training.................... 69,000
For Expenses of Fire Prevention Awareness Program.......................... 80,000
For Expenses of Arson Education and Seminars................................. 42,000

New matter indicated by italics - deletions by strikeout
For expenses of new fire chiefs training........ 44,000
For expenses of hearing officers.............. 25,000
Total $260,000

Payable from the Fire Prevention Fund:
For Expenses of Life Safety Code Program....... 20,000
For Expenses of the Risk Watch/Remember
When program........................................ 40,000

Payable from the Fire Prevention Division Fund:
For Expenses of the U.S. Resource
Conservation and Recovery Act
Underground Storage Program...................... 257,700

Payable from the Emergency Response
Reimbursement Fund:
For Hazardous Material Emergency
Response Reimbursement............................. 5,000

Section 30. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for the ordinary and
contingent expenses of the Office of the State Fire Marshal, as follows:

GRANTS
Payable from the Fire Prevention Fund:
For Chicago Fire Department Training Program... 1,931,960
For payment to local governmental agencies
which participate in the State Training
Programs.................................................. 1,000,000
For Regional Training Grants....................... 500,000
For payments in accordance with
Public Act 93-0169..................................... 25,000
Total $3,456,960

Section 35. The sum of $1,000, or so much thereof as may be
necessary, is appropriated from the Fire Prevention Fund to the Office of
the State Fire Marshal for grants available for the development of new fire
districts.

Section 40. The sum of $550,000, or so much thereof as may be
necessary, is appropriated from the Underground Storage Tank Fund to the

New matter indicated by italics - deletions by strikeout
Office of the State Fire Marshal for a grant to the City of Chicago for Administrative Costs incurred as a result of the State’s Underground Storage Program.

Section 45. The sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for the development of local government fire prevention.

Section 50. The sum of $125,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for costs and services related to ILEAS/MABAS administration.

Section 55. The sum of $714,200, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for the NITE project.

ARTICLE 66

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Capital Development Board:

GENERAL OFFICE
Payable from Capital Development Fund:
For Personal Services.........................  4,564,200
For Employee Retirement Contributions
  Paid by Employer.................................  0
For State Contributions to State
  Employees' Retirement System...............  524,900
For State Contributions to
  Social Security..............................  349,200
For Group Insurance...........................  1,116,500
For Contractual Services....................  267,000
For Travel......................................  32,200
For Commodities...............................  34,500
For Equipment.................................  10,000
For Telecommunications Services...........  108,800
For Operation of Auto Equipment...........  24,100

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

For Operational Expenses....................... 412,400
Total $7,443,800

Payable from Capital Development Board Revolving Fund:
For Personal Services......................... 2,856,100
For Employee Retirement Contributions
Paid by Employer................................ 0
For State Contributions to State
  Employees' Retirement System............... 328,500
  For State Contributions to Social Security ..... 218,500
  For Group Insurance....................... 783,000
  For Contractual Services.................... 298,100
  For Travel................................... 210,600
  For Commodities............................ 11,400
  For Printing................................. 17,200
  For Equipment................................ 0
  For Electronic Data Processing............... 185,200
  For Telecommunications Services.............. 119,500
Total $5,028,100

Payable from the School Infrastructure Fund:
For operational purposes relating to
the School Infrastructure Program.............. 550,000

ARTICLE 67
Section 5. The following named amounts, or so much of those
amounts as may be necessary, respectively, are appropriated for the objects
and purposes named, to meet the ordinary and contingent expenses of the
Judicial Inquiry Board:
For Personal Services......................... 306,386
For State Contributions to State Employees'
  Retirement System......................... 33,859
For Retirement - Pension pick-up............... 11,752
For State Contributions to Social Security..... 22,475
For Contractual Services...................... 300,000
For Travel.................................... 25,000
For Commodities................................ 1,500

New matter indicated by italics - deletions by strikeout
For Printing.............................................. 6,900
For Equipment........................................... 4,079
For EDP.................................................. 0
For Telecommunications......................... 7,800
For Operations of Auto Equipment............. 3,000
Total.................................................. $722,751

ARTICLE 68
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Law Enforcement Training Standards Board:

OPERATIONS
Payable from the Traffic and Criminal Conviction Surcharge Fund:
For Personal Services.......................... 1,229,100
For State Contributions to State Employees' Retirement System........... 141,600
For State Contributions to Social Security.......................... 94,400
For Group Insurance.............................. 358,100
For Contractual Services....................... 237,500
For Travel............................................ 34,000
For Commodities................................. 10,000
For Printing......................................... 5,000
For Equipment...................................... 20,000
For Electronic Data Processing............... 68,800
For Telecommunications Services.............. 34,900
For Operation of Auto Equipment............. 22,000
For payment of and/or services related to the administration of investigations pursuant to P.A. 93-0655........ 10,000
For costs and expenses related to or in support of a public safety shared services center......................... 22,400

New matter indicated by italics - deletions by strikeout
Total $2,287,800

Payable from the Police Training Board Services Fund:
For payment of and/or services
related to law enforcement training
in accordance with statutory provisions
of the Law Enforcement Intern
Training Act.................................... 100,000

Payable from the Death Certificate Surcharge Fund:
For payment of and/or services
related to death investigation
in accordance with statutory
provisions of the Vital Records Act............ 400,000

Section 10. The following named amount, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, is appropriated to the Law Enforcement Training Standards Board
as follows:

GRANTS-IN-AID

Payable from the Traffic and Criminal
Conviction Surcharge Fund:
For payment of and/or reimbursement
of training and training services
in accordance with statutory provisions ...... 11,260,000

ARTICLE 69

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to meet the ordinary and
contingent expenses of the Prisoner Review Board for the fiscal year
ending June 30, 2007:

PAYABLE FROM GENERAL REVENUE FUND
For Personal Services......................... 813,000
For Employee Retirement Contributions
Paid by Employer............................... 0
For State Contributions to State
Employees' Retirement System............... 94,000

New matter indicated by italics - deletions by strikeout
Social Security................................. 62,200
For Contractual Services....................... 189,681
For Travel......................................... 86,700
For Commodities............................... 11,477
For Printing...................................... 10,800
For Equipment................................... 0
For Electronic Data Processing............... 18,000
For Telecommunications Services .......... 20,200
Total.................................................. $1,306,058

Section 10. The amount of $15,000, or so much thereof as may be necessary, is appropriated to the Prisoner Review Board from the General Revenue Fund for expenses relating to the victim notification units.

Section 15. The amount of $400,000, or so much thereof as may be necessary, is appropriated from the Prisoner Review Board Vehicle and Equipment Fund to the Prisoner Review Board for all costs associated with the purchase and operation of vehicles and equipment.

ARTICLE 70

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the State Police Merit Board:

For Personal Services.......................... 356,600
For State Contributions to State
  Employees' Retirement System............... 41,100
For State Contributions to
  Social Security................................ 27,300
For Contractual Services....................... 387,150
For Travel........................................ 7,000
For Commodities............................... 6,000
For Printing...................................... 6,000
For Equipment................................... 0
For Electronic Data Processing............... 9,000
For Telecommunications Services .......... 14,000
For Operation of Automotive Equipment...... 3,000

New matter indicated by italics - deletions by strikeout
Total $857,150

ARTICLE 71

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

OPERATIONS

Payable from General Revenue Fund:
For Personal Services......................... 1,113,000
For State Contributions to State
Employees' Retirement System.................. 128,400
For State Contributions to
Social Security........................................ 85,300
For Contractual Services......................... 446,000
For Travel........................................ 11,600
For Commodities.................................. 12,400
For Printing....................................... 16,000
For Equipment.................................... 5,900
For Electronic Data Processing.................. 186,100
For Telecommunications Services............... 45,500
For Operation of Auto Equipment................. 15,000
Total $2,065,200

Payable from Criminal Justice Information Systems Trust Fund:
For Personal Services......................... 826,100
For State Contributions to State
Employees' Retirement System.................. 95,200
For State Contributions to
Social Security........................................ 63,200
For Group Insurance.............................. 190,000
For Contractual Services......................... 187,000
For Travel.......................................... 4,000
For Commodities.................................. 1,000
For Printing...................................... 2,000

New matter indicated by italics - deletions by strikeout
For Equipment...................................... 2,000
For Electronic Data Processing............... 805,000
For Telecommunications Services.............. 241,000
For Operation of Auto Equipment.............. 7,400
Total $2,423,900

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated from the Illinois Criminal Justice Information Authority for costs and expenses related to or in support of the public safety shared services center:
Payable from the General Revenue Fund......... 170,700
Payable from the Motor Vehicle Theft Prevention Trust Fund.............. 79,900
Payable from the Criminal Justice Trust Fund...... 700,000
Payable from the Juvenile Accountability Incentive Block Grant Fund........... 100,000
Total $1,050,600

Section 15. The sum of $37,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to local units of government and non-profit organizations.

Section 20. The sum of $12,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies.

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for activities undertaken in support of federal assistance programs administered by units of state and local government and non-profit organizations:
Payable from the General Revenue Fund.......... 810,000
Payable from the Criminal Justice Trust Fund........... 5,800,000
Total $6,610,000

New matter indicated by italics - deletions by strikeout
Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for awards and grants and other monies received from federal agencies, from other units of government, and from private/not-for-profit organizations for activities undertaken in support of investigating issues in criminal justice and for undertaking other criminal justice information projects:

Payable from the Criminal Justice
Trust Fund..................................... 1,700,000
Payable from the Criminal Justice
Information Projects Fund....................... 400,000
Total $2,100,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Criminal Justice Information Authority for awards, grants and operational support to implement the Motor Vehicle Theft Prevention Act:

Payable from the Motor Vehicle
Theft Prevention Trust Fund:
For Personal Services......................... 154,800
For other Ordinary and Contingent Expenses ...... 157,400
For Awards and Grants to federal
and state agencies, units of local
government, corporations, and
neighborhood, community and business
organizations to include operational
activities and programs undertaken
by the Authority in support of the
Motor Vehicle Theft Prevention Act........... 6,500,000
For Refunds.................................... 50,000
Total $6,862,200

Section 40. The sum of $40,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to
state agencies and units of local government, to include operational activities and programs undertaken by the Authority, in support of Federal Crime Bill Initiatives.

Section 45. The sum of $12,440,000, or so much thereof as may be necessary, is appropriated from the Juvenile Accountability Incentive Block Grant Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies and units of local government, including operational expenses of the Authority in support of the Juvenile Accountability Incentive Block Grant program.

Section 50. The sum of $150,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Criminal Justice Information Authority for costs and expenses related to a capital punishment reform study committee.

ARTICLE 72

Section 5. The amount of $240,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the East St. Louis Financial Advisory Authority for the operating expenses of the City of East St. Louis Financial Advisory Authority.

ARTICLE 73

Section 5. The sum of $0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Finance Authority for the purpose of interest buy-back as authorized under the Illinois Farm Development Act.

ARTICLE 74

Section 5. The sum of $31,608,000, or so much thereof as may be necessary, is appropriated from the Metropolitan Fair and Exposition Authority Improvement Bond Fund to the Metropolitan Pier and Exposition Authority for debt service on the Authority's Dedicated State Tax Revenue Bonds, issued pursuant to the "Metropolitan Fair and Exposition Authority Act", as amended.

Section 10. The sum of $107,984,000, or so much thereof as may be necessary, is appropriated from the McCormick Place Expansion Project Fund to the Metropolitan Pier and Exposition Authority for debt service on the Authority's McCormick Place Expansion Project Bonds,
issued pursuant to the "Metropolitan Pier and Exposition Authority Act", as amended.

ARTICLE 75

Section 5. The sum of $737,726, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Spectrulite Consortium Inc.

Section 10. The sum of $364,225, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Waste Recovery-Illinois.

Section 15. The sum of $1,010,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Alton Center Business Park.

Section 20. The sum of $1,391,143, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Laclede Steel-Illinois.

ARTICLE 76

Section 5. The sum of $39,145,000, or so much thereof as may be necessary, is appropriated from the Illinois Sports Facilities Fund to the Illinois Sports Facilities Authority for its corporate purposes.

ARTICLE 77

Section 5. The sum of $300,905, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Upper Illinois River Valley Development Authority for replenishment of a draw on the Debt Service Reserve Fund backing bonds issued on behalf of Waste Recovery - Illinois.

ARTICLE 78

New matter indicated by italics - deletions by strikeout
Section 5. The following amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes named, to meet the ordinary and contingent expenses of the Illinois Violence Prevention Authority:

Payable from the Violence Prevention Fund:
- For Personal Services: $501,600
- For State Contributions to State Employees' Retirement System: $57,700
- For State Contribution to Social Security: $38,400
- For Contractual Services: $116,000
- For Travel: $20,000
- For Commodities: $3,000
- For Printing: $10,000
- For Equipment: $1,000
- For Electronic Data Processing: $2,000
- For Telecommunications Services: $2,000
Total: $794,700

Payable from the General Revenue Fund:
- For Contractual Services: $36,500
Total: $36,500

Section 10. The sum of $1,200,000, or so much thereof as may be necessary, is appropriated from the Violence Prevention Fund to the Illinois Violence Prevention Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 15. The sum of $2,127,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Violence Prevention Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 20. The amount of $849,600, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Illinois Violence Prevention Authority for the Illinois Family Violence Coordinating Council Program.
ARTICLE 79

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission:

GENERAL OFFICE

For Personal Services:
Regular Positions............................. 4,567,000
Arbitrators................................. 3,595,500
Court Reporters............................ 1,422,000

For Employee Retirement Contributions
Paid by Employer.............................. 0

For State Contributions to State
Employees’ Retirement System............ 526,600
Arbitrators’ Retirement System........... 414,000
Court Reporters’ Retirement System...... 164,000

For State Contributions to Social Security........................................... 733,800

For Group Insurance.............................. 2,686,000
For Contractual Services......................... 380,000
For Travel...................................... 230,000
For Commodities................................ 45,500
For Printing................................... 35,000
For Equipment.................................. 50,000
For Telecommunications Services............ 110,000

Total $14,959,400

ELECTRONIC DATA PROCESSING

For Personal Services............................ 665,000
For State Contributions to State
Employees’ Retirement System............ 76,600

For State Contributions to Social Security........................................... 50,800
For Contractual Services......................... 140,000

New matter indicated by italics - deletions by strikeout
For Travel......................................... 2,500
For Commodities.................................... 2,000
For Printing....................................... 2,000
For Equipment..................................... 12,000
For Telecommunications Services............... 60,000
Total                                                                 $1,010,900

Section 10. In addition to the amounts heretofore appropriated, the following named amount, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission for the project hereinafter enumerated:

PEORIA OFFICE
For rent, staffing and equipment to operate an office in Peoria.......................... 114,000

Section 15. The amount of $115,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission for printing and distribution of Workers' Compensation handbooks containing information as to the rights and obligations of employers.

Section 20. The amount of $244,200, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission for the implementation and operation of an accident reporting system.

Section 25. The sum of $118,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to the Illinois Workers’ Compensation Commission for all costs associated with the establishment and operation of a satellite office in the Metro East area.

Section 30. The amount of $800,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for costs associated with the establishment, administration

New matter indicated by italics - deletions by strikeout
and operations of the Insurance Compliance Division of the workers’ compensation anti-fraud program administered by Illinois Workers’ Compensation Commission.

Section 35. The amount of $940,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for all costs associated with the establishment, administration and operation of a third Commission panel.

Section 40. The amount of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Workers’ Compensation Commission Operations Fund to Illinois Workers’ Compensation Commission for costs associated with the establishment of the Medical Fee Schedule and other provisions of the Workers’ Compensation Act.

ARTICLE 80

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF THE EXECUTIVE OFFICE

Payable from General Revenue Fund:

For Personal Services........................... 629,800
For Employee Retirement Contributions paid by Employer........................................... 0
For State Contributions to State Employees' Retirement System...................... 72,700
For State Contributions to Social Security .... 48,300
For Contractual services.......................... 50,000
For Travel........................................ 33,600
For Commodities................................... 500
Total $834,900

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF FINANCE AND ADMINISTRATION

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services......................... 1,071,400
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State
Employees' Retirement System................. 123,500
       To State Employees' Retirement System
       Total........................................ $1,841,700

Payable from Services for Older Americans Fund:
For Personal Services........................... 384,900
For Employee Retirement Contributions
Paid by Employer................................. 0
For State Contributions to State
Employees' Retirement System................. 44,400
       To State Employees' Retirement System
       Total........................................ $705,200

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

    New matter indicated by italics - deletions by strikeout
DIVISION OF HOME AND COMMUNITY SERVICES

Payable from General Revenue Fund:
- For Personal Services.......................... 740,000
- For Employee Retirement Contributions
  Paid by Employer................................ 0
- For State Contributions to State
  Employees' Retirement System................... 85,100
- For State Contributions to Social Security ...... 56,500
- For Travel........................................ 20,000
- For Commodities.................................. 500
  Total $902,100

Payable from Services for Older Americans Fund:
- For Personal Services........................... 1,127,100
- For Employee Retirement Contributions
  Paid by Employer................................ 0
- For State Contributions to State
  Employees' Retirement System................... 129,900
- For State Contributions to Social Security ...... 85,900
- For Group Insurance.............................. 270,000
- For Contractual Services.......................... 15,000
- For Travel......................................... 52,100
  Total $1,680,000

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF PLANNING RESEARCH AND DEVELOPMENT

Payable from General Revenue Fund:
- For Personal Services........................... 265,600
- For Employee Retirement Contributions
  Paid by Employer................................ 0
- For State Contributions to State
  Employees' Retirement System................... 30,800
  For State Contributions to Social Security ...... 20,400

New matter indicated by italics - deletions by strikeout
For Travel........................................ 20,000
For Commodities................................... 500
Total                                                                                      $337,300

Payable from Services for Older Americans Fund:
For Personal Services........................... 352,900
For Employee Retirement Contributions
Paid by Employer...................................... 0
For State Contributions to State
Employees' Retirement System...................... 40,700
For State Contributions to Social Security ....... 27,000
For Group Insurance.................................. 105,000
For Contractual Services.......................... 15,000
For Travel........................................ 10,000
Total                                                                                      $550,600

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF COMMUNICATIONS AND OUTREACH

Payable from General Revenue Fund:
For Personal Services........................... 328,200
For Employee Retirement Contributions
Paid by Employer...................................... 0
For State Contributions to State
Employees' Retirement System...................... 37,900
For State Contributions to Social Security ....... 25,200
For Contractual Services.......................... 60,000
For Travel........................................ 24,700
For Commodities...................................... 500
For Printing........................................ 23,500
Total                                                                                      $500,000

Payable from Services for Older Americans Fund:
For Personal Services........................... 191,300

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
  Paid by Employer........................................  0

For State Contributions to State
  Employees' Retirement System......................  22,100
  For State Contributions to Social Security ....  14,800
  For Group Insurance..................................  75,000
  For Travel...........................................  10,000
  Total.................................................. $313,200

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

**DISTRIBUTIVE ITEMS**

**OPERATIONS**

Payable from General Revenue Fund:
  For Expenses of the Provisions of the Elder Abuse and Neglect Act...........  10,041,400
  For Expenses of the Intergenerational Programs........................................  60,900
  For Expenses of the Illinois Department on Aging for Monitoring and Support Services........................................  296,900
  For Expenses of the Illinois Council on Aging........................................  12,200
  For Expenses of the Alzheimer’s Task Force And Conference........................................  12,400
  For Expenses of the Senior Employment Specialist Program..........................  264,300
  For Expenses of the Grandparents Raising Grandchildren Program.....................  336,500
  For Expenses of the Senior Meal Program..........  34,500
  For Expenses of the Alzheimer’s Initiative and Related Programs..................  104,700
  For Administrative Expenses of the Red Tape Cutter Program..........................  9,800

New matter indicated by italics - deletions by strikeout
For Expenses for Senior Transportation........... 200,000
For Expenses of the Senior Helpline............ 1,468,400
Total $12,842,000

Payable from Services for Older Americans Fund:
For Expenses of Senior Meal Program............. 52,100
For Purchase of Training Services................. 148,300
For Expenses of the Discretionary Government Projects.................. 6,405,000
Total $6,605,400

Payable from the Department on Aging's Special Projects Fund:
For Expenses of Private Partnership Projects........................................ 45,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

Payable from General Revenue Fund:
For Grants and for Administrative Expenses Associated with the purchase Of homemaker and other home-based services, including prior year costs........... 274,749,800
For grants for a Needs Assessment Study of the Elderly in the South Suburbs.................................. 100,000
For Grants and for Administrative Expenses Associated with Alternative Senior Services, including prior year costs.......................... 6,800,000

New matter indicated by italics - deletions by strikeout
year costs................................. 40,477,800
For Grants and for Administrative Expenses Associated with Adult Day Care, including prior year costs........ 17,276,100
For Grants for distribution to the 13 Area Agencies on Aging for costs for home delivered meals and mobile food equipment .... 7,969,600
Grants for Community Based Services including information and referral services, transportation and delivered meals........................................ 3,062,300
Grants for Community Based Services for equal distribution to each of the 13 Area Agencies on Aging......................... 1,955,000
For Grants for Retired Senior Volunteer Program................................. 782,000
For Planning and Service Grants to Area Agencies on Aging..................... 2,241,700
For Grants for the Foster Grandparent Program................................. 342,100
For Expenses to the Area Agencies on Aging for Long-Term Care Systems Development................................. 276,000
For Grants for Suburban Area Agency on Aging for the Red Tape Cutter Program................................. 251,700
For Grants for Chicago Department on Aging for the Red Tape Cutter Program................. 603,600
For the Ombudsman Program................................. 391,000
Total $357,278,700
Payable from the Tobacco Settlement Recovery Fund:
For Grants and Administrative Expenses of Senior Health

New matter indicated by italics - deletions by strikeout
Assistance Programs.......................... 1,100,000
Payable from Services for Older Americans Fund:
For Grants for Social Services.............. 27,164,000
For Grants for Nutrition Services.......... 24,475,800
For Grants for Employment Services........ 3,397,000
For Grants for USDA Adult Day Care......... 1,500,000
For Grants for the USDA Elderly Feeding Program............................. 6,500,000
Total $64,136,800

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department on Aging for the ordinary and contingent expenses of the Senior Citizens Circuit Breaker and Pharmaceutical Assistance Program:
Payable from General Revenue Fund......... 51,928,600
Payable from Tobacco Settlement Recovery Fund............................. 8,890,900

ARTICLE 81
Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services......................... 7,029,900
For Retirement Contributions Paid
   By Employer....................................... 0
   For Retirement Contributions............... 810,300
For State Contributions to
   Social Security............................... 537,900
   For Contractual Services...................... 2,475,000
   For Travel....................................... 170,000
   For Commodities............................... 8,000
   For Printing.................................... 1,500
   For Equipment.................................. 10,000

New matter indicated by italics - deletions by strikeout
For Telecommunications
For Attorney General Representation on Child Welfare Litigation Issues
Total
PAYABLE FROM C&FS SPECIAL PURPOSES TRUST FUND
For Expenditures of Private Funds for Child Welfare Improvements
Total
Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

INSPECTOR GENERAL
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services
For Retirement Contributions
For State Contributions to Social Security
For Contractual Services
For Travel
For Commodities
For Printing
For Equipment
For Telecommunications Services
Total
Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

ADMINISTRATIVE CASE REVIEW
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services
For Retirement Contributions
For State Contributions to

New matter indicated by italics - deletions by strikeout
Social Security........................................ 395,900  
For Contractual Services.......................... 38,000  
For Travel........................................... 110,000  
For Commodities.................................... 1,000  
For Printing......................................... 200  
For Equipment...................................... 3,000  
For Telecommunications Services............... 14,000  
Total.................................................. $6,333,000  

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

**OFFICE OF QUALITY ASSURANCE**  
PAYABLE FROM GENERAL REVENUE FUND  
For Personal Services......................... 1,815,800  
For Retirement Contributions............... 209,300  
For State Contributions to  
Social Security.................................. 139,000  
For Contractual Services...................... 285,000  
For Travel........................................ 170,000  
For Commodities................................. 8,000  
For Printing....................................... 3,400  
For Equipment.................................... 3,000  
For Telecommunications........................ 21,000  
Total.................................................. $2,654,600  

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

**CHILD WELFARE**  
PAYABLE FROM GENERAL REVENUE FUND  
For Personal Services......................... 85,222,200  
For Retirement Contributions............... 9,821,800  
For State Contributions to  
Social Security................................. 6,519,500  

New matter indicated by italics - deletions by strikeout
For Contractual Services....................... 2,295,400
For Travel..................................... 4,080,000
For Commodities................................ 305,000
For Printing..................................... 210,500
For Equipment..................................... 42,000
For Telecommunications Services.................. 3,325,600
For Targeted Case Management....................... 8,307,700
Total                                                                 $120,129,700

PAYABLE FROM C&FS FEDERAL PROJECTS FUND
For Federal Child Welfare Projects............. 2,775,000
For Independent Living Initiative............ 10,300,000
Total                                                                 $13,075,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD PROTECTION

PAYABLE FROM GENERAL REVENUE FUND
For Personal Services........................ 58,313,800
For Retirement Contributions............... 6,720,700
For State Contributions to
    Social Security............................. 4,461,000
For Contractual Services....................... 194,000
For Travel..................................... 1,537,000
For Commodities................................ 5,000
For Printing..................................... 2,000
For Equipment..................................... 22,500
For Telecommunications Services............... 497,000
For Child Death Review Teams.................. 120,000
Total                                                                 $71,873,000

PAYABLE FROM C&FS FEDERAL PROJECTS FUND
For Federal Child Protection Projects......... 5,292,600
Total                                                                 $5,292,600
Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

**SUPPORT SERVICES**

**PAYABLE FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>5,851,600</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>674,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>447,700</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>25,353,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>116,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>150,000</td>
</tr>
<tr>
<td>For Printing</td>
<td>280,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>6,500</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>7,585,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>1,259,000</td>
</tr>
<tr>
<td>For Operation of Automotive Equipment</td>
<td>70,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>5,800</td>
</tr>
<tr>
<td>For Cook County Referral Support System</td>
<td>247,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$42,046,300</strong></td>
</tr>
</tbody>
</table>

**PAYABLE FROM DCFS CHILDREN’S SERVICES FUND**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For all expenditures related to the</td>
<td></td>
</tr>
<tr>
<td>collection and distribution of Title IV-E</td>
<td></td>
</tr>
<tr>
<td>reimbursements for counties included</td>
<td></td>
</tr>
<tr>
<td>in the Title IV-E Juvenile Justice Pilot Program</td>
<td></td>
</tr>
<tr>
<td>to be implemented in one county in</td>
<td></td>
</tr>
<tr>
<td>each of the DCFS regions of Cook, Northern,</td>
<td></td>
</tr>
<tr>
<td>Central, and Southern in accordance with an</td>
<td></td>
</tr>
<tr>
<td>intergovernmental agreement to be developed</td>
<td></td>
</tr>
<tr>
<td>with each pilot county</td>
<td>5,000,000</td>
</tr>
<tr>
<td>For Title IV-E Reimbursement</td>
<td></td>
</tr>
<tr>
<td>Enhancement</td>
<td>4,439,600</td>
</tr>
<tr>
<td>For SSI Reimbursement</td>
<td>1,763,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798                                                                          1734

For AFCARS/SACWIS Information
System........................................... 21,219,200
Total $32,422,500

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CLINICAL SERVICES
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services......................... 2,520,500
For Retirement Contributions............... 290,600
For State Contributions to
Social Security.................................. 192,900
For Contractual Services..................... 160,500
For Travel..................................... 105,000
For Commodities............................... 2,000
For Printing................................... 400
For Equipment................................ 2,000
For Telecommunications Services........... 61,000
Total $3,334,800

OFFICE OF THE GUARDIAN
PAYABLE FROM GENERAL REVENUE FUND
For Personal Services......................... 3,498,000
For Retirement Contributions............... 403,200
For State Contributions to
Social Security................................ 267,700
For Contractual Services..................... 436,500
For Travel.................................... 50,000
For Commodities.............................. 5,000
For Printing.................................. 500
For Equipment................................. 2,000
For Telecommunications...................... 105,000
Total $4,767,900

PURCHASE OF SERVICE MONITORING
PAYABLE FROM GENERAL REVENUE FUND

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 17,328,300
For Retirement Contributions................ 1,997,100
For State Contributions to
Social Security........................... 1,325,700
For Contractual Services....................... 1,950,000
For Travel........................................ 50,000
For Commodities.............................. 6,000
For Printing................................... 1,300
For Equipment................................ 6,000
For Telecommunications...................... 125,300
Total $22,789,700

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, for payments for care of children served by the Department of Children and Family Services:

      GRANTS-IN-AID
      REGIONAL OFFICES

      PAYABLE FROM GENERAL REVENUE FUND

For Foster Homes and Specialized
Foster Care and Prevention............... 144,599,900
For Counseling and Auxiliary Services..... 12,893,000
For Institution and Group Home Care and Prevention....................... 96,208,700
For Services Associated with the Foster Care Initiative............. 6,812,200
For Purchase of Adoption and Guardianship Services................ 180,767,500
For Health Care Network.................... 4,198,500
For Cash Assistance and Housing Locator Service to Families in the Class Defined in the Norman Consent Order .... 1,432,000
For Youth in Transition Program........... 944,700
For MCO Technical Assistance and Program Development.............. 1,650,000
For Pre Admission/Post Discharge

New matter indicated by italics - deletions by strikeout
Psychiatric Screening.......................... 8,671,800
For Assisting in the Development of Children's Advocacy Centers.......... 2,069,500
For Psychological Assessments including Operations and Administrative Expenses.......................... 3,200,000
Total $463,447,800

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Foster Homes and Specialized Foster Care and Prevention............... 166,752,100
For Cash Assistance and Housing Locator Services to Families in the Class Defined in the Norman Consent Order.......................... 2,200,000
For Counseling and Auxiliary Services............ 14,043,400
For Institution and Group Home Care and Prevention.......................... 112,370,100
For Assisting in the development of Children's Advocacy Centers.......... 1,505,400
For Children's Personal and Physical Maintenance.................... 4,621,600
For Services Associated with the Foster Care Initiative.................... 2,266,000
For Purchase of Adoption and Guardianship Services.................... 108,510,500
For Family Preservation Services............. 20,450,600
For Purchase of Children's Services........... 1,356,700
Federal Compliance/Program Improvement Plan Implementation............... 30,200,000
For Family Centered Services Initiative........... 17,525,500
Total $481,801,900

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter

New matter indicated by italics - deletions by strikeout
named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION
PAYABLE FROM GENERAL REVENUE FUND
For Department Scholarship Program.............. $842,500
Total $842,500

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

CHILD WELFARE
PAYABLE FROM GENERAL REVENUE FUND
For Reimbursing Counties......................... $338,500
Total $338,500

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID
SUPPORT SERVICES
PAYABLE FROM GENERAL REVENUE FUND
For Tort Claims................................. $233,800
Total $233,800

CHILD PROTECTION
Payable from the General Revenue Fund:
For Protective/Family Maintenance
Day Care........................................... $23,210,100
Total $23,210,100
Payable from the Child Abuse Prevention Fund:
For Child Abuse Prevention...................... $600,000
Total $600,000

CLINICAL SERVICES
Payable from the DCFS Children’s Services Fund:
For Foster Care and Adoption Care Training... $16,800,000

New matter indicated by italics - deletions by strikeout
Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

**PROGRAM ADMINISTRATION**

<table>
<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..................</td>
<td>16,171,000</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System.............</td>
<td>1,863,700</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security.............................</td>
<td>1,237,100</td>
</tr>
<tr>
<td>For Contractual Services...............</td>
<td>18,313,900</td>
</tr>
<tr>
<td>For Travel..................................</td>
<td>320,600</td>
</tr>
<tr>
<td>For Commodities............................</td>
<td>528,200</td>
</tr>
<tr>
<td>For Printing................................</td>
<td>898,000</td>
</tr>
<tr>
<td>For Equipment................................</td>
<td>592,100</td>
</tr>
<tr>
<td>For Telecommunications Services...........</td>
<td>1,266,000</td>
</tr>
<tr>
<td>For Operation of Auto Equipment.........</td>
<td>102,700</td>
</tr>
<tr>
<td>Total</td>
<td>$41,293,300</td>
</tr>
</tbody>
</table>

**OFFICE OF INSPECTOR GENERAL**

<table>
<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..................</td>
<td>11,001,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System.............</td>
<td>1,268,000</td>
</tr>
<tr>
<td>For State Contributions to</td>
<td></td>
</tr>
<tr>
<td>Social Security.............................</td>
<td>841,600</td>
</tr>
<tr>
<td>For Contractual Services...............</td>
<td>3,878,400</td>
</tr>
<tr>
<td>For Travel..................................</td>
<td>221,300</td>
</tr>
<tr>
<td>For Equipment................................</td>
<td>811,400</td>
</tr>
<tr>
<td>Total</td>
<td>$18,022,600</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Payable from Public Aid Recoveries Trust Fund:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services..........................</td>
<td>723,500</td>
</tr>
<tr>
<td>For State Contributions to State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System.....................</td>
<td>83,400</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Social Security
For Group Insurance
Total
Payable from Long Term Care Provider Fund:
For Administrative Expenses

ENERGY ASSISTANCE
Payable from Energy Administration Fund:
For Personal Services
For State Contributions to State
Employees' Retirement System
For State Contributions to
Social Security
For Group Insurance
For Contractual Services
For Travel
For Commodities
For Equipment
For Telecommunications Services
For Operation of Automotive Equipment
For Administrative and Grant Expenses Relating to Training, Technical Assistance, and Administration of the Weatherization Programs
Total
Payable from Low Income Home Energy Assistance Block Grant Fund:
For Personal Services
For State Contributions to State
Employees' Retirement System
For State Contributions to
Social Security
For Group Insurance
For Contractual Services
For Travel

New matter indicated by italics - deletions by strikeout
For Commodities............................ 8,100
For Printing.................................. 65,000
For Equipment.............................. 145,000
For Telecommunications Services........... 586,000
For Operation of Automotive Equipment...... 2,900
For Expenses Related to the Development and Maintenance of the LIHEAP System............... 1,000,000
Total $5,033,500

CHILD SUPPORT ENFORCEMENT Payable from Child Support Administrative Fund:
For Personal Services...................... 52,861,200
For Employee Retirement Contributions Paid by Employer.......................... 69,800
For State Contributions to State Employees' Retirement System................. 6,092,200
For State Contributions to Social Security.......................... 4,043,900
For Group Insurance........................ 15,355,500
For Contractual Services................... 64,422,200
For Travel.................................... 529,100
For Commodities........................... 319,400
For Printing................................. 162,800
For Equipment.............................. 2,533,700
For Telecommunications Services........... 4,453,700
For Costs Related to the State Disbursement Unit.......................... 15,788,600
For Administrative Costs Related to Enhanced Collection Efforts including Paternity Adjudication Demonstration........... 13,058,700
For Child Support Enforcement Demonstration Projects........................... 1,400,000
Total $181,090,800

New matter indicated by italics - deletions by strikeout
The amount of $31,008,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for deposit into the Child Support Administrative Fund.

**ATTORNEY GENERAL REPRESENTATION**

Payable from General Revenue Fund:
- For Personal Services: $1,486,200
- For Employee Retirement Contributions
  - Paid by Employer: $25,300
- For State Contributions to State Employees' Retirement System: $171,300
- For State Contributions to Social Security: $113,700
- For Contractual Services: $386,300
- For Travel: $10,900
- For Equipment: $29,600
- Total: $2,223,300

**PUBLIC AID RECOVERIES**

Payable from Public Aid Recoveries Trust Fund:
- For Personal Services: $6,890,400
- For State Contributions to State Employees' Retirement System: $794,100
- For State Contributions to Social Security: $527,100
- For Group Insurance: $1,930,500
- For Contractual Services: $21,547,500
- For Travel: $120,000
- For Commodities: $50,000
- For Printing: $25,000
- For Equipment: $2,974,300
- For Telecommunications Services: $320,000
- Total: $35,178,900

**MEDICAL**

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services................. 30,626,200
For State Contributions to State
   Employees' Retirement System......... 3,529,600
For State Contributions to
   Social Security...................... 2,342,900
For Contractual Services............... 4,749,700
For Travel................................ 284,300
For Equipment........................... 58,300
For Telecommunications Services....... 1,430,800
For Purchase of Medical Management
   Services.............................. 9,612,400
For Purchase of Services Relating to
   and costs associated with the develop-
   ment and implementation of an
   electronic Medicaid client eligibility
   verification system.................... 1,515,000
For Costs Associated with the
   Development, Implementation and
   Operation of a Medical Data
   Warehouse............................. 3,894,900
For Refunds of Premium Payments Received
   Pursuant to Section 25(a)(2) of the
   Children's Health Insurance Program Act,
   or under the provisions of the Health
   Benefits for Workers with Disabilities
   Program, or under the provisions of the
   Covering ALL KIDS Health
   Insurance Act ......................... 96,000
Total                                $58,140,100

Payable from Provider Inquiry Trust Fund:
For expenses associated with
   providing access and utilization
   of Department eligibility files......... 1,500,000

New matter indicated by italics - deletions by strikeout
Section 10. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT, AND THE COVERING ALL KIDS HEALTH INSURANCE ACT

Payable from General Revenue Fund:
- For Physicians: $735,288,400
- For Dentists: $126,091,200
- For Optometrists: $14,770,800
- For Podiatrists: $2,864,200
- For Chiropractors: $1,721,200
- For Hospital In-Patient, Disproportionate Share and Ambulatory Care: $2,547,424,000
- For federally defined Institutions for Mental Diseases: $130,489,400
- For Supportive Living Facilities: $58,674,000
- For all other Skilled, Intermediate, and Other Related Long Term Care Services: $857,653,000
- For Community Health Centers: $210,632,000
- For Hospice Care: $57,023,100
- For Independent Laboratories: $43,833,200
- For Home Health Care, Therapy, and Nursing Services: $45,570,700
- For Appliances: $77,381,100
- For Transportation: $94,379,300
- For Other Related Medical Services and for development, implementation, and operation of managed care and children's health programs including operating and administrative costs and related distributive purposes: $164,830,600

New matter indicated by italics - deletions by strikeout
For Medicare Part A Premiums.............. 27,094,800
For Medicare Part B Premiums.............. 248,751,500
For Medicare Part B Premiums for Qualified Individuals under the Federal Balanced Budget Act of 1997..... 13,891,100
For Health Maintenance Organizations and Managed Care Entities..................... 253,319,500
For Division of Specialized Care for Children........................................ 80,518,600
Total                                                                                   $5,792,201,700

In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under the Illinois Public Aid Code, the Children’s Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act for Prescribed Drugs, including costs associated with the implementation and operation of the Illinois Cares Rx Program:

Payable from:
General Revenue Fund.......................... 737,248,100
Drug Rebate Fund........................................ 766,000,000
Tobacco Settlement Recovery Fund............. 375,152,900
Medicaid Buy-In Program Revolving Fund........ 100,000
Total                                                                                   $1,878,501,000

The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:

FOR MEDICAL ASSISTANCE

Payable from General Revenue Fund:
For Grants for Medical Care for Persons Suffering from Chronic Renal Disease........ 1,006,100
For Grants for Medical Care for Persons Suffering from Hemophilia.................... 7,001,700

New matter indicated by italics - deletions by strikeout
For Grants for Medical Care for Sexual Assault Victims......................... 1,600,000
For Grants to Altgeld Clinic......................... 400,000
For Grants to the Rush Alzheimer’s Disease Center................................. 500,000
For Grants to the Gilead Outreach and Referral Center............................. 500,000
Total ................................................................... $11,007,800

The Department, with the consent in writing from the Governor, may reapportion not more than two percent of the total General Revenue Fund appropriations in Section 10 above among the various purposes therein enumerated.

In addition to any amounts heretofore appropriated, the amount of $7,832,800, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for expenses relating to the Children's Health Insurance Program Act, including payments under Section 25 (a)(1) of that Act, and related operating and administrative costs.

Section 15. In addition to any amounts heretofore appropriated, the amount of $40,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Family Care Fund for i) Medical Assistance payments on behalf of individuals eligible for Medical Assistance programs administered by the Department of Healthcare and Family Services, and ii) pursuant to an interagency agreement, medical services and other costs associated with children’s mental health programs administered by another agency of state government, including operating and administrative costs.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:
Payable from Tobacco Settlement Recovery Fund:
For Deposit into the Medical Research and Development Fund......................... 6,400,000
For Deposit into the Post-Tertiary

New matter indicated by italics - deletions by strikeout
Clinical Services Fund......................... 6,400,000
For Deposit into the Independent Academic
Medical Center Fund......................... 1,000,000
Total $13,800,000

Section 25. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Healthcare and Family Services for the purposes hereinafter named:

FOR THE PURPOSES ENUMERATED IN THE
EXCELLENCE IN ACADEMIC MEDICINE ACT

Payable from:
  Independent Academic Medical
  Center Fund................................. 2,000,000
  Medical Research and Development Fund..... 12,800,000
  Post-Tertiary Clinical Services Fund......... 12,800,000
Total $27,600,000

Section 30. In addition to any amounts heretofore appropriated,
the following named amounts, or so much thereof as may be necessary,
respectively, are appropriated to the Department of Healthcare and Family
Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID
CODE, THE CHILDREN’S HEALTH INSURANCE PROGRAM ACT,
AND THE COVERING ALL KIDS HEALTH INSURANCE ACT

Payable from Care Provider Fund for Persons
  With A Developmental Disability:
  For Administrative Expenditures............. 94,200
Payable from Long Term Care Provider Fund:
  For Skilled, Intermediate, and Other Related
  Long Term Care Services..................... 795,328,300
  For Administrative Expenditures............. 2,033,000
Total $797,361,300
Payable from Hospital Provider Fund:
  For Hospitals.............................. 1,215,200,000
  For Medical Assistance Providers............. 0
Total $1,215,200,000

New matter indicated by italics - deletions by strikeout
Section 35. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT, AND THE COVERING ALL KIDS HEALTH INSURANCE ACT

Payable from County Provider Trust Fund:
For Distributive Hospitals.................. 1,981,119,000
For Administrative Expenditures.............. 500,000
Total $1,981,619,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for the purposes hereinafter named:
For Refunds of Overpayments of Assessments or Inter-Governmental Transfers Made by Providers During the Period From July 1, 1991 through June 30, 2006:
Payable from:
Care Provider Fund for Persons With A Developmental Disability........... 1,000,000
Long Term Care Provider Fund.............. 2,750,000
County Provider Trust Fund................. 1,000,000
Total $4,750,000

Section 45. The amount of $15,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Trauma Center Fund for adjustment payments to certain Level I and Level II trauma centers.

Section 50. The amount of $225,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the University of Illinois Hospital Services Fund to reimburse the University of Illinois Hospital for hospital services.

Section 55. The amount of $8,500,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

New matter indicated by italics - deletions by strikeout
Services from the Juvenile Rehabilitation Services Medicaid Matching Fund for grants to the Department of Juvenile Justice and counties for court-ordered juvenile behavioral health services under the Medicaid Rehabilitation Option and the Children's Health Insurance Program Act.

Section 60. The amount of $8,673,300, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Medical Special Purposes Trust Fund for medical demonstration projects and costs associated with the implementation of federal Health Insurance Portability and Accountability Act mandates.

Section 65. The amount of $140,000,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the Special Education Medicaid Matching Fund for grants to local education agencies for medical services eligible for federal reimbursement under Title XIX or Title XXI of the federal Social Security Act.

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services:

**ENERGY ASSISTANCE GRANTS-IN-AID**

Payable from Supplemental Low-Income Energy Assistance Fund:
- For Grants and Administrative Expenses Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended, Including Prior Year Costs....................... 97,900,000

Payable from Energy Administration Fund:
- For Grants and Technical Assistance Services for Nonprofit Community Organizations Including Reimbursement For Costs in Prior Years......................... 17,500,000

Payable from Low Income Home Energy Assistance Block Grant Fund:
- For Grants to Eligible Recipients Under the Low Income Home Energy

New matter indicated by italics - deletions by strikeout
Assistance Act of 1981, Including
Reimbursement for Costs in Prior
Years........................................ 302,000,000

Payable from Good Samaritan Energy Trust Fund:
For Grants, Contracts and Administrative
Expenses Pursuant to the Good
Samaritan Energy Plan Act.................... 2,150,000

Section 75. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Healthcare and Family Services:

ENERGY ASSISTANCE REFUNDS
For refunds to the Federal Government and other refunds:
Payable from Energy Administration
Fund............................................. 300,000
Payable from Low Income Home
Energy Assistance Block
Grant Fund................................. 600,000
Total........................................ $900,000

Section 80. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Healthcare and
Family Services for the purposes hereinafter named:

EMPLOYEE HEALTH INSURANCE FOR GROUP INSURANCE
Payable from:
General Revenue Fund......................... 1,065,037,500
Road Fund.................................... 130,520,200
Total........................................ $1,195,557,700

The amount of $1,785,234,100, or so much thereof as may be
necessary, is appropriated to the Department of Healthcare and Family
Services from the Health Insurance Reserve Fund for provisions of health
care coverage as elected by eligible members per the State Employees

Payable from Local Government Health
Insurance Reserve Fund:

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

For Personal Services............................ 554,800
For State Contributions to State
    Employees’ Retirement System.................. 63,900
For State Contributions to Social
    Security........................................ 42,400
For Group Insurance............................. 147,200
For Contractual Services......................... 169,500
For Travel........................................ 19,000
For Commodities................................... 10,000
For Printing..................................... 140,000
For Equipment..................................... 17,700
For Electronic Data Processing.................... 47,000
For Telecommunications Services................... 18,400
For Operation of Automotive Equipment.......... 6,500
Total $1,236,400
For the Local Governments’ Contribution
    Under Program of Group Life, Dental,
    Hospital, and Surgical and Medical
    Insurance for Persons Serving Local
Government........................................ 98,831,800

Section 85. The amount of $350,000, or so much thereof as may
be necessary, is appropriated to the Department of Healthcare and Family
Services from the Illinois Prescription Drug Discount Program Fund for
expenses related to the Illinois Prescription Drug Discount Program.

ARTICLE 83

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated to the Department of Human Services for income
assistance and related distributive purposes, including such Federal funds
as are made available by the Federal Government for the following
purposes:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Aid to Aged, Blind or Disabled under Article III....................... 28,000,000
For Temporary Assistance for Needy Families under Article IV and other social services including Emergency Assistance for families with Dependent Children.................. 137,065,000
For Grants Associated with Child Care Services, Including Operating and Administrative Costs....................... 592,960,300
For Funeral and Burial Expenses under Articles III, IV, and V, including prior year costs............................... 10,167,500
For Refugees.................................. 1,575,700
For New Americans Initiative...................... 3,000,000
For State Family and Children Assistance............ 1,339,000
For State Transitional Assistance............. 11,500,000
For Immigrant Services pursuant to 305 ILCS 5/12-4.34............. 5,300,000
For grants and for Administrative Expenses associated with Refugee Social Services......................... 541,000
Total $791,448,500

The Department, with the consent in writing from the Governor, may reappportion not more than ten percent of the total appropriation of General Revenue Funds in Section 5 above "For Income Assistance and Related Distributive Purposes" among the various purposes therein enumerated.

The Department, with the consent in writing from the Governor, may reappportion not more than six percent of the appropriation "For Temporary Assistance for Needy Families under Article IV" representing savings attributable to not increasing grants due to the births of additional children to the appropriation from the General Revenue Fund in Section 39.1 in this Article for Employability Development Services.

New matter indicated by italics - deletions by strikeout
Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ATTORNEY GENERAL REPRESENTATION
Payable from General Revenue Fund:
For Personal Services.......................... 159,600
For Employee Retirement Contributions
Paid by Employer............................... 1,700
For Retirement Contributions.................. 18,400
For State Contributions to Social Security..... 12,200
For Contractual Services....................... 4,100
Total $196,000

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

TINLEY PARK MENTAL HEALTH CENTER
For costs associated with the operation of Tinley Park Mental Health Center or the Transition of Tinley Park Mental Health Center Services to alternative community or state-operated settings......................... 19,387,500
Total $19,387,500

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

ADMINISTRATIVE AND PROGRAM SUPPORT
Payable from General Revenue Fund:
For Personal Services.......................... 21,984,600
For Employee Retirement Contributions
Paid by Employer............................... 0
For Retirement Contributions.................. 2,533,700
For State Contributions to Social Security..... 1,680,100

New matter indicated by italics - deletions by strikeout
For Group Insurance.................................. 100
For Contractual Services....................... 3,332,600
For Contractual Services:
   For Leased Property Management............. 42,128,100
For Contractual Services:
   For Press Information Officers Management.... 823,300
For Contractual Services:
   For Graphic Design Management............... 98,100
For Contractual Services:
   For On-line Legal Services Management........ 72,000
For Travel....................................... 304,100
For Commodities................................ 1,509,000
For Printing..................................... 983,200
For Equipment.................................... 216,000
For Telecommunications Services................. 1,293,900
For Operation of Auto Equipment.................. 230,100
For In-Service Training........................... 17,600
For Expenses Related to Training
   Department Staff................................ 150,700
For Health Insurance Portability
   and Accountability Act......................... 418,000
For Indirect Cost Principles/Interfund
   Transfer Payable to the Vocational
   Rehabilitation Fund............................ 3,329,300
Total                                    $81,104,500
Payable from the DHS Recoveries Trust Fund:
For Personal Services......................... 2,886,200
For Employee Retirement Contributions
   Paid by Employer................................ 0
For Retirement Contributions.................. 332,600
For State Contributions to Social Security..... 220,800
For Group Insurance......................... 769,000
For Contractual Services..................... 1,196,200
For Contractual Services:

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Leased Property Management</td>
<td>396,200</td>
</tr>
<tr>
<td>For Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>16,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>7,600</td>
</tr>
<tr>
<td>For Equipment</td>
<td>2,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>15,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,893,300</strong></td>
</tr>
</tbody>
</table>

Payable from Vocational Rehabilitation Fund:
- For Personal Services: 4,975,400
- For Employee Retirement Contributions:
  - Paid by Employer: 0
  - For Retirement Contributions: 573,400
- For State Contributions to Social Security: 380,600
- For Group Insurance: 1,518,000
- For Contractual Services: 1,331,000

For Contractual Services:
- For Leased Property Management: 6,123,000
- For Travel: 136,000
- For Commodities: 136,500
- For Printing: 37,000
- For Equipment: 198,600
- For Telecommunications Services: 226,500
- For Operation of Auto Equipment: 28,500
- For In-Service Training: 366,700
  
**Total**: $16,031,200

Payable from Prevention/Treatment – Alcoholism and Substance Abuse Block Grant Fund:

Payable from Federal National Community Services Grant Fund:

Payable from Special Purposes Trust Fund:

New matter indicated by italics - deletions by strikeout
For Contractual Services:
   For Leased Property Management...................  506,600
Payable from Old Age Survivors’ Insurance Fund:
   For Contractual Services:
      For Leased Property Management..................  2,739,900
Payable from Early Intervention Services
   Revolving Fund:
      For Contractual Services:
         For Leased Property Management...................  66,500
Payable from USDA Women, Infants & Children Fund:
   For Contractual Services:
      For Leased Property Management....................  354,500
Payable from Local Initiative Fund:
   For Contractual Services:
      For Leased Property Management....................  102,300
Payable from Domestic Violence Shelter and Service Fund:
   For Contractual Services:
      For Leased Property Management....................  53,300
Payable from Community Mental Health Service
   Block Grant Fund:
      For Contractual Services:
         For Leased Property Management...................  62,000
Payable from Juvenile Justice Trust Fund:
   For Contractual Services:
      For Leased Property Management......................  7,800
Payable from DMH/DD Private Resources Fund:
   For Costs associated with the Health
   and Human Services Reform Activities
   funded by Private Donations from the
   Annie E. Casey Foundation............................  150,000

ADMINISTRATIVE AND PROGRAM SUPPORT
GRANTS-IN-AID

New matter indicated by italics - deletions by strikeout
Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

GRANTS-IN-AID

For Tort Claims:
- Payable from General Revenue Fund: 580,900
- Payable from Vocational Rehabilitation Fund: 10,000
- Total: $590,900

For Reimbursement of Employees for Work-Related Personal Property Damages:
- Payable from General Revenue Fund: 12,600

For Grants Associated with Systems Change Including Operating and Administrative Costs
- Payable from the DHS Federal Projects Fund: 450,000

For grants to units of local government, not for profit organizations, community organizations and educational facilities for all costs associated with operational expenses and infrastructure improvements including but not limited to planning, construction, reconstruction, renovation, equipment, vehicles and other capital and related expenses and for all costs associated with economic development programs, educational and training programs, social service programs, and public health and safety programs.
- Payable from General Revenue Fund: 2,400,000
- Payable from General Revenue Fund: 4,776,000

PERMANENT IMPROVEMENTS

Section 50. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Human Services for repairs and maintenance, roof repairs

New matter indicated by italics - deletions by strikeout
and/or replacements and miscellaneous at the Department's various facilities and are to include capital improvements including construction, reconstruction, improvements, repairs and installation of capital facilities, cost of planning, supplies, materials, and all other expenses required for roof and other types of repairs and maintenance, capital improvements and demolition.

No contract shall be entered into or obligations incurred for any expenditures from appropriations made in this Section of the Article until after the purposes and amounts have been approved in writing by the Governor.

For Repair, Maintenance and other Capital Improvements at various facilities........... 1,595,700

For Miscellaneous Permanent Improvements........... 250,700

Total $1,846,400

Section 55. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services as follows:

REFUNDS
Payable from General Revenue Fund............... 9,000
Payable from Vocational Rehabilitation Fund ....... 5,000
Payable from Youth Drug Abuse Prevention Fund...... 30,000
Payable from DHS Federal Projects Fund.............. 25,000
Payable from USDA Women, Infants and Children Fund. 200,000
Payable from Maternal and Child Health Services Block Grant Fund............... 5,000
Payable from Mental Health Fund............... 100,000
Payable from the Early Intervention Services Revolving Fund............... 300,000
Payable from Drug Treatment Fund............... 5,000
Total $679,000

Section 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for ordinary and contingent expenses:

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund:
- For Personal Services ......................... 8,329,800
- For Employee Retirement Contributions
  - Paid by Employer ............................. 0
  - For Retirement Contributions ................ 960,000
- For State Contributions to Social Security ...... 637,200
- For Contractual Services ........................ 9,832,600
  - For Information Technology Management........ 14,192,900
  - For Travel ........................................ 51,900
  - For Equipment .................................... 800,000
  - For Electronic Data Processing ................. 2,450,400
  - For Telecommunications Services ............... 4,031,800
  Total ................................................................ $41,286,600

Payable from Vocational Rehabilitation Fund:
- For Personal Services ......................... 1,982,000
- For Employee Retirement Contributions
  - Paid by Employer ............................. 0
- For Retirement Contributions ................. 228,400
- For State Contributions to Social Security ...... 151,600
- For Group Insurance ............................ 421,000
- For Contractual Services ....................... 1,805,000
  - For Information Technology Management........ 1,480,700
  - For Travel ........................................ 50,000
  - For Commodities ................................ 60,600
  - For Printing ...................................... 65,800
  - For Equipment ................................. 850,000
  - For Telecommunications Services .............. 1,950,000
  - For Operation of Auto Equipment ............... 2,800
  Total ......................................................... $9,047,900

Payable from USDA Women, Infants and Children Fund:
- For Personal Services ......................... 262,300

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
Paid by Employer........................................ 0
For Retirement Contributions.......................... 30,200
For State Contributions to Social Security ......... 20,100
For Group Insurance.................................... 44,000
For Contractual Services............................ 325,400
For Contractual Services:
For Information Technology Management........... 391,900
For Electronic Data Processing....................... 150,000
Total $1,223,900
Payable from Maternal and Child Health Services
Block Grant Fund:
For Operational Expenses Associated with
Support of Maternal and Child Health
Programs.................................................. 236,000
Payable from the Mental Health Fund:
For Services Provided Under Contract
to Maximize Cost Recovery.......................... 650,400
Section 65. The following named sums, or so much thereof as may
be necessary, respectively, for the objects and purposes hereinafter named,
are appropriated from the General Revenue Fund for the ordinary and
contingent expenditures of the Department of Human Services:

JACK MABLEY DEVELOPMENT CENTER
For Personal Services............................... 7,090,400
For Employee Retirement Contributions
Paid by Employer....................................... 0
For Retirement Contributions........................ 810,400
For State Contributions to
Social Security....................................... 542,500
For Contractual Services........................... 1,250,600
For Travel.............................................. 3,900
For Commodities.................................... 405,900
For Printing.......................................... 4,500
For Equipment.................................... 26,300

New matter indicated by italics - deletions by strikeout
Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ALTON MENTAL HEALTH CENTER

For Personal Services........................ 16,549,200
For Employee Retirement Contributions
  Paid by Employer................................. 0
For Retirement Contributions.................. 1,892,800
For State Contributions to Social Security.............. 1,266,100
For Contractual Services....................... 1,768,100
For Travel........................................ 29,400
For Commodities.................................. 387,100
For Printing...................................... 12,000
For Equipment..................................... 86,900
For Telecommunications Services.................. 110,300
For Operation of Auto Equipment................... 65,000
For Expenses Related to Living Skills Program..... 3,300
For Costs Associated with Behavioral Health Services - Alton Network........... 5,003,700
Total ........................................... 27,173,900

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

BUREAU OF DISABILITY DETERMINATION SERVICES

Payable from Old Age Survivors’ Insurance Fund:
For Personal Services.......................... 29,473,600
For Employee Retirement Contributions
  Paid by Employer................................. 0
For Retirement Contributions.................. 3,396,800

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security .... 2,254,700
For Group Insurance......................... 7,997,000
For Contractual Services..................... 11,601,800
For Travel................................. 198,000
For Commodities............................ 379,100
For Printing................................. 165,000
For Equipment............................... 1,819,900
For Telecommunications Services............. 1,404,700
For Operation of Auto Equipment............. 100
Total ...................................... $58,690,700

Section 80. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services:

BUREAU OF DISABILITY DETERMINATION SERVICES

GRANTS-IN-AID
Payable from Old Age Survivors' Insurance:
  For Services to Disabled Individuals.......... 19,000,000
Payable from General Revenue Fund:
  For SSI Advocacy Services...................... 2,314,700
  Payable from the Special Purposes Trust Fund..... 606,000

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

HOME SERVICES PROGRAM
Payable from General Revenue Fund:
  For Personal Services......................... 4,658,300
  For Employee Retirement Contributions
    Paid by Employer........................................ 0
  For Retirement Contributions.................... 536,900
  For State Contribution to Social Security...... 356,300
  For Contractual Services....................... 4,800
  For Travel.............................................. 117,000
  For Commodities................................. 1,800
  For Printing........................................... 3,400
  For Equipment...................................... 900

New matter indicated by italics - deletions by strikeout
For Telecommunications Services.................... 4,100
Total 5,683,500

Section 90. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

HOME SERVICES PROGRAM

GRANTS-IN-AID

Payable from General Revenue Fund:
For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating and administrative costs........... 408,573,900

Payable from General Revenue Fund:
For a Pilot Project for Quality Home Support for the Division of Specialized Care for Children................. 1,000,000

Section 92. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:
For Personal Services............................ 3,681,800
For Employee Retirement Contributions
Paid by Employer........................................ 0
For Retirement Contributions...................... 424,400
For State Contribution to Social Security............. 281,600
For Contractual Services............................ 450,000
For Travel............................................... 98,000
For Commodities..................................... 13,000
For Equipment......................................... 4,800
For Telecommunications Services.................... 56,100
Total 5,009,700

Payable from the Community Mental Health Services Block Grant Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services ............................................. 539,700
For Employee Retirement Contributions Paid by Employer .................................................. 0
For Retirement Contributions .................... 62,200
For State Contributions to Social Security ....... 41,300
For Group Insurance .............................. 131,000
For Contractual Services ......................... 119,400
For Travel.................................................. 10,000
For Commodities.................................... 5,000
For Equipment...................................... 5,000
Total $913,600

Section 95. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE

For Community Service Grant Programs for Persons with Mental Illness:
Payable from General Revenue Fund........... 220,416,200
Payable from Community Mental Health Services Block Grant Fund............... 13,025,400
Payable from the DHS Federal Projects Fund.......................... 16,000,000
Payable from General Revenue Fund:
For Costs Associated with the Purchase and Disbursement of Psychotropic Medications for Mentally Ill Clients in the Community..... 3,000,000
Payable from General Revenue Fund:
For Psychiatric Services North Central Network. 9,607,300
Payable from the General Revenue Fund:
For Supportive MI Housing.......................... 10,350,000
Payable from the Mental Health Transportation Fund:

New matter indicated by italics - deletions by strikeout
For all costs associated with Mental Health Transportation.......................... 1,200,000
Payable from Community Mental Health Medicaid Trust Fund:
For all costs and administrative expenses associated with Medicaid Services for Persons with Mental Illness, including prior year costs......... 95,689,900
Payable from General Revenue Fund:
For Emergency Psychiatric Services.............. 10,620,400
For Community Service Grant Programs for Children and Adolescents with Mental Illness:
Payable from General Revenue Fund............. 25,481,900
Payable from Community Mental Health Services Block Grant Fund......................... 4,341,800
For the Children’s Mental Health Partnership:
Payable from General Revenue Fund............ 2,000,000
Payable from General Revenue Fund:
For Purchase of Care for Children and Adolescents with Mental Illness approved through the Individual Care Grant Program.... 24,612,800
Payable from General Revenue Fund:
For Costs Associated with Children and Adolescent Mental Health Programs ........ 11,493,500
Payable from Community Mental Health Services Block Grant Fund:
For Teen Suicide Prevention Including Provisions Established in Public Act 85-0928........................................ 206,400
Total ........................................ 448,045,600

Section 98. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

New matter indicated by italics - deletions by strikeout
DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT

Payable from General Revenue Fund:
For Personal Services.......................... 4,672,000
For Employee Retirement Contributions
  Paid by Employer.................................. 0
For Retirement Contributions............... 538,500
For State Contribution to
  Social Security............................... 357,400
For Contractual Services.................... 216,600
For Travel..................................... 56,800
For Commodities............................... 10,400
For Equipment................................. 357,700
For Telecommunications Services.......... 38,800
Total........................................... 6,248,200

Section 99. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT GRANTS-IN-AID AND PURCHASED CARE

For Community Based Services for Persons with Developmental Disabilities at the approximate cost set forth below:
Payable from the General Revenue Fund....... 570,358,300
Payable from the Mental Health Fund......... 9,965,600
Total........................................ 580,323,900

Payable from General Revenue Fund:
For Developmental Disability Quality Assurance Waiver................................. 492,700

New matter indicated by italics - deletions by strikeout
Developmental Disabilities.................... 9,232,200
Payable from the General Revenue Fund:
For Family Assistance Program, the
Home Based Support Services Program,
and for costs associated with services
for individuals with Developmental
Disabilities to enable them to reside
in their homes, at the approximate costs
set forth below.............................. 27,839,500
For the Family Assistance Program.. 5,000,000
For the Home Based Support
Services Program................. 22,839,500
Total $37,564,400
Payable from the Illinois Affordable
Housing Trust Fund:
For costs associated with the Home Based
Support Services Program and for costs
associated with services for individuals
with developmental disabilities to
enable them to reside in their
homes......................................... 1,300,000
Payable from the General Revenue Fund:
For a grant to the Edwin Feldman
Developmental Center Puentes Project.......... 208,000
Payable from the General Revenue Fund:
For a grant to the Autism Program for an
Autism Diagnosis Education Program
For Young Children............................ 2,500,000
Payable from the Community Developmental
Disabilities Services Medicaid Trust Fund..... 5,000,000
Payable from the General Revenue Fund:
For a grant to Lewis and Clark
Community College............................ 220,000
Payable from the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For a grant to the ARC of Illinois
for the Life Span Project..........................             540,000
Payable from the General Revenue Fund:
For a grant for the Best Buddies Program........              500,000

Section 100. The following named sums, or so much thereof as
may be necessary, are appropriated to the Department of Human Services
for the following purposes:
Payable from the General Revenue Fund
For costs associated with Developmental
Disability Community Transitions or
State Operated Facilities.........................             2,450,000
For costs associated with young adults
Transitioning from the Department of
Children and Family Services to the
Developmental Disability Service
System...........................................             6,512,800
For Intermediate Care Facilities for the
Mentally Retarded and Alternative
Community Programs including prior
year costs.......................................             356,856,200
Payable from the Care Provider Fund
For Persons with A Developmental Disability...
Total
$405,819,000

Section 101. The sum of $32,800,000, or so much thereof as may
be necessary, is appropriated from the Health and Human Services
Medicaid Trust Fund to the Department of Human Services for grants and
administrative expenses for services for persons with a mental illness or
developmental disability.

Prior to January 1, 2007, no contract shall be entered into or
obligations incurred for any expenditure from appropriation made in this
Section of the Article.

Section 105. The following named amount, or so much thereof as
may be necessary, is appropriated to the Department of Human Services
for Payments to Community Providers and Administrative Expenditures,

New matter indicated by italics - deletions by strikeout
including such Federal funds as are made available by the Federal Government for the following purpose:

Payable from the Autism Research Checkoff Fund:
   For costs associated with autism research....... 100,000

Section 110. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

INSPECTOR GENERAL

Payable from General Revenue Fund:
   For Personal Services............................... 3,459,900
   For Employee Retirement Contributions
      Paid by Employer.................................. 0
      For Retirement Contributions.................... 398,700
      For State Contributions to Social Security..... 264,600
      For Contractual Services......................... 99,900
      For Travel........................................ 134,100
      For Commodities.................................. 23,500
      For Equipment..................................... 38,800
      For Telecommunications Services............... 96,000
   Total .............................................. $4,614,700

Section 115. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION PREVENTION

Payable from the Youth Alcoholism and Substance Abuse Prevention Fund:
   For Deposit into the Fund which receives all payments under Section 5-3 of Act for Alcoholic Liquors.............................. 150,000

ADDICTION PREVENTION
   GRANTS-IN-AID

Payable from General Revenue Fund:
   For Addiction Prevention and Related Services. 6,118,600

New matter indicated by italics - deletions by strikeout
For Methamphetamine Awareness................. 1,500,000
Payable from the Youth Alcoholism and
Substance Abuse Fund......................... 1,050,000
Payable from Alcoholism and
Substance Abuse Fund.......................... 6,009,300
Payable from Prevention and Treatment
of Alcoholism and Substance Abuse
Block Grant Fund......................... 16,000,000
Total $30,677,900

Section 118. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated for the objects and
purposes hereinafter named, to the Department of Human Services:

ADDITION TREATMENT

Payable from General Revenue Fund:
For Personal Services....................... 863,800
For Employee Retirement Contributions
Paid by Employer.............................. 0
For Retirement Contributions................. 99,600
For State Contribution to Social Security..... 66,100
For Contractual Services..................... 2,500
For Travel.................................... 3,800
For Equipment................................ 1,400
For Telecommunications Services............. 25,800
Total 1,063,000

Payable from the Prevention/Treatment – Alcoholism
and Substance Abuse Block Grant Fund:
For Personal Services....................... 1,981,200
For Employee Retirement Contributions Paid
by Employer.................................... 0
For Retirement Contributions................. 228,300
For State Contributions to Social Security.... 151,600
For Group Insurance.......................... 377,000
For Contractual Services..................... 1,227,700
For Travel.................................... 200,000

New matter indicated by italics - deletions by strikeout
For Commodities.......................... 53,800
For Printing............................... 35,000
For Equipment............................. 14,300
For Electronic Data Processing........... 300,000
For Telecommunications Services......... 117,800
For Operation of Auto Equipment......... 20,000
For Expenses Associated with the Administration of the Alcohol and Substance Abuse Prevention and Treatment Programs.............. 215,000
Total $4,921,700

Section 120. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT GRANTS-IN-AID
Payable from the General Revenue Fund:
For Costs Associated with Addiction Treatment Services for Special Populations... 9,057,400
For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible and KidCare clients, Including Prior Year Costs........................................ 52,234,900
For Costs Associated with Community Based Addiction Treatment Services......... 86,599,700
For Addiction Treatment Services for DCFS clients........................................ 12,038,900
For Grants and Administrative Expenses Related to the Welfare Reform Pilot Project.......... 2,787,200
Total $162,718,100
Payable from Illinois State Gaming Fund
For Costs Associated with Treatment of Individuals who are Compulsive Gamblers........ 960,000
Total $960,000
For Addiction Treatment and Related Services:
Payable from Prevention and Treatment

New matter indicated by italics - deletions by strikeout
of Alcoholism and Substance Abuse
Block Grant Fund................................. 57,500,000
Payable from Drug Treatment Fund............. 5,000,000
Payable from Youth Drug Abuse
Prevention Fund................................. 530,000
Total ............................................. $63,030,000
Payable from General Revenue Fund:
For Grants and Administrative Expenses Related
to the Domestic Violence and Substance
Abuse Demonstration Project...................... 641,800
Payable from Drunk and Drugged Driving
Prevention Fund:
For Grants and Administrative Expenses Related
to Addiction Treatment and Related Services... 3,082,900
Payable from Alcoholism and Substance
Abuse Fund...................................... 22,102,900

The Department, with the consent in writing from the Governor,
may reapportion not more than two percent of the total appropriation of
General Revenue Funds in Section 15 above "Addiction Treatment"
among the purposes therein enumerated.

Section 130. The following named sums, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated from the General Revenue Fund to meet the
ordinary and contingent expenditures of the Department of Human
Services:

CLYDE L. CHOATE MENTAL HEALTH AND DEVELOPMENTAL
CENTER
For Personal Services............................ 27,151,400
For Employee Retirement Contributions
Paid by Employer.................................... 0
For Retirement Contributions.................... 3,108,800
For State Contributions to Social Security..... 2,077,100
For Contractual Services....................... 1,898,400
For Travel........................................... 23,900

New matter indicated by italics - deletions by strikeout
For Commodities.................. 1,226,400
For Printing......................... 13,400
For Equipment....................... 87,400
For Telecommunications Services... 148,300
For Operation of Auto Equipment... 58,300
For Expenses Related to Living Skills Program... 37,400
For Costs Associated with Behavioral Health Services - Choate Network... 42,500
Total $35,873,300

Section 135. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from General Revenue Fund to the Department of Human Services:
- For Lincoln Developmental Center Operational Expenses.................. 990,900

Section 140. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REHABILITATION SERVICES BUREAUS
Payable from Illinois Veterans' Rehabilitation Fund:
- For Personal Services.............. 1,387,600
- For Employee Retirement Contributions
  Paid by Employer.......................... 0
- For Retirement Contributions........ 159,900
- For State Contributions to Social Security ..... 106,200
- For Group Insurance.................... 319,000
- For Travel................................... 12,200
- For Commodities...................... 5,600
- For Equipment........................... 7,000
- For Telecommunications Services..... 19,500
Total $2,017,000
Payable from Vocational Rehabilitation Fund:
- For Personal Services.............. 32,085,400
- For Employee Retirement Contributions
  Paid by Employer.......................... 0

New matter indicated by italics - deletions by strikeout
For Retirement Contributions................... 3,618,300
For State Contributions to Social Security .... 2,454,500
For Group Insurance............................. 8,755,000
For Contractual Services....................... 3,563,800
For Travel...................................... 1,200,000
For Commodities.................................. 306,900
For Printing..................................... 145,100
For Equipment.................................... 629,900
For Telecommunications Services................ 1,676,300
For Operation of Auto Equipment............... 5,700
For Administrative Expenses of the
Statewide Deaf Evaluation Center............. 247,800
Total $54,688,700

Section 145. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services:

REHABILITATION SERVICES BUREAUS
GRANTS-IN-AID

For a grant for Regional Access and Mobilization:
Payable from General Revenue Fund............. 250,000

For Case Services to Individuals:
Payable from General Revenue Fund............. 9,613,300
Payable from Illinois Veterans' Rehabilitation Fund............. 2,413,700
Payable from Vocational Rehabilitation Fund... 46,110,700

For Grants for Multiple Sclerosis:
Payable from the Multiple Sclerosis Fund........ 300,000

For Implementation of Title VI, Part C of the Vocational Rehabilitation Act of 1973 as
Amended--Supported Employment:
Payable from General Revenue Fund............. 2,131,700
Payable from Vocational Rehabilitation Fund... 1,900,000

For Small Business Enterprise Program:
Payable from Vocational Rehabilitation Fund... 3,527,300

New matter indicated by italics - deletions by strikeout
For Grants to Independent Living Centers:
Payable from General Revenue Fund............... 4,768,800
Payable from Vocational Rehabilitation Fund.... 2,000,000

For the Illinois Coalition for Citizens
with Disabilities:
Payable from General Revenue Fund............... 112,600
Payable from Vocational Rehabilitation Fund....... 77,200

For Lekotek Services for Children
with Disabilities:
Payable from the General Revenue Fund......... 650,000

For Independent Living Older Blind Grant:
Payable from the Vocational Rehabilitation Fund.................. 245,500
Payable from General Revenue Fund............... 142,600

For Independent Living Older Blind Formula
Payable from Vocational Rehabilitation Fund... 1,500,000

Project for Individuals of All Ages
with Disabilities:
Payable from the Vocational Rehabilitation Fund............... 1,050,000

For Case Services to Migrant Workers:
Payable from the General Revenue Fund............. 20,000
Payable from the Vocational Rehabilitation Fund........................ 210,000

Total $77,273,400

Section 150. The sum of $17,000,000, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes in Article 36, Section 145 of Public Act 94-0015 is reappropriated from the Vocational Rehabilitation Fund to the Department of Human Services for Case Services to Individuals.

Section 155. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

New matter indicated by italics - deletions by strikeout
**CLIENT ASSISTANCE PROJECT**

Payable from Vocational Rehabilitation Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>526,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>- Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>60,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>40,300</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>131,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>28,500</td>
</tr>
<tr>
<td>For Travel</td>
<td>38,200</td>
</tr>
<tr>
<td>For Commodities</td>
<td>2,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>32,100</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>12,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$873,600</strong></td>
</tr>
</tbody>
</table>

Section 160. The sum of $50,000, or so much thereof as may be necessary, is appropriated from the Vocational Rehabilitation Fund to the Department of Human Services for a grant relating to a Client Assistance Project.

Section 162. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

**DIVISION OF REHABILITATION SERVICES PROGRAM AND ADMINISTRATIVE SUPPORT**

Payable from Vocational Rehabilitation Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>635,900</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
<td></td>
</tr>
<tr>
<td>- Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>73,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>48,600</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>152,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>61,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Equipment..................................... 40,000
For Telecommunications Services............... 16,900
Total $1,078,000

Payable from the Rehabilitation Services
   Elementary and Secondary Education Act Fund:
   For Federally Assisted Programs.............. 1,350,000

Section 165. The following named sums, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated from the General Revenue Fund to meet the
ordinary and contingent expenses of the Department of Human Services:

   CHICAGO-READ MENTAL HEALTH CENTER

For Personal Services......................... 21,734,700
For Employee Retirement Contributions
   Paid by Employer...................................... 0
For Retirement Contributions.................. 2,498,500
For State Contributions to
   Social Security................................. 1,662,700
For Contractual Services...................... 2,261,200
For Travel........................................ 27,200
For Commodities................................ 546,500
For Printing....................................... 9,900
For Equipment..................................... 46,400
For Telecommunications Services............. 158,400
For Operation of Auto Equipment.............. 27,400
For Expenses Related to Living
   Skills Program.................................. 20,000
For Costs Associated with Behavioral
   Health Services - Chicago-Read Network..... 381,300
Total $29,374,200

Section 170. The following named sums, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated to meet the ordinary and contingent expenditures
of the Department of Human Services:

   CENTRAL SUPPORT AND CLINICAL SERVICES

New matter indicated by italics - deletions by strikeout
Payable from General Revenue Fund:
For Personal Services..........................                                         8,985,200
For Employee Retirement Contributions Paid by Employer...........................................                                                   0
For Retirement Contributions to Social Security......                              687,400
For Contractual Services..........................................................                                        590,800
For Travel........................................                                                 74,800
For Commodities.......................................                                        20,435,100
For Printing......................................                                                 27,900
For Equipment.....................................                                             66,300
For Telecommunications Services...........................                                 21,600
For Contractual Services:
For Private Hospitals for Recipients of State Facilities.................. 925,900
Total                                                                                       $32,850,500
Payable from the DHS Federal Projects Fund:
For Federally Assisted Programs..........................                                  5,949,200
Payable from the Mental Health Fund:
For Costs Related to Provision of Support Services Provided to Departmental and Non-Departmental Organizations.......................... 4,770,200

Section 175. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Human Services:

SEXUALLY VIOLENT PERSONS PROGRAM

Payable from General Revenue Fund:
For Sexually Violent Persons Program..........................................................          25,886,400

Section 180. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenditures of the Department of Human Services:

New matter indicated by italics - deletions by strikeout
H. DOUGLAS SINGER MENTAL HEALTH AND DEVELOPMENTAL CENTER

For Personal Services.......................... 9,863,300
For Employee Retirement Contributions
  Paid by Employer................................ 0
For Retirement Contributions............... 1,130,400
For State Contributions to Social Security... 754,600
For Contractual Services..................... 2,623,800
For Travel...................................... 9,600
For Commodities.............................. 339,000
For Printing................................... 9,900
For Equipment.................................. 27,500
For Telecommunications Services............ 78,400
For Operation of Auto Equipment............. 21,400
For Expenses Related to Living Skills Program.. 3,800
For Costs Associated with Behavioral
  Health Services - Singer Network........... 39,300
Total $14,901,000

Section 185. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ANN M. KILEY DEVELOPMENTAL CENTER

For Personal Services.......................... 19,674,900
For Employee Retirement Contributions
  Paid by Employer................................ 0
For Retirement Contributions............... 2,253,700
For State Contributions to Social Security... 1,505,100
For Contractual Services..................... 2,075,400
For Travel...................................... 7,100
For Commodities.............................. 914,800
For Printing................................... 14,400

New matter indicated by italics - deletions by strikeout
For Equipment..................................... 35,300
For Telecommunications Services........... 107,400
For Operation of Auto Equipment............. 84,000
For Expenses Related to Living Skills Program..... 13,500
Total $26,685,600

Section 190. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE DEAF
Payable from General Revenue Fund:
For Personal Services......................... 12,480,700
For Student, Member or Inmate Compensation....... 13,400
For Employee Retirement Contributions
Paid by Employer...................................... 0
For Retirement Contributions................... 1,136,700
For State Contributions to Social Security....... 954,800
For Contractual Services....................... 1,777,800
For Travel........................................ 19,000
For Commodities.................................. 495,500
For Printing....................................... 1,000
For Equipment.................................... 117,900
For Telecommunications Services............... 113,700
For Operation of Auto Equipment............... 52,600
Total $17,163,100

Payable from Vocational Rehabilitation Fund:
For Secondary Transitional Experience Program........................................... 50,000

Section 195. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED
Payable from General Revenue Fund:
For Personal Services............................ 6,798,600
For Student, Member or Inmate Compensation...... 16,400

New matter indicated by italics - deletions by strikeout
For Employee Retirement Contributions
   Paid by Employer........................................ 0
   For Retirement Contributions.......................... 612,400
   For State Contributions to Social Security......... 520,100
   For Contractual Services............................... 638,600
   For Travel.................................................. 13,800
   For Commodities......................................... 228,400
   For Printing................................................ 2,500
   For Equipment............................................. 80,000
   For Telecommunications Services.................... 44,900
   For Operation of Auto Equipment.................... 16,500
Total                                                                                   $8,972,200
Payable from Vocational Rehabilitation Fund:
   For Secondary Transitional Experience Program.... 42,900

Section 200. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

   JOHN J. MADDEN MENTAL HEALTH CENTER
   For Personal Services................................. 22,565,300
   For Employee Retirement Contributions
      Paid by Employer........................................ 0
      For Retirement Contributions.......................... 2,600,600
      For State Contributions to Social Security........ 1,726,200
      For Contractual Services............................... 2,543,500
      For Travel................................................. 45,300
      For Commodities......................................... 552,400
      For Printing............................................... 19,100
      For Equipment............................................ 67,700
      For Telecommunications Services.................... 262,800
      For Operation of Auto Equipment.................... 38,500
      For Expenses Related to Living Skills Program..... 19,200
      For Costs Associated with Behavioral Health

New matter indicated by italics - deletions by strikeout
Services - Madden Network.......................... 147,400
Total                                   $30,588,000

Section 205. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

WARREN G. MURRAY DEVELOPMENTAL CENTER
For Personal Services............................ 25,079,800
For Employee Retirement Contributions
   Paid by Employer.............................. 0
   For Retirement Contributions................. 2,864,200
   For State Contributions to Social Security... 1,918,600
   For Contractual Services..................... 1,818,500
   For Travel.................................. 9,900
   For Commodities................................ 1,367,000
   For Printing.................................. 9,700
   For Equipment................................ 122,300
   For Telecommunications Services............ 47,800
   For Operation of Auto Equipment............. 60,300
   For Expenses Related to Living Skills Program..... 2,900
Total                                      $33,301,000

Section 210. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ELGIN MENTAL HEALTH CENTER
For Personal Services......................... 46,570,900
For Employee Retirement Contributions
   Paid by Employer.............................. 0
   For Retirement Contributions................. 5,325,800
   For State Contributions to Social Security... 3,562,600
   For Contractual Services..................... 5,169,800

New matter indicated by italics - deletions by strikeout
For Travel........................................ 32,500
For Commodities............................... 1,174,800
For Printing..................................... 26,100
For Equipment................................. 131,400
For Telecommunications Services.............. 285,000
For Operation of Auto Equipment.............. 130,200
For Expenses Related to Living Skills Program... 31,200
For Costs Associated with Behavioral Health Services - Elgin Network................. 7,609,900
Total                                                                                         $70,050,200

Section 215. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY AND RESIDENTIAL SERVICES
FOR THE BLIND AND VISUALLY IMPAIRED
Payable from General Revenue Fund:
For Personal Services.......................... 1,404,600
For Employee Retirement Contributions
  Paid by Employer................................. 0
For Retirement Contributions.................. 108,600
For State Contributions to Social Security ...... 107,400
For Contractual Services....................... 30,700
For Travel........................................ 54,900
For Commodities.................................. 6,000
For Printing....................................... 200
For Equipment.................................... 200
For Telecommunications Services............... 2,000
Total                                                                                         $1,714,600

Section 220. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

CHESTER MENTAL HEALTH CENTER

New matter indicated by italics - deletions by strikeout
For Personal Services........................ 27,986,900
For Employee Retirement Contributions
   Paid by Employer.................................. 0
For Retirement Contributions............... 3,169,300
For State Contributions to Social Security.... 2,141,000
For Contractual Services...................... 2,767,900
For Travel........................................ 69,500
For Commodities................................ 609,700
For Printing..................................... 9,900
For Equipment................................... 50,300
For Telecommunications Services.............. 94,200
For Operation of Auto Equipment............. 45,500
For Expenses Related to Living Skills Program.. 4,600
Total                                       $36,948,800

Section 225. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

JACKSONVILLE DEVELOPMENTAL CENTER
For Personal Services....................... 22,353,300
For Employee Retirement Contributions
   Paid by Employer............................... 0
For Retirement Contributions............... 2,569,500
For State Contributions to Social Security.... 1,710,000
For Contractual Services.................... 1,499,500
For Travel.................................. 14,600
For Commodities.............................. 1,516,900
For Printing.................................. 12,400
For Equipment................................ 89,600
For Telecommunications Services............. 70,500
For Operation of Auto Equipment........... 68,700
For Expenses Related to Living Skills Program.. 16,200
Total                                     $29,921,200

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

Section 230. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION

Payable from General Revenue Fund:
- For Personal Services: $3,549,300
- For Student, Member or Inmate Compensation: $2,000
- For Employee Retirement Contributions
  - Paid by Employer: $0
  - For Retirement Contributions: $383,000
- For State Contributions to Social Security: $271,500
- For Contractual Services: $855,900
- For Travel: $4,000
- For Commodities: $62,600
- For Printing: $2,700
- For Equipment: $23,500
- For Telecommunications Services: $46,100
- For Operation of Auto Equipment: $18,400

Total: $5,279,000

Payable from Vocational Rehabilitation Fund:
- For Secondary Transitional Experience Program: $60,000

Section 235. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ANDREW McFARLAND MENTAL HEALTH CENTER

For Personal Services: $13,038,600
- For Employee Retirement Contributions
  - Paid by Employer: $0
  - For Retirement Contributions: $1,495,500
- For State Contributions to Social Security: $997,500
- For Contractual Services: $1,915,400
- For Travel: $9,500

New matter indicated by italics - deletions by strikeout
Section 250. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

**GOVERNOR SAMUEL H. SHAPIRO DEVELOPMENTAL CENTER**

For Personal Services......................... 53,216,000
For Employee Retirement Contributions
  Paid by Employer................................. 0
  For Retirement Contributions..................... 5,991,100
  For State Contributions to Social Security..... 4,071,100
  For Contractual Services....................... 5,302,100
  For Travel........................................... 6,800
  For Commodities................................... 3,000,200
  For Printing........................................ 32,100
  For Equipment..................................... 173,100
  For Telecommunications Services............... 109,500
  For Operation of Auto Equipment............... 165,700
Total $72,067,700

Section 255. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

**HUMAN CAPITAL DEVELOPMENT**

Payable from General Revenue Fund:
For Personal Services............................. 170,225,200
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Paid by Employer................................. 0
For Retirement Contributions............... 19,618,500
For State Contributions to Social Security.. 13,022,200
For Contractual Services...................... 23,924,200
For Travel....................................... 787,600
For Commodities................................ 10,200
For Equipment.................................. 1,028,500
For Telecommunications....................... 2,358,400
Total $230,974,800

Payable from the Special Purposes Trust Fund:
For Operation of Federal Employment Programs. 10,000,000

Section 260. The following named amounts, or so much thereof as may be necessary, respectively, for the objects hereinafter named, are appropriated to the Department of Human Services for Human Capital Development and related distributive purposes, including such Federal funds as are made available by the Federal government for the following purposes:

HUMAN CAPITAL DEVELOPMENT
GRANTS-IN-AID

Payable from General Revenue Fund:
For Employability Development Services
Including Operating and Administrative Costs and Related Distributive Purposes ..... 14,143,500
For Emergency Food and Shelter Program,
Including Operation and Administrative Costs.. 8,899,900
For Emergency Food Program,
Including Operation and Administrative Costs.... 253,600
For Grants for Crisis Nurseries................... 487,100
For Food Stamp Employment and Training
including Operating and Administrative Costs and Related Distributive Purposes ..... 10,642,200
For Grants Associated with the Great Start
Program, including Operation and Administration Costs......................... 1,891,400

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Grants for Supportive Housing Services.....</td>
<td>3,490,300</td>
</tr>
<tr>
<td>For a grant to Children's Place for costs associated with specialized child care for families affected by HIV/AIDS............</td>
<td>752,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$40,566,700</strong></td>
</tr>
</tbody>
</table>

Payable from the Special Purposes Trust Fund:
- For Federal/State Employment Programs and Related Services............... | 5,000,000  |
- For Emergency Food Program Transportation and Distribution, including grants and operations......... | 5,000,000  |
- For the development and implementation of the Federal Title XX Empowerment Zone and Enterprise Community initiatives.... | 18,925,300 |
- For Grants Associated with the Head Start State Collaboration, Including Operating and Administrative Costs............... | 500,000    |
- For Grants Associated with Child Care Services, Including Operation and administrative Costs............... | 130,611,100|
- For Grants Associated with the Great START Program, Including Operation and Administrative Costs............... | 5,200,000  |
- For Grants Associated with Migrant Child Care Services, Including Operation and Administrative Costs............... | 3,142,600  |
- For Refugee Resettlement Purchase of Service, Including Operation and Administrative Costs. | 10,494,800 |
| **Total**                                                                  | **$170,173,800** |

Payable from Local Initiative Fund:
- For Purchase of Services under the Donated Funds Initiative Program, Including Operation and Administrative Costs........... | 22,328,000 |

New matter indicated by italics - deletions by strikeout
For Costs Related to Providing Assistance to the Homeless Including Operating and Administrative Costs and Grants.............. 300,000
Payable from Employment and Training Fund:
For grants associated with Employment and Training Programs, income assistance and other social services including operating and administrative costs........... 105,955,100
Payable from the Illinois Affordable Housing Trust Fund:
For costs related to the Homelessness Prevention Act, Including Operation and Administrative Costs..................... 11,000,000

Section 265. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

**JUVENILE JUSTICE PROGRAMS**

Payable from General Revenue Fund:
For Personal Services........................... 229,000
For Employee Retirement Contributions
Paid by Employer................................. 0
For Retirement Contributions.................... 26,400
For State Contributions to Social Security....... 17,500
For Contractual Services.......................... 51,100
For Travel.......................................... 6,500
For Equipment....................................... 100
For Telecommunications Services.................. 2,300
Total $332,900
Payable from Juvenile Justice Trust Fund:
For Personal Services........................... 198,700
For Employee Retirement Contributions
Paid by Employer................................. 0
For Retirement Contributions.................... 23,200
For State Contributions to Social Security....... 15,200
For Group Insurance............................... 44,000

New matter indicated by italics - deletions by strikeout
For Contractual Services......................... 59,500
For Travel........................................ 26,500
For Commodities................................... 4,600
For Printing....................................... 3,500
For Telecommunications Services............... 11,900
For Detention Monitoring......................... 75,000
Total                                                                                           $462,100

Section 270. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Human Services for the purposes hereinafter named:

**JUVENILE JUSTICE PROGRAMS**

**GRANTS-IN-AID**

Payable from Juvenile Justice Trust Fund:
For Juvenile Justice Planning and Action
Grants for Local Units of Government
and Non-Profit Organizations including
Prior Fiscal Years Costs......................... 12,600,000
For Grants to State Agencies, including
Prior Fiscal Years.............................. 370,000
Total                                                                                       $12,970,000

Section 275. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Human Services
for the objects and purposes hereinafter named:

**COMMUNITY HEALTH**

Payable from the General Revenue Fund:
For Personal Services......................... 3,241,200
For Employee Retirement Contributions
Paid by Employer.................................... 0
For Retirement Contributions.................... 373,500
For State Contributions to Social Security ...... 247,900
For Contractual Services......................... 125,300
For Travel......................................... 123,300
For Commodities.................................. 19,200
For Equipment..................................... 32,500

New matter indicated by italics - deletions by strikeout
For Telecommunications Services................. 42,000
For Expenses for the Development and
Implementation of Cornerstone.................... 774,800
Total                                       $4,979,400

Payable from the DHS Federal Projects Fund:
For Personal Services............................ 604,800
For Employee Retirement Contributions
   Paid by Employer................................... 0
For Retirement Contributions................... 69,700
For State Contributions to Social Security ...... 46,300
For Group Insurance.............................. 116,000
For Contractual Services......................... 1,405,200
For Travel....................................... 155,500
For Commodities.................................. 36,000
For Printing...................................... 22,000
For Equipment................................... 568,000
For Telecommunications Services............... 246,800
For Expenses Related to Public Health Programs... 256,200
For Operational Expenses for Maternal
and Child Health Special Projects of
Regional and National Significance............. 226,300
Total                                       $3,752,800

Payable from the USDA Women, Infants
and Children Fund:
For Personal Services......................... 2,813,300
For Employee Retirement Contributions
   Paid by Employer................................... 0
For Retirement Contributions................... 324,200
For State Contributions to Social Security ...... 215,200
For Group Insurance.............................. 667,000
For Contractual Services......................... 830,400
For Travel....................................... 239,000
For Commodities.................................. 54,200
For Printing...................................... 184,500

New matter indicated by italics - deletions by strikeout
For Equipment.................................... 279,000
For Telecommunications Services............... 250,000
For Operation of Auto Equipment............... 17,600
For Operational Expenses of the Women,
   Infants and Children (WIC) Program,
   Including Investigations.................... 4,600,000
For Operational Expenses of Banking Services
   for Food Instruments Verification and
   Vendor Payment under the Women, Infants
   and Children (WIC) Program............... 1,000,000
For Operational Expenses of the Federal
   Commodity Supplemental Food Program...... 42,500
For Operational Expenses Associated
   with Support of the USDA Women,
   Infants and Children Program............. 150,000
Total                                      $11,666,900
Payable from the Maternal and Child
   Health Services Block Grant Fund:
   For Operational Expenses of Maternal and
   Child Health Programs.................... 4,223,300
Payable from the Preventive Health and Health
   Services Block Grant Fund:
   For Expenses of Preventive Health and
   Health Services Programs................ 55,000
Payable from the DHS State Projects Fund:
   For Operational Expenses for
   Public Health Programs.................... 368,000
Section 280. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Human Services
for the objects and purposes hereinafter named:
   COMMUNITY HEALTH
   GRANTS-IN-AID
Payable from the General Revenue Fund:
   For Grants to Provide Assistance to Sexual

New matter indicated by italics - deletions by strikeout
Assault Victims and for Sexual Assault
Prevention Activities...................... 5,632,000
For Grants for Programs to Reduce
Infant Mortality and to Provide
Case Management and Outreach Services....... 44,265,200
For Grants for the Intensive Prenatal
Performance Project......................... 5,000,000
For Grants and Administrative Expenses
Related to the Healthy Families Program...... 9,977,300
For Costs Associated with the
Domestic Violence Shelters
and Services Program....................... 21,054,500
For Grants for After School Youth
Support Programs............................ 19,114,800
For Costs Associated with
Teen Parent Services......................... 7,100,500
For Grants to Family Planning Programs
For Contraceptive Services................... 723,800
Payable from the Sexual Assault Services Fund:
For Grants Related to the
Sexual Assault Services Program.............. 100,000
Total                                    $112,868,100
Payable from the Special Purposes Trust Fund:
For Costs Associated with Family
Violence Prevention Services.................. 4,977,500
Payable from the DHS Federal Projects Fund:
For Grants for Public Health Programs........ 2,830,000
For Grants for Maternal and Child
Health Special Projects of Regional
and National Significance.................... 1,300,000
For Grants for Family Planning
Programs Pursuant to Title X of
the Public Health Service Act............. 8,000,000
For Grants for the Federal Healthy

New matter indicated by italics - deletions by strikeout
Start Program.............................. 4,000,000
Total  $21,107,500
Payable from the Special Purposes Trust Fund:
   For Community Grants...................  5,698,100
Payable from the Domestic Violence Abuser Services Fund:
   For Domestic Violence Abuser Services....  100,000
Payable from the Federal National Community Services Grant Fund:
   For Payment for Community Activities, Including Prior Years' Costs.........  12,969,900
Payable from the USDA Women, Infants and Children Fund:
   For Grants to Public and Private Agencies for Costs of Administering the USDA Women, Infants, and Children (WIC) Nutrition Program....  42,000,000
   For Grants for the Federal Commodity Supplemental Food Program.........  1,400,000
   For Grants for Free Distribution of Food Supplies under the USDA Women, Infants, and Children (WIC) Nutrition Program.......  197,000,000
   For Grants for Administering USDA Women, Infants, and Children (WIC) Nutrition Program Food Centers......................  24,000,000
   For Grants for USDA Farmer's Market Nutrition Program......................  1,500,000
   Total  $265,900,000
Payable from the Maternal and Child Health Services Block Grant Fund:
   For Grants for Maternal and Child Health Programs, Including Programs Appropriated Elsewhere in this Section.......................  8,465,200
   For Grants to the Chicago Department of Health for Maternal and Child Health Services.  5,000,000
   For Grants to the Board of Trustees of the

New matter indicated by italics - deletions by strikeout
University of Illinois, Division of Specialized Care for Children................. 7,800,000
For Grants for an Abstinence Education Program including operating and administrative costs.. 2,500,000
Total $23,765,200
Payable from the Preventive Health and Health Services Block Grant Fund:
For Grants to Provide Assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities......................... 500,000
For Grants for Rape Prevention Education Programs, including operating and administrative costs.. 1,000,000
Total $1,500,000
Payable from the DHS State Projects Fund:
For Grants to Establish Health Care Systems for DCFS Wards......................... 2,361,400
Payable from Domestic Violence Shelter and Service Fund:
For Domestic Violence Shelters and Services Program................................. 952,200
Payable from Tobacco Settlement Recovery Fund:
For all costs associated with Children's Health Programs, including grants, contracts, equipment, vehicles and administrative expenses..................... 2,500,000
Payable from Tobacco Settlement Recovery Fund:
For a Grant to the Coalition for Technical Assistance and Training.................... 250,000
Payable from the General Revenue Fund:
For a grant for the Cicero Memory Bridge Initiative ......................... 750,000
Payable from the Diabetes Research Checkoff Fund:
For diabetes research......................... 100,000

New matter indicated by italics - deletions by strikeout
Section 285. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY YOUTH SERVICES
Payable from General Revenue Fund:
For Personal Services............................. 158,100
For Employee Retirement Contributions
  Paid by Employer................................... 0
For Retirement Contributions..................... 18,300
For State Contributions to Social Security......... 12,100
Total................................................................ 188,500

Section 290. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY YOUTH SERVICES
  GRANTS-IN-AID
Payable from General Revenue Fund:
For Community Services........................... 6,993,600
For Youth Services Grants Associated with
  Juvenile Justice Reform......................... 3,771,500
For Comprehensive Community-Based
  Service to Youth................................. 13,017,200
For Unified Delinquency Intervention
  Services........................................... 3,080,800
For Homeless Youth Services....................... 4,747,700
For Early Intervention............................. 61,041,100
For Redeploy Illinois.............................. 2,295,000
For Parents Too Soon Program..................... 7,562,000
For Delinquency Prevention....................... 1,579,300
Total.................................................. 104,088,200
Payable from the Special Purposes Trust Fund:
  For Parents Too Soon Program,
    including grants and operations............... 3,665,200
Payable from the Early Intervention

New matter indicated by italics - deletions by strikeout
Services Revolving Fund:
For Grants Associated with the Early Intervention Services Program, including operating and administrative costs in prior years .................... 134,914,300
Total $134,914,300

Section 300. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

**WILLIAM W. FOX DEVELOPMENTAL CENTER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>12,419,300</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>1,402,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>950,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>1,192,300</td>
</tr>
<tr>
<td>For Travel</td>
<td>4,900</td>
</tr>
<tr>
<td>For Commodities</td>
<td>803,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>8,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>33,100</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>19,500</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>28,200</td>
</tr>
<tr>
<td>For Expenses Related to Living Skills Program</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$16,912,700</td>
</tr>
</tbody>
</table>

Section 305. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

**ELISABETH LUDEMAN DEVELOPMENTAL CENTER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>29,142,700</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Retirement Contributions</td>
<td>3,344,500</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>2,229,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,679,400</td>
</tr>
<tr>
<td>For Travel</td>
<td>3,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>594,700</td>
</tr>
<tr>
<td>For Printing</td>
<td>9,000</td>
</tr>
<tr>
<td>For Equipment</td>
<td>96,900</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>113,600</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>51,500</td>
</tr>
<tr>
<td>For Expenses Related to Living Skills Program</td>
<td>24,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$38,289,900</strong></td>
</tr>
</tbody>
</table>

Section 310. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

**WILLIAM A. HOWE DEVELOPMENTAL CENTER**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>39,880,200</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
<td>0</td>
</tr>
<tr>
<td>For Retirement Contributions</td>
<td>4,568,000</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>3,050,800</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>5,892,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>14,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>946,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>18,200</td>
</tr>
<tr>
<td>For Equipment</td>
<td>81,300</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>130,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>247,400</td>
</tr>
<tr>
<td>For Expenses Related to Living Skills Program</td>
<td>11,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$54,840,700</strong></td>
</tr>
</tbody>
</table>

**ARTICLE 84**

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
### PUBLIC ACT 94-0798

**DIRECTOR'S OFFICE**

Payable from the General Revenue Fund:
- For Personal Services .................. $1,673,500
- For State Contributions to State Employees' Retirement System ....................... $192,900
- For State Contributions to Social Security .. $125,500
- For Contractual Services .................. $108,400
- For Travel ........................................ $62,600
- For Commodities .......................... $4,500
- For Printing ................................. $1,500
- For Equipment ............................... $400
- For Telecommunications Services ........ $47,100
- For Operation of Auto Equipment ........ $700

**Total** ........................................................................................................... $2,217,100

Payable from the Public Health Services Fund:
- For Expenses Associated with Support of Federally Funded Public Health Programs ........................................ $300,000
- For Operational Expenses to Support Refugee Health Care ........................................ $514,000

**Total, Public Health Services Fund** ........................................................................ $814,000

Payable from the Public Health Special State Projects Fund:
- For Expenses of Public Health Programs .......... $750,000

**Section 10.** The sum of $4,200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for expenses targeted to decrease health disparities in communities of color for Breast and Cervical Cancer.

**Section 15.** The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health from the Public Health Services Fund for the objects and purposes hereinafter named:

**DIRECTOR'S OFFICE**

For Grants for the Development of

New matter indicated by italics - deletions by strikeout
Refugee Health Care............................... 1,186,000

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

**OFFICE OF FINANCE AND ADMINISTRATION**

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>5,347,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>616,300</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>401,100</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>4,421,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>60,100</td>
</tr>
<tr>
<td>For Commodities</td>
<td>93,800</td>
</tr>
<tr>
<td>For Printing</td>
<td>167,400</td>
</tr>
<tr>
<td>For Equipment</td>
<td>5,200</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>289,700</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>32,900</td>
</tr>
<tr>
<td>For Expenses of the Public Health Information Network</td>
<td>67,800</td>
</tr>
<tr>
<td>For Expenses of the Adoption Registry and Medical Information Exchange</td>
<td>141,200</td>
</tr>
<tr>
<td>For Operational Expenses of Maintaining the Vital Records System</td>
<td>199,500</td>
</tr>
<tr>
<td>For Operational Expenses of the Regional Data Base System</td>
<td>29,200</td>
</tr>
<tr>
<td>Total</td>
<td>11,873,100</td>
</tr>
</tbody>
</table>

Payable from the Public Health Services Fund:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>194,500</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>22,400</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>14,900</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>41,000</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>285,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>20,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
For Commodities
For Printing
For Equipment
For Telecommunications Services
For Operational Expenses of Maintaining the Vital Records System
Total
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:
For Operational Expenses for Maintaining Billings and Receivables for Lead Testing
Payable from Death Certificate Surcharge Fund:
For Expenses of Statewide Database of Death Certificates and Distributions of Funds to Governmental Units, Pursuant to Public Act 91-0382
Payable from the Metabolic Screening and Treatment Fund:
For Operational Expenses for Maintaining Laboratory Billings and Receivables
Section 25. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:
OFFICE OF FINANCE AND ADMINISTRATION
Payable from the General Revenue Fund:
For Grants for Development of Local Health Departments and the Public Health Workforce, including Operational Expenses
Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
**OFFICE OF FINANCE AND ADMINISTRATION**

For Other Refunds, Payable from the General Revenue Fund............................... 38,400
For Refunds, Payable from the Public Health Services Fund................................. 75,000
For Refunds, Payable from the Maternal and Child Health Services Block Grant Fund........... 5,000
For Refunds, Payable from the Preventive Health and Health Services Block Grant Fund............................... 5,000
Total .................................................................................................................. $123,400

Section 35. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

**DIVISION OF INFORMATION TECHNOLOGY**

Payable from the General Revenue Fund:
- For Personal Services................................................................. 836,400
- For State Contributions to State
  - Employees' Retirement System........................................... 96,300
- For State Contributions to Social Security ............... 62,700
- For Contractual Services.......................................................... 1,525,800
- For Travel........................................................................ 5,300
- For Commodities................................................................. 4,800
- For Printing........................................................................ 16,000
- For Electronic Data Processing............................................ 533,500
- For Telecommunications Services............................... 45,700
- For Operational Expenses for Health
  - Information Systems Targeted for
    - Health Screening Programs............................................ 130,100
- For Expenses for Public Health Prevention Systems................................. 832,100
- For Expenses Associated with the Childhood Immunization Program................... 224,000
Total ................................................................................................................ $4,312,700

New matter indicated by italics - deletions by strikeout
Payable from the Public Health Services Fund:
For Expenses Associated
with Support of Federally
Funded Public Health Programs............... 1,250,000

Payable from the Public Health Special
State Projects Fund:
For Expenses of EPSDT and other
Public Health programs......................... 150,000

Section 40. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Public Health for
the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:
For Personal Services.......................... 966,200
For State Contributions to State
Employees' Retirement System............... 111,400
For State Contributions to Social Security .... 72,500
For Contractual Services......................... 28,600
For Travel.................................... 52,900
For Commodities................................. 2,200
For Printing.................................... 2,500
For Equipment................................ 100
For Telecommunications Services.............. 27,500
For Operation of Auto Equipment............... 400
For Operational Expenses of Legacy Public
Health Programs................................. 335,700
For Deposit into the Lead Poisoning,
Screening, Prevention, and
Abatement Fund................................. 1,672,000
For Expenses of the Prostate Cancer
Awareness and Screening Program............ 297,000
For Expenses related to services
for Prostate Cancer Public
Awareness Initiative......................... 1,200,000

New matter indicated by italics - deletions by strikeout
For Expenses Associated with Sudden Infant Death Syndrome (SIDS) Program.............. 250,000
For Expenses Associated with Programs Aimed at Improving Health and Wellness......... 200,000
For grants to Children’s Memorial Hospital for the Illinois Violent Death Reporting System to analyze data, identify risk factors and develop prevention efforts.............................. 150,000
Total                                                                                         $5,369,000
Payable from the General Revenue Fund:
For grants for the extension and provision of perinatal services for premature and high-risk infants and their mothers....... 1,136,900
Payable from the Public Health Services Fund:
For Personal Services.......................... 1,205,000
For State Contributions to State Employees' Retirement System................... 138,900
For State Contributions to Social Security ...... 92,200
For Group Insurance............................. 381,000
For Contractual Services......................... 650,000
For Travel....................................... 160,000
For Commodities................................ 13,000
For Printing..................................... 44,000
For Equipment................................... 50,000
For Telecommunications Services.................. 65,000
Total                                                                                         $3,936,000
Payable from the Epilepsy Treatment and Education Grants-in-Aid Fund:
For Grants for Epilepsy Treatment and Education Programs................................. 100,000
Payable from the Blindness Prevention Fund:
For Grants to charitable or educational entities for the prevention of blindness

New matter indicated by italics - deletions by strikeout
and the providing of eye care......................... 100,000

Payable from the Illinois Brain Tumor Research Fund:
  For Grants to public and private entities
  For the purpose of research dedicated to
  the elimination of brain tumors.................. 100,000

Payable from the Sarcoidosis Research Fund:
  For Grants for sarcoidosis research.............. 100,000

Payable from the Vince Demuzio Memorial
Colon Cancer Fund:
  For Expenses to establish and maintain a
  public awareness campaign to target areas
  in Illinois with high colon cancer
  mortality rates................................. 100,000

Payable from the Lead Poisoning Screening,
Prevention and Abatement Fund:
  For Expenses, Including Refunds,
  of the Lead Poisoning Screening
  and Prevention Program........................ 683,100

Payable from the Maternal and Child
Health Services Block Grant Fund:
  For Operational Expenses of Maternal and
  Child Health Programs............................ 440,000

Payable from the Preventive Health
and Health Services Block Grant Fund:
  For Expenses of Preventive Health and
  Health Services Programs....................... 1,226,800

Payable from the Maternal and Child Health
Block Grant Fund:
  For Grants for the Extension and Provision
  of Perinatal Services for Premature and
  High-risk Infants and their Mothers........... 2,401,800

Payable from the Public Health Special
State Projects Fund:
  For Expenses for Public Health Programs....... 750,000

New matter indicated by italics - deletions by strikeout
Payable from the Metabolic Screening and Treatment Fund:
For Operational Expenses for Metabolic Screening Follow-up Services.............. 1,520,900

Payable from the Hearing Instrument Dispenser Examining and Disciplinary Fund:
For Expenses Pursuant to the Hearing Aid Consumer Protection Act............... 104,500

Payable from Lou Gehrig’s Disease Research Fund:
For grants to the Les Turner ALS foundation for Research on Amyotrophic Lateral Sclerosis (ALS)............................. 100,000

Payable from the Spinal Cord Injury Paralysis Cure Research Trust Fund:
For grants for spinal cord injury research...... 100,000

Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:
For Grants for Vision and Hearing Screening Programs.............................. 662,700
For Grants Associated with Donated Dental Services.................................. 72,000
For a Grant to the Amyotrophic Lateral Sclerosis (ALS) Association for Research into discovering the cause and Cure for Amyotrophic Lateral Sclerosis....... 1,000,000
For a grant to the Suburban Primary Health Care Council for health care services for low income, uninsured persons................................. 3,000,000
For a grant to the Farm Resource Center........ 465,600
For grants to support Alzheimer’s

New matter indicated by italics - deletions by strikeout
New matter indicated by italics - deletions by strikeout
Payable from the Tobacco Settlement Recovery Fund:

- For Certified Local Health Department Grants for Anti-Smoking Programs........... 5,000,000
- For Grants and Administrative Expenses for the Tobacco Use Prevention Program, BASUAH Program, and Asthma Prevention........................................ 5,000,000
- Total ........................................................................ $10,000,000

Payable from the Prostate Cancer Research Fund:

- For Grants to Public and Private Entities In Illinois for Prostate Cancer Research....... 200,000

Section 50. In addition to any amounts previously appropriated, the sum of $1,000,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the American Lung Association for operations of the Quitline.

Section 55. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH CARE REGULATION

Payable from the General Revenue Fund:

- For Personal Services................................. 13,157,500
- For State Contributions to State Employees' Retirement System......................... 1,516,500
- For State Contributions to Social Security ...... 986,900
- For Contractual Services.............................. 212,600
- For Travel...................................................... 790,300
- For Commodities......................................... 18,500
- For Printing.................................................. 6,200
- For Equipment............................................. 300
- For Telecommunications Services............... 125,200
- For Operation of Auto Equipment............... 1,600
- For Expenses of the Assisted Living and Shared Housing Program..................... 216,800
- Total .................................................................... $17,032,400

New matter indicated by italics - deletions by strikeout
Payable from the Public Health Services Fund:
For Personal Services......................... 6,825,000
For State Contributions to State Employees' Retirement System.......................... 786,600
For State Contributions to Social Security ...... 522,100
For Group Insurance............................... 1,400,000
For Contractual Services......................... 800,000
For Travel..................................... 1,100,000
For Commodities.................................... 8,200
For Equipment.................................... 450,000
For Telecommunications............................ 50,000
For Expenses of Monitoring in Long Term Care Facilities............................ 1,750,000
Total                                                                                       $13,691,900

Payable from Assisted Living and Shared Housing Regulatory Fund:
For operational expenses of the Assisted Living and Shared Housing Program, pursuant to Public Act 91-0656............................. 225,000

Payable from the Long Term Care Monitor/Receiver Fund:
For Expenses, Including Refunds, Related to Appointment of Long Term Care Monitors and Receivers.................................. 800,000

Payable from the Regulatory Evaluation and Basic Enforcement Fund:
For Expenses of the Alternative Health Care Delivery Systems Program................. 75,000

Payable from the Health Facility Plan Review Fund:
For Expenses of Health Facility Plan Review Program and Hospital Network System, including refunds........ 2,000,000

New matter indicated by italics - deletions by strikeout
Payable from the Hospice Fund:
For Grants for hospice services as defined in the Hospice Program Licensing Act............................. 25,000

Payable from Innovations in Long Term Care Quality Demonstration Grants Fund:
For demonstration grants for nursing homes..... 1,000,000

Payable from the End Stage Renal Disease Facility Licensing Fund:
For expenses of the End Stage Renal Disease Facility Licensing Program.................. 385,000

Section 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

**OFFICE OF HEALTH PROTECTION**

Payable from the General Revenue Fund:
For Personal Services......................... 6,575,100
For State Contributions to State Employees' Retirement System......................... 757,800
For State Contributions to Social Security ...... 493,200
For Contractual Services.......................... 106,600
For Travel...................................... 204,000
For Commodities............................... 15,900
For Printing.................................... 9,200
For Equipment.................................. 100
For Telecommunications Services............. 80,600
For Operation of Auto Equipment............. 6,900
For Expenses Incurred for the Rapid Investigation and Control of Disease or Injury.......................... 526,200
For Expenses of Environmental Health Surveillance and Prevention Activities, Including Mercury Hazards and West Nile Virus..................... 451,300

New matter indicated by italics - deletions by strikeout
For Expenses for Expanded Lab Capacity and Enhanced Statewide Communication Capabilities Associated with Homeland Security .................. 496,200
For expenses associated with implementing an integrated pest management program .......... 178,000
For Expenses associated with Pandemic Flu Preparedness ........................................ 1,183,000
Total .................................................................................................................. $11,084,100

Payable from the Public Health Services Fund:
For Personal Services ................................................................. 3,747,000
For State Contributions to State Employees' Retirement System .................. 431,800
For State Contributions to Social Security ...... 286,600
For Group Insurance ................................................................. 900,000
For Contractual Services .......................................................... 3,152,800
For Travel ................................................................................. 332,800
For Commodities ..................................................................... 330,000
For Printing .............................................................................. 70,800
For Equipment ........................................................................ 875,000
For Telecommunications Services .................. 286,800
For Operation of Auto Equipment .................. 10,000
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers .................. 4,925,700
For Expenses Related to the Summer Food Inspection Program .................. 45,000
Total ........................................................................................................ $15,394,300

Payable from the Food and Drug Safety Fund:
For Expenses of Administering the Food and Drug Safety Program, including Refunds ........... 1,400,000

Payable from the Safe Bottled Water Fund:

New matter indicated by italics - deletions by strikeout
For Expenses for the Safe Bottled Water Program ........................................ 75,000
Payable from the Illinois School Asbestos Abatement Fund:
For Expenses, Including Refunds, of Administering and Executing the Asbestos Abatement Act and the Federal Asbestos Hazard Emergency Response Act of 1986 (AHERA) ................... 952,500
Payable from the Public Health Water Permit Fund:
For Expenses, Including Refunds, of Administering the Groundwater Protection Act .............................................. 200,000
Payable from the Used Tire Management Fund:
For Expenses of Vector Control Programs, including Mosquito Abatement .................. 500,000
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:
For Expenses of the Lead Poisoning Screening, and Prevention Program, Including Refunds ......................... 1,600,000
Payable from the Tanning Facility Permit Fund:
For Expenses to Administer the Tanning Facility Permit Act, Including Refunds ...................... 500,000
Payable from the Plumbing Licensure and Program Fund:
For Expenses to Administer and Enforce the Illinois Plumbing License Law, including Refunds ..................... 1,331,400
Payable from the Pesticide Control Fund:

New matter indicated by italics - deletions by strikeout
For Public Education, Research, and Enforcement of the Structural Pest Control Act............................... 200,000
Payable from the Facility Licensing Fund:
For Expenses, including Refunds, of Environmental Health Programs.................. 659,900
Payable from the Public Health Special State Projects Fund:
For Expenses of Conducting EPSDT and other Health Protection Programs........... 1,200,000
Payable from the Emergency Public Health Fund:
For expenses of mosquito abatement in an effort to curb the spread of West Nile Virus.................................... 3,413,600

Section 65. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION
Payable from the General Revenue Fund:
For Grants for Immunizations and Outreach Activities............................... 4,763,100
For Grants for Sexually Transmitted Disease Medical Services to Individuals........... 10,600
For Local Health Protection Grants to Certified Local Health Departments for Health Protection Programs including, But Not Limited To, Infectious Diseases, Food Sanitation, Potable Water and Private Sewage............ 17,033,500
For grants to support sickle cell disease research, education and outreach as follows:
For a grant to the Comprehensive Sickle-Cell Clinic at the University of Illinois

New matter indicated by italics - deletions by strikeout
Medical Center at Chicago....................... 600,000
For a grant to the Have a Heart for Sickle Cell Anemia Foundation............... 400,000
Total $22,807,200
Payable from the Tobacco Settlement Recovery Fund:
For a Grant for the University of Illinois for Sickle Cell Research............... 1,900,000
Payable from the Pet Population Control Fund:
For expenses associated with the Illinois Public Health and Safety Animal Population Control Act............... 100,000

Section 70. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:
For Personal Services......................... 353,800
For State Contributions to State Employees' Retirement System............... 40,800
For State Contributions to Social Security ...... 26,600
For Contractual Services....................... 25,200
For Travel........................................ 12,400
For Expenses of an AIDS Hotline.............. 199,100
For Expenses of Minority AIDS/HIV Prevention and Outreach............... 3,150,000
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Referral and Partner Notification (CTRPN), and Patient and Worker Notification pursuant to Public Act 87-763............................ 18,157,100
For expenses associated with HIV in

New matter indicated by italics - deletions by strikeout
Correctional facilities....................... 2,000,000
Total                                      $23,965,000
Payable from the African-American
HIV/AIDS Response Fund:
For grants and other expenses for
the prevention and treatment of
HIV/AIDS and the creation of an HIV/AIDS
service delivery system to reduce the
disparity of HIV infection and AIDS cases
between African-Americans and other
population groups............................. 3,000,000
Payable from the Public Health Services Fund:
For Expenses of Programs for Prevention
of AIDS/HIV................................. 4,651,600
For Expenses for Surveillance Programs and
Seroprevalence Studies of AIDS/HIV....... 1,500,000
For Expenses Associated with the
Ryan White Comprehensive AIDS
Resource Emergency Act of
1990 (CARE) and other AIDS/HIV services...... 44,100,000
Total                                      $50,251,600

Section 75. The following named amounts, or so much thereof as
may be necessary, are appropriated to the Department of Public Health for
the objects and purposes hereinafter named:

SPRINGFIELD LABORATORY
Payable from the General Revenue Fund:
For Personal Services........................... 1,225,700
For State Contributions to State Employees'
Retirement System................................. 141,300
For State Contributions to Social
Security............................................ 92,000
Total                                      $1,459,000

CARBONDALE LABORATORY
Payable from the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services......................... 302,700
For State Contributions to State
Employees' Retirement System............... 35,000
For State Contributions to Social Security ...... 22,800
Total $360,500

CHICAGO LABORATORY
Payable from the General Revenue Fund:
For Personal Services......................... 1,697,100
For State Contributions to State Employees'
Retirement System.............................. 195,600
For State Contributions to Social Security ...... 127,400
Total $2,020,100

PUBLIC HEALTH LABORATORIES
Payable from the General Revenue Fund:
For Contractual Services......................... 968,700
For Travel........................................ 23,000
For Commodities................................. 312,200
For Printing...................................... 17,600
For Equipment..................................... 3,300
For Telecommunications Services................. 58,000
For Operation of Auto Equipment.................. 1,700
For Expenses of Increasing and
Maintaining Laboratory Capacity for
the Rapid Response to Outbreaks or
Incidence of Infectious Diseases
or Injury........................................... 112,300
For Operational Expenses to Provide
Clinical and Environmental Public
Health Laboratory Services..................... 3,749,400
Total, General Revenue Fund $5,246,200

Payable from the Public Health Services Fund:
For Personal Services......................... 225,000
For State Contributions to State
Employees' Retirement System............... 26,000

New matter indicated by italics - deletions by strikeout
For State Contributions to Social Security ............................... 17,500
For Group Insurance .............................................. 65,000
For Contractual Services ........................................... 185,000
For Travel ............................................................. 20,000
For Commodities ...................................................... 324,900
For Printing ............................................................. 10,000
For Equipment .......................................................... 115,000
For Telecommunications Services ................................. 7,000
Total, Public Health Services Fund ................................ $995,400

Payable from the Public Health Laboratory Services Revolving Fund:
  For Expenses, Including Refunds, to Administer Public Health Laboratory Programs and Services ................................. 2,000,000

Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:
  For Expenses, Including Refunds, of Lead Poisoning Screening, Prevention and Abatement Program .................. 1,347,100

Payable from the Metabolic Screening and Treatment Fund:
  For Expenses, Including Refunds, of Testing and Screening for Metabolic Diseases .......................... 3,974,300

Section 80. The following named amounts, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF WOMEN'S HEALTH

Payable from the General Revenue Fund:
  For Personal Services .............................................. 344,800
  For State Contributions to State Employees' Retirement System .............................. 39,700

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Security</td>
<td>25,900</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>48,600</td>
</tr>
<tr>
<td>For Travel</td>
<td>23,500</td>
</tr>
<tr>
<td>For Commodities</td>
<td>3,300</td>
</tr>
<tr>
<td>For Printing</td>
<td>14,700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>700</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>11,400</td>
</tr>
<tr>
<td>For Operational Expenses of State-wide Women's Healthline</td>
<td>86,400</td>
</tr>
<tr>
<td>For Operational Expenses for Educational Programs to Reduce Breast Cancer</td>
<td>25,100</td>
</tr>
<tr>
<td>For Deposit into the Penny Severns Breast and Cervical Cancer Research Fund</td>
<td>200,000</td>
</tr>
<tr>
<td>For Expenses for Breast and Cervical Cancer Screenings and other Related Activities</td>
<td>4,250,000</td>
</tr>
<tr>
<td>For Expenses of the Women's Health Promotion Programs</td>
<td>902,700</td>
</tr>
<tr>
<td>Total</td>
<td>$5,976,800</td>
</tr>
</tbody>
</table>

Payable from the Public Health Services Fund:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>521,200</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
<td>60,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>40,000</td>
</tr>
<tr>
<td>For Group Insurance</td>
<td>119,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>500,000</td>
</tr>
<tr>
<td>For Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>53,200</td>
</tr>
<tr>
<td>For Printing</td>
<td>34,500</td>
</tr>
<tr>
<td>For Equipment</td>
<td>50,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>10,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 85. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF WOMEN’S HEALTH

Payable from the General Revenue Fund:
- For Grants Pursuant to the Promotion of Women's Health: 1,127,900
- For Grants Associated with Ovarian Cancer Research: 100,000

Total: 1,227,900

Payable from the Public Health Services Fund:
- For Grants for Breast and Cervical Cancer Screenings in Fiscal Year 2007 and all prior fiscal years: 6,000,000

Payable from the Penny Severns Breast and Cervical Cancer Research Fund:
- For Grants for Breast and Cervical Cancer Research: 600,000

Payable from the Ticket for the Cure Fund:
- For Grants and related expenses to public or private entities in Illinois for the purpose of funding research concerning breast cancer and for funding services for breast cancer victims: 3,900,000

Section 90. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:

DIVISION OF PUBLIC HEALTH PREPAREDNESS

Payable from the General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 1,056,100
For State Contributions to State
Employes’ Retirement System...................... 121,800
For State Contributions to Social
Security........................................... 79,200
For expenses associated with the
Save a Life Program and other
health related programs........................... 788,000
For operational expenses of three
First Aid stations................................. 88,400
For grants to Metro Chicago Hospital
Council for the support of the Illinois
Poison Control Center........................... 1,901,500
Total                                             $4,035,000

Payable from the Public Health Services Fund:
For Expenses of Federally Funded
Bioterrorism Preparedness
Activities and other Public Health
Emergency Preparedness.......................... 55,000,000

Payable from the Trauma Center Fund:
For Expenses of Administering the
Distribution of Payments to
Trauma Centers.................................. 6,000,000

Payable from the EMS Assistance Fund:
For Expenses of Administering the
Distribution of Payments from the
EMS Assistance Fund, Including Refunds........ 300,000

Payable from the Federal Civil Preparedness
Administrative Fund:
For Costs Associated with Illinois
Terrorism Task Force Approved
Purchases for Homeland Security............ 2,100,000

New matter indicated by italics - deletions by strikeout
Section 95. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF POLICY, PLANNING AND STATISTICS

Payable from the General Revenue Fund:

For Personal Services.......................... 1,752,400
For State Contributions to State
  Employees’ Retirement System............... 202,000
For State Contributions to Social
  Security........................................ 131,500
For Contractual Services....................... 25,400
For Travel....................................... 32,600
For Commodities................................ 2,600
For Printing.................................... 300
For Equipment.................................. 4,800
For Telecommunications Services............. 29,600
For Expenses to establish program
  to provide scholarships to Allied
  Health Professionals......................... 91,100
For operating expenses of the Center
  for Rural Health......................... 441,700
For grants to public and private agencies
  for Residency Programs pursuant to the
  Family Practice Residency Act............... 776,000
  For matching grants to Community Based
  Organizations for Comprehensive
  Primary Care.................................. 392,600
For grants to assist Community and
  Migrant Health Centers to expand service
  capacity and develop additional sites........ 392,600
For hospital grants to diversify
  services and convert to facilities
  that are less dependent on Acute
  Care Bed capacity............................ 392,600
For expenses of the Adverse Pregnancy Outcomes Reporting Systems (APORS) Program........................................ 348,600
For expenses of State Cancer Registry, Including matching funds for National Cancer Institute grants.......................... 163,200
For grants for the Community Health Center Expansion Program........................................ 2,991,000
For expenses related to Public Act 94-0242 and the establishment of an adverse health care event reporting system.......................... 952,350
For grants to units of local government, not-for-profit organizations, community organizations and educational facilities for all costs associated with operations expenses, infrastructure improvements, and for all costs associated with educational and training programs, programs to improve health access and disease prevention, and provision of health care and dental services.......................... 1,500,000
For grants to units of local government, not-for-profit organizations, community organizations and educational facilities for all costs associated with operations expenses, infrastructure improvements, and for all costs associated with educational and training programs, programs to improve health access, and provision of health care and dental services.......................... 1,500,000
For deposit into the Heartsaver AED Fund................. 100,000
Total...................................................... $12,222,950
Payable from Rural/Downstate Health Access Fund:

New matter indicated by italics - deletions by strikeout
For expenses associated with the Rural/Downstate Health Access Program.................. 100,000
Payable from the Public Health Services Fund;
For expenses related to Epidemiological Health Outcomes Investigations and Database Development.......................... 4,130,000
For expenses for Rural Health Center to expand the availability of Primary Health Care.......................... 2,000,000
For operational expenses to develop a Health Care Provider Recruitment and Retention Program.......................... 300,000
For grants to develop a Health Care Provider Recruitment and Retention Program.......................... 450,000
For grants to develop a Health Professional Educational Loan Repayment Program.............. 900,000
Total                                                                                         $7,880,000
Payable from Community Health Center Care Fund:
For expenses for access to Primary Health Care Services Program per Family Practice Residency Act.......................... 1,000,000
Payable from Illinois Health Facilities Planning Fund:
For expenses, including refunds, for Health Facilities Planning Board.......................... 1,734,500
Payable from Nursing Dedicated and Professional Fund:
For expenses of the Nursing Education Scholarship Law.......................... 1,200,000
Payable from the Regulatory Evaluation and Basic Enforcement Fund:
For Expenses of the Alternative Health Care Delivery Systems Program.......................... 75,000
Payable from the Tobacco Settlement Recovery Fund:
For grants for the Community Health Center

New matter indicated by italics - deletions by strikeout
Expansion Program......................... 3,000,000
For grants to units of local government, not-for-profit organizations, community organizations and educational facilities for all costs associated with operations expenses, infrastructure improvements, and for all costs associated with educational and training programs, programs to improve health access and disease prevention, and provision of health care and dental services............................... 1,500,000
For grants to units of local government, not-for-profit organizations, community organizations and educational facilities for all costs associated with operations expenses, infrastructure improvements, and for all costs associated with educational and training programs, programs to improve health access, and provision of health care and dental services....................... 1,500,000
Total                                          $6,000,000
Payable from the Preventive Health and Health Services Block Grant Fund:
For expenses of Preventive Health and Health Services Needs Assessment...................... 1,406,700
Payable from Public Health Special State Projects Fund:
For expenses associated with Health Outcomes Investigations and other public health programs............. 500,000
Payable from Illinois State Podiatric Disciplinary Fund:
For expenses of the Podiatric Scholarship And Residency Act................................. 100,000
Payable from the Public Health Federal Projects Fund:

New matter indicated by italics - deletions by strikeout
For expenses of Health Outcomes,
Research, Policy and Surveillance.............. 612,000

Payable from the Heartsaver AED Fund:
For expenses associated with the
Heartsaver AED Program.......................... 100,000

Section 100. The sum of $972,553, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2006, from an appropriation heretofore made in Article 40, Section 95
of Public Act 94-0015, is reappropriated from the General Revenue Fund to
the Department of Public Health for expenses associated with
implementation of the Health Care Justice Act.

ARTICLE 85

Section 5. The following named amounts, or so much thereof as
may be necessary, respectively, for the objects and purposes hereinafter
named, are appropriated from the General Revenue Fund to the
Department of Veterans' Affairs:

CENTRAL OFFICE
For Personal Services......................... 1,999,700
For State Contributions to the State
Employees' Retirement System............... 230,500
For State Contributions to Social
Security........................................ 153,000
For Contractual Services....................... 463,300
For Travel..................................... 31,200
For Commodities................................ 7,800
For Printing................................... 5,900
For Equipment................................ 20,000
For Electronic Data Processing.............. 962,100
For Telecommunications Services......... 40,900
For Operation of Auto Equipment.......... 11,200
Total $3,925,600

Section 10. The following named sums, or so much thereof as may
be necessary, are appropriated from the General Revenue Fund to the

New matter indicated by italics - deletions by strikeout
Department of Veterans' Affairs for the objects and purposes and in the amounts set forth as follows:

GRANTS-IN-AID

For Bonus Payments to War Veterans and Peacetime Crisis Survivors........................................ 97,800
For Providing Educational Opportunities for Children of Certain Veterans, as provided by law...................... 163,700
For Cartage and Erection of Veterans’ Headstones.......................................................... 615,800
For Cartage and Erection of Veterans’ Headstones/Prior Years Claims.......................... 34,200
Total                                                                                           $911,500

Section 12. The following named sum or so much thereof as may be necessary, is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Veterans' Affairs for the object and purpose and in the amount set forth as follows:
For Specially Adapted Housing for Veterans.......................................................... 223,000

Section 15. The sum of $842,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans’ Affairs for the payment of scholarships to students who are dependents of Illinois resident military personnel declared to be prisoners of war, missing in action, killed or permanently disabled, as provided by law.

Section 20. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Veterans’ Affairs for the payment of benefits authorized under the Survivor’s Compensation Act.

Section 25. The sum of $300,000, or so much thereof as may be necessary, is appropriated from the Illinois Veterans’ Homes Fund to the Department of Veterans’ Affairs to enhance the operations of veterans’ homes in Illinois.

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $8,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Veterans’ Assistance Fund to the Department of Veterans’ Affairs for making grants, funding additional services, or conducting additional research projects relating to veterans’ post traumatic stress disorder; veterans’ homelessness; the health insurance cost of veterans; veterans’ disability benefits, including but not limited to, disability benefits provided by veterans service organizations and veterans assistance commissions or centers; and the long-term care of veterans.

Section 32. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans’ Affairs in support of veterans programs and activities.

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for objects and purposes hereinafter named:

VETERANS' FIELD SERVICES

Payable from the General Revenue Fund:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>3,565,600</td>
</tr>
<tr>
<td>For State Contributions to the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement system</td>
<td>410,900</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>272,700</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>334,700</td>
</tr>
<tr>
<td>For Travel</td>
<td>99,900</td>
</tr>
<tr>
<td>For Commodities</td>
<td>14,600</td>
</tr>
<tr>
<td>For Printing</td>
<td>8,900</td>
</tr>
<tr>
<td>For Equipment</td>
<td>58,500</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>100</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>123,200</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>28,800</td>
</tr>
<tr>
<td>Total</td>
<td>$4,917,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

**ILLINOIS VETERANS' HOME AT ANNA**

Payable from General Revenue Fund:
- For Personal Services.......................... 1,427,000
- For State Contributions to the State
  - Employees' Retirement System............... 164,600
- For State Contributions to
  - Social Security............................. 109,200
- For Contractual Services....................... 100
- For Commodities.................................. 100
- For Electronic Data Processing................. 100
- Total........................................... $1,701,100

Payable from Anna Veterans' Home Fund:
- For Personal Services.......................... 1,448,500
- For State Contributions to the State
  - Employees' Retirement System............... 166,900
- For State Contributions to
  - Social Security............................. 110,900
- For Contractual Services....................... 534,900
- For Travel........................................ 4,000
- For Commodities.................................. 245,900
- For Printing.................................... 2,000
- For Equipment.................................... 39,000
- For Electronic Data Processing............... 3,000
- For Telecommunications Services.............. 15,300
- For Operation of Auto Equipment............... 9,500
- For Refunds.................................... 13,000
- For Permanent Improvements................... 100
- Total........................................... $2,593,000

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

New matter indicated by italics - deletions by strikeout
ILLINOIS VETERANS' HOME AT QUINCY

Payable from General Revenue Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>12,856,600</td>
</tr>
<tr>
<td>For State Contributions to the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>1,481,700</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>977,400</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>72,000</td>
</tr>
<tr>
<td>For Commodities</td>
<td>100</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,387,900</strong></td>
</tr>
</tbody>
</table>

Payable from Quincy Veterans' Home Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services</td>
<td>11,037,500</td>
</tr>
<tr>
<td>For Member Compensation</td>
<td>25,000</td>
</tr>
<tr>
<td>For State Contributions to the State</td>
<td></td>
</tr>
<tr>
<td>Employees' Retirement System</td>
<td>1,272,100</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
<td>844,300</td>
</tr>
<tr>
<td>For Contractual Services</td>
<td>2,335,900</td>
</tr>
<tr>
<td>For Travel</td>
<td>4,300</td>
</tr>
<tr>
<td>For Commodities</td>
<td>5,358,100</td>
</tr>
<tr>
<td>For Printing</td>
<td>23,700</td>
</tr>
<tr>
<td>For Equipment</td>
<td>112,400</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
<td>25,000</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
<td>79,400</td>
</tr>
<tr>
<td>For Operation of Auto Equipment</td>
<td>60,000</td>
</tr>
<tr>
<td>For Refunds</td>
<td>42,200</td>
</tr>
<tr>
<td>For Permanent Improvements</td>
<td>66,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$21,286,100</strong></td>
</tr>
</tbody>
</table>

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT LASALLE

Payable from General Revenue Fund:

New matter indicated by italics - deletions by strikeout
For Personal Services.......................... 3,654,800
For State Contributions to the State
  Employees' Retirement System................ 421,200
For State Contributions to Social Security ... 279,600
For Contractual Services...................... 100
For Commodities................................ 100
For Electronic Data Processing................ 100
Total $4,355,900

Payable from LaSalle Veterans' Home Fund:
  For Personal Services...................... 2,254,700
  For State Contributions to the State
    Employees' Retirement System.......... 259,900
  For State Contributions to Social Security 172,500
  For Contractual Services................. 1,522,300
  For Travel.................................. 2,700
  For Commodities............................ 639,500
  For Printing................................ 9,200
  For Equipment.............................. 37,400
  For Electronic Data Processing .......... 5,000
  For Telecommunications.................... 23,700
  For Operation of Auto Equipment......... 11,500
  For Refunds................................. 10,800
  For Permanent Improvements............... 15,000
Total $4,964,200

Section 55. The following named amounts, or so much thereof as
may be necessary, respectively, are appropriated to the Department of
Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT MANTENO

Payable from General Revenue Fund:
  For Personal Services...................... 8,238,400
  For State Contributions to the State
    Employees' Retirement System.......... 949,500

New matter indicated by italics - deletions by strikeout
Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

STATE APPROVING AGENCY

Payable from GI Education Fund:
For Personal Services......................... 506,600
For State Contributions to the State Employees' Retirement System................. 58,400
For State Contributions to Social Security............................................. 38,800

New matter indicated by italics - deletions by strikeout
For Group Insurance.............................. 124,500
For Contractual Services......................... 112,300
For Travel....................................... 101,200
For Commodities............................... 57,800
For Printing...................................... 27,600
For Equipment..................................... 93,900
For Electronic Data Processing................. 59,200
For Telecommunications Services............... 31,600
For Operation of Auto Equipment............. 34,000
Total                                                                                         $1,245,900

Section 65. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Veterans’ Affairs Federal Projects Fund to the Department of Veterans’ Affairs for operating and administrative costs associated with the Troops to Teachers Program.

ARTICLE 86

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Illinois Council on Developmental Disabilities:

Payable from Council on Developmental Disabilities Federal Fund:

For Personal Services.......................... 681,500
For State Contributions to the State Employees’ Retirement System............. 78,400
For State Contributions to Social Security......................... 52,200
For Group Insurance.............................. 203,000
For Contractual Services......................... 469,700
For Travel....................................... 43,000
For Commodities............................... 30,000
For Printing...................................... 37,500
For Equipment..................................... 15,000
For Electronic Data Processing............... 25,000
For Telecommunications Services............. 45,000

New matter indicated by italics - deletions by strikeout
Section 10. The amount of $2,500,000, or so much thereof as may be necessary, is appropriated from the Council on Developmental Disabilities Federal Fund to the Illinois Council on Developmental Disabilities for awards and grants to community agencies and other State agencies.

ARTICLE 87

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Deaf and Hard of Hearing Commission:

For Personal Services........................... 395,200
For State Contributions to State Employees' Retirement System................. 45,500
For State Contributions to Social Security............................. 30,200
For Contractual Services........................................ 85,100
For Travel........................................ 19,600
For Commodities................................... 11,700
For Printing....................................... 5,900
For Equipment..................................... 10,000
For Telecommunications Services..................... 21,400
For Operation of Automotive Equipment.............. 6,900
For Expenses relative to the operation of the Commission......................... 36,800
Total                                                                 $668,300

ARTICLE 88

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Guardianship and Advocacy Commission for the purposes hereinafter named:

For Personal Services................................. 6,679,300
For Employee Retirement Contributions

New matter indicated by italics - deletions by strikeout
Section 10. The sum of $187,700, or so much thereof as may be necessary, is appropriated from the Guardianship and Advocacy Fund to the Guardianship and Advocacy Commission for services pursuant to Section 5 of the Guardianship and Advocacy Act.

ARTICLE 89

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

ADMINISTRATION
Payable from General Revenue Fund:
For Personal Services......................... 520,200
For Employee Retirement Contributions
   Paid by Employer............................ 0
For State Contributions to State
   Employees' Retirement System............. 60,000
For State Contributions to
   Social Security............................ 39,800
For Contractual Services.................... 140,000
For Travel.................................... 16,500
For Commodities............................. 15,700

Total $8,681,000

New matter indicated by italics - deletions by strikeout
For Printing................................. 4,700
For Equipment................................. 26,900
For Telecommunications Services.............. 22,000
For Operation of Auto Equipment............... 3,000
Total........................................ $848,800

Section 10. The sum of $153,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for the purpose of funding expenses associated with the Commission on Discrimination and Hate Crimes.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

DIVISION OF CHARGE PROCESSING
Payable from General Revenue Fund:
For Personal Services......................... 4,113,800
For Employee Retirement Contributions
Paid by Employer.............................. 0
For State Contributions to State
Employees' Retirement System................. 474,100
For State Contributions to Social Security.... 314,700
For Contractual Services...................... 39,400
For Travel...................................... 29,300
For Commodities.............................. 13,000
For Printing.................................. 1,300
For Equipment............................... 20,000
For Telecommunications Services............ 50,000
Total........................................ $5,055,600
Payable from Special Projects Division Fund:
For Personal Services......................... 1,585,600
For Employee Retirement Contributions
Paid by Employer.............................. 0
For State Contributions to State
Employees' Retirement System................. 182,700

New matter indicated by italics - deletions by strikeout
For State Contributions to  
Social Security................................. 121,300  
For Group Insurance............................ 464,000  
For Contractual Services......................... 183,000  
For Travel........................................ 37,000  
For Commodities.................................... 6,800  
For Printing....................................... 9,300  
For Equipment...................................... 9,600  
For Telecommunications Services............... 7,000  
Total                                                                 $2,606,300

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

<table>
<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Personal Services................ 602,600</td>
</tr>
<tr>
<td>For Employee Retirement Contributions</td>
</tr>
<tr>
<td>Paid by Employer........................ 0</td>
</tr>
<tr>
<td>For State Contributions to State</td>
</tr>
<tr>
<td>Employees' Retirement System........ 69,400</td>
</tr>
<tr>
<td>For State Contributions to</td>
</tr>
<tr>
<td>Social Security......................... 46,100</td>
</tr>
<tr>
<td>For Contractual Services............. 3,600</td>
</tr>
<tr>
<td>For Travel............................... 12,900</td>
</tr>
<tr>
<td>For Commodities.......................... 2,100</td>
</tr>
<tr>
<td>For Printing.............................. 1,000</td>
</tr>
<tr>
<td>For Telecommunications Services...... 3,000</td>
</tr>
<tr>
<td><strong>Total</strong>                            $740,700</td>
</tr>
</tbody>
</table>

ARTICLE 90

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Human Rights Commission for the objects and purposes hereinafter enumerated:

<table>
<thead>
<tr>
<th>Payable from General Revenue Fund:</th>
</tr>
</thead>
<tbody>
<tr>
<td>New matter indicated by italics - deletions by strikeout</td>
</tr>
<tr>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
</tr>
<tr>
<td>For Personal Services</td>
</tr>
<tr>
<td>For Employee Retirement Contributions Paid by Employer</td>
</tr>
<tr>
<td>For State Contributions to State Employees' Retirement System</td>
</tr>
<tr>
<td>For State Contributions to Social Security</td>
</tr>
<tr>
<td>For Contractual Services</td>
</tr>
<tr>
<td>For Travel</td>
</tr>
<tr>
<td>For Commodities</td>
</tr>
<tr>
<td>For Printing</td>
</tr>
<tr>
<td>For Equipment</td>
</tr>
<tr>
<td>For Electronic Data Processing</td>
</tr>
<tr>
<td>For Telecommunications Services</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Section 10. The amount of $100,000, or so much thereof as may be necessary, is appropriated from the Special Projects Division Fund to the Human Rights Commission for costs associated with processing and adjudicating cases under Equal Employment Opportunity Commission and U.S. Department of Housing and Urban Development contracts.

ARTICLE 91

Section 5. The sum of $184,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Medical District Commission for ordinary and contingent expenses.

ARTICLE 92

OFFICE OF THE ARCHITECT OF THE CAPITOL

Section 5. The amount of $3,883, or so much of this amount as may be necessary and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purpose in Section 5 of Article 118 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for plans, specifications, and continuation of work pursuant to the report and recommendations of the architectural, structural, and mechanical surveys.

New matter indicated by italics - deletions by strikeout
of the State Capitol Building. This is for the continuation of the rehabilitation of the Capitol Building.

Section 10. The sum of $595,767, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Section 10 of Article 118 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for remodeling, planning, relocation, permanent equipment, and other related expenses, including architectural and engineering fees associated with construction, for the remodeling of office space and other support areas under the jurisdiction of the House of Representatives and the Senate.

Section 15. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 and 10 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 92  
$599,650

ARTICLE 93

DEPARTMENT OF AGRICULTURE

Section 5. The following named amounts, or so much thereof as may be necessary are appropriated to the Department of Agriculture for repairs, maintenance, and capital improvements including construction, reconstruction, improvement, repair and installation of capital facilities, cost of planning, supplies, materials, equipment, services and all other expenses required to complete the work:

Payable from Agricultural Premium Fund:
For various projects at the State Fairgrounds........................................ 600,000
For various projects at the DuQuoin State Fairgrounds.......................... 225,000
Total $825,000

Total, Article 93 $825,000

ARTICLE 94

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

New matter indicated by italics - deletions by strikeout
Section 5. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Department of Central Management Services for Information Technology infrastructure expenses including but not limited to related hardware and equipment.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 94 $10,000,000

ARTICLE 95
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The amount of $4,000,000, or so much thereof as may be necessary, is appropriated from the Port Development Revolving Loan Fund to the Department of Commerce and Economic Opportunity for grants and loans associated with the Port Development Revolving Loan Program pursuant to 30 ILCS 750/9-11.

Section 10. The amount of $5,000,000, or so much thereof as may be necessary, is appropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State.

Section 15. The amount of $17,000,000, or so much thereof as may be necessary, is appropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the specific purposes of acquisition, development, construction, reconstruction, improvement, financing, architectural and technical planning and installation of capital facilities consisting of buildings, structures, durable equipment, and land for the purpose of capital development of coal resources within the State, including but not limited to a grant for a commercial scale project that produces electric power and hydrogen and

New matter indicated by italics - deletions by strikeout
demonstrates underground storage of up to 1 million metric tons annually of carbon dioxide.

Section 20. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 25. The amount of $7,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the Advanced Protein Crystallization Facility.

Section 30. The amount of $15,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant for the Illinois Science and Technology Park.

Section 35. The amount of $2,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Institute of Technology for the biomedical research complex.

Section 40. The amount of $3,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Fermi National Accelerator Laboratory for the Illinois Accelerator Research Center.

Section 45. The amount of $25,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants pursuant but not limited to Article 8, Article 9, or Article 10 of the Build Illinois Act.
Section 50. The amount of $20,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

Section 55. The amount of $15,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the redevelopment of brownfield sites.

Section 60. No contract shall be entered into or Obligation incurred or any expenditure made from an appropriation herein made in Sections 5, 10, 15, 20, 25, 30, 35, 40, 45, 50 and 55 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 95 $123,000,000

ARTICLE 96
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The amount of $1,129,036, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 5 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Airport Authority for planning, design, construction and access infrastructure related to the hi-tech business campus.

Section 10. The amount of $6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 10 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant for planning, design, construction, and all other costs associated with a new Ford Technical Training Center.

Section 20. The amount of $551,947, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 20 of Public Act 94-0015, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for a grant for planning, design, construction, and all other costs associated with a new Ford Technical Training Center.

New matter indicated by italics - deletions by strikeout
the Department of Commerce and Economic Opportunity for the purpose of providing partial funds for planning, design, engineering and testing, and construction of a low emissions boiler system for Illinois high-sulfur coals.

Section 25. The sum of $2,050,415, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 25 of Public Act 94-0015, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the Coal Demonstration Program.

Section 30. The sum of $6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 30 of Public Act 94-0015, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for Coal Development Programs.

Section 35. The sum of $50,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 35 of Public Act 94-0015, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for grants pursuant to 20 ILCS 605/605-332 – Coal Revival Program.

Section 45. The sum of $10,343,825, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 45 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 50. The sum of $3,880,040, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 98, Section 50 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and

New matter indicated by italics - deletions by strikeout
Economic Opportunity for grants and loans pursuant but not limited to Article 8 or Article 10 of the Build Illinois Act.

Section 55. The sum of $2,850,251, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 55 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 60. The sum of $10,442,122, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 60 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 65. The sum of $5,624,172, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 65 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 70. The sum of $6,900,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 70 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants associated with the Illinois Renewable Fuels Development Act.

Section 75. The sum of $13,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 75 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the
Argonne National Laboratory for the Rare Isotope Accelerator for bondable infrastructure improvements. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 80. The sum of $3,188,434, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 98, Section 80 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the Nanotechnology Institute for bondable infrastructure improvements. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 90. The sum of $301,713,361, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 5 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of making grants and loans to local governments for planning, engineering, acquisition, construction, reconstruction, development, improvement and extension of the public infrastructure, and for any other purposes authorized in subsection (a) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 95. The sum of $50,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 10 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the purpose of fostering economic development and increased employment and the well being of the citizens of Illinois, and for any other purposes authorized in subsection (b) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

New matter indicated by italics - deletions by strikeout
Section 100. The sum of $65,712,514, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 20 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services, and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 105. The sum of $30,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 50 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for open spaces, recreational and conservation purposes and the protection of land and for deposits into the Conservation 2000 Projects Fund as authorized by subsection (c) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 110. The sum of $46,829,075, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 75 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 115. The sum of $49,847,063, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 90 of Public Act 94-0015, is reappropriated from the Fund

New matter indicated by italics - deletions by strikeout
for Illinois’ Future to the Department of Commerce and Economic Opportunity for grants to units of government, educational facilities and not-for-profit organizations for education and training, infrastructure improvements and other capital projects including but not limited to planning, construction, reconstruction, equipment, utilities and vehicles, and all costs associated with economic development programs, community service programs, public health programs, public safety programs, other programs and activities, and for grants to other State agencies for any capital or operating purposes.

Section 120. No contract shall be entered into or obligation incurred or any expenditure made from any appropriation herein made in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 96 $666,062,255

ARTICLE 97
DEPARTMENT OF NATURAL RESOURCES
GRANTS AND REIMBURSEMENTS - GENERAL OFFICE

Section 10. The sum of $725,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 15. The sum of $120,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 20. To the extent federal funds including reimbursements are available for such purposes, the sum of $75,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats,

New matter indicated by italics - deletions by strikeout
including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 25. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from State Boating Act Fund:
For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation..................                                        1,200,000

Payable from State Parks Fund:
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation................. 150,000

For multiple use facilities and purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation................. 750,000

New matter indicated by italics - deletions by strikeout
Section 30. The sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for acquisition and development, including grants, for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl for the Mississippi Flyway.

Section 35. To the extent federal funds including reimbursements are available for such purposes, the sum of $100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 40. The sum of $2,000,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal and/or state funds provided for such purposes.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Forest Reserve Fund:
For U.S. Forest Service Program.................. 500,000

Section 50. The sum of $110,000, or so much thereof as may be necessary, is appropriated from the Plugging and Restoration Fund to the Department of Natural Resources, Office of Mines and Minerals for the Landowner Grant Program authorized under the Oil and Gas Act, as amended by Public Act 90-0260.

Section 55. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the Abandoned Mined Lands Set Aside Fund for grants and contracts to
conduct research, planning and construction to eliminate hazards created by abandoned mines and any other expenses necessary for emergency response.

Section 60. The sum of $110,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 65. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:
Payable from Natural Areas Acquisition Fund:
For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities.......................... 6,000,000

Section 70. The sum of $31,800,000, or so much thereof as may be necessary, is appropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments and to distressed communities as provided in the "Open Space Lands Acquisition and Development Act".

Section 75. The sum of $550,000, or so much thereof as may be necessary, is appropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

FOR ILLINOIS HABITAT FUND PROGRAM

Section 80. The sum of $1,150,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality...
habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 85. The sum of $250,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 90. The sum of $600,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources for expenditure by the Office of Water Resources from the Flood Control Land Lease Fund for disbursement of monies received pursuant to Act of Congress dated September 3, 1954 (68 Statutes 1266, same as appears in Section 701c-3, Title 33, United States Code Annotated), provided such disbursement shall be in compliance with 15 ILCS 515/1 Illinois Compiled Statutes.

Section 95. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Land and Water Recreation Fund:
For Outdoor Recreation Programs............. $6,200,000

Section 100. The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Off Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 110. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in
cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Federal Title IV Fire Protection Assistance Fund:
   For Rural Community Fire Protection Programs........................................ 325,000

   Section 115. The sum of $80,000, or so much thereof as may be necessary, is appropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

   Section 120. The sum of $625,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

   Section 125. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $300,000, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

   Section 130. The sum of $160,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl to the Mississippi Flyway as provided in the "Wildlife Code", as amended.

New matter indicated by italics - deletions by strikeout
Section 135. The sum of $160,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the development of waterfowl propagation areas within the Dominion of Canada or the United States which specifically provide waterfowl for the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 140. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

Section 145. The sum of $2,500,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 150. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 155. The sum of $1,500,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 160. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from the Illinois Beach Marina Fund:
For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement

New matter indicated by italics - deletions by strikeout
of facilities at North Point Marina at
Winthrop Harbor................................. 375,000

Section 165. The sum of $6,000,000, or so much thereof as may
be necessary, is appropriated to the Department of Natural Resources from
the Abandoned Mined Lands Reclamation Council Federal Trust Fund for
grants and contracts to conduct research, planning and construction to
eliminate hazards created by abandoned mines, and any other expenses
necessary for emergency response.

Section 170. The sum of $15,000,000 or so much thereof as may
be necessary, is appropriated from the Wildlife and Fish Fund to the
Department of Natural Resources for the acquisition, engineering and
rehabilitation of dedicated hunting and fishing lands in conjunction with
the Illinois Hunting Heritage Protection Act; however, no more than
$1,500,000 of the total appropriation may be used for engineering and
rehabilitation.

Section 180. The sum of $10,000,000, or so much thereof as may
be necessary is appropriated from the Capital Development Fund to the
Department of Natural Resources for the non-federal cost share of a
Conservation Reserve Enhancement Program to establish long-term
contracts and permanent conservation easements in the Illinois River
Basin; to fund cost-share assistance to landowners to encourage approved
conservation practices in environmentally sensitive and highly erodible
areas of the Illinois River Basin; and to fund the monitoring of long term
improvements of these conservation practices as required in the
Memorandum of Agreement between the State of Illinois and the United
State Department of Agriculture.

Section 185. The sum of $150,000, new appropriation, is
appropriated from the State Boating Act Fund to the Department of
Natural Resources for a grant to the Chain O'Lakes – Fox River Waterway
Management Agency for the Agency’s operational expenses.

Section 190. No contract shall be entered into or obligation
incurred or any expenditure made from appropriations herein made in
Sections:
95, 145, 150, 155, 170, 180

New matter indicated by italics - deletions by strikeout
until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, Article 97

$92,765,000

ARTICLE 98

DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of $3,364,972, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 10 and Article 100, Sections 5, 7, and 10 of Public Act 94-15, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 15. The sum of $448,995, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 15, and Article 100, Sections 15, 20, and 22 of Public Act 94-15, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 30. To the extent federal funds including reimbursements are available for such purposes, the sum of $2,640,493, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 20 and Article 100, Sections 30 and 32 of Public Act 94-15, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 35. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of

New matter indicated by italics - deletions by strikeout
business on June 30, 2006, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from State Boating Act Fund:
(From Article 99, Section 25, on page 638, line 7, and Article 100, Sections 35, 37, and 40 of Public Act 94-15, as amended)
For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation.............. 4,346,779

Section 45. The following named sums, or so much thereof as may be necessary, respectively, and as remain unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the State Parks Fund:
(From Article 99, Section 25 on page 638, line 16, and Article 100, Section 45 on page 651, line 8, and on page 651, line 20, and Section 47 of Public Act 94-15, as amended)
For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies, and all other expenses required to comply with the intent of this appropriation.............. 927,920

New matter indicated by italics - deletions by strikeout
Section 48. The sum of $9,819,566, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 170 and Article 100, Section 48 of Public Act 94-15, as amended, is reappropriated from the State Park Fund to the Department of Natural Resources, in coordination with the Capital Development Board, for the development of the World Shooting and Recreation Complex including all construction and debt service expenses required to comply with this appropriation. Provided further, to the extent that revenues are received for such purposes, said revenues must come from non-State sources.

Section 50. The sum of $8,024,760 or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 40 and Article 100, Sections 50, 52, and 55, of Public Act 94-15, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal and/or state funds provided for such purposes.

Section 60. To the extent federal funds including reimbursements are available for such purposes, the sum of $505,977, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 35, and Article 100, Sections 60, 62, and 65 of Public Act 94-15, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 70. The sum of $984,529, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 70 of Public Act 94-15, is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

New matter indicated by italics - deletions by strikeout
Section 75. The sum of $3,237,550, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 75 of Public Act 94-15, is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 80. The sum of $22,034,981, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 80, of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 85. The sum of $3,476,752, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 85 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United State Department of Agriculture.

Section 90. The sum of $692,823, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 90 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to
encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United State Department of Agriculture.

Section 95. The sum of $503,341, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 95 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the acquisition of lands, buildings, and structures, including easements and other property interests, located in the 100-year floodplain in counties or portions of counties authorized to prepare stormwater management plans and for removing such buildings and structures and preparing the site for open space use.

Section 100. The sum of $10,340,316, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 100 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union - McHenry County - for flood control and drainage improvement of unnamed Kishwaukee River tributary</td>
<td>200,000</td>
</tr>
<tr>
<td>Wood River - Madison County - for partial payment of the non-federal cost requirements to construct Grassy Lake Pump Station Project in cooperation with the Wood River Drainage and Levee District</td>
<td>200,000</td>
</tr>
<tr>
<td>Flood Hazard Mitigation - For implementation of flood hazard mitigation plans, and acquisition of wetland and tree mitigation sites for state and local joint</td>
<td></td>
</tr>
</tbody>
</table>
flood control projects in cooperation with federal agencies, state agencies, and units of local government, in various counties.......................... 3,300,000
Fox Chain of Lakes - Lake and McHenry Counties - For the state cost share in implementation of the comprehensive Dredging and Disposal Plan, including beneficial use of dredge material and island creation, for the Fox River and Chain of Lakes............................. 2,000,000
Fox River Dams - Kane County - For rehabilitation, modification, and reconstruction of Batavia and Yorkville Dams............................. 2,600,000
Field Service Facility - Sangamon County - For site development and construction of a field survey service building and storage facility........................... 200,000
East St. Louis & Vicinity Flood Control - Madison and St. Clair Counties - For partial payment of the non-federal cost requirement of an interior flood protection project and ecosystem restoration at East St. Louis and Vicinity area....................... 1,800,000
Prairie/Farmers Creeks - Cook County - For costs associated with the implementation of flood damage reduction measures along Prairie/Farmers Creeks and the Des Plaines River, including for partial payment of the non-federal cost requirements of the U.S. Army Corps of Engineers' Upper Des Plaines River Flood Control Project.......................... 600,000
Small Drainage and Flood Control Projects -

New matter indicated by italics - deletions by strikeout
For implementation of small drainage and flood control improvements in accordance with plans developed in cooperation with local governments and school districts, not to exceed $100,000 at any single locality.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$10,340,316</td>
</tr>
</tbody>
</table>

FOR WATERWAY IMPROVEMENTS

Section 105. The sum of $21,416,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 105 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the following projects at the approximate costs set forth below:

- Addison Creek Watershed - Cook and DuPage Counties: $214,728
- Asian Carp Barrier – Cook County: $10,000
- Chicago Harbor Leakage Control - Cook County: $990,416
- Crisenberry Dam - Jackson County: $422,964

New matter indicated by italics - deletions by strikeout
Crystal Creek - Cook County...................... 2,864,324
East Peoria - Tazewell County...................... 834,106
East St. Louis and Vicinity Flood Control -
Madison and St. Clair Counties - For
partial payment of the non-federal cost
requirements of an interior flood protection
project and ecosystem restoration at
East St. Louis and Vicinity area................. 500,000
Flood Mitigation - Disaster
Declaration Areas........................................ 2,462,715
Fox Chain O'Lakes - Lake and McHenry
Counties .................................................. 1,431,292
Fox River Dams - Kane, Kendall
and McHenry Counties............................. 4,996,222
Granite City - Area Groundwater-
Madison County........................................ 300,000
Havana Facilities - Mason County............. 365,014
Hickory Hills - Cook County.................... 158,410
Hickory/Spring Creeks Watershed -
Cook and Will Counties............................ 350,212
Indian Creek - Kane County...................... 87,025
Kaskaskia River System - Randolph,
Monroe and St. Clair Counties.................. 33,916
Kyte River - Rochelle, Ogle County.......... 1,450,863
Little Calumet Watershed -
Cook County............................................ 14,154
Loves Park - Winnebago County.................. 402,585
Lower Des Plaines River Watershed -
Cook and Lake Counties......................... 917,204
Metro-East Sanitary District -
Madison and St. Clair Counties.................. 60,578
North Branch Chicago River Watershed -
Cook and Lake Counties......................... 25,690
Prairie du Rocher - Randolph County:

New matter indicated by italics - deletions by strikeout
For partial payment to implement the federal flood protection project for the Village of Prairie du Rocher in cooperation with local units of government........................................ 10,000
Prairie/Farmers Creek - Cook County.............. 1,807,850
Rock River Dams - Rock Island and Whiteside Counties.................. 151,081
Small Drainage and Flood Control Projects - Statewide (not to exceed $100,000 at any locality)......................... 366,017
Union - McHenry County............................ 30,000
Village of Justice - Cook County................... 100,000
W. B. Stratton (McHenry) Lock and Dam - McHenry County........ 59,370
Total                                                                                       $21,416,600

Section 110. The sum of $81,279, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 110 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources in cooperation with federal agencies, state agencies and units of local government in the implementation of flood hazard mitigation plans in counties that received a Presidential Disaster Declaration as a result of flooding in calendar years 1993 and thereafter, in accordance with reports filed under Section 5 of the "Flood Control Act of 1945".

Section 115. The sum of $5,000,000, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 100, Section 115 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

New matter indicated by italics - deletions by strikeout
Section 120. The sum of $2,624,010, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 120 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 125. The amount of $30,115, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 125 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 130. The amount of $4,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 130 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 135. The sum of $258,323, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 60 and Article 100, Sections 135, 137, and 140 of Public Act 94-15, as amended, is reappropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 145. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from Natural Areas Acquisition Fund:
(From Article 99, Section 65 and Article 100, Section 145 on page)

New matter indicated by italics - deletions by strikeout
For the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities............................                                             9,870,996

Section 150. The sum of $70,990,559, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 70 and Article 100, Sections 150, 155, and 157 of Public Act 94-15, as amended, is reappropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

FOR STATE PHEASANT PROGRAM

Section 160. The sum of $1,385,663, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 75 and Article 100, Sections 160, 165, and 167 of Public Act 94-15, as amended, is reappropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

Section 170. The sum of $2,536,643, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 80 and Article 100, Sections 170, 175, and 177 of Public Act 94-15, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of
high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 180. The sum of $630,259, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 85, and Article 100, Sections 180, 185, and 187 of Public Act 94-15, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 190. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 95 and Article 100, Section 190, page 669, line 2 and page 669, line 7, and Section 192 of Public Act 94-15, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Land and Water Recreation Fund:
   For Outdoor Recreation Programs.............. 23,073,974

Section 195. The sum of $2,188,475, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 100 and Article 100, Sections 195, 197, and 200 of Public Act 94-15, as amended, is reappropriated from the Off Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.
Section 205. The sum of $2,443,878, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes in Article 100, Section 205 of Public Act 94-15, as amended, is reappropriated from the Conservation 2000 Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 210. The sum of $6,467,262, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes in Article 100, Section 210 of Public Act 94-15, as amended, is reappropriated from the Conservation 2000 Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 215. The following named sum, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 110 and Article 100, Sections 215 and 217, page 672, line 19, and page 672, line 24 of Public Act 94-15, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, is reappropriated to the Department of Natural Resources for refunds and the purposes stated:
Payable from Federal Title IV Fire Protection Assistance Fund:
For Rural Community Fire Protection Program................................                                          678,703

Section 225. The sum of $170,383, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 115 and

New matter indicated by italics - deletions by strikeout
Article 100, Sections 225, 227, and 230 of Public Act 94-15, as amended, is reappropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 235. The sum of $1,285,048, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 120 and Article 100, Sections 235, 237, and 240 of Public Act 94-15, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 245. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of $325,371, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 125, and Article 100, Sections 245, 247, and 250 of Public Act 94-15, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 260. The sum of $2,814,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99 Section 140, and Article 100, Sections 260, 262 and 265 of Public Act 94-15, as amended, is reappropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

FOR BIKEWAYS PROGRAMS

Section 270. The following named sums, or so much thereof as may be necessary, and is available for expenditure as provided herein, are
appropriated from the Park and Conservation Fund to the Department of Natural Resources for the following purposes:

Section 275. The sum of $10,886 or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 275 of Public Act 94-15, as amended, is reappropriated for land acquisition, development and grants, for the following bike paths at the approximate costs set forth below:

Great River Road/Vadalabene Bikeway through Grafton................................. 5,300
Super Trail between the Quad Cities and Savannah........................................... 0
Illinois Prairie Path in Cook County................................................................. 5,600

Section 280. The sum of $15,225,661, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 145, and Article 100, Sections 280, 282, and 285 of Public Act 94-15, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 290. The sum of $56,700, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 290 of Public Act 94-15, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development, grants and all other related expenses connected with the acquisition and development of bike paths.

No funds in this Section may be expended in excess of the revenues deposited in the Park and Conservation Fund as provided for in Section 2-119 of the Illinois Vehicle Code.

Section 300. The sum of $686,826, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 300
of Public Act 94-15, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 305. The sum of $5,155,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 150, and Article 100, Sections 305, 307, and 315 of Public Act 94-15, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 310. The sum of $1,602,649, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 310 of Public Act 94-15, as amended, is reappropriated to the Department of Natural Resources from the Park and Conservation Fund for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 320. The sum of $6,842,253, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 99, Section 155, and Article 100, Sections 320, 322, and 325 of Public Act 94-15, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the

New matter indicated by italics - deletions by strikeout
Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 330. The sum of $1,429,862, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 330 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 335. The sum of $6,876,936, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 335 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants to museums for permanent improvements.

Section 340. The sum of $7,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 100, Section 340 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Division of Water Resources for costs associated with the repair of the Lake Michigan shoreline in Chicago. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 345. The sum of $59,006, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 345 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

New matter indicated by italics - deletions by strikeout
Section 350. The sum of $157,284, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 350 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 360. The sum of $76,789, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 360 of Public Act 94-15, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Division of Water Resources for costs associated with the repair of the Lake Michigan shoreline in Chicago. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 375. The amount of $189,520, or so much thereof as may be necessary and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 100, Section 375 of Public Act 94-15, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the completion of the following projects at the approximate costs set forth below:

Lower Des Plaines River at Tributaries Watershed -
Cook and DuPage Counties - for
construction of drainage, flood control,
recreation and related improvements and
facilities in the Lower Des Plaines
Watershed; and for necessary land
acquisition, relocation, and related
expenses, all in general conformance with
the Lower Des Plaines River and Tributaries
Watershed Work plan in cooperation with the
U.S. Soil Conservation Service and local

New matter indicated by italics - deletions by strikeout
governments sponsoring this Federal Flood Control project...................... 189,520

Section 380. The amount of $32,507, or so much thereof as may be necessary and remains unexpended on June 30, 2006, from appropriations heretofore made for such purposes in Article 100, Section 380 of Public Act 94-15, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the following projects at the approximate costs set forth below:

- Indian Creek - Kane County - For implementation of the Indian Creek flood control project in Kane County in cooperation with the City of Aurora ....................................... 18,656
- Midlothian Creek - Cook County - Improvement of Midlothian Creek channel to provide flood damage reduction for Fernway Subdivision in cooperation with the Villages of Orland Park and Tinley Park............................. 13,851

Total $32,507

Section 385. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the Illinois Beach Marina Fund:

- (From Article 99, Section 160 and Article 100, Sections 385, 390 and 392 of Public Act 94-15, as amended)
  For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor............................................. 876,495

Section 395. The sum of $18,929,906, or so much thereof as may be necessary and as remains unexpended at the close of business on June

New matter indicated by italics - deletions by strikeout
30, 2006, from appropriations heretofore made in Article 99, Section 165, and Article 100, Sections 395, 397, and 400 of Public Act 94-15, as amended, is reappropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 405. The sum of $4,535,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 100, Section 405 of Public Act 94-15, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 410. The sum of $357, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 100, Section 410 of Public Act 94-15, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects.

Section 415. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 65 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Natural Resources for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 420. The sum of $20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 80 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to local governments for the acquisition, financing, architectural planning, development, alteration, installation, and construction of capital facilities

New matter indicated by italics - deletions by strikeout
consisting of buildings, structures, durable equipment, and land as authorized by subsection (l) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 425. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 85 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the Illinois Open Land Trust Program as defined by the Illinois Open Land Trust Act as authorized by subsection (m) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 420. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Sections:
70 through 130,
190, 205, 210,
270 through 380,
405, 410, 415, 420 and 425
until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, Article 98 $364,366,532

ARTICLE 99
DEPARTMENT OF MILITARY AFFAIRS
Section 5. The sum of $238,800, or so much thereof as may be necessary, is appropriated from the Illinois National Guard Armory Construction Fund to the Department of Military Affairs for land acquisition and construction of parking facilities at armories.

Total, Article 99 $238,800

ARTICLE 100
DEPARTMENT OF STATE POLICE
Section 10. The sum of $23,577,352, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purposes in Article 102, Section 10 of Public Act 94-0015, as amended, is reappropriated

New matter indicated by italics - deletions by strikeout
from the Capital Development Fund to the Department of State Police for the cost associated with a statewide voice communication system.

Section 15. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 10 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 100 $23,577,352

ARTICLE 101
DEPARTMENT OF TRANSPORTATION

Section 5. The sum of $6,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment installed and all costs and charges incident to the completion thereof at various locations.

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For costs associated with the identification and disposal of hazardous materials at storage facilities............. 1,158,600
For Maintenance, Traffic and Physical Research Purposes (A)......................... 26,129,100
For repair of damages by motorists to highway guardrails, fencing, lighting units, bridges, underpasses, signs, traffic signals, crash attenuators, landscaping, roadside shelters, rest areas, fringe parking facilities, sanitary facilities,

New matter indicated by italics - deletions by strikeout
maintenance facilities including salt storage buildings, vehicle weight enforcement facilities including scale houses, and other highway appurtenances, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages........................................ 5,500,000

For Maintenance, Traffic and Physical Research Purposes (B)......................... 12,207,100

Total $44,994,800

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For apportionment to counties for construction of township bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the "Illinois Highway Code"....................... 15,000,000

For apportionment to needy Townships and Road Districts, as determined by the Department in consultation with the County Superintendents of Highways, Township Highway Commissioners, or Road District Highway Commissioners......................... 10,014,300

For apportionment to high-growth cities over 5,000 in population, as determined by the Department in consultation with the Illinois Municipal League......................... 4,000,000

For apportionment to counties under 1,000,000 in population, $8,000,000 of the total apportioned in equal amounts to each eligible

New matter indicated by italics - deletions by strikeout
county, and $13,800,000 apportioned
to each eligible county in proportion
to the amount of motor vehicle license
fees received from the residents of
eligible counties......................... \( 21,800,000 \)
Total \( 50,814,300 \)

Section 20. The sum of $1,143,485,700, or so much thereof as
may be necessary, is appropriated from the Road Fund to the Department
of Transportation for preliminary engineering and construction
engineering and contract costs of construction, including reconstruction,
extension and improvement of state highways, arterial highways, roads,
access areas, roadside shelters, rest areas, fringe parking facilities and
sanitary facilities, and such other purposes as provided by the “Illinois
Highway Code”; for purposes allowed or required by Title 23 of the U.S.
Code; for bikeways as provided by Public Act 78-850; for land acquisition
and signboard removal and control, junkyard removal and control and
preservation of natural beauty; and for capital improvements which
directly facilitate an effective vehicle weight enforcement program, such
as scales (fixed and portable), scale pits and scale installations and scale
houses, in accordance with applicable laws and regulations for the state
portion of the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, Schaumburg</td>
<td>429,877,000</td>
</tr>
<tr>
<td>2, Dixon</td>
<td>57,856,000</td>
</tr>
<tr>
<td>3, Ottawa</td>
<td>47,252,000</td>
</tr>
<tr>
<td>4, Peoria</td>
<td>87,346,000</td>
</tr>
<tr>
<td>5, Paris</td>
<td>32,629,000</td>
</tr>
<tr>
<td>6, Springfield</td>
<td>60,818,000</td>
</tr>
<tr>
<td>7, Effingham</td>
<td>30,172,000</td>
</tr>
<tr>
<td>8, Collinsville</td>
<td>76,185,000</td>
</tr>
<tr>
<td>9, Carbondale</td>
<td>45,146,000</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>103,826,700</td>
</tr>
<tr>
<td>Engineering</td>
<td>172,378,000</td>
</tr>
<tr>
<td>Total</td>
<td>$1,143,485,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Section 20a. The sum of $545,700,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state and local roads and bridges, fringe parking facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control and preservation of natural beauty, in accordance with applicable laws and regulations for the local portion of the Road Improvement Program as approximated below:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>285,964,000</td>
</tr>
<tr>
<td>2</td>
<td>41,081,000</td>
</tr>
<tr>
<td>3</td>
<td>16,297,000</td>
</tr>
<tr>
<td>4</td>
<td>23,426,000</td>
</tr>
<tr>
<td>5</td>
<td>13,819,000</td>
</tr>
<tr>
<td>6</td>
<td>19,681,000</td>
</tr>
<tr>
<td>7</td>
<td>18,324,000</td>
</tr>
<tr>
<td>8</td>
<td>30,865,000</td>
</tr>
<tr>
<td>9</td>
<td>20,993,000</td>
</tr>
<tr>
<td>Statewide</td>
<td>75,250,000</td>
</tr>
<tr>
<td>Total</td>
<td>$545,700,000</td>
</tr>
</tbody>
</table>

Section 25. The sum of $306,294,346 or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation, for High Priority Projects (HPP) and Transportation Improvement Projects (TI) pertaining to local governments as designated in Public Law 109-59, Title I, Subtitle G, Section 1702 and Subtitle I, Section 1934 of the federal reauthorization act entitled SAFETEA-LU; provided such amounts do not exceed funds made available by the federal government through Congressional designations, annual allocations, obligation limitations, or any other federal limitations, as approximated below:

**HPP No.: 21**

District 1

New matter indicated by italics - deletions by strikeout
Construct Bike, Pedestrian Paths, Orland Hills............................... 320,000
HPP No.: 102
West Ridge Nature Preserve, Chicago....... 2,800,000
HPP No.: 129
Construct streetscape along Morse avenue From Clark street to Sheridan road, Chicago................................. 1,600,000
HPP No.: 142
Replacement of bridge on Harlem Avenue, Village of River Forest................. 800,000
HPP No.: 224
Upgrade roads, Village of Berkeley.......... 800,000
HPP No.: 242
Construct new bridge on Illinois Prairie Path over East Branch River in Milton Township, IL.............................. 240,000
HPP No.: 296
For Will County to begin Phase II engineering and preconstruction activities for a high level bridge linking Caton Farm Road with Bruce Road....................... 1,600,000
HPP No.: 299
Construct Citywide bicycle path network, City of Evanston....................... 200,000
HPP No.: 368
Engineering and construction of the East Branch DuPage River Greenway Trail in central DuPage County, IL............................ 80,000
HPP No.: 510
South Shore Drive and 67th Underpass..... 1,040,000
HPP No.: 514
Resurface Clifton Park Ave. and S. Louis Ave., Village of Evergreen............. 320,000

New matter indicated by italics - deletions by strikeout
HPP No.: 583
Improve roads, Village of Westchester....... 800,000

HPP No.: 748
Construct Streetscape Project,
Orland Hills........................................ 320,000

HPP No.: 797
Upgrade streets, Stickney Township........ 2,206,400

HPP No.: 809
Replacement of Fullerton Avenue Bridge
and Pedestrian Walkway......................... 3,840,000

HPP No.: 887
Reconstruction and realignment of Baseline
Rd., Montgomery, IL............................. 1,664,000

HPP No.: 912
Widening and Reconstruction of 55th Street
from Holmes Avenue to Williams Street in
Westmont and Clarendon Hills................. 1,200,000

HPP No.: 944
Upgrade traffic signal system on 87th Street,
Chicago............................................... 400,000

HPP No.: 963
For engineering, right-of-way acquisition
and reconstruction of two existing lanes
on Arsenal Road from Baseline
Rd. to Rt. 53........................................ 1,700,000

HPP No.: 1026
Widen Rakow Road from Ackman Road to
IL Rt. 31 in McHenry County, Illinois..... 5,720,000

HPP No.: 1029
Perform Broadway and Sheridan Road
signal interconnect project, Chicago...... 1,200,000

HPP No.: 1155
Construct multi-use pedestrian path between
Oakton St. and Dempster St., Skokie........ 200,000

New matter indicated by italics - deletions by strikeout
HPP No.: 1168
For Village of Lemont to construct a bridge over Chicago Ship and Sanitary Canal linking Centennial Trail to I&M Canal Trail........... 80,000

HPP No.: 1272
Streetscape improvements on Blue Island from 19th - 21st St, Chicago............... 800,000

HPP No.: 1339
Construct underpass at intersection of Damen/Fullerton/Elston Avenues, Chicago... 4,400,000

HPP No.: 1364
Foster Avenue at Kedzie Avenue Streetscape.......................... 1,600,000

HPP No.: 1375
Construct Streetscape Project, Village of Robbins............................. 640,000

HPP No.: 1378
For Will County for engineering and right-of-way acquisition to extend 95th Street from Plainfield-Naperville Road east to Boughton Road.......................... 400,000

HPP No.: 1419
Construct Pedestrian walkways and streetscaping projects in the Village of Western Springs................................. 3,553,600

HPP No.: 1459
Reconstruct Lakeshore Drive Overpass over Wilson avenue, Chicago................... 1,200,000

HPP No.: 1468
Road Construction and reconstruction in the Village of Hampshire: Keyes Ave., Industrial Drive Overlay and Mill Avenue.. 1,840,000

HPP No.: 1469
Conduct study and design of Chicago

New matter indicated by italics - deletions by strikeout
North lakefront path expansion project...... 800,000
HPP No.: 1489
130th and Torrance Avenue Intersection Improvement, Chicago.................. 7,200,000
HPP No.: 1515
For Naperville Township to fund improvements to North Aurora Road........ 160,000
HPP No.: 1574
Construct Commuter Parking Structure in the Central Business District in the vicinity of La Grange Road........ 3,232,000
HPP No.: 1596
River walk Reconstruction, City of Chicago.. 480,000
HPP No.: 1625
For Naperville Township to fund improvements to Diehl Road between Eola Road and Route 59............ 640,000
HPP No.: 1637
Reconstruct Lakeshore Drive overpass Lawrence Avenue..................... 1,200,000
HPP No.: 1654
Construct Streetscape Project, City of Markham......................... 400,000
HPP No.: 1719
Upgrade roads, Village of Maywood.......... 800,000
HPP No.: 1732
Construction of the 43rd Street Bicycle Pedestrian Bridge over Lake Shore Drive, City of Chicago............... 480,000
HPP No.: 1756
For DuPage County to construct certain segments of Southern DuPage County Regional Trail.................... 80,000
HPP No.: 1861

New matter indicated by italics - deletions by strikeout
Francis Cabrini/W. Green Homes
CHA Street Construction, City of Chicago.......................... 480,000

HPP No.: 1874
Henry Horner Homes CHA Street
Construction, City of Chicago.......................... 800,000

HPP No.: 1914
Completion of the Grand Illinois Trail,
Cook County............................ 1,034,000

HPP No.: 1964
Miller Road Widening and Improvement,
McHenry ........................................ 6,364,000

HPP No.: 1977
Robert Taylor Homes CHA Street Construction,
City of Chicago................................. 440,000

HPP No.: 2007
Resurface Trumbull Ave. and Homan Ave.,
Evergreen Park.............................. 320,000

HPP No.: 2063
St. Charles Road, Village of Bellwood...... 800,000

HPP No.: 2106
Construction of a new bicycle-pedestrian
bridge in Wayne, IL......................... 960,000

HPP No.: 2208
For Village of Lemont to modernize and
improve the intersection of McCarthy
Road, Derby Road, and Archer Avenue...... 280,000

HPP No.: 2240
Improve Cottage Grove intersection,
South Chicago Avenue and 71st Street....... 800,000

HPP No.: 2267
Halsted Bridge over North Branch
Canal Reconstruction, City of Chicago....... 480,000

HPP No.: 2312
Construct pedestrian tunnel at railroad

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Funding (in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade streets and implement traffic and pedestrian safety signalization improvements, Oak Lawn</td>
<td>3,920,000</td>
</tr>
<tr>
<td>Improve Sheridan Road, Evanston</td>
<td>1,600,000</td>
</tr>
<tr>
<td>Construction of a traffic circle to reduce traffic congestion, Museum Campus Chicago</td>
<td>1,600,000</td>
</tr>
<tr>
<td>Install traffic control devices on traffic signals in Village of Oak Lawn</td>
<td>192,000</td>
</tr>
<tr>
<td>Upgrade roads, Village of Hillside</td>
<td>800,000</td>
</tr>
<tr>
<td>Construct Parking Facility and pedestrian walkways at 94th and S. Oak Park Ave, Oak Lawn</td>
<td>192,000</td>
</tr>
<tr>
<td>For the Village of Woodridge to resurface Internationale Parkway</td>
<td>86,400</td>
</tr>
<tr>
<td>Improve 63rd Street, Chicago</td>
<td>1,600,000</td>
</tr>
<tr>
<td>Establish transportation museum on Navy Pier, Chicago</td>
<td>432,000</td>
</tr>
<tr>
<td>For the construction of the Grand Avenue Underpass, Village of Franklin Park</td>
<td>928,000</td>
</tr>
<tr>
<td>Construct Bridge Overpass, DuSable Museum-Chicago</td>
<td>800,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Establish transportation museum on Navy Pier, Chicago.......................... 400,000

HPP No.: 2857

Construct recreational trail from Spring Creek Forest Preserve to Greene Valley Forest Preserve in DuPage County, IL........... 320,000

HPP No.: 2879

Extension North from Rt. 30 to Wheeler Road and Galena Boulevard extension west of Rt. 47 in Sugar Grove, IL............ 3,808,000

HPP No.: 2902

Improve Streets, Westchester................. 224,000

HPP No.: 2913

Construction of a new roadway and grade separation of the UP West Line east of Elburn............................ 7,600,000

HPP No.: 2961

For Village of Bolingbrook to construct Remington Blvd. extension.................. 400,000

HPP No.: 2970

Irving Park Bridge over the Chicago River.............................. 3,200,000

HPP No.: 2987

Midlothian Road Signalization, Lake Zurich. 480,000

HPP No.: 3013

Improve Streets, Merrionette Park......... 480,000

HPP No.: 3033

For Plainfield Township Park District to construct DuPage River Bike & Pedestrian Trail linking Grand Illinois, Midewin, & I&M Canal Trails.............................. 80,000

HPP No.: 3036

Washington Street Widening, Gurnee........ 2,688,000

HPP No.: 3045

New matter indicated by italics - deletions by strikeout
Improve Roads and Bridges, Cicero.............. 1,200,000
HPP No.: 3056
  Project is a stand-alone roadway improvement consisting of the complete reconstruction of the roadway, Village of Forest Park.............. 800,000
HPP No.: 3123
  Construct I-57 Bridge Overpass,
  City of Markham................................ 480,000
HPP No.: 3182
  Construction of highway approaches to the
  Sullivan Road bridge in Aurora, IL.............. 1,280,000
HPP No.: 3260
  Undertake Traffic Mitigation and Circulation Enhancements on 57th and Lake Shore Drive, Chicago........................................... 1,600,000
HPP No.: 3420
  For Cook County to reconstruct and widen
  127th Street between Smith Road and State Street in Lemont.............................. 360,000
HPP No.: 3460
  Construct bike/pedestrian paths, Chicago.. 2,480,000
HPP No.: 3461
  Construct Leon Pass overpass, Hodgkins...... 768,000
HPP No.: 3462
  Undertake Streetscaping project on Harlem Avenue initiating from 71st Street to I-80, Cook County................................. 3,280,000
HPP No.: 3463
  Construct bike path, parking facility and related transportation enhancement projects, North Riverside................................. 1,920,000
HPP No.: 3464
  Upgrade Roads, Summit.......................... 768,000
HPP No.: 3465

New matter indicated by italics - deletions by strikeout
Undertake streetscaping on Ridgeland Avenue, Oak Park Avenue and 26th Street, Berwyn..... 768,000
HPP No.: 3466
Construct bike/pedestrian paths, facilities and infrastructure improvements in Spring Rock Park, Western Springs Park District.... 576,000
HPP No.: 3533
Upgrade roads, Plainfield................. 240,000
HPP No.: 3576
Upgrade 31st Street and Golfview Rd intersection and construct parking facilities, Brookfield............... 1,200,000
HPP No.: 4060
Construction of Joliet Arsenal Road Improvements, Will County............. 2,000,000
HPP No.: 4065
Road Improvements in Elmwood Park, Franklin Park, Northlake, Oak Park, River Forest, River Grove, Stone Park..... 1,000,000
HPP No.: 4071
Improve transportation accessibility at Chicago Botanic Garden, Glencoe....... 1,500,000
HPP No.: 4072
Loyola University-Chicago vehicular-pedestrian right of way, Chicago......... 750,000
HPP No.: 4074
Engineering, Preconstruction and Construction of North-South Wacker Drive, Chicago...................... 10,000,000
HPP No.: 4075
Upgrade Roads, Summit.................... 750,000
HPP No.: 4077
For the construction of Grand Avenue Underpass, Village of Franklin Park..... 1,000,000

New matter indicated by italics - deletions by strikeout
HPP No.: 4085
  Mitchell Road to Farnsworth Avenue Improvements, Aurora.................. 2,500,000
HPP No.: 4086
  Preconstruction and construction, East New York Street, Aurora......... 3,000,000
HPP No.: 4089
  Undertake Traffic Mitigation and Circulation Enhancements on 57th and Lake Shore Drive, Chicago........ 1,200,000
HPP No.: 4090
  Upgrade 31st Street and Golfview Road intersection and construct parking facilities, Brookfield.......... 1,000,000
HPP No.: 4107
  Upgrade 31st Street and Golfview Road intersection and construct parking facilities in Brookfield......... 1,000,000
HPP No.: 4111
  Loyola University-Chicago vehicular-pedestrian right of way in Chicago........ 250,000
TI No.: 144
  Preconstruction and construction of North-South Wacker Drive in Chicago......... 15,000,000
TI No.: 150
  Construction of Joliet Arsenal Road Improvements, Will County................. 1,000,000
DISTRICT 1 TOTAL  $164,094,400

DISTRICT 2

HPP No.: 456
  Construction of a pedestrian sidewalk along S. Chicago Street in Geneseo, IL...... 180,000
HPP No.: 949
  Engineering of the Willow Creek Trail

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
<th>HPP No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extension from Rock Cut State Park to the Long Prairie Trail</td>
<td>160,000</td>
<td>1161</td>
</tr>
<tr>
<td>Development of a coordinated trail system, parking and trail systems in Dixon, IL</td>
<td>2,560,000</td>
<td>2435</td>
</tr>
<tr>
<td>Improve Mill Street, Rock Island</td>
<td>400,000</td>
<td>2524</td>
</tr>
<tr>
<td>Restoration and reconstruction of the central business district street. Cambridge, IL</td>
<td>960,000</td>
<td>3644</td>
</tr>
<tr>
<td>State Rt. 78 to Lathrop Street to 2900 E (township road) - A 1.5 mile village street extension, bridges and upgrading of existing street</td>
<td>1,840,000</td>
<td>4113</td>
</tr>
<tr>
<td>Improvements to 11th Avenue streetscape, campus trails and bridges at Augustana College in Rock Island</td>
<td>1,500,000</td>
<td>4113</td>
</tr>
<tr>
<td>Construction of 2 North/South Blvd and 2 East/West Blvd. in the vicinity of Northern Illinois University</td>
<td>8,320,000</td>
<td>623</td>
</tr>
<tr>
<td>For widening from two to four lanes, the Brookmont Boulevard Viaduct in Kankakee, IL and adjusting approach grades.</td>
<td>800,000</td>
<td>1125</td>
</tr>
<tr>
<td>Widen Annie Glidden Road to five lanes with intersection improvements, DeKalb, IL</td>
<td>6,400,000</td>
<td>2295</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3183</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Engineering and construction of 15.1 mile Alliance trail between Lock 14 in LaSalle and Lock 2 in Bureau Junction............. 800,000

HPP No.: 3200
Construction of Eldamain Road over the Fox River................................. 4,000,000

HPP No.: 4066
Bourbonnais road improvements, Bourbonnais........................................ 1,500,000

HPP No.: 4068
Improvements to Maple/Manteno Lake Road, Manteno.................................. 1,000,000

HPP No.: 4079
Road Improvements Associated with Diversatech Campus, Manteno.................. 700,000

HPP No.: 4101
Bike trail extension for the Kankakee River Trail Project, Kankakee.................. 400,000

DISTRICT 3 TOTAL  $23,920,000

DISTRICT 4

HPP No.: 25
Parking facility in Peoria, IL........... 800,000

HPP No.: 83
Improve University Drive, Macomb........... 400,000

HPP No.: 176
Upgrades for Muller Road in the City of Washington, IL.......................... 224,000

HPP No.: 790
East Peoria, Illinois Technology Blvd. upgrades........................................ 800,000

HPP No.: 985
City of Bartonville, Street widening and improvements and sidewalk improvements.. 762,058

HPP No.: 1036

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

Improve Highway-Railroad Crossings, Galesburg................................. 600,000

HPP No.: 1323
Improve Great River Road, Mercer County.... 400,000
HPP No.: 1749
Upgrade Veterans Drive in Pekin Illinois.... 800,000
HPP No.: 2137
Pioneer Parkway upgrade in Peoria – Extension from Allen Road to Route 91..... 1,600,000
HPP No.: 4080
Upgrade Veterans Drive in Pekin Illinois.. 4,000,000
HPP No.: 4087
Improve Great River Road, Mercer County..... 500,000
HPP No.: 4095
Improve Lightfoot Road, City of Farmington.. 500,000
HPP No.: 4096
Pioneer Parkway Improvements, Peoria...... 1,000,000
HPP No.: 4102
Improve Highway-Railroad Crossings, Galesburg.................................. 500,000

DISTRICT 4 TOTAL 12,886,058

DISTRICT 5

HPP No.: 562
Study, design, and construction of a designated truck route through the City of Monticello.. 905,600
HPP No.: 715
Repair of CH 29 and reconstruction of CH 8 at interchanges with Interstate 55 at Towanda and Lexington Illinois......... 800,000
HPP No.: 923
Improve safety of culvert replacement on 250th Rd between 460th St. and Cty Hwy 20 in Grandview Township, Edgar County, IL..... 256,000
HPP No.: 1805

New matter indicated by italics - deletions by strikeout
Upgrade Curtis Road in conjunction with state plan for I-57 interchange; from Duncan Rd to 1st Street Champaign.... 5,600,000

HPP No.: 2309
Reconstruct Winter Ave, existing one lane RR subway, and 1 lane bridge to provide access to Winter Park in Danville........ 4,320,000

HPP No.: 2743
Improve safety of a horizontal curve on Clarksville St. .25 mile north of 275th Road in Grandview Township, Edgar County, Illinois....................... 70,400

HPP No.: 3650
Bloomington-Normal East Side Highway Corridor................................. 800,000

HPP No.: 4070
Constitution Trail Extension – Grove Street south to Lafayette Street, Bloomington...... 750,000

HPP No.: 4112
Constitution Trail Extension (Grove Street south to Lafayette Street) in Bloomington... 250,000

DISTRICT 5 TOTAL $13,752,000

DISTRICT 6

HPP No.: 36
City of Havana, Illinois upgrades to Broadway Street......................... 762,058

HPP No.: 73
Upgrade streets in the City of Rushville, IL................................. 800,000

HPP No.: 115
Improve Great River Road, Warsaw............ 600,000

HPP No.: 1217
Transportation Enhancement and road improvements necessary for Downtown Plaza

New matter indicated by italics - deletions by strikeout
improvements in Jacksonville, IL............ 762,058

HPP No.: 1391
Reconstruction of 5th Street Road (FAS 569) in Logan County, IL............... 762,056

HPP No.: 1984
The extension of MacArthur Blvd. from Wabash to Iron Bridge Road, Springfield... 1,200,000

HPP No.: 1985
Construct Cedar Creek Linear Park Trail, Quincy................................. 400,000

HPP No.: 2052
Preconstruction activities for Sangamon Valley Bicycle Trail (IL)............. 400,000

HPP No.: 2121
Village of South Jacksonville – West Vandalia Road upgrades.................. 762,058

HPP No.: 3158
City of Springfield, IL for improvements to Cockrell Lane.................... 762,058

HPP No.: 4053
Construction of 11th Street Extension, Springfield.............................. 6,000,000

HPP No.: 4054
Construction of Capital Avenue Project, 7th – 11th Streets, Springfield....... 4,000,000

HPP No.: 4058
Expand U.S. 67, Brighten to Bunker Hill Road, Macoupin County............. 1,000,000

HPP No.: 4059
Improvements to Harrison Street, Quincy......................................... 1,500,000

HPP No.: 4067
Bayview Bridge improvements, Adams County................................. 250,000

HPP No.: 4088
Improve Great River Road, Warsaw................................. 250,000

New matter indicated by italics - deletions by strikeout
Transportation Enhancement and road improvements necessary for Downtown Plaza improvements in Jacksonville........ 1,000,000

City of Havana, Illinois upgrades to Broadway Street...................... 500,000

Resurfacing of East Main Street in Staunton, Macoupin County.................. 500,000

Construction of 11th Street extension in Springfield.......................... 800,000

Bayview Bridge improvements in Adams County. 250,000

Expansion of U.S. 67 from Brighten to Bunker Hill Road in Macoupin County........ 1,000,000

Extension of MacArthur Boulevard from Wabash to Iron Bridge Road in Springfield. 2,000,000

Improvements to Cockrell Lane in the City of Springfield........................ 1,200,000

Road upgrades for the Village of Oreana, IL.................................. 707,200

To construct a new intersection of a public road and US Route 50 and a new street....... 440,000

For the reconstruction and realignment of 2

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0798

miles of Evergreen Ave. located west of the City of Effingham......................... 1,600,000
HPP No.: 1815
Complete 80,000 lb truck route between CH2 (Burma Rd) and IL Rte 130 in Cumberland County......................... 2,400,000
HPP No.: 2486
Road extension for Highway 22 in Macon County, IL......................... 534,400
HPP No.: 3068
Upgrade County Highways 18 and 22 in conjunction with state I-57 interchange plan north of Mattoon......................... 1,600,000
HPP No.: 4091
Phase II Road Construction, Outer Belt West, Effingham...................... 1,500,000
HPP No.: 4114
Improvements to Oakland, Main street, Elderado and Fairview, streetscape in the vicinity of Millikin University, Decatur........... 1,500,000
HPP No.: 4116
Restoration of the historic railroad depot and intermodal in Mattoon........... 1,200,000
DISTRICT 7 TOTAL $11,481,600

DISTRICT 8
HPP No.: 31
Reconstruction of Mockingbird Lane and Stratford St., Granite City........... 1,600,000
HPP No.: 144
Construct Bissel Street Roadway Connector, Tri-City Regional Port District......... 800,000
HPP No.: 398
To construct a new 2-lane road extending 1650 feet north from intersection with

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Park Drive, Edwardsville</td>
<td>400,000</td>
</tr>
<tr>
<td>HPP No.: 555</td>
<td></td>
</tr>
<tr>
<td>State Street Road Improvements from 43rd Street to IL Rt. 157, East St. Louis</td>
<td>3,080,000</td>
</tr>
<tr>
<td>HPP No.: 803</td>
<td></td>
</tr>
<tr>
<td>Widening of Old Madison Road, St. Clair County</td>
<td>1,600,000</td>
</tr>
<tr>
<td>HPP No.: 863</td>
<td></td>
</tr>
<tr>
<td>Construct West Corbin Overpass over Illinois 255, Bethalto</td>
<td>4,000,000</td>
</tr>
<tr>
<td>HPP No.: 1279</td>
<td></td>
</tr>
<tr>
<td>Upgrade connector road from IL Rt. I-255 to IL Rt. 3, Sauget</td>
<td>1,920,000</td>
</tr>
<tr>
<td>HPP No.: 1541</td>
<td></td>
</tr>
<tr>
<td>Relocate Pocket Road/Lakewood Place for Access to Racehorse Business Park, Alorton</td>
<td>900,000</td>
</tr>
<tr>
<td>HPP No.: 2111</td>
<td></td>
</tr>
<tr>
<td>Extend Frank Scott Parkway East Road to Scott AFB, St. Clair County</td>
<td>2,240,000</td>
</tr>
<tr>
<td>HPP No.: 2870</td>
<td></td>
</tr>
<tr>
<td>Construct connector road between Collinsville Rd to IL3/North 1st St, St. Clair County</td>
<td>4,800,000</td>
</tr>
<tr>
<td>HPP No.: 3162</td>
<td></td>
</tr>
<tr>
<td>Construct access roads to National Great Rivers Research Center</td>
<td>1,000,000</td>
</tr>
<tr>
<td>HPP No.: 3163</td>
<td></td>
</tr>
<tr>
<td>Construct Roadway from Mississippi River Barge Dock to IL Rt. 3-IL Rt. 157, Cahokia</td>
<td>1,600,000</td>
</tr>
<tr>
<td>HPP No.: 3261</td>
<td></td>
</tr>
<tr>
<td>For the construction of a highway on new alignment to create a cross town route across Godfrey</td>
<td>1,400,000</td>
</tr>
</tbody>
</table>

*New matter indicated by italics - deletions by strikeout*
HPP No.: 3581
    Construct Rt. 3 Loop Hog Hollow Road to Monsanto Road, St. Clair County............. 600,000

HPP No.: 3595
    Reconstruction and Improvement of North Lincoln Avenue, O'Fallon.................. 1,339,996

HPP No.: 3596
    Reconstruction of 20th Street, Granite City......................................... 1,200,000

HPP No.: 3597
    Road Alignment from Caseyville Road to Sullivan Drive, Swansea..................... 900,000

HPP No.: 4073
    Construct extension of Route 3 from Loop Hog Hollow Road to Monsanto Road, Cahokia/Sauget................................. 1,500,000

HPP No.: 4081
    Street Resurfacing, City of Centreville................................................. 500,000

HPP No.: 4099
    Improvements to County Highway One, Calhoun County.................................... 1,000,000

HPP No.: 4117
    Construct overpass, U.S. 40 to Southwest Andrews Drive in Greenville............. 1,000,000

HPP No.: 4119
    Construct extension of Route 3 from Loop Hog Hollow Road to Monsanto Road in Cahokia/Sauget................................. 500,000

DISTRICT 8 TOTAL $33,879,996

DISTRICT 9

TI No.: 149
    Construction to improve access of Interstate 57/64, Mt. Vernon..................... 2,000,000

HPP No.: 277

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
<th>HPP No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widening two blocks of Poplar St. from Park Ave to 13th Street, Williamson County.</td>
<td>384,000</td>
<td>321</td>
</tr>
<tr>
<td>Construct Reed Station Parkway Extension to IL Rt. 3, Carbondale</td>
<td>1,655,004</td>
<td>1207</td>
</tr>
<tr>
<td>Complete Heavy Truck Loop for DuQuoin Industrial Park</td>
<td>500,000</td>
<td>2607</td>
</tr>
<tr>
<td>Resurface Yellow Banks Road, Franklin County</td>
<td>320,000</td>
<td>2658</td>
</tr>
<tr>
<td>Entry Road to Southern Illinois University Research Park, Carbondale</td>
<td>1,000,000</td>
<td>2818</td>
</tr>
<tr>
<td>Road extension for Redco Drive to Skyline Dr, Williamson County</td>
<td>800,000</td>
<td>2818</td>
</tr>
<tr>
<td>To construct Veterans Memorial Drive Extension. Will link Mt. Vernon on the east</td>
<td>800,000</td>
<td>3187</td>
</tr>
<tr>
<td>side of I-57 with incorporated area lying west</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resurface Shawnee College Road, Pulaski County</td>
<td>1,261,000</td>
<td>3300</td>
</tr>
<tr>
<td>Construction to improve access of Interstate 57/64, Mt. Vernon</td>
<td>2,000,000</td>
<td>4057</td>
</tr>
<tr>
<td>Improvements to township roads in Shawnee National Forest, Pope County</td>
<td>500,000</td>
<td>4103</td>
</tr>
</tbody>
</table>

**DISTRICT 9 TOTAL** $11,220,004

Section 25a. The sum of $76,573,586, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of

New matter indicated by italics - deletions by strikeout
Transportation, for the local match of all other non-federally reimbursed expenses associated with the High Priority Projects (HPP) and Transportation Improvement Projects (TI) specifically identified in Article 9, Section 25 of this Act, provided that such amounts do not exceed funds made available and paid into the Road Fund by local governments.

Section 30. The sum of $3,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for pavement preservation projects.

Section 35. The sum of $28,750,000, or so much thereof as may be necessary, is appropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

Section 40. The sum of $137,000,000 or so much thereof as may be necessary, is appropriated from the Federal/Local Airport Fund to the Department of Transportation for funding the local or federal share of airport improvement projects, including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws, provided such amounts shall not exceed funds available from federal and/or local sources.

Section 45. The sum of $2,700,000, or so much thereof as may be necessary, is appropriated from the State Rail Freight Loan Repayment Fund for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

Section 50. The sum of $16,000,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

Section 55. The sum of $235,000,000, or so much thereof as may be necessary, is appropriated from the State Construction Account Fund to
the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas fringe parking facilities and sanitary facilities and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 60. The sum of $1,045,000, or so much thereof as may be necessary, is appropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

Section 65. The sum of $55,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for grants, road construction and all other costs relating to the Chicago Region Environmental and Transportation Efficiency (CREATE) program, provided such amounts not exceed funds made available by the federal government for this program.

Section 70. The sum of $2,200,000, or so much thereof as may be necessary, is appropriated from the Transportation Bond Series B Fund to the Department of Transportation for financial assistance to airports pursuant to Section 34 of the Illinois Aeronautics Act, as amended, for such purposes as are described in that Section and for airport acquisition and development pursuant to Section 72 of the Illinois Aeronautics Act, as amended, for such purposes as are described in that Section.

Section 75. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in

Section 5 Permanent Improvements
Section 45 State Rail Freight Loan Repayment

New matter indicated by italics - deletions by strikeout
Section 60  Federal Rail Freight Loan Repayment
Section 70  Series B Aeronautics
of this Article until after the purpose and the amount of such expenditure
has been approved in writing by the Governor.
Total, Article 101  $2,654,557,732

ARTICLE 102
DEPARTMENT OF TRANSPORTATION
PERMANENT IMPROVEMENTS

Section 5.  The sum of $29,874,098, or so much thereof as may be
necessary, and remains unexpended, less $3,000,000 to be lapsed from the
unexpended balance, at the close of business on June 30, 2006, from the
appropriation and reappropriations concerning Permanent Improvements
heretofore made in Article 103, Section 5 and Article 104, Section 5,
Section 10, and Section 15 of Public Act 94-0015, as amended, is
reappropriated from the Road Fund to the Department of Transportation
for the same purposes.

CENTRAL OFFICE, DIVISION OF HIGHWAYS
AWARDS AND GRANTS

Section 10.  The sum of $155,689, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2006, from the reappropriation concerning railroad relocation
demonstration projects heretofore made in Article 104, Section 20 of
Public Act 94-0015, as amended, is reappropriated from the Road Fund to
the Department of Transportation for the same purposes, provided such
amount does not exceed funds to be made available from the federal
government.

Section 15.  The sum of $4,366, or so much thereof as may be
necessary and remains unexpended at the close of business on June 30,
2006, from the reappropriation concerning the State share of railroad
relocation demonstration projects heretofore made in Article 104, Section
25 of Public Act 94-0015, as amended, is reappropriated from the Road
Fund to the Department of Transportation for the same purposes.

CONSTRUCTION

New matter indicated by italics - deletions by strikeout
Section 20. The sum of $12,950,882, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 30 and Section 35 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 25. The sum of $15,985,288, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 40 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 30. The sum of $24,481,504, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 45 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 35. The sum of $110,611,416, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation heretofore made in Article 103, Section 20 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 40. The sum of $7,474,839, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations concerning hazardous materials made in Article 103, Section 10 and Article 104, Section 55, Section 60, and Section 65 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 45. The sum of $27,715,109, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations made for Formal

New matter indicated by italics - deletions by strikeout
Contracts in the line item, “For Maintenance, Traffic and Physical Research Purposes (A)” for the Central Offices, Division of Highways, in Article 103, Section 10 and Article 104, Section 70, Section 75, and Section 80 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 50. The sum of $8,604,726, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations concerning Highway Damage Claims heretofore made in Article 103, Section 10 and Article 104, Section 85, Section 90, and Section 95 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 55. The sum of $51,080,335, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 100 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the State Construction Fund to the Department of Transportation for the same purposes.

Section 60. The sum of $76,557,258, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 105 of Public Act 94-0015, as amended, for Engineering and Consultant Contracts only, is reappropriated from the State Construction Fund to the Department of Transportation for the same purposes.

HIGHWAY CONSTRUCTION AND LAND ACQUISITION AWARDS AND GRANTS

Section 65. The sum of $19,027,885, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations heretofore made for township bridges in Article 103, Section 15 and Article 104, Section 110, Section 115, and Section 120 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

CONSTRUCTION

New matter indicated by italics - deletions by strikeout
Section 70. The sum of $118,966,273, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 125, Section 130, and Section 135 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 75. The sum of $700,458, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 165 of Public Act 94-0015, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 80. The sum of $85,409,763, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 140 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 85. The sum of $61,392,800, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 145 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 90. The sum of $168,880,147, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 150 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements

New matter indicated by italics - deletions by strikeout
which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 95. The sum of $136,732,319, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 155 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 100. The sum of $197,487,195, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 160 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program;
such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations.

Section 105. The following named sums or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006 from the reappropriations heretofore made in Article 104, Section 391 of Public Act 94-0015, as amended, are reappropriated to the Department of Transportation from the Road Fund for the FY04 federal earmarks provided in Conference Report 108-401 which accompanies Public Law 108-199. Expenditures shall not exceed funds to be made available by the federal government.

Bridge Discretionary
North Avenue Bridge, Chicago.......................... 5,000,000
National Corridor Planning & Development
City of Forsyth Frontage Road.......................... 200,000
Ferry Boats/Terminal Facilities
Canal Corridor Association-Port of
LaSalle Project........................................ 400,000
Transportation & Community & System Preservation
Homewood, Illinois railroad station/
 platform acquisition and improvement............... 200,000
Village of Glencoe, Green Bay
 Trail – North Branch Trail Connection.............. 200,000
Section 115 Member Initiatives
168th and State Streets Intersection
 Improvements.......................................... 200,000
Annie Glidden Road, DeKalb........................... 325,135
Convocation Center Roadway.......................... 1,975,129
Grand Avenue Railroad relocation.................... 500,000
Great River Road in Mercer County................... 250,000
Illinois Route 38 at Union Pacific
 Railroad Grade Separation.......................... 250,000
ITS – City of East Peoria............................. 200,000
ITS – I-74 in Peoria................................. 750,000
Kaskaskia Regional Port District, access roads.... 220,000

New matter indicated by italics - deletions by strikeout
Long Meadow Parkway Fox River Bridge
   Crossing, Bolz Road............................ 2,820,000
Milwaukee Avenue Rehabilitation..................... 200,000
Rock Island County, Illinois Milan
   Beltway Construction.......................... 500,000
Sauk Trail Reconstruction
   Improvements, Park Forest..................... 330,000
Sauk Village Industrial Park Access Road............ 600,000
Sheridan Road, Evanston.......................... 800,000
St. Charles, Illinois, Fox River
   Crossing at Red Gate Corridor................. 1,451,737
US 51, Christian/Shelby Counties................... 1,978,595
West Grand Avenue. (from North
   Western to N. California Ave.)............... 800,000
Widen Route 47 from Kreutzer Road
   to Reed Road, Huntley......................... 1,000,000
Total                                                                 $21,150,596

Section 110. The following named sums or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from the reappropriations heretofore made in Article 104,
Section 392 of Pubiic Act 94-0015, as amended, are reappropriated to the
Department of Transportation from the Road Fund for the FY05 federal
earmarks provided in Conference Report 108-792 which accompanies
Public Law 108-447. Expenditures shall not exceed funds to be made
available by the federal government.

Bridge Discretionary
North-South Wacker Drive Reconstruction
   in Chicago....................................... 1,916,666
Interstate Maintenance Discretionary
I-55 South Barrier, Darien Illinois.............. 1,400,000
Section 117 Member Initiatives
171st Street reconstruction, East Hazel Crest..... 400,000
67th Street Pedestrian Underpass, Chicago
   Lakefront...................................... 400,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Camp Street upgrades, East Peoria</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Cermak and Kenton Avenues</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Cicero Avenue lighting in University Park</td>
<td>200,000</td>
</tr>
<tr>
<td>Des Plaines, Illinois alley, sidewalk improvements</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Fulton County Highway 6</td>
<td>1,000,000</td>
</tr>
<tr>
<td>I-290 Cap, Oak Park</td>
<td>1,000,000</td>
</tr>
<tr>
<td>KBS Railroad Hazard Elimination, Kankakee County</td>
<td>300,000</td>
</tr>
<tr>
<td>MacArthur Boulevard Extension, Springfield</td>
<td>500,000</td>
</tr>
<tr>
<td>McHenry County / Crystal Lake Road</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Milwaukee Avenue, Grand to Gale, Chicago</td>
<td>1,250,000</td>
</tr>
<tr>
<td>Route 178 relocation, Phase II Engineering</td>
<td>997,751</td>
</tr>
<tr>
<td>Sheridan Road Improvements, Evanston</td>
<td>500,000</td>
</tr>
<tr>
<td>Sidewalks near Ford Heights</td>
<td>200,000</td>
</tr>
<tr>
<td>Street improvements and streetlights, Lynnwood</td>
<td>150,000</td>
</tr>
<tr>
<td>Street improvements, Bartonville</td>
<td>500,000</td>
</tr>
<tr>
<td>Street improvements, Village of Armington</td>
<td>500,000</td>
</tr>
<tr>
<td>Streetlights and salt dome for Markham</td>
<td>300,000</td>
</tr>
<tr>
<td>U.S. 41/I-176 Interchange improvements</td>
<td></td>
</tr>
<tr>
<td>Phase I study</td>
<td>800,000</td>
</tr>
<tr>
<td>Winfield Pedestrian Tunnel</td>
<td>1,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$18,314,417</strong></td>
</tr>
</tbody>
</table>

Section 115. The sum of $67,110,815, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 170 of Public Act 94-0015, as amended, is reappropriated from the Road Fund to the Department of Transportation for highway construction expenditures on projects consistent with the purposes of the Road Fund.

Section 120. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriations heretofore made in Article 103, Section 20 of Public Act 94-0015, as amended, are reappropriated from the Road Fund to the Department of Transportation for preliminary

New matter indicated by italics - deletions by strikeout
engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 1, Schaumburg</td>
<td>316,076,569</td>
</tr>
<tr>
<td>District 2, Dixon</td>
<td>52,468,320</td>
</tr>
<tr>
<td>District 3, Ottawa</td>
<td>24,478,368</td>
</tr>
<tr>
<td>District 4, Peoria</td>
<td>42,407,548</td>
</tr>
<tr>
<td>District 5, Paris</td>
<td>27,349,215</td>
</tr>
<tr>
<td>District 6, Springfield</td>
<td>42,138,019</td>
</tr>
<tr>
<td>District 7, Effingham</td>
<td>21,139,062</td>
</tr>
<tr>
<td>District 8, Collinsville</td>
<td>44,595,624</td>
</tr>
<tr>
<td>District 9, Carbondale</td>
<td>14,248,979</td>
</tr>
<tr>
<td>Statewide (including refunds)</td>
<td>160,675,751</td>
</tr>
<tr>
<td>Total</td>
<td>$745,577,455</td>
</tr>
</tbody>
</table>

Section 125. The sum of $2,754,630, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation heretofore made in Article 103, Section 65 of Public Act 94-0015, is reappropriated from the Road Fund to the Department of Transportation for Pavement Preservation Programs.

Section 130. The sum of $64,025, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 175 of Public Act 94-0015, as amended, is reappropriated from the Capital Development Fund to the Department of Transportation for use as

New matter indicated by italics - deletions by strikeout
matching funds for the Illinois Transportation Enhancement program for the Historic Preservation Agency.

Section 135. The sum of $12,368, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 180 of Public Act 94-0015, as amended, is reappropriated from the Capital Development Fund to the Department of Transportation for use as matching funds for the Illinois Transportation Enhancement program for the Department of Natural Resources.

Section 140. The sum of $10,361,420, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 185, Section 190, and Section 195 of Public Act 94-0015, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 145. The sum of $12,507,581, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 200 of Public Act 94-0015, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 150. The sum of 12,567,864, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 205 of Public Act 94-0015, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 155. The sum of $12,754,025, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 210 of Public Act 94-0015, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state

New matter indicated by italics - deletions by strikeout
highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 160. The sum of $59,915,665, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 215 of Public Act 94-0015, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 165. The sum of $307,790,370, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 220 of Public Act 94-0015, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state

New matter indicated by italics - deletions by strikeout
highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations.

Section 170. The sum of $1,592,915, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 225 of Public Act 94-0015, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for highway construction expenditures on projects consistent with the purposes of the State Construction Account Fund.

Section 175. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriations heretofore made in Article 103, Section 50 of Public Act 94-0015, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the “Illinois Highway Code”; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations as follows:

New matter indicated by italics - deletions by strikeout
District 1, Schaumburg .................... 332,179,784
District 2, Dixon .......................... 82,779,375
District 3, Ottawa .......................... 33,992,282
District 4, Peoria .......................... 68,439,172
District 5, Paris .......................... 25,113,427
District 6, Springfield...................... 43,930,766
District 7, Effingham ...................... 23,651,944
District 8, Collinsville ................... 50,092,957
District 9, Carbondale ...................... 15,701,831
Statewide ................................. 0
Total ........................................ $675,881,538

BOND FUND CONSTRUCTION

Section 180. The sum of $17,813,198, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 230 and Section 235 of Public Act 94-0015, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 185. The sum of $16,761,863, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 240 of Public Act 94-0015, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 190. The sum of $102,110,816, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section 245 of Public Act 94-0015, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 195. The sum of $100,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriation heretofore made in Article 104, Section
250 of Public Act 94-0015, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

GRADE CROSSING PROTECTION CONSTRUCTION

Section 200. The sum of $79,894,308, or so much thereof as may be necessary, and remains unexpended, less $1,500,000 to be lapsed from the unexpended balance, at the close of business on June 30, 2006, from the appropriation and reappropriations heretofore made for grade crossing protection or grade separation in Article 103, Section 25 and Article 104, Section 255, Section 260, and Section 265 of Public Act 94-0015, as amended, is reappropriated from the Grade Crossing Protection Fund to the Department of Transportation for the same purpose.

DIVISION OF AERONAUTICS AWARDS AND GRANTS

Section 205. The sum of $359,870,543, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations heretofore made in Article 103, Section 30 and Article 104, Section 270, Section 275, and Section 280 of Public Act 94-0015, as amended, is reappropriated from the Federal/Local Airport Fund to the Department of Transportation for funding the local or federal share of airport improvement projects, including reimbursements and/or refunds, undertaken pursuant to pertinent state or federal laws, provided such amounts shall not exceed funds available from federal and/or local sources.

Section 210. The sum of $32,837,064, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations concerning airport improvements heretofore made in Article 104, Section 285 and Section 290 of Public Act 94-0015, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

CONSTRUCTION

Section 215. The sum of 28,366,636, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30,
2006, from the reappropriations heretofore made in Article 104, Section 295 and Section 300 of Public Act 94-0015, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

DIVISION OF PUBLIC AND INTERMODAL TRANSPORTATION
AWARDS AND GRANTS

Section 220. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 310 of Public Act 94-0015, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes as follows:

Pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended,............ 153,788
For the counties of Cook, DuPage, Kane, Lake, McHenry and Will, pursuant to Section 4(b)(2) of the General Obligation Bond Act, as amended............................. 1,128,186
For the counties of the State outside the counties of Cook, DuPage, Kane, Lake, McHenry and Will, pursuant to Section 4(b)(3) of the General Obligation Bond Act, as amended............................. 28,014
Total $1,309,988

Section 225. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 315 and Section 320 of Public Act 94-0015, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes as follows:

Pursuant to Section 4(b)(1) of the General Obligation Bond Act,

New matter indicated by italics - deletions by strikeout
as amended................................. 121,232,386
For the counties of the State outside the counties of Cook, DuPage, Kane, McHenry, and Will, pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended................................. 5,220,911
For the Department of Transportation's Greenlight Program pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended.............. 30,043,341
To extend the metrolink rail line to Mid-America Airport......................... 5,000,002
Total $161,496,640

Section 230. The sum of $110,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation heretofore made in Article 119, Section 95 of Public Act 94-0015, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for construction costs, making grants and providing project assistance to municipalities, special transportation districts, private non-profit carriers, mass transportation carriers and the Intercity rail program for the acquisition, construction, extension, reconstruction, and improvement of mass transportation facilities, including rapid transit, intercity rail, bus and other equipment used in connection therewith, as provided by law, pursuant to Section 4(b)(1) of the General Obligation Bond Act, as amended.

Section 235. The sum of $37,590,063, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriation heretofore made in Article 103, Section 45 and Article 104, Section 325 of Public Act 94-0015, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as

New matter indicated by italics - deletions by strikeout
state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

RAIL PASSENGER AND RAIL FREIGHT
AWARDS AND GRANTS

Section 240. The sum of $13,439,099, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations heretofore made in Article 103, Section 35 and Article 104, Section 340, Section 345, and Section 350 of Public Act 94-0015, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.

Section 245. The sum of $17,840,405, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations heretofore made in Article 103, Section 40 and Article 104, Section 355, Section 360, and Section 365 of Public Act 94-0015, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for the federal share of the High Speed Rail Project.

Section 250. The sum of $38,374,455, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the reappropriations heretofore made in Article 104, Section 370 and Section 375 of Public Act 94-0015, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 255. The sum of 4,805,169, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from the appropriation and reappropriations concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 103, Section 60 and Article 104, Section 380, Section 385, and Section 390 of Public Act 94-0015, as amended, is reappropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.
Section 260. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in:

Section 5  Permanent Improvements
Section 10  Rail Relocation – Federal
Section 15  Rail Relocation - State
Section 130  CDB – Enhancement
Section 135  CDB - Enhancement
Section 180  Series A - (Road Program)
Section 185  Series A - (Road Program)
Section 190  Series A - (Road Program)
Section 195  Series A - (Road Program)
Section 210  Series B - (Aeronautics)
Section 215  Series B - (Land Acquisition 3rd Airport)
Section 220  Series B - (Transit)
Section 225  Series B - (Transit)
Section 230  Series B - (Transit)
Section 240  State Rail Freight Loan Repayment
Section 245  FHSRTF High Speed Rail-Federal
Section 250  Series B - (Rail)
Section 255  Federal Rail Freight Loan Repayment

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Total, Article 102  $4,220,458,281

ARTICLE 103
CAPITAL DEVELOPMENT BOARD

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the Capital Development Fund to the Capital Development Board for the Illinois State Police for the projects hereinafter enumerated:

CHICAGO FORENSIC LABORATORY

For planning and beginning the construction of an addition to the Chicago Forensic Laboratory........................................ 1,400,000

New matter indicated by italics - deletions by strikeout
STATE POLICE TRAINING ACADEMY - SPRINGFIELD
For planning and beginning the
collection of an addition to the
CODIS Laboratory.......................... 400,000

Section 15. The following named amounts, or so much thereof as
may be necessary, are appropriated from the Capital Development Fund to
the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

STATEWIDE
For renovating state owned
property.................................... 2,000,000

CHICAGO
For expanding and renovating the
Bio-Safety 3 Laboratory for the
Department of Public Health............. 1,000,000

Section 20. The following named amounts, or so much thereof as
may be necessary, are appropriated from the Capital Development Fund to
the Capital Development Board for the Department of Corrections for the
projects hereinafter enumerated:

STATEWIDE
For all costs associated with
a timekeeping and payroll system......... 10,000,000

Section 25. The following named amounts, or so much thereof as
may be necessary, are appropriated from the Capital Development Fund to
the Capital Development Board for the projects hereinafter enumerated:

STATEWIDE
For improving energy efficiency.......... 300,000

Section 30. The amount of $5,000,000, or so much thereof as may
be necessary, is appropriated from the Build Illinois Bond Fund to the
Capital Development Board for the Illinois State Board of Education to
fund all costs associated with the Technology Immersion Pilot Project, as
provided in Section 2-3.135 of the School Code for purposes in
accordance with and as authorized by Subsection (c) of Section 4 of the
Build Illinois Bond Act.

New matter indicated by italics - deletions by strikeout
Section 35. The sum of $10,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 50. No contract shall be entered into or obligation incurred for any expenditure made in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 103

$30,100,000

ARTICLE 104
CAPITAL DEVELOPMENT BOARD

Section 5. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 5 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Agriculture for the projects hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - DUQUOIN

(From Article 105, Section 5 of Public Act 94-0015)
For completing the upgrade of the electrical distribution system, in addition to funds previously appropriated................................... 1,473,917
For constructing a multi-purpose building......................................... 111,954

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD

For renovating comfort stations, in addition to funds previously appropriated................. 981,476
For renovating the Emmerson Building................. 93,813
For renovating the Junior Home Economics Building............................................... 61,424
For installing HVAC system and restrooms in the Orr Building................. 228,211

New matter indicated by italics - deletions by strikeout
Section 20. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 20 of Public Act 94-0015, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

SPRINGFIELD - SUPREME COURT BUILDING
(From Article 105, Section 20 of Public Act 94-0015)
For replacing the roofing system, in addition to funds previously appropriated.......................... 16,570
For replacing the roof........................................ 23,575
For renovating the HVAC system on the 3rd Floor........................................ 140,000
For installing humidifier and water filtration systems.................................................. 1,527,950

APPELLATE COURT SECOND DISTRICT - ELGIN
For miscellaneous improvements........................................ 60,520

Total $1,768,615

Section 30. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 30 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

SUPREME COURT BUILDING - SPRINGFIELD
(From Article 105, Section 30 of Public Act 94-0015)
For renovating the Library and completing HVAC, in addition to funds previously appropriated.......................... 235,000

Section 35. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in

New matter indicated by italics - deletions by strikeout
Article 105, Section 35 of Public Act 94-0015, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Architect of the Capitol for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD
(From Article 105, Section 35 of Public Act 94-0015)
For equipment, remodeling and all other costs related to the maintenance, renovation or restoration of areas located in the Capitol Building............................... 1,598,390
For all costs related to asbestos and environmental abatement in the Capitol Building............................... 7,500,000
Total $9,098,390

Section 40. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 40, of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD
(From Article 105, Section 40 of Public Act 94-0015)
For planning and design, providing a study, historical analysis, asbestos abatement and all other costs associated with the upgrade of the HVAC system in the Capitol building............................... 2,359,331
For all costs related to the planning and design of life safety and fire protection system improvements, hazardous material abatement, historical restoration and construction in the Capitol Building........ 858,755
For upgrading the HVAC systems, in addition to funds previously

New matter indicated by italics - deletions by strikeout
appropriated.................................... 1,753,134

CAPITOL COMPLEX - SPRINGFIELD
For completing the stone restoration, in addition to funds previously appropriated...... 1,373,473
For demolition of 222 S. College, and landscaping of Capitol Complex in addition to funds previously appropriated......................................... 1,200,000
For demolition of 222 South College Building and landscaping of Capitol Complex.......................... 1,597,408

DRIVER'S FACILITY WEST - CHICAGO
For renovating the building............................... 796,705

MOTOR VEHICLE SERVICES FACILITY - SPRINGFIELD
For upgrading the fire alarm and security systems........................................ 397,312

STATE POWER PLANT - SPRINGFIELD
For installing new water service and repairing power plant systems......................... 72,377

WILLIAM G. STRATTON BUILDING - SPRINGFIELD
For the planning, design, reconstruction, and construction to renovate or replace the Stratton Office Building, in addition to funds previously appropriated................. 11,582,631

Total $21,991,126

Section 4. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 45 of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

CAPITOL COMPLEX – SPRINGFIELD
(From Article 105, Section 45 of Public Act 94-0015)
For upgrading fire alarm systems in

New matter indicated by italics - deletions by strikeout
two buildings................................... 150,642
For expanding the shipping and receiving dock................................. 141,954
Total                                                                            $292,596

Section 50. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 50 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

STATEWIDE
(From Article 105, Section 50 of Public Act 94-0015)
For upgrading the building security system at the James R. Thompson Center and the State of Illinois building in addition to funds previously appropriated..................................... 655,000
OFFICE AND LAB BUILDING, CHICAGO MEDICAL CENTER
For planning and beginning the renovation of the facility............................. 1,412,823
DIXON STATE GARAGE - LEE COUNTY
For upgrading the lighting and replacing the roof............................................. 240,981
JAMES R. THOMPSON CENTER - CHICAGO
For installing an emergency generator................................. 3,545,000
For rehabilitating exterior columns, in addition to funds previously appropriated...... 1,000,000
For upgrading mechanical systems, in addition to funds previously appropriated....... 798,732
MEDICAL CENTER (DCFS DISTRICT OFFICE) - CHICAGO
For replacing roof and upgrading mechanical and electrical systems.................... 321,956
ROCKFORD REGIONAL OFFICE BUILDING

New matter indicated by italics - deletions by strikeout
For replacing Halon and upgrading the air conditioning.......................... $424,590

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (WOOD) - CHICAGO
For upgrading fire and safety systems.................. $118,253

SPRINGFIELD - RESEARCH AND COLLECTION CENTER
For expanding surplus warehouse............... $590,035

SPRINGFIELD - COMPUTER FACILITY
For upgrading the computer room and the electrical system.................. $408,304

Total $9,515,674

Section 60. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 60, of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (ROOSEVELT) – CHICAGO
(From Article 105, Section 60 of Public Act 94-0015)
For upgrading the kitchen and plumbing............. $186,723

JAMES R. THOMPSON CENTER - CHICAGO
For rehabilitating exterior columns, in addition to funds previously appropriated........ $48,157

Total $234,880

Section 65. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 65 Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Natural Resources for the projects hereinafter enumerated:

ARGYLE LAKE STATE PARK - MCDONOUGH COUNTY
(From Article 105, Section 65 of Public Act 94-0015)
For upgrading the sewage treatment system........... $254,804

New matter indicated by italics - deletions by strikeout
BABE WOODYARD STATE NATURAL AREA - VERMILION COUNTY
For developing the site and associated land acquisition............................... 2,610,485

BEAVER DAM STATE PARK - MACOUPIN COUNTY
For replacing the sewage system............................... 61,779

CARLYLE LAKE STATE PARKS
For road and site improvements at Carlyle Lake................................. 1,477,424
For infrastructure and site improvements at Carlyle Lake....................... 790,743

EAGLE CREEK STATE PARK - SHELBY COUNTY
For constructing lake access boat docks at resort............................... 261,162

FERNE CLYFFE STATE PARK - JOHNSON COUNTY
For replacing the campground sewage treatment system........................... 367,254

FOX RIDGE STATE PARK - COLES COUNTY
For replacing spillway................................. 119,723

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
For replacing floating boardwalk........................................ 40,980

HENNEPIN CANAL PARKWAY STATE PARK AND ACCESS AREA
For rehabilitating/repairing railroad bridges, in addition to funds previously appropriated.............................. 859,185

HORSESHOE LAKE CONSERVATION AREA - ALEXANDER COUNTY
For dam rehabilitation and the State's share to implement the ecological restoration plan in cooperation with the U.S. Army Corps of Engineers, and land acquisition................................. 842,605

I & M Canal - CHANNAHON STATE PARK - WILL COUNTY
For improving DuPage River Spillway............................... 95,415
ILLINOIS BEACH STATE PARK - LAKE COUNTY
For replacing sanitary sewer line................... 79,748
For replacing sanitary sewer lines................. 362,372
KANKAKEE RIVER STATE PARK - KANKAKEE/WILL COUNTIES
For constructing sanitary sewer system, in addition to funds previously appropriated..... 4,980,718
MORAINE HILLS STATE PARK - MCHENRY COUNTY
For replacement of restrooms and upgrading the water system............................... 82,922
RED HILLS STATE PARK - LAWRENCE COUNTY
For miscellaneous improvements.................. 44,740
RESEARCH & COLLECTIONS CENTER - SPRINGFIELD
For renovating the interior.......................... 77,721
ROCK CUT STATE PARK - WINNEBAGO COUNTY
For upgrading the sewage system.................. 1,812,452
SAM PARR STATE PARK - JASPER COUNTY
For renovating recreational facilities............. 667,025
SILOAM SPRINGS STATE PARK - ADAMS COUNTY
For rehabilitating office/service area............... 1,119,114
WORLD SHOOTING COMPLEX – SPARTA
For construction of the World Shooting Complex in Sparta................................. 7,380,382
SPRINGFIELD
For constructing an office building and interpretive center................................. 167,344
SPRING LAKE CONSERVATION AREA - TAZEWELL COUNTY
For stabilizing levee and shoreline.................... 81,871
WASTE MANAGEMENT & RESEARCH CENTER
For constructing a garage and storage area.................. 358,676
WELDON SPRINGS STATE PARK - DE WITT COUNTY
For upgrading residence utilities................. 40,000

New matter indicated by italics - deletions by strikeout
WHITE PINES FOREST STATE PARK - OGLE COUNTY
For completing the replacement of the sewer system, in addition to funds previously appropriated.............................. 21,884
For planning and beginning sewer system replacement............................................................... 44,503

WILDLIFE PRAIRIE PARK
For rehabilitating the sewage treatment plant.............................................................. 767,500

WILLIAM W. POWERS FISH AND WILDLIFE AREA – COOK COUNTY
For replacing sanitary sewer lines and lift station......................................................... 294,553

STATEWIDE
For replacing/repairing the roofing systems at the following locations at the approximate cost set forth below............................. 245,000
Clinton Lake Recreational Area - DeWitt County.............................. 65,000
Ferne Clyffe State Park- Johnson County................................. 20,000
Hennepin Canal Parkway State Park.............................................. 26,000
Lake Le-Aqua-Na State Park- Stephenson County......................... 39,000
Mermet Lake Conservation Area- Massac County.......................... 95,000
For replacing/repairing the roofing systems at the following locations at the approximate costs set forth below...................... 176,041
Starved Rock State Park & Lodge-LaSalle County......................... 60,000
Kaskaskia River Fish & Wildlife Area-Randolph County.............. 25,000

New matter indicated by italics - deletions by strikeout
Pyramid State Park-
Perry County.................. 4,109
Region V Office (Benton)
Franklin County............... 86,932
For rehabilitating dams and bridges................. 565,539
For constructing, replacing and
renovating lodges and concession
buildings................................. 3,550,040
For replacing roofs at the following locations,
at the approximate cost set forth below.............. 167,660
Shabbona Lake State
Park............................. 40,850
Hennepin Canal Parkway
State Park....................... 15,750
Randolph Fish &
Wildlife Area.................... 65,000
Dixon Springs State
Park.............................. 46,060
For replacing and constructing vault
toilets at the following locations,
at the approximate cost set forth
below.................................................. 501,497
Wayne Fitzgerrell State Park...... 106,348
Hennepin Canal Parkway
State Trail......................... 167,772
Kaskaskia River Fish &
Wildlife Area...................... 227,377
For rehabilitating dams at the
following locations, at the
approximate cost set forth below............... 450,002
Rock Cut State Park............. 450,002
For replacing roofs at the following
locations, at the approximate
cost set forth below......................... 206,926

New matter indicated by italics - deletions by strikeout
Southern IL Arts & Crafts Center.......................... 412
Frank Holten State Park.......................... 412
DNR Geological Survey-Champaign....................... 413
Sangchris Lake State Park.......................... 5,291
Illini State Park.............................. 1,692
Shelbyville Fish & Wildlife Area.......................... 79,480
Trail of Tears State Forest.......................... 3,685
Sanganois Conservation Area.......................... 413
Rice Lake State Park............................ 28,090
Hidden Spring State Park.......................... 53,740
Siloam Springs State Park.......................... 2,417
Mississippi Palisades State Park.......................... 30,880

For replacing roofing systems at the following locations, at the approximate cost set forth below.......................... 325,528
Beall Woods Conservation Area - Wabash County........ 2,500
Eldon Hazlet State Park - Clinton County.............. 2,475
Fox Ridge State Park - Coles County.................. 21,532
Giant City State Park - Jackson/Union Counties........ 1
Goose Lake Prairie State Park - Grundy County.......... 9,450
Hennepin Canal Parkway State Trail.................. 41,303
Illinois Beach State Park - Lake County............... 146,682

New matter indicated by italics - deletions by strikeout
Illinois Caverns Natural Area -
Monroe County................. 21,000
Kankakee River State Park -
Kankakee/Will Counties........ 38,647
Moraine Hills State Park -
McHenry County................. 23,387
Moraine View State Park -
McLean County.................. 3,601
Ramsey Lake State Park -
Fayette County.................. 1,000
Randolph County Conservation Area... 160
Stephen A. Forbes State Park -
Marion County................... 6,857
Ten Mile Creek State Fish &
Wildlife Area - Jefferson/
Hamilton Counties............... 63
Union County Conservation Area... 23
Washington County Conservation Area 3,453
William W. Powers Conservation Area -
Cook County..................... 2,394
Wolf Creek State Park -
Shelby County................... 1,000

For replacing vault toilets at the following
locations, at the approximate cost set forth
below........................................... 333,369
Anderson Lake Conservation Area -
Fulton/Schuyler Counties......... 86,928
Giant City State Park -
Jackson/Union Counties......... 179,162
Randolph County Conservation Area... 38,158
Silver Springs State Park -
Kendall County................... 29,121

For constructing hazardous material storage
buildings.............................. 9,935

New matter indicated by italics - deletions by strikeout
For constructing vault toilets at the
following locations at the approximate
cost set forth below:......................... 137,897
  Apple River Canyon State Park....... 19,699
  Des Plaines Conservation Area....... 19,700
  Kankakee River State Park......... 19,700
  Lake Le-Aqua-Na State Park......... 19,699
  Marshall County Conservation Area.... 19,700
  Morrison-Rockwood State Park....... 19,699
  Rice Lake Conservation Area......... 19,700
For land acquisition........................... 274,539
For planning, construction, reconstruction,
land acquisition and related costs,
utilities, site improvements, and all other
expenses necessary for various capital
improvements at parks, conservation areas,
and other facilities under the jurisdiction
of the Department of Natural Resources....... 1,271,648
  Total........................................ $34,380,705

  Section 70. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 70 of Public Act 94-0015, are reappropriated from the
Tobacco Settlement Recovery Fund to the Capital Development Board for
the Department of Natural Resources for the projects hereinafter enumerated:

  STATEWIDE PROGRAM
(From Article 105, Section 70 of Public Act 94-0015)
For maintaining lodge and concession
facilities........................................ 13,722
For maintaining lodge
and concession facilities....................... 9,489
For rehabilitating or
replacing playground equipment............... 74,649

  New matter indicated by italics - deletions by strikeout
ILLINOIS BEACH STATE PARK - LAKE COUNTY
For stabilizing the shoreline.......................................................... 390,055
Total.................................................................................................. $487,915

Section 75. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 75 of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Natural Resources for the project hereinafter enumerated:

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY
(From Article 105, Section 75 of Public Act 94-0015)
For rehabilitating visitor's center exterior.......................................................... 26,605

WELDON SPRINGS STATE PARK - DEWITT COUNTY
For improving the campgrounds.......................................................... 47,232
Total.................................................................................................. $73,837

Section 80. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 80, of Public Act 94-0015, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

CENTRALIA CORRECTIONAL CENTER
(From Article 105, Section 80 of Public Act 94-0015)
For replacing the cooling tower.......................................................... 622,457
For upgrading the electrical system, in addition to funds previously appropriated........ 398,395

DANVILLE CORRECTIONAL CENTER
For upgrading the power plant, in addition to funds previously appropriated........ 637,518

DIXON CORRECTIONAL CENTER
For planning the upgrade and expansion of the medical care facility.................. 51,300

New matter indicated by italics - deletions by strikeout
DWIGHT CORRECTIONAL CENTER
For renovating Housing Unit C8, in addition to funds previously appropriated..........................
270,000
For renovating buildings, in addition to funds previously appropriated.........................
274,847
For renovation of buildings.........................
30,261

EAST MOLINE CORRECTIONAL CENTER
For completing replacement of the absorption chiller, in addition to funds previously appropriated...
296,623
For upgrading the roofing system....................... 675,879
For replacing windows, in addition to funds previously appropriated..............................
544,361
For replacing the chiller/absorber..................
304,053

GRAHAM CORRECTIONAL CENTER
For upgrading the cooling tower.......................... 269,881
For upgrading the mechanical system.................. 385,955
For upgrading the building automation system, in addition to funds previously appropriated...
900,000
For planning upgrade of building automation system and fire alarm system..............
128,020

HOPKINS PARK
For infrastructure improvements in connection with the Hopkins Park Correctional Center..........
6,397,488

ILLINOIS YOUTH CENTER - HARRISBURG
For constructing a multi-purpose medical, vocational and confinement building............
375,000
For utility upgrade, including gas and sewer........................................
5,297,201

ILLINOIS YOUTH CENTER - RUSHVILLE
For planning, design, construction, equipment

New matter indicated by italics - deletions by strikeout
and all other necessary costs to add
a cellhouse........................................... 4,646,763

ILLINOIS YOUTH CENTER - ST. CHARLES
For constructing an R & C building
and other improvements......................... 1,993,694

LAWRENCE COUNTY CORRECTIONAL
CENTER - LAWRENCEVILLE
For constructing two cellhouses, in
addition to funds previously appropriated....... 158,637

LINCOLN CORRECTIONAL CENTER
For replacing doors and locks.................. 881,236
For upgrading the dietary freezers............. 1,801,700

LOGAN CORRECTIONAL CENTER
For planning and beginning the upgrade
of the power plant................................. 584,120
For renovating the electrical
distribution system............................... 1,620,158
For constructing a medical building
and dietary building.............................. 2,080,177

MENARD CORRECTIONAL CENTER - CHESTER
For replacing the administration building,
in addition to funds previously
appropriated........................................ 12,300,000
For replacing the Administration
Building............................................. 1,000,000
For replacing toilets and waste lines
at E/W Cellhouse and upgrade
North Cellhouse plumbing......................... 369,350
For renovation or replacement of the
Old Hospital Building, in addition to
funds previously appropriated................... 56,569
For planning and construction of the
Administration Building........................... 890,215

PONTIAC CORRECTIONAL CENTER

New matter indicated by italics - deletions by strikeout
For replacing doors and frames................. 1,620,000
For replacing the roof on the Training
   Center and Industry........................... 368,939

   SHAWNEE CORRECTIONAL CENTER
For replacing the emergency generator......... 914,696

   STATEVILLE CORRECTIONAL CENTER - JOLIET
For replacing doors and locks................... 580,000
For replacing windows in Cellhouse B,
   in addition to funds previously
   appropriated.................................... 2,500,000
For planning and beginning renovation of
   H & I houses..................................... 390,775
For replacing the water line....................... 203,202
For replacing windows in B House................. 2,831,344
For replacing power plant and
   utility distribution system................... 1,490,377
For planning, design, construction,
   equipment and all other necessary costs
   for an Adult Reception and Classification
   Center............................................. 1,406,145
For upgrading electrical system and elevator
   and installing HVAC system.................... 1,156,777

   VANDALIA CORRECTIONAL CENTER
For constructing a multi-purpose program
   building........................................... 90,656
For converting Administration Building and
   planning construction of an Administration/
   Health Care Unit............................... 308,406
For planning and beginning construction
   for a slaughter house and meat plant.......... 127,978

   VIENNA CORRECTIONAL CENTER
For replacing the cooler and freezer.......... 2,167,104
For upgrading the power plant............... 4,457,550
For upgrading the HVAC system and replacing

New matter indicated by italics - deletions by strikeout
water lines in six housing units................. 513,642

STATEWIDE

For upgrading roofing systems at the following locations at the approximate costs set forth below............................. 183,246
Hardin County Work
  Camp................................. 8,808
Illinois Youth Center
  Joliet................................. 44,151
Pontiac Correctional Center................................. 130,287

For replacing windows at the following locations at the approximate costs set forth below, in addition to funds previously appropriated........................... 292,909
Dixon Correctional Center................................. 292,909

For replacing doors and locks at the following locations at the approximate costs set forth below.............. 1,740,694
Dixon Correctional Center................................. 1,224,587
Hill Correctional Center................................. 472,616
Vienna Correctional Center................................. 43,491

For replacing roofing systems at the following locations at the approximate cost set forth below................. 106,746
Illinois Youth Center -
  St. Charles................................. 39,881
Illinois Youth Center -
  Warrenville................................. 43,530
Logan Correctional Center................................. 23,335

For upgrading showers at the following locations at the approximate cost set forth below............................. 545,110
Hill Correctional

New matter indicated by italics - deletions by strikeout
For upgrading water towers at the following locations at the approximate cost set forth below:
- Dixon Correctional Center: 422,996
- Illinois Youth Center - St. Charles: 1,228,853
- Illinois Youth Center - Valley View: 9,530

For planning, design, construction, equipment and all other necessary costs for a maximum security facility: 87,950,457

For planning a medium security facility and land acquisition: 2,629,428

For replacing roofing systems at the following locations at the approximate cost set forth below:
- Menard Correctional Center: 7,353
- Illinois Youth Center - Harrisburg: 4,138
- Pontiac Correctional Center: 10
- Illinois Youth Center - Joliet: 63,167

For replacing or upgrading security and monitoring systems at the following locations at the approximate cost set forth below:
- Vienna Correctional Center: 250,000
- Pontiac Correctional Center: 94,450
- Joliet Correctional Center: 28,706

New matter indicated by italics - deletions by strikeout
For planning and replacing windows at the following locations at the approximate cost set forth below: 2,232,076

Vienna Correctional Center: 1,780,000
Sheridan Correctional Center: 314,454
Illinois Youth Center - Valley View: 8,310
Illinois Youth Center - Joliet: 74,875
Dixon Correctional Center: 51,207
Shawnee Correctional Center: 3,230

For replacing security fencing at the following locations at the approximate cost set forth below: 332,793

Hill Correctional Center: 3,547
Western IL Correctional Center: 31,427
Joliet Correctional Center: 49,119
Logan Correctional Center: 174,543
Dixon Correctional Center: 8,752
Shawnee Correctional Center: 5,269
Graham Correctional Center: 24,369
Danville Correctional Center: 35,767

New matter indicated by italics - deletions by strikeout
For planning, design, construction, equipment and all other necessary costs for a female multi-security level correctional center.......................... 59,386,485

For replacing roofing systems at the following locations at the approximate cost set forth below.............................

Vienna Correctional Center........ 150,261
Sheridan Correctional Center....... 17,785
Western Illinois Correctional Center - Mt. Sterling........... 21,238

For planning, design, construction, equipment and all other necessary costs for a juvenile facility........................ 1,260,525

For replacing roofing systems at the following locations at the approximate cost set forth below.............................

Dixon Correctional Center, four buildings......................... 3,762
IYC - St. Charles, two buildings.... 27,316
Joliet Correctional Center, six buildings......................... 11,441
Logan Correctional Center - Lincoln three buildings........... 5,584
Pontiac Correctional Center, one building......................... 5,542

For inspecting and upgrading water towers at the following locations at the approximate costs set forth below........................ 225,600

Dixon Correctional Center,
Upgrade Water Tower.................. 24,238
Graham Correctional Center - Hillsboro
Upgrade Water Tower ............... 30,990
Joliet Correctional Center,

New matter indicated by italics - deletions by strikeout
Upgrade Water Tower................ 17,044
Logan Correctional Center - Lincoln
Complete Water Tower Upgrade .... 13,111
Menard Correctional Center - Chester
Upgrade Water Tower ............... 22,443
Stateville Correctional Center - Joliet
Upgrade Water Tower ............. 36,112
Statewide, Inspect and Upgrade
Water Towers....................... 81,662

For upgrading fire and safety systems at the following locations at the approximate costs set forth below, in addition to funds previously appropriated:

Menard Correctional Center - Chester...................... 1,854,559
Sheridan Correctional Center.............. 110,620
Vienna Correctional Center............. 72,077

For upgrading fire safety systems at the following locations at the approximate costs set forth below:

Menard Correctional Center.............. 1,370
Pontiac Correctional Center............. 696,383
Stateville Correctional Center...... 219,873

For upgrading water and wastewater systems at the following locations at the approximate costs set forth below:

Big Muddy Correctional Center
for installing mechanical bar screen...................... 7,348
Centralia Correctional Center
for upgrading water treatment plant...................... 946
Ed Jenison Work Camp (Paris)

New matter indicated by italics - deletions by strikeout
1941

PUBLIC ACT 94-0798

for installing mechanical
bar screen........................................... 2,530
IYC - Harrisburg for upgrading
water distribution system......................... 59,198
Kankakee MSU for constructing
well #2............................................... 288,550
IYC - St. Charles for upgrading
sewage/storm system.......................... 67,475
IYC - Valley View for installing
mechanical bar screen........................... 11,774
For planning, design, construction,
equipment and other necessary costs
for a Medium Security Correctional
Facility............................................. 83,625
Total.................................................. $230,165,078

Section 85. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purpose in
Article 105, Section 85, of Public Act 94-0015, are reappropriated from
the Build Illinois Bond Fund to the Capital Development Board for the
Department of Corrections for the projects hereinafter enumerated:
BIG MUDDY CORRECTIONAL FACILITY
(From Article 105, Section 85 of Public Act 94-0015)
For replacing door locking controls
and intercom systems............................. 2,673,891
STATEVILLE CORRECTIONAL CENTER
For installing fire alarm systems............... 1,600,000
STATEWIDE
For upgrading the water towers at the
following locations at the approximate
costs set forth below.............................. 144,138
Joliet Correctional Center................. 116,982
Vienna Correctional Center.............. 27,156
Total.................................................. $4,418,029

New matter indicated by italics - deletions by strikeout
Section 90. The sum of $658,668, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 90 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Emergency Management Agency for costs associated with a new State Emergency Operations Center.

Section 95. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 95 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:

BISHOP HILL HISTORIC SITE - HENRY COUNTY
(From Article 105, Section 95 of Public Act 94-0015)
For restoring interior and exterior.................. 66,198
For rehabilitating Bjorkland Hotel................. 153,249

CAHOKIA COURTHOUSE STATE MEMORIAL - CAHOKIA
For providing structural stabilization............. 269,978

CAHOKIA MOUNDS HISTORIC SITE - COLLINSVILLE
For replacement of Monk's Mounds stairs.......... 291,110
For restoration of Monk's Mound.................... 1,009,932
For purchasing private land within historic site boundary............................................. 189,979

DAVID DAVIS HOME
To acquire a residence to be converted to a Visitors Center................... 249,400

JARROT MANSION STATE HISTORICAL SITE
For restoring the mansion, site improvements and land acquisition, in addition to funds previously appropriated........... 1,494,957

LINCOLN'S TOMB/VIETNAM MEMORIAL - SPRINGFIELD
For rehabilitating site and providing irrigation system.............................. 165,886

New matter indicated by italics - deletions by strikeout
LINCOLN-HERNDON LAW OFFICE - SPRINGFIELD
For rehabilitating interior and exterior......... 13,533
LINCOLN'S NEW SALEM HISTORIC SITE - MENARD COUNTY
For providing electrical at
campgrounds........................................ 110,444
LINCOLN PRESIDENTIAL CENTER - SPRINGFIELD
For constructing library and museum complex, in
addition to funds previously appropriated...... 9,681,245
For constructing a Lincoln Presidential
Library................................................... 331,226
OLD STATE CAPITOL - SPRINGFIELD
For repairing elevators............................... 387,464
UNION STATION - SPRINGFIELD
For purchasing and rehabilitating.................... 1,869,290
STATEWIDE
For statewide ISTEA 21 Match...................... 637,000
For replacing roofing systems at the
following locations at the approximate
costs set forth below:............................... 115,622
Washburne House, Galena......................... 5,378
David Davis Mansion, Bloomington............. 22,051
Bishop Hill House, Henry County.............. 88,193
For matching ISTEA federal grant funds.......... 143,310
Total $17,179,823

Section 105. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made in Article 105, Section
105, of Public Act 94-0015, are reappropriated from the Build Illinois
Bond Fund to the Capital Development Board for the Historic Preservation
Agency for the projects hereinafter enumerated:
MT. PULASKI COURTHOUSE HISTORIC SITE - LOGAN COUNTY
(From Article 105, Section 105 of Public Act 94-0015)
For rehabilitating interior & exterior............. 206,768
BISHOP HILL HISTORIC SITE – HENRY COUNTY

New matter indicated by italics - deletions by strikeout
For restoring interior and exterior.............. 100,000

PULLMAN HISTORIC SITE

For all costs associated with the stabilization and restoration of the Pullman Historic Site...................... 3,082,780

Total $3,389,548

Section 110. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 110 of Public Act 94-0015, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

ALTON MENTAL HEALTH CENTER - MADISON COUNTY
(From Article 105, Section 110 of Public Act 94-0015)
For renovating the Forensic Complex and constructing two building additions, in addition to funds previously appropriated...... 3,900,000
For renovating the central dietary, Phase II, in addition to funds previously appropriated.......................... 1,051,062
For constructing two building additions at the Forensic Complex....................... 7,139,490
For rehabilitation of the central dietary........ 187,544

CHESTER MENTAL HEALTH CENTER
For completing the replacement of smoke and heat detectors, in addition to funds previously appropriated.......................... 440,000
For upgrading HVAC systems...................... 590,176
For replacing smoke/heat detectors............. 65,032

CHICAGO-READ MENTAL HEALTH CENTER - CHICAGO
For rehabbing absorbers, controls and valves................................. 398,432
For renovating residential units, in

New matter indicated by italics - deletions by strikeout
addition to funds previously appropriated......... 83,549
For renovation of the West Campus shower and toilet rooms....................... 134,469

CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER - ANNA
For renovating Sycamore Hall.................. 2,634,229

ELGIN MENTAL HEALTH CENTER - KANE COUNTY
For replacing power plant and engineering building................................. 7,942,071
For renovating the central dietary and kitchen................................. 3,704,073
For construction of roads, parking lots and street lights.......................... 1,107,902

FOX DEVELOPMENTAL CENTER - DWIGHT
For upgrading fire alarm systems................. 901,362
For replacing and repairing interior doors, flooring and walls, in addition to funds previously appropriated.............. 815,475
For planning and beginning replacement of interior doors and flooring and repairing walls in the Main and Administration Buildings.................. 517,397

HOWE DEVELOPMENTAL CENTER - TINLEY PARK
For completing replacement of HVAC systems, in addition to funds previously appropriated.......................... 1,400,000
For upgrading plumbing in kitchen.................. 735,000
For planning the replacement of absorption-type A/C.............................. 450,000
For completing upgrade of tunnels, Phase II, in addition to funds previously appropriated.......................... 366,920
For renovating residences, in addition to

New matter indicated by italics - deletions by strikeout
funds previously appropriated................. 467,174
For renovation of residential buildings......... 76,196

ILLINOIS SCHOOL FOR THE DEAF - JACKSONVILLE
For renovating the High School Building
Phase II......................................... 957,778
For replacing roof and upgrading the
mechanical system at Burns Gym................ 293,209
For replacing the visual alert system.......... 60,496
For renovating High School Building.......... 674,764
For replacing HVAC, upgrading electrical
and replacing doors, in addition to
funds previously appropriated.................. 131,264

ILLINOIS SCHOOL FOR THE VISUALLY
IMPAIRED - JACKSONVILLE
For renovating auditorium, classroom
and administration buildings................... 2,317,225
For renovating classrooms in Building 17...... 1,250,724
For renovations to the powerhouse,
boilers and associated coal and ash
equipment........................................ 400,000

JACKSONVILLE DEVELOPMENTAL CENTER - MORGAN
COUNTY
For planning and beginning the renovation
of the powerhouse.............................. 698,226

KILEY DEVELOPMENTAL CENTER - WAUKEGAN
For converting the facility to natural
gas, in addition to funds previously
appropriated...................................... 261,693
For renovating homes, Phase II, in
addition to funds previously
appropriated...................................... 85,322

LINCOLN DEVELOPMENTAL CENTER - LOGAN
For various capital improvements,
including planning and construction

New matter indicated by italics - deletions by strikeout
of four ten-bed transitional or residential homes................................. 6,225,111

LUDEMAN DEVELOPMENTAL CENTER - PARK FOREST
For upgrading the electrical panel.................. 1,171,608
For repairing and replacing furnaces and duct work, in addition to funds previously appropriated................................. 416,942
For renovating residential and neighborhood homes, in addition to funds previously appropriated................................. 572,072
For replacing plumbing, HVAC and boiler systems........................................... 742,685
For renovation of residential buildings, in addition to funds previously appropriated................................. 206,687

MABLEY DEVELOPMENTAL CENTER - DIXON
For replacing mechanicals and upgrading the fire alarm systems......................... 264,980
For planning and beginning renovation of residential buildings................................. 588,478

MADDEN MENTAL HEALTH CENTER - HINES
For renovating pavilions and administration building for safety/security, in addition to funds previously appropriated................................. 691,168
For renovating dietary.................................................. 858,550
For renovation of pavilions, in addition to funds previously appropriated................................. 108,724

MURRAY DEVELOPMENTAL CENTER - CENTRALIA
For completing the renovation of the boiler house, in addition to funds previously appropriated................................. 3,400,000
For replacing the emergency management system, in

New matter indicated by italics - deletions by strikeout
addition to funds previously appropriated........................................ 550,968

SHAPIRO DEVELOPMENTAL CENTER - KANKAKEE
For replacing the sewer system in south campus.............................. 2,056,004
For planning and beginning renovation of dietary.......................... 295,363
For work necessary to remedy fire damper deficiencies........................ 765,862
For replacing water mains and valves, in addition to funds previously appropriated........................................ 756,085
For replacing steam & condensate lines, in addition to funds previously appropriated........................................ 75,197
For planning and beginning the upgrade of steam and condensate lines........................................ 98,284

SINGER MENTAL HEALTH CENTER - ROCKFORD
For upgrading fire alarm systems................................. 603,742
For renovating dietary and stores................................. 214,803
For renovating patient units, Phase II, in addition to funds previously appropriated ............... 3,100,000
For renovating mechanicals and residential areas.............................. 723,408

TINLEY PARK MENTAL HEALTH CENTER – COOK COUNTY
For completing the upgrade of fire and life/safety issues in Oak Hall, in addition to funds previously appropriated........................................ 600,000

TREATMENT AND DETENTION FACILITY - JOLIET
For improving the administration building for life safety........................ 160,000

STATEWIDE

New matter indicated by italics - deletions by strikeout
For replacing roofing systems at the following locations, at the approximate costs set forth below................ 851,561
Chicago-Read Mental Health Center - Cook County............................. 354,620
Fox Developmental Center - Dwight............................. 196,939
Kiley Developmental Center - Waukegan............................. 300,000

For replacing and repairing roofing systems at the following locations, at the approximate cost set forth below............. 1,732,606
Alton Mental Health Center - Madison............................. 89,139
Shapiro Developmental Center - Kankakee............................. 115,000
Ludeman Developmental Center - Park Forest............................. 14,087
Madden Mental Health Center - Hines............................. 533,495
Murray Developmental Center - Centralia............................. 708,650
Kiley Developmental Center - Waukegan............................. 272,235

For replacing and repairing roofing systems at the following locations, at the approximate cost set forth below............. 933,496
Chicago-Read Mental Health Center............................. 421,632
Howe Developmental Center - Tinley Park............................. 283,758
Shapiro Developmental Center - Kankakee............................. 42,393

New matter indicated by italics - deletions by strikeout
Illinois School for the Deaf - Jacksonville.................. 69,661
Kiley Developmental Center - Waukegan............... 116,052

For repairing or replacing roofs at the following locations, at the approximate cost set forth below............. 956,578
Illinois School for the Visually Impaired - Jacksonville.................. 38,368
Jacksonville Developmental Center - Morgan County.......... 60,000
Lincoln Developmental Center - Logan County.................. 7,001
Murray Developmental Center - Centralia.................. 79,136
Shapiro Developmental Center - Kankakee.................. 772,073

For planning and beginning construction of a facility for sexually violent persons................................. 135,896

For replacing and repairing roofing systems at the following locations at the approximate cost set forth below.................. 270,007
Choate Developmental Center - Anna............................. 7,628
Chicago-Read Mental Health Center.................. 5,475
Tinley Park Mental Health Center.................. 12,974
Illinois School for the Visually Impaired - Jacksonville...... 19,414
Shapiro Developmental Center - Kankakee.................. 25,955
Kiley Developmental Center - Waukegan.................. 19,284

New matter indicated by italics - deletions by strikeout
Ludeman Developmental Center -
Park Forest....................... 179,277

For replacement of roofing systems at the
following locations at the approximate costs
set forth below:.......................... 150,811
  Lincoln Development Center........ 37,702
  Murray Developmental Center....... 37,703
  Elgin Developmental Center........ 37,703
  Shapiro Developmental Center....... 37,703
Total                                                                              $72,515,931

Section 115. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 115 of Public Act 94-0015, are reappropriated from
the Capital Development Fund to the Capital Development Board for the
Department of Human Services for the projects hereinafter enumerated:

  ILLINOIS SCHOOL FOR THE VISUALLY
  IMPAIRED - JACKSONVILLE
  (From Article 105, Section 115 of Public Act 94-0015)
  For renovations to the powerhouse,
  boilers and associated coal and ash
  equipment........................................ 224,019
  Total                                                                              $224,019

Section 120. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 120 of Public Act 94-0015, are reappropriated from
the Tobacco Settlement Recovery Fund to the Capital Development Board for
the Department of Human Services for the projects hereinafter enumerated:

  STATEWIDE PROGRAM
  (From Article 105, Section 120 of Public Act 94-0015)
  For tuckpointing at the following locations
  at the approximate cost set forth below............ 171,772

New matter indicated by italics - deletions by strikeout
Howe Developmental Center -
Tinley Park.......................... 115,000
Madden Mental Health
Center - Hines....................... 43,661
Tinley Park Mental
Health Center....................... 13,111
For tuckpointing exterior and repairing
masonry at various facilities........... 394,844
Total $566,616

Section 125. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 125 of Public Act 94-0015, are reappropriated from
the Build Illinois Bond Fund to the Capital Development Board for the
Department of Human Services for the project hereinafter enumerated:

ILLINOIS SCHOOL FOR THE DEAF – JACKSONVILLE
(From Article 105, Section 125 of Public Act 94-0015)
For replacing dorm doors.................. 1,957,121

JACKSONVILLE DEVELOPMENTAL CENTER – MORGAN
For upgrading the mechanicals in the
power plant, in addition to funds
previously appropriated..................... 1,000,000

SINGER MENTAL HEALTH CENTER
For repair and/or replacement of roofs....... 71,994

TINLEY PARK MENTAL HEALTH CENTER
For upgrading fire/life safety systems
and lighting, in addition to funds
previously appropriated..................... 72,498

FOX DEVELOPMENTAL CENTER - DWIGHT
For renovating the water treatment plant..... 692,946
Total $3,794,559

Section 130. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriation and reappropriations heretofore made in

New matter indicated by italics - deletions by strikeout
1953

PUBLIC ACT 94-0798

Article 105, Section 130 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Medical District Commission for the projects hereinafter enumerated:

ILLINOIS MEDICAL DISTRICT COMMISSION - CHICAGO
(From Article 105, Section 130 of Public Act 94-0015)
For upgrading utility and infrastructure,
in addition to funds previously
appropriated................................. 412,685
For upgrading core utilities.................. 156,994
For upgrading research center............... 346,714
For constructing a Lab and Research
Biotech Grad Facility......................... 94,638
Total $1,011,031

Section 140. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 140 of Public Act 94-0015, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Military Affairs for the projects hereinafter enumerated:

BLOOMINGTON ARMORY - McLEAN COUNTY
(From Article 105, Section 140 of Public Act 94-0015)
For rehabilitating the mechanical/electrical
systems and renovating the interior......... 2,839,158

CAIRO ARMORY
For replacing roof and renovating the
interior and exterior....................... 587,160

CAMP LINCOLN - SPRINGFIELD
For construction of a military academy
facility..................................... 506,399

ELGIN ARMORY - KANE COUNTY
For upgrading the interior and exterior...... 820,653

MACOMB ARMORY - McDonough

New matter indicated by italics - deletions by strikeout
For completing the mechanical/electrical systems upgrade, renovating the interior, and installing a kitchen, in addition to funds previously appropriated..................                                   2,565,000

For replacing the mechanical and electrical systems and installing a kitchen...........................................                                     814,991

MATTOON ARMORY
For replacing the roof and renovating the interior and exterior...................................................... 152,517

NORTH RIVERSIDE ARMORY
For rehabilitating the interior and exterior.......................................................................................... 270,402

NORTHWEST ARMORY - CHICAGO
For upgrading the electrical system.................................                                 2,815,000
For replacing the mechanical systems............................................. 170,611
For renovation of interior and exterior, in addition to funds previously appropriated for such purposes...................                                    234,682

SYCAMORE ARMORY
For replacing the electrical system, renovating the interior and installing air conditioning................................. 210,505

STATEWIDE
For replacing roofing systems, windows and doors, and rehabilitating the exterior walls at the following locations, at the approximate cost set forth below................................................. 76,244
Bloomington Armory................................................. 15,248
Kewanee Armory...................................................... 15,249
Macomb Armory........................................................ 15,249
Rock Falls Armory..................................................... 15,249
Sycamore Armory..................................................... 15,249
Total                                                                                       $12,063,322

New matter indicated by italics - deletions by strikeout
Section 145. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 145, of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Military Affairs for the projects hereinafter enumerated:

LAWRENCEVILLE ARMORY
(From Article 105, Section 145 of Public Act 94-0015)
For rehabilitating the exterior and replacing roofing systems.......................

177,017
Total
$177,017

Section 150. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 150 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Revenue for the projects hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD
(From Article 105, Section 150 of Public Act 94-0015)
For completing the upgrade of building management controls, in addition to funds previously appropriated......................

400,000
For replacing the dock exhaust system.............

555,000
For replacing and repairing concrete stairway and completing of parking deck, in addition to funds previously appropriated......................

285,000
For upgrading building management controls................................

3,496,768
For upgrading the plumbing system.............

908,359
For upgrading parking lot/parking deck structural repair..........................

519,034
For renovating the interior and
upgrading HVAC........................................ 2,970,513
Total                                                                                      $9,134,674

Section 155. The following named amounts, or so much thereof as may be necessary and as remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 155 of Public Act 94-0015, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Revenue for the project hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD
(From Article 105, Section 155 of Public Act 94-0015)
For completing security system upgrade, in addition to funds previously appropriated........ 110,394
Total                                                                           $110,394

Section 160. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 160 of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Revenue for the project hereinafter enumerated:

WILLARD ICE BUILDING – SPRINGFIELD
(From Article 105, Section 160 of Public Act 94-0015)
For completing the upgrade of the Plumbing System.............................................. 600,000
For planning the curtain wall renovation............ 38,950
Total                                              $638,950

Section 165. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 165 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of State Police for the projects hereinafter enumerated:

CHICAGO FORENSIC LABORATORY
(From Article 105, Section 165 of Public Act 94-0015)
For construction of a laboratory and

New matter indicated by italics - deletions by strikeout
parking facilities................................. 84,737

DISTRICT 13 HEADQUARTERS - DuQUOIN
For constructing a district 13 headquarters........................................ 113,840

DISTRICT 6 HEADQUARTERS - PONTIAC
For planning, construction, reconstruction, demolition of existing buildings, and all costs related to replacing the facilities................................. 63,454

SPRINGFIELD ARMORY
For planning and design of the rehabilitation and site improvements of the Springfield Armory, in addition to funds previously appropriated................................. 1,204,194

STATEWIDE
For replacing communications towers equipment and tower buildings.................. 1,794,618
For upgrading generators and UPS systems.............. 39,996
For replacing roofing system at the following locations at the approximate cost set forth below................................. 166,676
  District 13 Headquarters,
    DuQuoin................................. 23,811
  Joliet Laboratory......................... 23,811
  District 6 Headquarters,
    Pontiac................................. 23,810
  District 9 Headquarters,
    Springfield............................ 23,811
  State Police Training Center,
    Pawnee.................................. 23,811
  District 18 Headquarters,
    Litchfield............................ 23,811
  District 19 Headquarters,
    Carmi................................. 23,811
For replacing radio communication towers, equipment buildings and installing emergency power generators at the following locations at the approximate costs set forth below.........................

Harlem & Irving – Cook County........ 93,966
Savanna – Carroll County.............. 95,000
Fairfield – Wayne County............. 225,000
Niota – Hancock County............... 695,826

Total $4,577,307

Section 170. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 170 of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of State Police for the project hereinafter enumerated:

STATEWIDE
(From Article 105, Section 170 of Public Act 94-0015)
For upgrading firing range facilities.............. 326,181

Total $326,181

Section 175. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 175 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Veterans' Affairs for the projects hereinafter enumerated:

ANNA VETERANS HOME
(From Article 105, Section 175 of Public Act 94-0015)
For constructing a garage....................... 315,292

LASALLE VETERANS' HOME
For replacing the roofing system.................. 310,000
For replacing the domestic water system........... 110,000

MANTENO VETERANS' HOME - KANKAKEE COUNTY
For replacing air conditioner chillers........... 1,170,000

New matter indicated by italics - deletions by strikeout
For replacing condensing units.......................          122,241
For upgrading or constructing
roads and parking lots..............................          55,922
For planning and constructing
additional storage and support areas...............          87,745
For upgrading storm sewer............................          97,768

QUINCY VETERANS' HOME - ADAMS COUNTY
For constructing a bus and ambulance
garage..................................................          849,073
For improvements to various buildings
and replacement of Fletcher Building
to meet licensure standards......................          2,497,233

Total                                                                                         $5,615,274

Section 180. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made in Article 105, Section
180 of Public Act 94-0015, are reappropriated from the Tobacco
Settlement Recovery Fund to the Capital Development Board for the
Department of Veterans' Affairs for the projects hereinafter enumerated:

MANTENO VETERANS' HOME - KANKAKEE COUNTY
(From Article 105, Section 180 of Public Act 94-0015)
For installing humidifiers and
dehumidifiers.............................................          407,950
For resurfacing roads and parking lots..........          40,355
Total                                                                                         $448,305

Section 185. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 185 of Public Act 94-0015, are reappropriated from
the Build Illinois Bond Fund to the Capital Development Board for the
Department of Veterans' Affairs for the project hereinafter enumerated:

MANTENO VETERANS HOME
(From Article 105, Section 185 of Public Act 94-0015)
For completing the upgrade of emergency

New matter indicated by italics - deletions by strikeout
For installing humidifiers and
dehumidifiers, in addition to funds
previously appropriated...................... 1,000,000

LASALLE VETERANS HOME - LASALLE COUNTY
For planning expansion of facility .............. 82,435
Total $1,682,435

Section 190. The following named amounts, or so much thereof as
may be necessary and remain unexpended at the close of business on June
30, 2006, from reappropriations heretofore made for such purposes in
Article 105, Section 190 of Public Act 94-0015, are reappropriated from
the Capital Development Fund to the Capital Development Board for the
projects hereinafter enumerated:

EXECUTIVE MANSION - SPRINGFIELD
(From Article 105, Section 190 of Public Act 94-0015)
For building improvements........................... 88,019

ATTORNEY GENERAL BUILDING - SPRINGFIELD
For planning an annex or addition and
beginning construction of
parking facilities..................................... 35,932
For upgrading environmental equipment
and HVAC, in addition to funds previously
appropriated - Archives Building................. 182,204

STATE CAPITOL BUILDING
For upgrading the life/safety and
security systems, in addition to
funds previously appropriated..................... 19,947

STATEWIDE
For the purposes of capital planning
and condition assessment and analysis
of State capital facilities, to be
expended only upon the direction of
the Director of the Bureau of
the Budget............................................ 3,389,055

New matter indicated by italics - deletions by strikeout
For abating hazardous materials................. 709,794
For retrofitting or upgrading mechanized
refrigeration equipment (CFCs).................. 650,000
For surveys and modifications to buildings
to meet requirements of the federal
Americans with Disabilities Act (ADA)........ 180,933
For surveys and modifications to buildings
to meet requirements of the federal
Americans with Disabilities Act (ADA)........ 395,604
For abating hazardous materials................. 100,946
For retrofitting or upgrading mechanized
refrigeration equipment (CFCs).................. 4,000,000
For surveys and modifications to buildings
to meet requirements of the federal
Americans with Disabilities Act................. 2,186,303
For abating hazardous materials.................. 399,299
For retrofitting or upgrading mechanized
refrigeration equipment (CFCs).................. 2,901,557
For upgrading and remediating
aboveground and underground storage tanks..... 1,991,215
For surveys and modifications to buildings
to meet requirements of the federal
Americans With Disabilities Act............... 13,436
For retrofitting or upgrading mechanized
refrigeration equipment (CFCs)............... 782,922
For abating hazardous materials............... 322,762
For surveys and modifications to
buildings to meet requirements of the
federal Americans with Disabilities Act........ 125,458
For abatement of hazardous materials........... 158,615
For upgrading/retrofitting mechanized
refrigeration equipment (CFCs)................. 53,118
For abatement of hazardous materials.......... 62,369
For survey for and abatement of

New matter indicated by italics - deletions by strikeout
asbestos-containing materials..................... 56,103
For upgrade/retrofit of mechanized refrigeration equipment (CFCs)....................... 28,580
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act............... 1,163,304
For demolition of buildings......................... 82,050
For retrofitting/upgrading mechanical refrigeration equipment.......................... 30,551
For the planning, upgrade and replacement of potentially hazardous underground storage tanks............. 61,198
For surveys and abatement of asbestos-containing materials.............................. 38,400

Total  $20,209,674

Section 195. The amount of $512,042, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 195 of Public Act 94-0015, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for surveying and abating asbestos-containing materials statewide.

Section 200. The amount of $994,978, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 200 of Public Act 94-0015, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for asbestos surveys and emergency abatement in relation to asbestos abatement in state governmental buildings or higher education residential and auxiliary enterprise buildings.

Section 205. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 205 of Public Act 94-0015, are reappropriated from the Tobacco
Settlement Recovery Fund to the Capital Development Board for the projects hereinafter enumerated:

**STATEWIDE**

(From Article 105, Section 205 of Public Act 94-0015)
Survey for and abate hazardous materials........................................ 686,662
For repairing minor problems and emergencies............................... 123,790
For demolition of buildings.......................................................... 393,437
For archeological studies of construction sites................................. 100,000
For repairing minor problems and emergencies................................ 948,025

Total .................................................................................. $2,251,914

Section 210. The following named amount or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 325 of Public Act 94-0015, is reappropriated from the School Construction Fund to the Capital Development Board for the State Board of Education for the projects hereinafter enumerated:

**STATEWIDE**

(From Article 105, Section 325 of Public Act 94-0015)
Grants for facility construction........................................ 50,117,519

Section 215. The sum of $30,713,080, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 330 of Public Act 94-0015, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 220. The sum of $9,040,288, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 335 Public Act 94-0015, is reappropriated from the School Construction Fund

New matter indicated by italics - deletions by strikeout
to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 225. The sum of $27,663,314, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 340 of Public Act 94-0015, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 230. The sum of $4,044,729, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 345 of Public Act 94-0015, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 235. The sum of $213,147, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 350 of Public Act 94-0015, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law.

Section 240. The amount of $7,518,746, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 360 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for grants to units of local government and other eligible entities for all costs associated with land acquisition, construction and rehabilitation projects.

Section 245. The sum of $18,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 30 of Public Act 94-0015, is reappropriated from the School

New matter indicated by italics - deletions by strikeout
Construction Fund to the Capital Development Board for grants to school districts for school improvement projects authorized by the School Construction Law.

Section 250. The sum of $85,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 40 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for correctional purposes at State prison and correctional centers as authorized by subsection (b) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 255. The sum of $30,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 45 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for open spaces, recreational and conservation purposes and the protection of land and for deposits into the Conservation 2000 Projects Fund as authorized by subsection (c) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 260. The sum of $37,317,937, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 55 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for child care facilities, mental and public health facilities, and facilities for the care of disabled veterans and their spouses as authorized by subsection (d) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 265. The sum of $199,873,644, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 60 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for use by the State,
its departments, authorities, public corporations, commissions and agencies as authorized by subsection (e) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 270. The sum of $475,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 70 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for water resource management projects as authorized by subsection (g) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

Section 275. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 210 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for the projects hereinafter enumerated:

- CARL SANDBURG COLLEGE
  (From Article 105, Section 210 of Public Act 94-0015)
  For constructing a computer/student center.................................... 33,108

- CITY COLLEGES OF CHICAGO
  For various bondable capital improvements........ 5,380,641

- CITY COLLEGES OF CHICAGO/KENNEDY KING
  For remodeling for Workforce Preparation Centers........................... 3,590,345
  For remodeling for a culinary arts educational facility...................... 10,875,000

- CITY COLLEGES OF CHICAGO - MALCOLM X COLLEGE
  For remodeling the Allied Health program facilities............................ 4,304,223

- COLLEGE OF DUPAGE
  For upgrading the Instructional Center heating, ventilating and air

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLLEGE OF LAKE COUNTY</td>
<td>251,402</td>
</tr>
<tr>
<td>ILLINOIS VALLEY COMMUNITY COLLEGE</td>
<td>994,739</td>
</tr>
<tr>
<td>KANKAKEE COMMUNITY COLLEGE</td>
<td>279,960</td>
</tr>
<tr>
<td>LAKELAND COLLEGE</td>
<td>6,602,331</td>
</tr>
<tr>
<td>LEWIS and CLARK COLLEGE - GODFREY</td>
<td>23,877</td>
</tr>
<tr>
<td>MCHENRY COUNTY COLLEGE</td>
<td>473,076</td>
</tr>
<tr>
<td>MORaine VAly COMMUNITY COLLEGE - PALOS HILLS</td>
<td>42,635</td>
</tr>
<tr>
<td>PRAIRIE STATE COLLEGE - CHICAGO HEIGHTS</td>
<td>2,010,911</td>
</tr>
<tr>
<td>RICHLAND COMMUNITY COLLEGE - DECATUR</td>
<td>121,456</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
SOUTH SUBURBAN COLLEGE
For improving flood retention........................................ 437,000

SPOON RIVER COLLEGE
For remodeling Engle Hall and
constructing a maintenance building.................. 142,042

TRITON COMMUNITY COLLEGE - RIVER GROVE
For rehabilitating the Liberal Arts
Building.......................................................... 1,536,546
For rehabilitating the potable water
distribution system............................................. 70,146

STATEWIDE
For the Illinois Community College Board
miscellaneous capital improvements including
construction, capital facilities, cost of
planning, supplies, equipment, materials,
services and all other expenses required to
complete the work at the various community
Colleges. This appropriated amount shall be
in addition to any other appropriated amounts
which can be expended for this purpose......... 1,525,087

STATEWIDE
For miscellaneous capital improvements
including construction, capital facilities,
cost of planning, supplies, equipment,
materials, services and all other expenses
required to complete the work at the
various community colleges. This appropriated
amount shall be in addition to any other
appropriated amounts which can be
expended for these purposes......................... 4,998,546

For miscellaneous capital improvements
including construction, capital facilities,
cost of planning, supplies, equipment,
materials, services and all other expenses

New matter indicated by italics - deletions by strikeout
required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes. 3,805,777

STATEWIDE - CONSTRUCTION DEFECTS

For planning, construction and renovation to correct defectively designed or constructed community college facilities, provided that monies recovered based upon claims arising out of such defective design or construction shall be paid to the state as required by Section 105.12 of the Public Community College Act as reimbursement for monies expended pursuant to this appropriation. 395,324

Total 47,931,758

Section 280. The amount of $414,264, or so much thereof as may be necessary, and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 220 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for grants to community colleges repair, renovation, and miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, costs of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 285. The sum of $1,439,290, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 225 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois...
Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 290. The sum of $1,723,209, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 230 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 295. The sum of $2,574,669, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 235 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 300. The sum of $688,033, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 240 of Public Act 94-0015, is reappropriated from the Capital
Development Fund to the Capital Development Board for the Illinois Community College Board for grants to community colleges for miscellaneous capital improvements including construction, reconstruction, remodeling, improvements, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 305. The sum of $602,794, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 245 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for miscellaneous capital improvements at various educational facilities statewide, in addition to funds previously appropriated.

Section 310. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from re appropriations heretofore made for such purposes in Article 105, Section 250 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Higher Education for the projects hereinafter enumerated:

ILLINOIS MATHEMATICS AND SCIENCE ACADEMY - AURORA
To plan and begin construction of a space for the delivery of teacher training and development and student enrichment programs........................................... 108,843

Section 315. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 255 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

STATEWIDE
(From Article 105, Section 255 of Public Act 94-0015)

New matter indicated by italics - deletions by strikeout
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

<table>
<thead>
<tr>
<th>University</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicago State University</td>
<td>322,100</td>
</tr>
<tr>
<td>Eastern Illinois University</td>
<td>515,500</td>
</tr>
<tr>
<td>Governors State University</td>
<td>189,700</td>
</tr>
<tr>
<td>Illinois State University</td>
<td>984,871</td>
</tr>
<tr>
<td>Northeastern Illinois University</td>
<td>383,700</td>
</tr>
<tr>
<td>Northern Illinois University</td>
<td>1,159,000</td>
</tr>
<tr>
<td>Western Illinois University</td>
<td>706,081</td>
</tr>
<tr>
<td>Southern Illinois University - Carbondale</td>
<td>1,444,954</td>
</tr>
<tr>
<td>Southern Illinois University - Edwardsville</td>
<td>763,100</td>
</tr>
<tr>
<td>University of Illinois - Chicago</td>
<td>2,777,300</td>
</tr>
<tr>
<td>University of Illinois - Springfield</td>
<td>229,100</td>
</tr>
<tr>
<td>University of Illinois - Urbana/Champaign</td>
<td>4,131,963</td>
</tr>
<tr>
<td>Illinois Community College Board</td>
<td>5,706,835</td>
</tr>
</tbody>
</table>

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities.
This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes......

17,360,251

Chicago State University........... 322,100
Eastern Illinois University........ 515,500
Governors State University........ 132,852
Illinois State University.......... 892,342
Northeastern Illinois University.................. 383,700
Northern Illinois University...... 1,159,000
Western Illinois University........ 518,800
Southern Illinois University - Carbondale................. 111,237
Southern Illinois University - Edwardsville.................. 112,908
University of Illinois - Chicago........................ 2,777,300
University of Illinois - Springfield.................. 212,512
University of Illinois - Urbana/Champaign.................. 4,150,300
Illinois Community College Board................. 6,071,700

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities

This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes......

5,374,576

Chicago State University........... 180,959
Eastern Illinois University........ 515,500

New matter indicated by italics - deletions by strikeout
Illinois State University............ 69,604
Northern Illinois University...... 1,004,927
Western Illinois University....... 305,392
Southern Illinois University -
Carbondale......................... 139,735
University of Illinois -
Chicago............................. 2,067,014
University of Illinois -
Springfield......................... 209,126
University of Illinois -
Urbana/Champaign.................. 882,319

For miscellaneous capital improvements,
including construction, capital
facilities, cost of planning,
supplies, equipment, materials, services
and all other expenses required to
complete the work at the various universities.
This appropriated amount shall be in
addition to any other appropriated
amounts which can be expended
for these purposes................... 3,690,174

Eastern Illinois University....... 477,768
Illinois State University........ 188,404
Northern Illinois University..... 1,207,568
Western Illinois University...... 100,493
Southern Illinois University -
Carbondale......................... 73,187
University of Illinois -
Chicago.............................. 435,024
University of Illinois -
Urbana/Champaign............... 1,207,730

For miscellaneous capital improvements
including construction, reconstruction
remodeling, improvements, repair

New matter indicated by italics - deletions by strikeout
and installation of capital
facilities, cost of planning, supplies,
equipment, materials, services and all
other expenses required to complete
the work at the various universities set
forth below. This appropriated amount
shall be in addition to any other
appropriated amounts which can
be expended for these purposes............ 1,897,123
Chicago State University................. 169,365
Eastern Illinois University.............. 42,140
Northeastern Illinois University...... 36,889
Northern Illinois University........ 698,185
Western Illinois University.......... 48,043
University of Illinois -
Champaign/Urbana Campus.......... 902,501

For miscellaneous capital improvements
including construction, capital
facilities, cost of planning, supplies,
equipment, materials, services and
all other expenses required to
complete the work at the various
universities set forth below. This
appropriation shall be in addition
to any other appropriated amounts
which can be expended for these purposes...... 1,117,879
For Eastern Illinois University....... 261,412
For Northeastern Illinois University ... 49,309
For Northern Illinois University...... 244,350
For University of Illinois -
Urbana-Champaign...................... 562,808

For miscellaneous capital improvements,
including construction, reconstruction,
remodeling, improvement, repair and

New matter indicated by italics - deletions by strikeout
installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities set forth below. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes............. 269,852
For Northern Illinois University..... 151,292
For Southern Illinois University - Carbondale.................. 22,188
For Southern Illinois University - Edwardsville............... 16,333
For University of Illinois - Urbana-Champaign............... 80,039
For miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities set forth below. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes............. 813,375
For Chicago State University........ 37,159
For Eastern Illinois University...... 150,380
For Governors State University...... 71,798
For Illinois State University........ 85,165
For Northeastern Illinois University . 36,177
For Northern Illinois University.... 207,446
For University of Illinois........... 225,250

SOUTHERN ILLINOIS UNIVERSITY

New matter indicated by italics - deletions by strikeout
For Southern Illinois University
for miscellaneous capital improvements
including construction, reconstruction,
remodeling, improvements, repair and
installation of capital facilities, cost
of planning, supplies, equipment, materials
services and all other expenses
required to complete the work. This
appropriation shall be in addition to any
other appropriated amounts which can
be expended for these purposes................. 121,599

UNIVERSITY OF ILLINOIS

For the Board of Trustees of the University of
Illinois for miscellaneous capital
improvements including construction,
reconstruction, remodeling, improvement,
repair and installation of capital
facilities, cost of planning, supplies,
equipment, materials, services and
all other expenses required for completing
the work at the colleges and
universities. This appropriation shall
be in addition to any other
appropriated amounts which can be
expended for these purposes...............     89,723

For the Board of Higher Education for
miscellaneous capital improvements,
including construction, reconstruction,
remodeling, improvements, repair and
installation of capital facilities, cost
of planning, supplies, equipment,
materials, services, and all other
expenses required to complete the
work at the colleges and universities

New matter indicated by italics - deletions by strikeout
hereinafter enumerated. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes:
Northern Illinois University......................... 17,454

Section 320. The sum of $133,306, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 260 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required for completing the work at the colleges and universities. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 325. The following named amounts, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 265 of Public Act 94-0015, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:
(From Article 105, Section 265 of Public Act 94-0015)
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.
Chicago State University......................... 150,676

New matter indicated by italics - deletions by strikeout
Eastern Illinois University......................... 257,800
Governors State University.......................... 94,900
Illinois State University............................. 510,700
Northeastern Illinois University..................... 191,800
Northern Illinois University.......................... 579,500
Western Illinois University.......................... 378,818
Southern Illinois University - Carbondale......... 565,258
Southern Illinois University - Edwardsville...... 381,500
University of Illinois - Chicago............... 1,388,600
University of Illinois - Springfield........ 114,600
University of Illinois - Urbana/Champaign........ 2,075,100
Illinois Community College Board.................... 2,888,562
Total                                      $9,577,814

For miscellaneous capital improvements
including construction, capital
facilities, cost of planning, supplies,
equipment, materials, services and
all other expenses required to complete
the work at the various universities.
This appropriated amount shall be in
addition to any other appropriated amounts
which can be expended for these purposes.
Chicago State University......................... 161,000
Eastern Illinois University......................... 255,993
Governors State University.......................... 89,120
Illinois State University............................ 510,700
Northeastern Illinois University................... 191,800
Northern Illinois University....................... 579,500
Southern Illinois University - Carbondale....... 90,714
Southern Illinois University - Edwardsville..... 226,910
University of Illinois - Chicago............... 1,388,600
University of Illinois - Springfield........ 114,600
University of Illinois - Urbana/Champaign...... 2,075,100

New matter indicated by italics - deletions by strikeout
Illinois Community College Board.................  2,806,284
     Total                                   $8,490,321
For miscellaneous capital improvements
     including construction, capital
     facilities, cost of planning, supplies,
     equipment, materials, services and
     all other expenses required to complete
     the work at the various universities.
     This appropriated amount shall be in
     addition to any other appropriated amounts
     which can be expended for these purposes.
Chicago State University.........................  160,400
Eastern Illinois University.......................  185,800
Governors State University.......................   45,618
Illinois State University.........................   27,825
Northern Illinois University....................   579,500
Western Illinois University.....................    9,341
Southern Illinois University - Carbondale.......  68,479
University of Illinois - Chicago.................  974,600
University of Illinois - Springfield............  76,866
University of Illinois - Urbana/Champaign......  1,579,289
     Total                                  $3,707,718
For miscellaneous capital improvements
     including construction, capital
     facilities, cost of planning, supplies,
     equipment, materials, services and
     all other expenses required to complete
     the work at the various universities.
     This appropriated amount shall be in
     addition to any other appropriated amounts
     which can be expended for these purposes.
Eastern Illinois University.......................   21,618
Governors State University.......................  26,826
Illinois State University.......................  147,781

New matter indicated by italics - deletions by strikeout
Northeastern Illinois University.................... 87,701
Northern Illinois University....................... 624,700
University of Illinois - Chicago................... 103,101
University of Illinois - Springfield.............. 30,052
University of Illinois - Urbana/Champaign........ 268,540
Total                                                                                       $1,310,319

For miscellaneous capital improvements
including construction, capital
facilities, cost of planning, supplies,
equipment, materials, services and
all other expenses required to complete
the work at the various universities.
This appropriated amount shall be in
addition to any other appropriated amounts
which can be expended for these purposes.

Chicago State University......................... 58,123
Eastern Illinois University....................... 134,474
Northeastern Illinois University.................. 71,862
Northern Illinois University..................... 340,000
University of Illinois- Champaign/Urbana........ 65,946
Total                                                                                       $670,405

Section 330. The sum of $1,600,651, or so much thereof as may
be necessary and remains unexpended at the close of business on June 30,
2006, from a reappropriation heretofore made in Article 105, Section 270
of Public Act 94-0015, is reappropriated from the Build Illinois Bond
Fund to the Capital Development Board for the Illinois Community
College Board for miscellaneous capital improvements including
construction, capital facilities, cost of planning, supplies, equipment,
materials, services and all other expenses required to complete the work at
the various community colleges. This appropriated amount shall be in
addition to any other appropriated amounts which can be expended for
these purposes.

Section 335. The sum of $1,311,528, or so much thereof as may
be necessary and remains unexpended at the close of business on June 30,

New matter indicated by italics - deletions by strikeout
2006, from a reappropriation heretofore made in Article 105, Section 275 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 340. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2006, from reappropriations heretofore made in Article 105, Section 280 of Public Act 94-0015, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

CHICAGO STATE UNIVERSITY
(From Article 105, Section 280 of Public Act 94-0015)
For replacing primary electrical feeder cable........................................... 500,220
For roof replacement projects.................. 2,375,643
For the construction of a conference center............................................ 4,894,591
For the construction of a day care facility............................................. 4,906,554
For the construction of a student financial outreach building................... 4,924,454
For constructing a new library facility, site improvements, utilities, and purchasing equipment, in addition to funds previously appropriated........... 7,513,848
For technology improvements and deferred maintenance........................ 1,327,216
For remodeling Building K, in addition to funds previously appropriated........ 8,707,110

New matter indicated by italics - deletions by strikeout
For planning and beginning to remodel Building K and improving site................. 1,000,474
For a grant to Chicago State University for all costs associated with construction of a Convocation Center................................ 2,968,615
For upgrading campus infrastructure, in addition to the funds previously appropriated.......................... 573,846
For renovating buildings and upgrading mechanical systems.......................................................... 83,773

EASTERN ILLINOIS UNIVERSITY
For upgrading the electrical distribution system............................... 4,012,025
For renovating and expanding the Fine Arts Center, in addition to funds previously appropriated............... 31,163,391
For planning and beginning to renovate and expand the Fine Arts Center - Phase 1, in addition to funds previously appropriated.................. 1,362,587
For planning and beginning to renovate and expand the Fine Arts Center................. 222,049
For upgrading campus buildings for health, safety and environmental improvements............ 386,432

GOVERNORS STATE UNIVERSITY
For constructing addition and remodeling the teaching & learning complex, in addition to funds previously appropriated.............................. 14,627,283
For costs associated with establishing a campus-wide fire alarm system at Governor's State University......................... 72,567
For constructing a child development center and an addition to the main building

New matter indicated by italics - deletions by strikeout
and remodeling Wings E and F....................... 38,490

ILLINOIS STATE UNIVERSITY
For renovating Stevenson and Turner
Halls for life/safety......................... 21,523,592
For the upgrade and remodeling
of Schroeder Hall............................ 3,108,699
For planning, site improvements, utilities,
construction, equipment and other costs
necessary for a new facility for the
College of Business............................ 417,901
For remodeling Julian and Moulton Halls........ 411,829

NORTHEASTERN ILLINOIS UNIVERSITY
For renovating Building "C" and
remodeling and expanding Building "E"
and Building "F"............................... 6,369,803
For planning and beginning to remodel
Buildings A, B and E.......................... 3,625,811
For remodeling in the Science Building
to upgrade heating, ventilating and air
conditioning systems........................... 2,021,400
For replacing fire alarm systems, lighting
and ceilings..................................... 553,740

NORTHERN ILLINOIS UNIVERSITY
For renovating the Founders Library
basement, in addition to funds previously
appropriated.................................. 648,578
For planning a classroom building and
developing site in Hoffman Estates........... 1,314,500
For completing the construction of the
Engineering Building, in addition to
amounts previously appropriated for
such purpose................................... 1,780,388
For renovating Altgeld Hall and
purchasing equipment......................... 973,567

New matter indicated by italics - deletions by strikeout
For upgrading storm waterway controls in
addition to funds previously appropriated........ 228,398

SOUTHERN ILLINOIS UNIVERSITY

For planning, construction and equipment
for a cancer center.............................. 11,872,528

SOUTHERN ILLINOIS UNIVERSITY - CARBONDALE

For renovating and constructing an
addition to the Morris Library, in
addition to funds previously
appropriated.................................. 25,640,806

For planning a renovation and
addition to the Morris Library................. 517,471

For renovating Altgeld Hall and Old
Baptist Foundation, in addition to funds
previously appropriated........................... 17,836

SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE

For replacement of the high temperature water
distribution system.............................. 110,101

SIU SCHOOL OF MEDICINE - SPRINGFIELD

For constructing and for equipment for
an addition to the combined laboratory,
in addition to funds previously
appropriated...................................... 248,152

UNIVERSITY OF ILLINOIS AT CHICAGO

Plan, construct, and equip the Chemical
Sciences Building.............................. 57,600,000

For planning, construction and equipment
for a chemical sciences building.............. 3,863,785

To plan and begin construction of
a medical imaging research/clinical
facility.............................................. 341,311

For remodeling the Clinical
Sciences Building.............................. 854,132

For the renovation of the court area and

New matter indicated by italics - deletions by strikeout
Lecture Center, in addition to funds previously appropriated.......................... 188,215

UNIVERSITY OF ILLINOIS AT CHAMPAIGN-URBANA

For planning, analysis and design of Lincoln Hall. Design cannot proceed beyond Program Analysis/Preliminary Design unless approved in writing by the Governor................................... 2,000,000

Expansion of Microelectronics Lab................. 11,783,932

For planning, construction and equipment for a biotechnology genomic facility........ 27,541,943

For planning, construction and equipment for a supercomputing application facility...... 2,359,793

To plan and begin construction of a biotechnology/genomic facility......................... 592,411

To plan and begin construction of a supercomputing application facility.................... 101,953

To plan and begin construction of a technology transfer incubator facility.......................... 58,263

For initiating a campus flood control project........................................ 53,737

UNIVERSITY CENTER OF LAKE COUNTY

For constructing a university center and purchasing equipment, in addition to funds previously appropriated.................. 623,423

For land, planning, remodeling, construction and all costs necessary to construct a facility......................................... 1,789,647

WESTERN ILLINOIS UNIVERSITY - MACOMB

Plan and construct performing arts center........ 4,000,000

For improvements to Memorial Hall............................... 11,624,747

New matter indicated by italics - deletions by strikeout
Section 345. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 105, Section 285 of Public Act 94-0015 is reappropriated from the Capital Development Fund to the Capital Development Board for Southern Illinois University School of Medicine, Springfield, for the project hereinafter enumerated:

SOUTHERN ILLINOIS UNIVERSITY SCHOOL
OF MEDICINE – SPRINGFIELD
(From Article 105, Section 285 of Public Act 94-0015)
For construction and equipment
for an addition to the combined
laboratory for Illinois State Police
Crime Lab........................................110,593

Section 350. The following named amounts, or so much thereof as may be necessary, and remain unexpended on June 30, 2006, from reappropriations heretofore made for such purposes in Article 105, Section 290 of Public Act 94-0015, as amended, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Board of Higher Education for the projects hereinafter enumerated:

NORTHERN ILLINOIS UNIVERSITY - DEKALB
(From Article 105, Section 290 of Public Act 94-0015)
To purchase equipment and complete
collection for Faraday Hall Addition...........93,085

Section 355. The following named amount, or so much thereof as may be necessary, and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 295 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the University of Illinois for the projects hereinafter enumerated:

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN
(From Article 105, Section 295 of Public Act 94-0015)
To construct and equip the Chemical and Life
Sciences Building...............................41,746

New matter indicated by italics - deletions by strikeout
Section 360. The amount of $73,780, or so much thereof as may be necessary, and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 305 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the University of Illinois for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, costs of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 365. The sum of $22,390, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purposes in Article 105, Section 310 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Trustees of the University of Illinois (formerly for the Department of Human Services) for renovation of the School of Public Health and Psychiatric Institute (formerly the ISPI building).

Section 370. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 320 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for the project hereinafter enumerated:

EAST ST. LOUIS COLLEGE CENTER
(From Article 105, Section 320 of Public Act 94-0015)
For construction of facilities, remodeling, site improvements, utilities and other costs necessary for adapting the former campus of Metropolitan Community College for a Community College Center and Southern Illinois University, in addition to funds previously appropriated........................ 3,775,684

New matter indicated by italics - deletions by strikeout
Section 375. The sum of $46,520,086, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 365 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 380. The sum of $38,671,436, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 370 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 385. The sum of $14,004,058, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 380 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

New matter indicated by italics - deletions by strikeout
Section 390. The sum of $3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 390 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction, and equipment for a Nanofabrication and Molecular Center. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 395. The amount of $1,100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 105, Section 410 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction and equipment for a nanofabrication and molecular center.

Section 400. The sum of $36,447, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 105, Section 415 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for miscellaneous capital improvements to state facilities including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the facilities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 405. The sum of $125,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 15 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the development and improvement of educational, scientific, technical and vocational programs and facilities and the expansion of health and human services,
and for any other purposes authorized in subsection (c) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 410. The sum of $130,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 35 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Capital Development Board for educational purposes by State universities and colleges, the Illinois Community College Board created by the Public Community College Act and for grants to public community colleges as authorized by Sections 5-11 and 5-12 of the Public Community College Act as authorized by subsection (a) of Section 3 of the General Obligation Bond Act or for grants to State agencies for such purposes.

No contract shall be entered into or obligation incurred for any expenditure made in this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 104 $1,766,330,087

ARTICLE 105
EASTERN ILLINOIS UNIVERSITY

Section 5. The sum of $5,298,718, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 111, Section 10 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University to purchase equipment for the renovation and expansion of the Fine Arts Center. No contract shall be entered into or obligation incurred for any expenditure from the appropriation made in this Section until after the purpose and amounts have been approved in writing by the Governor.

Section 10. The sum of $337,546, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 111, Section 15 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University to purchase equipment for the renovation and expansion of Booth Library.
No contract shall be entered into or obligation incurred for any expenditure from the appropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 105 $5,636,264

ARTICLE 106
NORTHEASTERN ILLINOIS UNIVERSITY

Section 5. The sum of $2,071,805, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 112, Section 5 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Board of Trustees of Northeastern Illinois University to purchase equipment and remodel buildings A, B and E. This appropriation is in addition to any funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 106 $2,071,805

ARTICLE 107
NORTHERN ILLINOIS UNIVERSITY

Section 5. The sum of $2,169, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for that purpose in Article 113, Section 10 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Board of Trustees of Northern Illinois University for purchasing Engineering Building equipment.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 107 $2,169

ARTICLE 108
SOUTHERN ILLINOIS UNIVERSITY
Section 5. The sum of $15,232, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 114, Section 10 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Board of Trustees of Southern Illinois University at Carbondale to purchase equipment for Altgeld Hall and the Old Baptist Foundation Building. This appropriation is in addition to any funds previously appropriated.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 108 $15,232

ARTICLE 109
UNIVERSITY OF ILLINOIS

Section 5. The sum of $6,992,377, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 115, Section 5 of Public Act 94-0015, as amended, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois for all costs associated with the space needs of the Department of Natural Resources, Illinois Natural History Survey Division and State Water Survey Division on the campus of the University of Illinois in Champaign, including construction, capital facilities, planning, relocation, renovation and rehabilitation, mechanical systems, materials, services and all other costs required to complete the work.

Section 10. The sum of $756,041, or so much thereof as may be necessary and remains unexpended on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 115, Section 20 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the University of Illinois for digitalization infrastructure for WILL-TV (Urbana-Champaign).

Section 15. The sum of $516,451, or so much thereof as may be necessary and remains unexpended on June 30, 2006, from a
reappropriation heretofore made for such purpose in Article 115, Section 30 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the University of Illinois at Springfield for constructing a classroom and office building, in addition to funds previously appropriated.

Section 20. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Sections 5, 10 and 15 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 109 $8,264,869

ARTICLE 110
ILLINOIS COMMERCE COMMISSION

Section 5. The sum of $397,385, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 106, Section 5 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Illinois Commerce Commission for train whistle abatement in

Total, Article 110 $397,385

ARTICLE 111
ENVIRONMENTAL PROTECTION AGENCY

Section 5. The sum of $160,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 10. The sum of $63,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts,
construction accounts or any other necessary funds or accounts in order to implement a leveraged program.

Section 15. The sum of $16,600,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State Agencies for such purposes.

Section 20. The sum of $5,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for financial assistance to municipalities with designated River Edge Redevelopment Zones for brownfields redevelopment in accordance with Section 58.13 of the Environmental Protection Act, including costs in prior years.

Section 25. No contract shall be entered into or obligation incurred for any expenditure made in Sections 15 and 20 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 111

$244,600,000

ARTICLE 112
ENVIRONMENTAL PROTECTION AGENCY

Section 5. The sum of $481,733,067, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 107, Sections 50, 55, and 60 of Public Act 94-0015, as amended, are reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 10. The sum of $194,739,568, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from appropriations heretofore made in Article 107, Sections 65,
70, and 75 of Public Act 94-0015, as amended, are reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 15. The sum of $8,942,400, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 107, Section 10 of Public Act 94-0015, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 20. The sum of $1,827,595, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 107, Section 15 of Public Act 94-0015, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 25. The sum of $5,848,400, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 107, Section 20 of Public Act 94-0015, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for grants to units of local government for wastewater facilities, pursuant to provisions of the "Anti-Pollution Bond Act."

Section 30. The amount of $64,189,401, or so much thereof as may be necessary and remains unexpended on June 30, 2006, from reappropriations heretofore made for such purposes in Article 107, Section 25 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for wastewater compliance grants to units of local government or sewer systems and wastewater treatment facilities pursuant to procedures and

New matter indicated by italics - deletions by strikeout
rules established under the Anti-Pollution Bond Act. These grants are limited to projects for which the local government provides at least 30% of the project cost. There is an approved project compliance plan, and there is an enforceable compliance schedule prior to the grant award. The grant award will be based on eligible project cost contained in the approved compliance plan.

Section 35. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 107, Section 30 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 40. The sum of $2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 107, Section 35 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 45. The sum of $10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 107, Section 40 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Hazardous Waste Fund for use pursuant to Section 22.2 of the Environmental Protection Act.

Section 50. The sum of $926,259, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 107, Section 45 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants and contracts for public drinking water infrastructure, including design and construction, where

New matter indicated by italics - deletions by strikeout
private drinking water wells have been contaminated by a hazardous substance.

Section 55. The sum of $25,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made for such purpose in Article 119, Section 25 of Public Act 94-0015, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for the protection, preservation, restoration and conservation of environmental and natural resources, for deposits into the Water Revolving Fund, and for any other purposes authorized in subsection (d) of Section 4 of the Build Illinois Bond Act and for grants to State agencies for such purposes.

Section 60. No contract shall be entered into or obligation incurred for any expenditure made in Sections 15, 25, 30, 35, 40, 45, 50, and 55 of this Article until after the purpose and amounts have been approved in writing by the Governor.

Total, Article 112 $797,206,690

ARTICLE 113
HISTORIC PRESERVATION AGENCY

Section 5. The sum of $437,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 108, Section 10 of Public Act 94-0015, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for costs associated with the acquisition or improvements of Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

Section 10. The sum of $460,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from an appropriation heretofore made in Article 108, Section 15 of Public Act 94-0015, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for support facilities, acquisition or improvements for Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

New matter indicated by italics - deletions by strikeout
Section 15. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Sections 5 and 10 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 113 $897,800

ARTICLE 114
ILLINOIS FINANCE AUTHORITY
Section 5. The sum of $500,000, or so much thereof as may be necessary, is appropriated from the Fire Truck Revolving Loan Fund to the Illinois Finance Authority for the purpose of making loans to fire departments, fire protection districts, and township fire departments as successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Total, Article 114 $500,000

ARTICLE 115
ILLINOIS FINANCE AUTHORITY
Section 5. The sum of $1,308,738, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 109, Section 15 of Public Act 94-0015, is reappropriated from the Fire Truck Revolving Loan Fund to the Illinois Finance Authority for loans to fire departments, fire protection districts, and township fire departments as successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Total, Article 115 $1,308,738

ARTICLE 116
MEDICAL DISTRICT COMMISSION
Section 5. The sum of $100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made in Article 110, Section 10 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the Illinois Medical District Commission for acquisition of property, demolition and site improvements, and related costs within the Medical District Commission.

New matter indicated by italics - deletions by strikeout
Center District, City of Chicago for Phase IV of District Development Initiative.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until the purposes and amounts have been approved in writing by the Governor.

Total, Article 116 $100

ARTICLE 117
STATE BOARD OF ELECTIONS

Section 5. The sum of $3,050,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 117, Section 5 of Public Act 94-0015, is reappropriated from the Capital Development Fund to the State Board of Elections for grants to local governments for the purchase of handicapped accessible polling machines.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 117 $3,050,000

ARTICLE 118
ILLINOIS COMMUNITY COLLEGE BOARD

Section 5. The sum of $1,606,823, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2006, from a reappropriation heretofore made for such purpose in Article 116, Section 5 of Public Act 94-0015, as amended, is reappropriated from the Build Illinois Bond Fund for the Illinois Community College Board for remodeling of facilities for compliance with the Americans with Disabilities Act. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 10. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Section 5 of this Article until after the purposes and amounts have been approved in writing by the Governor.
ARTICLE 999

Section 5. Effective date. This Act takes effect on July 1, 2006, except that Article 1, Article 1A, Article 1B, and Article 999 take effect upon becoming law.

Approved May 22, 2006.
Effective May 22, 2006 and July 1, 2006.

PUBLIC ACT 94-0799
(Senate Bill No. 2310)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2MM as follows:

(815 ILCS 505/2MM)

Sec. 2MM. Verification of accuracy of consumer credit reporting information used to extend consumers credit and security freeze on credit reports for identity theft victims.

(a) A credit card issuer who mails an offer or solicitation to apply for a credit card and who receives a completed application in response to the offer or solicitation which lists an address that is not substantially the same as the address on the offer or solicitation may not issue a credit card based on that application until reasonable steps have been taken to verify the applicant's change of address.

(b) Any person who uses a consumer credit report in connection with the approval of credit based on the application for an extension of credit, and who has received notification of a police report filed with a consumer reporting agency that the applicant has been a victim of financial identity theft, as defined in Section 16G-15 of the Criminal Code of 1961, may not lend money or extend credit without taking reasonable steps to

New matter indicated by italics - deletions by strikeout
verify the consumer's identity and confirm that the application for an extension of credit is not the result of financial identity theft.

(c) A consumer may request that a security freeze be placed on his or her credit report by sending a request in writing by certified mail to a consumer reporting agency at an address designated by the consumer reporting agency to receive such requests. This subsection (c) does not prevent a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report. A consumer who has been the victim of identity theft may place a security freeze on his or her credit report by making a request in writing by certified mail to a consumer credit reporting agency with a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person. A credit reporting agency shall not charge a fee for placing, removing, or removing for a specific party or period of time a security freeze on a credit report. A security freeze shall prohibit, subject to the exceptions under subsection (i) of this Section, the credit reporting agency from releasing the consumer's credit report or any information from it without the express authorization of the consumer. When a security freeze is in place, information from a consumer's credit report shall not be released to a third party without prior express authorization from the consumer. This subsection does not prevent a credit reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report.

(d) A consumer credit reporting agency shall place a security freeze on a consumer's credit report no later than 5 business days after receiving a written request from the consumer:

1. a written request described in subsection (c);
2. proper identification; and
3. payment of a fee, if applicable.

(e) Upon placing the security freeze on the consumer's credit report, the consumer credit reporting agency shall send to the consumer within 10 business days a written confirmation of the placement of the security freeze and to the consumer within 10 business days and

New matter indicated by italics - deletions by strikeout
shall provide the consumer with a unique personal identification number or password or similar device, other than the consumer's Social Security number, to be used by the consumer when providing authorization for the release of his or her credit report for a specific party or period of time.

(f) If the consumer wishes to allow his or her credit report to be accessed for a specific party or period of time while a freeze is in place, he or she shall contact the consumer credit reporting agency using a point of contact designated by the consumer reporting agency, request that the freeze be temporarily lifted, and provide the following:

1. Proper identification;
2. The unique personal identification number or password or similar device provided by the consumer credit reporting agency; and
3. The proper information regarding the third party or time period for which the report shall be available to users of the credit report; and
4. A fee, if applicable.

(g) A consumer credit reporting agency shall may develop a contact method procedures involving the use of telephone, fax, the Internet, or other electronic media to receive and process a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f) in an expedited manner.

A contact method under this subsection shall include: (i) a postal address; and (ii) an electronic contact method chosen by the consumer reporting agency, which may include the use of telephone, fax, Internet, or other electronic means.

(h) A consumer credit reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection (f), shall comply with the request no later than 3 business days after receiving the request.

(i) A consumer credit reporting agency shall remove or temporarily lift a freeze placed on a consumer's credit report only in the following cases:

New matter indicated by italics - deletions by strikeout
(1) upon consumer request, pursuant to subsection (f) or subsection (l) of this Section; or

(2) if the consumer's credit report was frozen due to a material misrepresentation of fact by the consumer.

If a consumer credit reporting agency intends to remove a freeze upon a consumer's credit report pursuant to this subsection, the consumer credit reporting agency shall notify the consumer in writing prior to removing the freeze on the consumer's credit report.

(j) If a third party requests access to a credit report on which a security freeze is in effect, and this request is in connection with an application for credit or any other use, and the consumer does not allow his or her credit report to be accessed for that specific party or period of time, the third party may treat the application as incomplete.

(k) If a consumer requests a security freeze, the credit reporting agency shall disclose to the consumer the process of placing and temporarily lifting a security freeze, and the process for allowing access to information from the consumer's credit report for a specific party or period of time while the freeze is in place.

(l) A security freeze shall remain in place until the consumer requests, using a point of contact designated by the consumer reporting agency, that the security freeze be removed. A credit reporting agency shall remove a security freeze within 3 business days of receiving a request for removal from the consumer, who provides both of the following:

(1) Proper identification; and

(2) The unique personal identification number or password or similar device provided by the consumer credit reporting agency; and:

(3) A fee, if applicable.

(m) A consumer credit reporting agency shall require proper identification of the person making a request to place or remove a security freeze.

(n) The provisions of subsections (c) through (m) of this Section do not apply to the use of a consumer credit report by any of the following:

(1) A person or entity, or a subsidiary, affiliate, or agent of
that person or entity, or an assignee of a financial obligation owing by
the consumer to that person or entity, or a prospective assignee of a
financial obligation owing by the consumer to that person or entity in
conjunction with the proposed purchase of the financial obligation,
with which the consumer has or had prior to assignment an account
or contract, including a demand deposit account, or to whom the
consumer issued a negotiable instrument, for the purposes of
reviewing the account or collecting the financial obligation owing for
the account, contract, or negotiable instrument. For purposes of this
subsection, "reviewing the account" includes activities related to
account maintenance, monitoring, credit line increases, and account
upgrades and enhancements.

(2) A subsidiary, affiliate, agent, assignee, or prospective
assignee of a person to whom access has been granted under
subsection (f) of this Section for purposes of facilitating the extension
of credit or other permissible use.

(3) Any state or local agency, law enforcement agency, trial
court, or private collection agency acting pursuant to a court order,
warrant, or subpoena.

(4) A child support agency acting pursuant to Title IV-D of
the Social Security Act.

(5) The State Medicaid or its agents or assigns
acting to investigate Medicaid fraud.

(6) The Department of Revenue or its agents or assigns acting
to investigate or collect delinquent taxes or unpaid court orders or to
fulfill any of its other statutory responsibilities.

(7) The use of credit information for the purposes of
prescreening as provided for by the federal Fair Credit Reporting Act.

(8) Any person or entity administering a credit file monitoring
subscription or similar service to which the consumer has subscribed.

(9) Any person or entity for the purpose of providing a
consumer with a copy of his or her credit report or score upon the
consumer's request.

(10) Any person using the information in connection with the
underwriting of insurance.

(n-5) This Section does not prevent a consumer reporting agency from charging a fee of no more than $10 to a consumer for each freeze, removal, or temporary lift of the freeze, regarding access to a consumer credit report, except that a consumer reporting agency may not charge a fee to (i) a consumer 65 years of age or over for placement and removal of a freeze, or (ii) a victim of identity theft who has submitted to the consumer reporting agency a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person.

(o) If a security freeze is in place, a consumer credit reporting agency shall not change any of the following official information in a credit report without sending a written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: (i) name, (ii) date of birth, (iii) Social Security number, and (iv) address. Written confirmation is not required for technical modifications of a consumer's official information, including name and street abbreviations, complete spellings, or transposition of numbers or letters. In the case of an address change, the written confirmation shall be sent to both the new address and to the former address.

(p) The following entities are not required to place a security freeze in a consumer credit report, however, pursuant to paragraph (3) of this subsection, a consumer reporting agency acting as a reseller shall honor any security freeze placed on a consumer credit report by another consumer reporting agency: provided, however, that any person that is not required to place a security freeze on a credit report under paragraph (3) of this subsection, shall be subject to any security freeze placed on a credit report by another credit reporting agency from which it obtains information:

(1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payment.

(2) A deposit account information service company, which

New matter indicated by italics - deletions by strikeout
issues reports regarding account closures due to fraud, substantial overdrafts, ATM abuse, or similar negative information regarding a consumer to inquiring banks or other financial institutions for use only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution.

(3) A consumer credit reporting agency that:

(A) acts only to resell credit information by assembling and merging information contained in a database of one or more consumer credit reporting agencies; and

(B) does not maintain a permanent database of credit information from which new credit reports are produced.

(q) For purposes of this Section:

"Credit report" has the same meaning as "consumer report", as ascribed to it in 15 U.S.C. Sec. 1681a(d).

"Consumer reporting agency" has the meaning ascribed to it in 15 U.S.C. Sec. 1681a(f).

"Security freeze" means a notice placed in a consumer's credit report, at the request of the consumer and subject to certain exceptions, that prohibits the consumer reporting agency from releasing the consumer's credit report or score relating to an extension of credit, without the express authorization of the consumer.

"Extension of credit" does not include an increase in an existing open-end credit plan, as defined in Regulation Z of the Federal Reserve System (12 C.F.R. 226.2), or any change to or review of an existing credit account.

"Proper identification" means information generally deemed sufficient to identify a person. Only if the consumer is unable to reasonably identify himself or herself with the information described above, may a consumer credit reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his or her identity.

(r) Any person who violates this Section commits an unlawful practice within the meaning of this Act. (Source: P.A. 93-195, eff. 1-1-04; 94-74, eff. 1-1-06.)


New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Controlled Substances Act is amended by changing Sections 201 and 206 and by adding Section 218 as follows:

Sec. 201. (a) The Department shall carry out the provisions of this Article. The Department or its successor agency may add substances to or delete or reschedule all controlled substances in the Schedules of Sections 204, 206, 208, 210 and 212 of this Act. In making a determination regarding the addition, deletion, or rescheduling of a substance, the Department shall consider the following:

(1) the actual or relative potential for abuse;
(2) the scientific evidence of its pharmacological effect, if known;
(3) the state of current scientific knowledge regarding the substance;
(4) the history and current pattern of abuse;
(5) the scope, duration, and significance of abuse;
(6) the risk to the public health;
(7) the potential of the substance to produce psychological or physiological dependence;
(8) whether the substance is an immediate precursor of a substance already controlled under this Article;
(9) the immediate harmful effect in terms of potentially fatal dosage; and
(10) the long-range effects in terms of permanent health impairment.

New matter indicated by italics - deletions by strikeout
(b) (Blank).
(c) (Blank).
(d) If any substance is scheduled, rescheduled, or deleted as a controlled substance under Federal law and notice thereof is given to the Department, the Department shall similarly control the substance under this Act after the expiration of 30 days from publication in the Federal Register of a final order scheduling a substance as a controlled substance or rescheduling or deleting a substance, unless within that 30 day period the Department objects, or a party adversely affected files with the Department substantial written objections objecting to inclusion, rescheduling, or deletion. In that case, the Department shall publish the reasons for objection or the substantial written objections and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the Department shall publish its decision, by means of a rule, which shall be final unless altered by statute. Upon publication of objections by the Department, similar control under this Act whether by inclusion, rescheduling or deletion is stayed until the Department publishes its ruling.

(e) The Department shall by rule exclude any non-narcotic substances from a schedule if such substance may, under the Federal Food, Drug, and Cosmetic Act, be lawfully sold over the counter without a prescription.

(f) The sale, delivery, distribution, and possession of a drug product containing dextromethorphan shall be in accordance with Section 218 of this Act. Dextromethorphan shall not be deemed to be included in any schedule by reason of enactment of this title unless controlled after the date of such enactment pursuant to the foregoing provisions of this section.

(g) Authority to control under this section does not extend to distilled spirits, wine, malt beverages, or tobacco as those terms are defined or used in the Liquor Control Act and the Tobacco Products Tax Act.

(h) Persons registered with the Drug Enforcement Administration to manufacture or distribute controlled substances shall maintain adequate security and provide effective controls and procedures to guard
against theft and diversion, but shall not otherwise be required to meet the physical security control requirements (such as cage or vault) for Schedule V controlled substances containing pseudoephedrine or Schedule II controlled substances containing dextromethorphan.

(Source: P.A. 91-714, eff. 6-2-00.)

(720 ILCS 570/206) (from Ch. 56 1/2, par. 1206)

Sec. 206. (a) The controlled substances listed in this Section are included in Schedule II.

(b) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiates, and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextorphine, levopropoxyphene, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

(i) Raw Opium;
(ii) Opium extracts;
(iii) Opium fluid extracts;
(iv) Powdered opium;
(v) Granulated opium;
(vi) Tincture of opium;
(vii) Codeine;
(viii) Ethylmorphine;
(ix) Etorphine Hydrochloride;
(x) Hydrocodone;
(xi) Hydromorphone;
(xii) Metopon;
(xiii) Morphine;
(xiv) Oxycodone;
(xv) Oxymorphone;
(xvi) Thebaine;

New matter indicated by italics - deletions by strikeout
(xvii) Thebaine-derived butorphanol.

(xviii) Dextromethorphan subject to Section 218 of this Act.

(2) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1), but not including the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, isomer, salt of an isomer, derivative, or preparation of coca leaves including cocaine or ecdonine, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecdonine (for the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers);

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy).

(c) Unless specifically excepted or unless listed in another schedule any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrophan excepted:

(1) Alfentanil;
(1.1) Carfentanil;
(2) Alphaprodine;
(3) Anileridine;
(4) Bezitramide;
(5) Bulk Dextropropoxyphene (non-dosage forms);
(6) Dihydrocodeine;
(7) Diphenoxylate;
(8) Fentanyl;
(9) Sufentanil;

New matter indicated by italics - deletions by strikeout
(9.5) Remifentanil;
(10) Isomethadone;
(11) Levomethorphan;
(12) Levorphanol (Levorphan);
(13) Metazocine;
(14) Methadone;
(15) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl-1-butane;
(16) Moramide-Intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
(17) Pethidine (meperidine);
(18) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
(19) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
(20) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
(21) Phenazocine;
(22) Piminodine;
(23) Racemethorphan;
(24) Racemorphan;

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
(2) Methamphetamine, its salts, isomers, and salts of its isomers;
(3) Phenmetrazine and its salts;
(4) Methylphenidate.
(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital;
(2) Secobarbital;
(3) Pentobarbital;
(4) Pentazocine;
(5) Phencyclidine;
(6) Gluthethimide;
(7) (Blank).

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:
   (i) Phenylacetone
   Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.
   (2) Immediate precursors to phencyclidine:
      (i) l-phenylethanolamine;
      (ii) l-piperidinocyclohexanecarbonitrile (PCC).
   (3) Nabilone.

(Source: P.A. 91-714, eff. 6-2-00.)

(720 ILCS 570/218 new)

Sec. 218. Dextromethorphan.

(a) A drug product containing dextromethorphan may not be sold, delivered, distributed, or possessed except in accordance with the prescription requirements of Sections 309, 312, and 313 of this Act.

(b) Possession of a drug product containing dextromethorphan in violation of this Section is a Class 4 felony. The sale, delivery, distribution, or possession with intent to sell, deliver, or distribute a drug

New matter indicated by italics - deletions by strikeout
product containing dextromethorphan in violation of this Section is a Class 2 felony.

(c) This Section does not apply to a drug product containing dextromethorphan that is sold in solid, tablet, liquid, capsule, powder, thin film, or gel form and which is formulated, packaged, and sold in dosages and concentrations for use as an over-the-counter drug product. For the purposes of this Section, "over-the-counter drug product" means a drug that is available to consumers without a prescription and sold in compliance with the safety and labeling standards as set forth by the United States Food and Drug Administration.

Passed in the General Assembly April 5, 2006.

PUBLIC ACT 94-0801
(House Bill No. 4904)

AN ACT concerning public safety.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Carnival and Amusement Rides Safety Act is amended by changing Sections 2-2, 2-3, 2-4, 2-6, 2-7, 2-8, 2-9, 2-12, 2-13, 2-14, 2-15, and 2-18 as follows:

Sec. 2-2. Definitions. As used in this Act, unless the context otherwise requires:
1. "Director" means the Director of Labor or his or her designee.
2. "Department" means Department of Labor.
3. "Amusement Attraction" means an enclosed building or structure, including electrical equipment which is an integral part of the building or structure, through which people walk without the aid of any moving device, that provides amusement, thrills or excitement at a fair or carnival, except any such enclosed building or structure which is subject to the jurisdiction of a local building code.

New matter indicated by italics - deletions by strikeout
4. "Amusement ride" means:
   (a) any mechanized device or combination of devices, including electrical equipment which is an integral part of the device or devices, which carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement;
   (b) any ski lift, rope tow, or other device used to transport snow skiers;
   (c) (blank);
   (d) any dry slide over 20 feet in height, alpine slide, or toboggan slide;
   (e) any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides; or
   (f) any bungee cord or similar elastic device.
5. "Carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides.
6. "Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated.
7. "Operator" means a person, or the agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or an amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions.
   (Source: P.A. 92-26, eff. 7-1-01.)
   (430 ILCS 85/2-3) (from Ch. 111 1/2, par. 4053)
Sec. 2-3. There is hereby created the Carnival-Amusement Safety Board, hereafter in this Act referred to as the "Board", to consist of 8 5

New matter indicated by italics - deletions by strikeout
members. One member shall be the Director. *Seven Four* members shall be appointed by the Governor with the advice and consent of the Senate. The term of members shall be 4 years, except that of those members initially appointed by the Governor, 1 shall be appointed for 3 years and 1 shall be appointed for 4 years, and of the members initially appointed pursuant to this amendatory Act of 2006 *1985*, 1 shall be appointed for 3 years. Of the 7 *4* appointed members of the Board, 1 shall be an operator of amusement rides, and 1 shall be a registered professional engineer, *I shall represent the insurance industry, and I shall represent the general public*. The *Board shall advise the Department on carnival and amusement safety matters.*

(Source: P.A. 84-533.)

(430 ILCS 85/2-4) (from Ch. 111 1/2, par. 4054)

Sec. 2-4. A majority of the 8 *5* members of the Board constitutes a quorum. The Board shall meet at least twice yearly and at the call of the chairman or by written request of at least 5 *3* members. The Board shall elect a chairman and such other officers as it deems necessary to perform its duties between meetings and may hire such clerical and administrative help as it deems necessary, to be paid out of the appropriation to the Board.

(Source: P.A. 84-533.)

(430 ILCS 85/2-6) (from Ch. 111 1/2, par. 4056)

Sec. 2-6. The *Director, with the consent of the Board*, shall promulgate and formulate definitions, rules and regulations for the safe installation, repair, maintenance, use, operation and inspection of all amusement rides and amusement attractions as the *Director Board* finds necessary for the protection of the general public using amusement rides and amusement attractions. The rules shall be based upon generally accepted engineering standards and shall be concerned with, but not necessarily limited to, engineering force stresses, safety devices, and preventive maintenance. Whenever such standards are available in suitable form they may be incorporated by reference. The rules shall provide for the reporting of accidents and injuries incurred from the operation of amusement rides or amusement attractions. In addition to the permit fee

New matter indicated by italics - deletions by strikeout
herein provided, the Director Board may promulgate rules to establish a schedule of fees for inspections.

Before adopting, modifying or amending any rule consistent with and necessary for the enforcement of this Act, the Director or Board shall hold a public hearing on the proposed rule, modification or amendment to a rule. Any interested person may appear and be heard at the hearing, in person or by agent or counsel. The Director shall give the news media notice of each hearing at least 30 days in advance of the hearing date and shall make available a copy of the proposed rule, or modification or amendment to a rule to any person requesting same. The provisions of this Section are in addition to all other existing requirements pertaining to the promulgation of administrative rules and regulations.

(Source: P.A. 83-1240.)

(430 ILCS 85/2-7) (from Ch. 111 1/2, par. 4057)
Sec. 2-7. The Director shall administer and enforce all provisions of this Act and all codes, rules and regulations promulgated pursuant to this Act by the Board. The Director or his or her authorized representative has the authority to require by subpoena the attendance and testimony of witnesses and the production of all books, records, equipment, and other evidence relative to a matter under investigation or hearing. The subpoena shall be signed and issued by the Director or his or her authorized representative. If a person fails to comply with any subpoena lawfully issued under this Section or a witness refuses to produce evidence or testify to any matter regarding which he or she may be lawfully interrogated, the circuit court shall, upon application of the Director or his or her authorized representative, compel compliance by proceedings for contempt.

(Source: P.A. 83-1240.)

(430 ILCS 85/2-8) (from Ch. 111 1/2, par. 4058)
Sec. 2-8. The Director, with the consent of the Board, shall determine a schedule of permit fees for each amusement ride or amusement attraction.

(Source: P.A. 85-229.)

(430 ILCS 85/2-9) (from Ch. 111 1/2, par. 4059)

New matter indicated by italics - deletions by strikeout
Sec. 2-9. The Department of Labor may hire inspectors to inspect amusement rides and amusement attractions. The qualifications of amusement ride inspectors shall be established through regulation by the Director. The chief amusement ride inspector shall be licensed in Illinois as a professional engineer.
(Source: P.A. 84-8.)

(430 ILCS 85/2-12) (from Ch. 111 1/2, par. 4062)

Sec. 2-12. Order for cessation of operation of amusement ride or attraction.

(a) The Director or an inspector hired by the Department of Labor may order, in writing, a temporary and immediate cessation of operation of any amusement ride or amusement attraction if it:

(1) has been determined after inspection to be hazardous or unsafe;
(2) is in operation before the Director has issued a permit to operate such equipment; or
(3) the owner or operator is not in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder.

(b) Operation of the amusement ride or amusement attraction shall not resume until:

(1) the unsafe or hazardous condition is corrected to the satisfaction of the Director or such inspector;
(2) the Director has issued a permit to operate such equipment; or
(3) the owner or operator is in compliance with the insurance requirements contained in Section 2-14 of this Act and any rules or regulations adopted hereunder, respectively.
(Source: P.A. 92-26, eff. 6-28-01.)

(430 ILCS 85/2-13) (from Ch. 111 1/2, par. 4063)

Sec. 2-13. Judicial review of action of the Director or Board may be sought pursuant to the Administrative Review Law.
(Source: P.A. 83-1240.)

(430 ILCS 85/2-14) (from Ch. 111 1/2, par. 4064)

New matter indicated by italics - deletions by strikeout
Sec. 2-14. (1) Except as provided in subsection (2) of this Section no person shall operate an amusement ride or attraction unless there is in force: (a) a liability insurance policy or policies in an aggregate amount of not less than $100,000 for bodily injury to or death of one person in any one accident, and, subject to the limit for one person, in an amount of not less than $1,000,000 for bodily injury to or death of two or more persons in any one accident, and in an amount of not less than $50,000 for injury to or destruction of property of others in any one accident, insuring the operator against liability for injury or death suffered by a person attending a fair or carnival; or (b) a bond in like amount, the aggregate liability of the surety of which shall not exceed the face amount thereof; or (c) a deposit with the Illinois Department of Labor Board of cash or other security acceptable to the Director Chairman.

(2) With respect to the operation of an amusement ride or attraction under this Act for a carnival located at a permanent site which has 5 or fewer amusement rides, none of which operates at a height exceeding 8 feet, the insurance policy, bond, or cash or security deposit amount required for bodily injury to or death of 2 or more persons in any one accident shall be not less than $500,000.

(Source: P.A. 85-144.)

(430 ILCS 85/2-15) (from Ch. 111 1/2, par. 4065)

Sec. 2-15. Penalties. 1. Any person who operates an amusement ride or amusement attraction at a carnival or fair without having obtained a permit from the Director or who violates any order or rule issued by the Director or Board under this Act is guilty of a Class A misdemeanor. Each day shall constitute a separate and distinct offense.

2. Any person who interferes with, impedes, or obstructs in any manner the Director or any authorized representative of the Board or Department in the performance of their duties under this Act is guilty of a Class A misdemeanor.

(Source: P.A. 83-1240.)

(430 ILCS 85/2-18) (from Ch. 111 1/2, par. 4068)

Sec. 2-18. Waiver of inspection. The Director may waive the requirement that an amusement ride or amusement attraction or any part

New matter indicated by italics - deletions by strikeout
thereof be inspected before being operated, and may waive any applicable fees for inspection, if an operator gives satisfactory proof to the Director that the amusement ride or amusement attraction or any part thereof has passed an inspection conducted by a public or private agency whose inspection standards and requirements are at least equal to those requirements and standards established by the Department Board under the provisions of this Act. The annual permit fees shall be paid before the Director may waive this requirement.
(Source: P.A. 83-1240.)

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


PUBLIC ACT 94-0802
(House Bill No. 4703)

AN ACT concerning military personnel.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-117-12.2 as follows:

(65 ILCS 5/11-117-12.2)
Sec. 11-117-12.2. Military personnel on active duty; no stoppage of gas or electricity; arrearage.
(a) In this Section:
"Active duty" means active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.
"Service member" means a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard.

New matter indicated by italics - deletions by strikeout
(b) No municipality owning a public utility shall stop gas or electricity from entering the residential premises of which a service member was a primary occupant immediately before the service member was deployed on active duty for nonpayment for gas or electricity supplied to the residential premises.

(c) Upon the return from active duty of a residential consumer who is a service member, the municipality shall offer the residential consumer a period equal to at least the period of the residential consumer's deployment on active duty to pay any arrearages incurred during the period of the residential consumer's deployment. The municipality shall inform the residential consumer that, if the period the municipality offers presents a hardship to the consumer, the consumer may request a longer period to pay the arrearages.

(d) In order to be eligible for the benefits granted to service members under this Section, a service member must provide the municipality with a copy of the military or gubernatorial orders calling the service member to active duty and of any orders further extending the service member's period of active duty.

(e) In addition to any other penalty that may be provided by law, a municipality that wilfully violates this Section is subject to a civil penalty of $1,000. The Attorney General may impose a civil penalty under this subsection only after he or she provides the following to the affected municipality:

1. Written notice of the alleged violation.
2. Written notice of the municipality's right to request an administrative hearing on the question of the alleged violation.
3. An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.
4. A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner's recommendations, finding that the municipality violated this Section and imposing the civil penalty.

New matter indicated by italics - deletions by strikeout
The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this subsection. All proceeds from the collection of any civil penalty imposed under this subsection shall be deposited into the Illinois Military Family Relief Fund.

(Source: P.A. 94-635, eff. 8-22-05.)

Section 10. The Illinois Insurance Code is amended by changing Section 224.05 as follows:

(215 ILCS 5/224.05)

Sec. 224.05. Military personnel on active duty; no lapse of life insurance policy.

(a) Except as provided in subsection (b), this Section shall apply to any individual life insurance policy insuring the life of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard who is on active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor, if the life insurance policy meets both of the following conditions:

(1) The policy has been in force for at least 180 days.

(2) The policy has been brought within the "Servicemembers Civil Relief Act," 117 Stat. 2835 (2003), 50 U.S.C. App. 541 and following.

(b) This Section does not apply to any policy that was cancelled or that had lapsed for the nonpayment of premiums prior to the commencement of the insured's period of military service.

(c) An individual life insurance policy described in this Section shall not lapse or be forfeited for the nonpayment of premiums during the military service of a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard or during the 2-year period subsequent to the end of the member's period of military service.

(d) In order to be eligible for the benefits granted to service members under this Section, a service member must provide the life insurance company with a copy of the military or gubernatorial orders

New matter indicated by italics - deletions by strikeout
calling the service member to active duty and of any orders further extending the service member's period of active duty.

(e) This Section does not limit a life insurance company's enforcement of provisions in the insured's policy relating to naval or military service in time of war.

(f) In addition to any other penalty that may be provided by law, an insurance company that violates this Section is subject to a civil penalty of $1,000. The Attorney General may impose a civil penalty under this subsection only after he or she provides the following to the affected insurance company:

(1) Written notice of the alleged violation.

(2) Written notice of the insurance company's right to request an administrative hearing on the question of the alleged violation.

(3) An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.

(4) A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner's recommendations, finding that the insurance company violated this Section and imposing the civil penalty.

The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this subsection.

All proceeds from the collection of any civil penalty imposed under this subsection shall be deposited into the Illinois Military Family Relief Fund.

(Source: P.A. 94-635, eff. 8-22-05.)

Section 15. The Public Utilities Act is amended by changing Section 8-201.5 as follows:

(220 ILCS 5/8-201.5)

Sec. 8-201.5. Military personnel on active duty; no stoppage of gas or electricity; arrearage.

(a) In this Section:

New matter indicated by italics - deletions by strikeout
"Active duty" means active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

"Service member" means a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard.

(b) No company or electric cooperative shall stop gas or electricity from entering the residential premises of which a service member was a primary occupant immediately before the service member was deployed on active duty for nonpayment for gas or electricity supplied to the residential premises.

(c) In order to be eligible for the benefits granted to service members under this Section, a service member must provide the company or electric cooperative with a copy of the military or gubernatorial orders calling the service member to active duty and of any orders further extending the service member's period of active duty.

(d) Upon the return from active duty of a residential consumer who is a service member, the company or electric cooperative shall offer the residential consumer a period equal to at least the period of deployment on active duty to pay any arrearages incurred during the period of the residential consumer's deployment. The company or electric cooperative shall inform the residential consumer that, if the period that the company or electric cooperative offers presents a hardship to the consumer, the consumer may request a longer period to pay the arrearages and, in the case of a company that is a public utility, may request the assistance of the Illinois Commerce Commission to obtain a longer period. No late payment fees or interest shall be charged to the residential consumer during the period of deployment or the repayment period.

(e) In addition to any other penalty that may be provided by law, a company or electric cooperative that wilfully violates this Section is subject to a civil penalty of $1,000. The Attorney General may impose a civil penalty under this subsection only after he or she provides the following to the affected company or electric cooperative:

1. Written notice of the alleged violation.

New matter indicated by italics - deletions by strikeout
(2) Written notice of the company or electric cooperative’s right to request an administrative hearing on the question of the alleged violation.

(3) An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.

(4) A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner’s recommendations, finding that the company or electric cooperative violated this Section and imposing the civil penalty. The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this subsection.

All proceeds from the collection of any civil penalty imposed under this subsection shall be deposited into the Illinois Military Family Relief Fund.

(Source: P.A. 94-635, eff. 8-22-05.)

Section 20. The Interest Act is amended by changing Section 4.05 as follows:

(815 ILCS 205/4.05)

Sec. 4.05. Military personnel on active duty; limitation on interest rate.

(a) In this Section:

"Active duty" means active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

"Obligation" means any retail installment sales contract, other contract for the purchase of goods or services, or bond, bill, note, or other instrument of writing for the payment of money arising out of a contract or other transaction for the purchase of goods or services.

"Service member" means a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard.

(b) Notwithstanding any contrary provision of State law, but subject to the federal Servicemembers Civil Relief Act, no creditor in

New matter indicated by italics - deletions by strikeout
connection with an obligation entered into on or after the effective date of
this amendatory Act of the 94th General Assembly, but prior to a service
member's deployment on active duty, shall charge or collect from a service
member who is deployed on active duty, or the spouse of that service
member, interest or finance charges exceeding 6% per annum during the
period that the service member is deployed on active duty.

(c) Notwithstanding any contrary provision of law, interest or
finance charges in excess of 6% per annum that otherwise would be
incurred but for the prohibition in subsection (b) are forgiven.

(d) The amount of any periodic payment due from a service
member who is deployed on active duty, or the spouse of that service
member, under the terms of the obligation shall be reduced by the amount
of the interest and finance charges forgiven under subsection (c) that is
allocable to the period for which the periodic payment is made.

(e) In order for an obligation to be subject to the interest and
finance charges limitation of this Section, the service member deployed on
active duty, or the spouse of that service member, shall provide the
creditor with written notice of and a copy of the military or gubernatorial
orders calling the service member to active duty and of any orders further
extending the service member's period of active duty, not later than 180
days after the date of the service member's termination of or release from
active duty.

(f) Upon receipt of the written notice and a copy of the orders
referred to in subsection (e), the creditor shall treat the obligation in
accordance with subsection (b), effective as of the date on which the
service member is deployed to active duty.

(g) A court may grant a creditor relief from the interest and finance
charges limitation of this Section, if, in the opinion of the court, the ability
of the service member deployed on active duty, or the spouse of that
service member, to pay interest or finance charges with respect to the
obligation at a rate in excess of 6% per annum is not materially affected by
reason of the service member's deployment on active duty.

(h) In addition to any other penalty that may be provided by law, a
creditor that violates this Section is subject to a civil penalty of $1,000.

New matter indicated by italics - deletions by strikeout
The Attorney General may impose a civil penalty under this subsection only after he or she provides the following to the affected creditor:

(1) Written notice of the alleged violation.

(2) Written notice of the creditor's right to request an administrative hearing on the question of the alleged violation.

(3) An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.

(4) A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner's recommendations, finding that the creditor violated this Section and imposing the civil penalty.

The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this subsection.

All proceeds from the collection of any civil penalty imposed under this subsection shall be deposited into the Illinois Military Family Relief Fund.

(Source: P.A. 94-635, eff. 8-22-05.)

Section 25. The Military Personnel Cellular Phone Contract Termination Act is amended by adding Section 20 as follows:

(815 ILCS 633/20 new)

Sec. 20. Cellular telephone company's failure to comply; penalty.

In addition to any other penalty that may be provided by law, a cellular telephone company that violates this Act is subject to a civil penalty of $1,000. The Attorney General may impose a civil penalty under this Section only after he or she provides the following to the affected cellular telephone company:

(1) Written notice of the alleged violation.

(2) Written notice of the cellular telephone company's right to request an administrative hearing on the question of the alleged violation.

(3) An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.

New matter indicated by italics - deletions by strikeout
(4) A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner's recommendations, finding that the cellular telephone company violated this Act and imposing the civil penalty. The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this Section.

All proceeds from the collection of any civil penalty imposed under this Section shall be deposited into the Illinois Military Family Relief Fund.

Section 30. The Motor Vehicle Leasing Act is amended by changing Section 37 as follows:

(815 ILCS 636/37)
Sec. 37. Military personnel on active duty; termination of lease.
(a) In this Act:
"Active duty" means active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.
"Motor vehicle" means any automobile, car minivan, passenger van, sport utility vehicle, pickup truck, or other self-propelled vehicle not operated or driven on fixed rails or track.
"Service member" means a member of the armed services or reserve forces of the United States or a member of the Illinois National Guard.

(b) Any service member who is deployed on active duty for a period of not less than 180 days, or the spouse of that service member, may terminate any motor vehicle lease that meets both of the following requirements:

(1) The lease is entered into on or after the effective date of this amendatory Act of the 94th General Assembly.

(2) The lease is executed by or on behalf of the service member who is deployed on active duty.

(c) Termination of the motor vehicle lease shall not be effective until:

New matter indicated by italics - deletions by strikeout
(1) the service member who is deployed on active duty, or the service member's spouse, gives the lessor by certified mail, return receipt requested, a notice of the intention to terminate the lease together with a copy of the military or gubernatorial orders calling the service member to active duty and of any orders further extending the service member's period of active duty; and

(2) the motor vehicle subject to the lease is returned to the custody or control of the lessor not later than 15 days after the delivery of the written notice.

(d) Lease amounts unpaid for the period preceding the effective date of the lease's termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, costs of summons, and title or registration fees and any other obligation and liability of the lessee under the terms of the lease, including reasonable charges to the lessee for excess wear, use, and mileage, that are due and unpaid at the time of the lease's termination shall be paid by the lessee.

(e) The lessor shall refund to the lessee lease amounts paid in advance for a period after the effective date of the lease's termination within 30 days after the effective date of the lease's termination.

(f) Upon application by the lessor to a court before the effective date of the lease's termination, relief granted by this Section may be modified as justice and equity require.

(g) In addition to any other penalty that may be provided by law, a lessor that violates this Section is subject to a civil penalty of $1,000. The Attorney General may impose a civil penalty under this subsection only after he or she provides the following to the affected lessor:

(1) Written notice of the alleged violation.

(2) Written notice of the lessor's right to request an administrative hearing on the question of the alleged violation.

(3) An opportunity to present evidence, orally or in writing or both, on the question of the alleged violation before an impartial hearing examiner appointed by the Attorney General.

(4) A written decision from the Attorney General, based on the evidence introduced at the hearing and the hearing examiner's

New matter indicated by italics - deletions by strikeout
recommendations, finding that the lessor violated this Section and imposing the civil penalty.

The Attorney General may bring an action in the circuit court to enforce the collection of a civil penalty imposed under this subsection.

All proceeds from the collection of any civil penalty imposed under this subsection shall be deposited into the Illinois Military Family Relief Fund.

(Source: P.A. 94-635, eff. 8-22-05.)

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

Approved May 26, 2006.
Effective May 26, 2006.

PUBLIC ACT 94-0803
(House Bill No. 4822)

AN ACT concerning human rights.

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

Section 5. The Illinois Human Rights Act is amended by changing Section 1-103 as follows:

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)
Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or

New matter indicated by italics - deletions by strikeout
believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.


(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

New matter indicated by italics - deletions by strikeout
(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in or status as a veteran of the armed forces of the United States, status as a current member or veteran of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member or veteran of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

New matter indicated by italics - deletions by strikeout
(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, sexual orientation, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06.)

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

Passed in the General Assembly March 27, 2006.
Approved May 26, 2006.
Effective May 26, 2006.

PUBLIC ACT 94-0804
(House Bill No. 1918)

AN ACT concerning gaming.

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

Section 1. Findings. The legislature makes all of the following findings:

(1) That riverboat gaming has had a negative impact on horse racing. From 1992, the first full year of riverboat operations, through 2005, Illinois on-track wagering has decreased by 42% from $835 million to $482 million.

(2) That this decrease in wagering has negatively impacted purses for Illinois racing, which has hurt the State's breeding industry. Between 1991 and 2004 the number of foals registered with the Department of Agriculture has decreased by more then 46% from 3,529 to 1,891.

New matter indicated by italics - deletions by strikeout
(3) That the decline of the Illinois horseracing and breeding program, a $2.5 billion industry, would be reversed if this amendatory Act of the 94th General Assembly was enacted. By requiring that riverboats agree to pay 3% of their gross revenue into the Horse Racing Equity Trust Fund, total purses in the State may increase by 50%, helping Illinois tracks to better compete with those in other states. Illinois currently ranks thirteenth nationally in terms of its purse size; the change would propel the State to second or third.

(4) That Illinois agriculture and other businesses that support and supply the horse racing industry, already a sector that employs over 37,000 Illinoisans, also stand to substantially benefit and would be much more likely to create additional jobs should Illinois horse racing once again become competitive with other states.

(5) That the 3% of gross revenues this amendatory Act of the 94th General Assembly will contribute to the horse racing industry will benefit that important industry for Illinois farmers, breeders, and fans of horseracing and will begin to address the negative impact riverboat gaming has had on Illinois horseracing.

Section 5. The State Finance Act is amended by changing Section 8h as follows:

(30 ILCS 105/8h)
Sec. 8h. Transfers to General Revenue Fund.
(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final

New matter indicated by italics - deletions by strikeout
balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, or the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, or the Low-Level Radioactive Waste Facility Development and Operation Fund, the Horse Racing Equity Trust Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

New matter indicated by italics - deletions by strikeout
(b) This Section does not apply to: (i) the Ticket For The Cure Fund; (ii) or to any fund established under the Community Senior Services and Resources Act; or (iii) on or after January 1, 2006 (the effective date of Public Act 94-511) this amendatory Act of the 94th General Assembly, the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

(d) This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

Section 10. The Illinois Horse Racing Act of 1975 is amended by adding Section 54.5 as follows:

(230 ILCS 5/54.5 new)

Sec. 54.5. Horse Racing Equity Trust Fund.

(a) There is created a Fund to be known as the Horse Racing Equity Trust Fund, which is a non-appropriated trust fund held separate and apart from State moneys. The Fund shall consist of moneys paid into it by owners licensees under the Riverboat Gambling Act for the purposes described in this Section. The Fund shall be administered by the Board. Moneys in the Fund shall be distributed as directed and certified by the Board in accordance with the provisions of subsection (b).

(b) The moneys deposited into the Fund, plus any accrued interest on those moneys, shall be distributed within 10 days after those moneys are deposited into the Fund as follows:

(1) Sixty percent of all moneys distributed under this subsection shall be distributed to organization licensees to be distributed at their race meetings as purses. Fifty-seven percent of
the amount distributed under this paragraph (1) shall be distributed for thoroughbred race meetings and 43% shall be distributed for standardbred race meetings. Within each breed, moneys shall be allocated to each organization licensee's purse fund in accordance with the ratio between the purses generated for that breed by that licensee during the prior calendar year and the total purses generated throughout the State for that breed during the prior calendar year by licensees in the current calendar year.

(2) The remaining 40% of the moneys distributed under this subsection (b) shall be distributed as follows:

(A) 11% shall be distributed to any person (or its successors or assigns) who had operating control of a racetrack that conducted live racing in 2002 at a racetrack in a county with at least 230,000 inhabitants that borders the Mississippi River and is a licensee in the current year; and

(B) the remaining 89% shall be distributed pro rata according to the aggregate proportion of total handle from wagering on live races conducted in Illinois (irrespective of where the wagers are placed) for calendar years 2004 and 2005 to any person (or its successors or assigns) who (i) had majority operating control of a racing facility at which live racing was conducted in calendar year 2002, (ii) is a licensee in the current year, and (iii) is not eligible to receive moneys under subparagraph (A) of this paragraph (2).

The moneys received by an organization licensee under this paragraph (2) shall be used by each organization licensee to improve, maintain, market, and otherwise operate its racing facilities to conduct live racing, which shall include backstretch services and capital improvements related to live racing and the backstretch. Any organization licensees sharing common ownership may pool the moneys received and spent at all racing

New matter indicated by italics - deletions by strikeout
facilities commonly owned in order to meet these requirements.

If any person identified in this paragraph (2) becomes ineligible to receive moneys from the Fund, such amount shall be redistributed among the remaining persons in proportion to their percentages otherwise calculated.

(c) The Board shall monitor organization licensees to ensure that moneys paid to organization licensees under this Section are distributed by the organization licensees as provided in subsection (b).

(d) This Section is repealed 2 years after the effective date of this amendatory Act of the 94th General Assembly.

Section 15. The Riverboat Gambling Act is amended by changing Sections 7, 13, and 23 as follows:

(230 ILCS 10/7) (from Ch. 120, par. 2407)
Sec. 7. Owners Licenses.

(a) The Board shall issue owners licenses to persons, firms or corporations which apply for such licenses upon payment to the Board of the non-refundable license fee set by the Board, upon payment of a $25,000 license fee for the first year of operation and a $5,000 license fee for each succeeding year and upon a determination by the Board that the applicant is eligible for an owners license pursuant to this Act and the rules of the Board. For a period of 2 years beginning on the effective date of this amendatory Act of the 94th General Assembly, as a condition of licensure and as an alternative source of payment for those funds payable under subsection (c-5) of Section 13 of the Riverboat Gambling Act, any owners licensee that holds or receives its owners license on or after the effective date of this amendatory Act of the 94th General Assembly, other than an owners licensee operating a riverboat with adjusted gross receipts in calendar year 2004 of less than $200,000,000, must pay into the Horse Racing Equity Trust Fund, in addition to any other payments required under this Act, an amount equal to 3% of the adjusted gross receipts received by the owners licensee. The payments required under this Section shall be made by the owners licensee to the State Treasurer no later than 3:00 o'clock p.m. of the day after the day when the adjusted gross receipts

New matter indicated by italics - deletions by strikeout
were received by the owners licensee. A person, firm or corporation is ineligible to receive an owners license if:

1. the person has been convicted of a felony under the laws of this State, any other state, or the United States;
2. the person has been convicted of any violation of Article 28 of the Criminal Code of 1961, or substantially similar laws of any other jurisdiction;
3. the person has submitted an application for a license under this Act which contains false information;
4. the person is a member of the Board;
5. a person defined in (1), (2), (3) or (4) is an officer, director or managerial employee of the firm or corporation;
6. the firm or corporation employs a person defined in (1), (2), (3) or (4) who participates in the management or operation of gambling operations authorized under this Act;
7. (blank); or
8. a license of the person, firm or corporation issued under this Act, or a license to own or operate gambling facilities in any other jurisdiction, has been revoked.

(b) In determining whether to grant an owners license to an applicant, the Board shall consider:

1. the character, reputation, experience and financial integrity of the applicants and of any other or separate person that either:
   (A) controls, directly or indirectly, such applicant, or
   (B) is controlled, directly or indirectly, by such applicant or by a person which controls, directly or indirectly, such applicant;

2. the facilities or proposed facilities for the conduct of riverboat gambling;
3. the highest prospective total revenue to be derived by the State from the conduct of riverboat gambling;

New matter indicated by italics - deletions by strikeout
(4) the extent to which the ownership of the applicant reflects the diversity of the State by including minority persons and females and the good faith affirmative action plan of each applicant to recruit, train and upgrade minority persons and females in all employment classifications;

(5) the financial ability of the applicant to purchase and maintain adequate liability and casualty insurance;

(6) whether the applicant has adequate capitalization to provide and maintain, for the duration of a license, a riverboat;

(7) the extent to which the applicant exceeds or meets other standards for the issuance of an owners license which the Board may adopt by rule; and

(8) The amount of the applicant's license bid.

(c) Each owners license shall specify the place where riverboats shall operate and dock.

(d) Each applicant shall submit with his application, on forms provided by the Board, 2 sets of his fingerprints.

(e) The Board may issue up to 10 licenses authorizing the holders of such licenses to own riverboats. In the application for an owners license, the applicant shall state the dock at which the riverboat is based and the water on which the riverboat will be located. The Board shall issue 5 licenses to become effective not earlier than January 1, 1991. Three of such licenses shall authorize riverboat gambling on the Mississippi River, or, with approval by the municipality in which the riverboat was docked on August 7, 2003 and with Board approval, be authorized to relocate to a new location, in a municipality that (1) borders on the Mississippi River or is within 5 miles of the city limits of a municipality that borders on the Mississippi River and (2), on August 7, 2003, had a riverboat conducting riverboat gambling operations pursuant to a license issued under this Act; one of which shall authorize riverboat gambling from a home dock in the city of East St. Louis. One other license shall authorize riverboat gambling on the Illinois River south of Marshall County. The Board shall issue one additional license to become effective not earlier than March 1, 1992, which shall authorize riverboat gambling on the Des Plaines River in Will

New matter indicated by italics - deletions by strikeout
County. The Board may issue 4 additional licenses to become effective not earlier than March 1, 1992. In determining the water upon which riverboats will operate, the Board shall consider the economic benefit which riverboat gambling confers on the State, and shall seek to assure that all regions of the State share in the economic benefits of riverboat gambling.

In granting all licenses, the Board may give favorable consideration to economically depressed areas of the State, to applicants presenting plans which provide for significant economic development over a large geographic area, and to applicants who currently operate non-gambling riverboats in Illinois. The Board shall review all applications for owners licenses, and shall inform each applicant of the Board's decision. The Board may grant an owners license to an applicant that has not submitted the highest license bid, but if it does not select the highest bidder, the Board shall issue a written decision explaining why another applicant was selected and identifying the factors set forth in this Section that favored the winning bidder.

In addition to any other revocation powers granted to the Board under this Act, the Board may revoke the owners license of a licensee which fails to begin conducting gambling within 15 months of receipt of the Board's approval of the application if the Board determines that license revocation is in the best interests of the State.

(f) The first 10 owners licenses issued under this Act shall permit the holder to own up to 2 riverboats and equipment thereon for a period of 3 years after the effective date of the license. Holders of the first 10 owners licenses must pay the annual license fee for each of the 3 years during which they are authorized to own riverboats.

(g) Upon the termination, expiration, or revocation of each of the first 10 licenses, which shall be issued for a 3 year period, all licenses are renewable annually upon payment of the fee and a determination by the Board that the licensee continues to meet all of the requirements of this Act and the Board's rules. However, for licenses renewed on or after May 1, 1998, renewal shall be for a period of 4 years, unless the Board sets a shorter period.
(h) An owner's license shall entitle the licensee to own up to 2 riverboats. A licensee shall limit the number of gambling participants to 1,200 for any such owner's license. A licensee may operate both of its riverboats concurrently, provided that the total number of gambling participants on both riverboats does not exceed 1,200. Riverboats licensed to operate on the Mississippi River and the Illinois River south of Marshall County shall have an authorized capacity of at least 500 persons. Any other riverboat licensed under this Act shall have an authorized capacity of at least 400 persons.

(i) A licensed owner is authorized to apply to the Board for and, if approved therefor, to receive all licenses from the Board necessary for the operation of a riverboat, including a liquor license, a license to prepare and serve food for human consumption, and other necessary licenses. All use, occupation and excise taxes which apply to the sale of food and beverages in this State and all taxes imposed on the sale or use of tangible personal property apply to such sales aboard the riverboat.

(j) The Board may issue or re-issue a license authorizing a riverboat to dock in a municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the municipality in which the riverboat will dock has by a majority vote approved the docking of riverboats in the municipality. The Board may issue or re-issue a license authorizing a riverboat to dock in areas of a county outside any municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the county has by a majority vote approved of the docking of riverboats within such areas.

(230 ILCS 10/13) (from Ch. 120, par. 2413)
Sec. 13. Wagering tax; rate; distribution.
(a) Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.
(a-1) From January 1, 1998 until July 1, 2002, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;
20% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
25% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
30% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
35% of annual adjusted gross receipts in excess of $100,000,000.

(a-2) From July 1, 2002 until July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;
22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
50% of annual adjusted gross receipts in excess of $200,000,000.

(a-3) Beginning July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;
27.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $37,500,000;
32.5% of annual adjusted gross receipts in excess of $37,500,000 but not exceeding $50,000,000;
37.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
45% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
50% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $250,000,000;
70% of annual adjusted gross receipts in excess of $250,000,000.

An amount equal to the amount of wagering taxes collected under this subsection (a-3) that are in addition to the amount of wagering taxes that would have been collected if the wagering tax rates under subsection (a-2) were in effect shall be paid into the Common School Fund.

The privilege tax imposed under this subsection (a-3) shall no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this subsection (a-3), the term "dormant license" means an

New matter indicated by italics - deletions by strikeout
owners license that is authorized by this Act under which no riverboat gambling operations are being conducted on June 20, 2003.

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;
22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
50% of annual adjusted gross receipts in excess of $200,000,000.

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner to the Board not later than 3:00 o'clock p.m. of the day after the day when the wagers were made.

(a-15) If the privilege tax imposed under subsection (a-3) is no longer imposed pursuant to item (i) of the last paragraph of subsection (a-3), then by June 15 of each year, each owners licensee, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the payment of all amounts otherwise due under
this Section, pay to the Board the amount, if any, by which the base amount for the licensed owner exceeds the amount of tax paid under this Section by the licensed owner in the then current State fiscal year. The obligation imposed by this subsection (a-15) is binding on any person, firm, corporation, or other entity that acquires an ownership interest in any such owners license. The obligation imposed under this subsection (a-15) terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the effective date of this amendatory Act of the 94th General Assembly that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming operations with slot machines or other electronic gaming devices. The Board must reduce the obligation imposed under this subsection (a-15) by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous threat to the health and safety of patrons. If an owners licensee pays an amount in excess of its liability under this Section, the Board shall apply the overpayment to future payments required under this Section.

For purposes of this subsection (a-15):

"Act of God" means an incident caused by the operation of an extraordinary force that cannot be foreseen, that cannot be avoided by the exercise of due care, and for which no person can be held liable.

"Base amount" means the following:

For a riverboat in Alton, $31,000,000.
For a riverboat in East Peoria, $43,000,000.
For the Empress riverboat in Joliet, $86,000,000.
For a riverboat in Metropolis, $45,000,000.
For the Harrah's riverboat in Joliet, $114,000,000.

New matter indicated by italics - deletions by strikeout
For a riverboat in Aurora, $86,000,000.
For a riverboat in East St. Louis, $48,500,000.
For a riverboat in Elgin, $198,000,000.

"Dormant license" has the meaning ascribed to it in subsection (a-3).

(b) Until January 1, 1998, 25% of the tax revenue deposited in the State Gaming Fund under this Section shall be paid, subject to appropriation by the General Assembly, to the unit of local government which is designated as the home dock of the riverboat. Beginning January 1, 1998, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated by a riverboat shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat. From the tax revenue deposited in the State Gaming Fund pursuant to riverboat gambling operations conducted by a licensed manager on behalf of the State, an amount equal to 5% of adjusted gross receipts generated pursuant to those riverboat gambling operations shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat upon which those riverboat gambling operations are conducted.

(c) Appropriations, as approved by the General Assembly, may be made from the State Gaming Fund to the Department of Revenue and the Department of State Police for the administration and enforcement of this Act, or to the Department of Human Services for the administration of programs to treat problem gambling.

(c-5) Before the effective date of this amendatory Act of the 94th General Assembly and beginning 2 years after the effective date of this amendatory Act of the 94th General Assembly, after the payments required under subsections (b) and (c) have been made, an amount equal to 15% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations

New matter indicated by italics - deletions by strikeout
conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund into the Horse Racing Equity Fund.

(c-10) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid into the Horse Racing Equity Fund pursuant to subsection (c-5) in the prior calendar year.

(c-15) After the payments required under subsections (b), (c), and (c-5) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population of over 3,000,000 inhabitants pursuant to subsection (c-15) in the prior calendar year.

(c-25) After the payments required under subsections (b), (c), (c-5) and (c-15) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund to Chicago State University.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

New matter indicated by italics - deletions by strikeout
(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers’ Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.

(Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673, eff. 8-23-05.)

(230 ILCS 10/23) (from Ch. 120, par. 2423)

Sec. 23. The State Gaming Fund. On or after the effective date of this Act, except as provided for payments into the Horse Racing Equity Trust Fund under subsection (a) of Section 7, all of the fees and taxes collected pursuant to subsections of this Act shall be deposited into the State Gaming Fund, a special fund in the State Treasury, which is hereby created. The adjusted gross receipts of any riverboat gambling operations conducted by a licensed manager on behalf of the State remaining after the payment of the fees and expenses of the licensed manager shall be deposited into the State Gaming Fund. Fines and penalties collected pursuant to this Act shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(Source: P.A. 93-28, eff. 6-20-03.)

Section 97. Inseverability. The changes made to existing statutory law by this amendatory Act of the 94th General Assembly are mutually dependent and inseverable. If any change made to existing statutory law by this amendatory Act of the 94th General Assembly is held invalid, then all changes made to existing statutory law by this amendatory Act of the 94th General Assembly are invalid in their entirety.

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

Approved May 26, 2006.

New matter indicated by italics - deletions by strikeout
Effective May 26, 2006.

PUBLIC ACT 94-0805
(House Bill No. 4377)

AN ACT concerning gaming.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Section 27 as follows:
(230 ILCS 5/27) (from Ch. 8, par. 37-27)
Sec. 27. (a) In addition to the organization license fee provided by this Act, until January 1, 2000, a graduated privilege tax is hereby imposed for conducting the pari-mutuel system of wagering permitted under this Act. Until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, all of the breakage of each racing day held by any licensee in the State shall be paid to the State. Until January 1, 2000, such daily graduated privilege tax shall be paid by the licensee from the amount permitted to be retained under this Act. Until January 1, 2000, each day's graduated privilege tax, breakage, and Horse Racing Tax Allocation funds shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes. The privilege tax hereby imposed, until January 1, 2000, shall be a flat tax at the rate of 2% of the daily pari-mutuel handle except as provided in Section 27.1.
In addition, every organization licensee, except as provided in Section 27.1 of this Act, which conducts multiple wagering shall pay, until January 1, 2000, as a privilege tax on multiple wagers an amount equal to 1.25% of all moneys wagered each day on such multiple wagers, plus an additional amount equal to 3.5% of the amount wagered each day on any other multiple wager which involves a single betting interest on 3 or more horses. The licensee shall remit the amount of such taxes to the Department of Revenue within 48 hours after the close of the racing day on which it is assessed or within such other time as the Board prescribes.

New matter indicated by italics - deletions by strikeout
This subsection (a) shall be inoperative and of no force and effect on and after January 1, 2000.

(a-5) Beginning on January 1, 2000, a flat pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at all pari-mutuel wagering facilities, except as otherwise provided for in this subsection (a-5). Beginning on the effective date of this amendatory Act of the 94th General Assembly and until moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 0.25% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. After moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. The pari-mutuel tax imposed by this subsection (a-5) shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes.

(b) On or before December 31, 1999, in the event that any organization licensee conducts 2 separate programs of races on any day, each such program shall be considered a separate racing day for purposes of determining the daily handle and computing the privilege tax on such daily handle as provided in subsection (a) of this Section.

(c) Licensees shall at all times keep accurate books and records of all monies wagered on each day of a race meeting and of the taxes paid to the Department of Revenue under the provisions of this Section. The Board or its duly authorized representative or representatives shall at all reasonable times have access to such records for the purpose of examining and checking the same and ascertaining whether the proper amount of taxes is being paid as provided. The Board shall require verified reports and a statement of the total of all monies wagered daily at each wagering facility upon which the taxes are assessed and may prescribe forms upon which such reports and statement shall be made.

New matter indicated by italics - deletions by strikeout
(d) Any licensee failing or refusing to pay the amount of any tax due under this Section shall be guilty of a business offense and upon conviction shall be fined not more than $5,000 in addition to the amount found due as tax under this Section. Each day's violation shall constitute a separate offense. All fines paid into Court by a licensee hereunder shall be transmitted and paid over by the Clerk of the Court to the Board.

(e) No other license fee, privilege tax, excise tax, or racing fee, except as provided in this Act, shall be assessed or collected from any such licensee by the State.

(f) No other license fee, privilege tax, excise tax or racing fee shall be assessed or collected from any such licensee by units of local government except as provided in paragraph 10.1 of subsection (h) and subsection (f) of Section 26 of this Act. However, any municipality that has a Board licensed horse race meeting at a race track wholly within its corporate boundaries or a township that has a Board licensed horse race meeting at a race track wholly within the unincorporated area of the township may charge a local amusement tax not to exceed 10¢ per admission to such horse race meeting by the enactment of an ordinance. However, any municipality or county that has a Board licensed inter-track wagering location facility wholly within its corporate boundaries may each impose an admission fee not to exceed $1.00 per admission to such inter-track wagering location facility, so that a total of not more than $2.00 per admission may be imposed. Except as provided in subparagraph (g) of Section 27 of this Act, the inter-track wagering location licensee shall collect any and all such fees and within 48 hours remit the fees to the Board, which shall, pursuant to rule, cause the fees to be distributed to the county or municipality.

(g) Notwithstanding any provision in this Act to the contrary, if in any calendar year the total taxes and fees required to be collected from licensees and distributed under this Act to all State and local governmental authorities exceeds the amount of such taxes and fees distributed to each State and local governmental authority to which each State and local governmental authority was entitled under this Act for calendar year 1994, then the first $11 million of that excess amount shall be allocated at the
earliest possible date for distribution as purse money for the succeeding calendar year. Upon reaching the 1994 level, and until the excess amount of taxes and fees exceeds $11 million, the Board shall direct all licensees to cease paying the subject taxes and fees and the Board shall direct all licensees to allocate any such excess amount for purses as follows:

(i) the excess amount shall be initially divided between thoroughbred and standardbred purses based on the thoroughbred's and standardbred's respective percentages of total Illinois live wagering in calendar year 1994;

(ii) each thoroughbred and standardbred organization licensee issued an organization licensee in that succeeding allocation year shall be allocated an amount equal to the product of its percentage of total Illinois live thoroughbred or standardbred wagering in calendar year 1994 (the total to be determined based on the sum of 1994 on-track wagering for all organization licensees issued organization licenses in both the allocation year and the preceding year) multiplied by the total amount allocated for standardbred or thoroughbred purses, provided that the first $1,500,000 of the amount allocated to standardbred purses under item (i) shall be allocated to the Department of Agriculture to be expended with the assistance and advice of the Illinois Standardbred Breeders Funds Advisory Board for the purposes listed in subsection (g) of Section 31 of this Act, before the amount allocated to standardbred purses under item (i) is allocated to standardbred organization licensees in the succeeding allocation year.

To the extent the excess amount of taxes and fees to be collected and distributed to State and local governmental authorities exceeds $11 million, that excess amount shall be collected and distributed to State and local authorities as provided for under this Act.

(Source: P.A. 91-40, eff. 6-25-99.)

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

Passed in the General Assembly March 27, 2006.
AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Fire Protection District Act is amended by changing Section 16 as follows:

(70 ILCS 705/16) (from Ch. 127 1/2, par. 37)
Sec. 16. Territory included within the limits of any fire protection district may be disconnected from the district and added to another district to which the territory is contiguous, in the manner hereinafter set forth; (1) if the territory would receive equal or greater benefits from the district to which it seeks to be transferred; (2) if the transfer will not cause the territory remaining in the district from which the transfer is to be made, to be noncontiguous; (3) if the transfer will not cause a serious injury to the district from which the transfer is to be made; and, (4) if the trustees of the district to which the transfer is sought to be made do not file a written refusal to accept the territory within the time hereinafter provided.

Territory disconnected pursuant to this Section shall remain liable for its proportionate share of the bonded indebtedness outstanding as of the date of disconnection, if any, of the district from which it was disconnected and shall assume a proportionate share of the bonded indebtedness, if any, of the district to which it is transferred.

One per cent or more of the legal voters residing within the limits of the territory proposed to be transferred may file a petition, in the court of the county where the district to which it seeks to be transferred is organized, setting forth: the description of the territory sought to be transferred; that the territory would receive equal or greater benefits by the transfer; that the transfer will not cause a serious injury to the district or districts from which the transfer is proposed to be made; and the amount

New matter indicated by italics - deletions by strikeout
of any outstanding bonded indebtedness against the district or districts in which the territory is then situated which has been incurred pursuant to this Act; and praying that the question whether the transfer shall be made, and whether the voters of such territory shall remain liable for a proportionate share of the bonded indebtedness outstanding as of the date of disconnection, if any, of the district from which it was disconnected and also assume a proportionate share of the bonded indebtedness, if any, of the district to which the transfer is to be made, be submitted to the voters of the territory sought to be transferred.

Upon the filing of the petition, the court shall set a day for hearing, not less than 2 weeks nor more than 4 weeks from the filing thereof, and the court, or the circuit clerk or sheriff upon order of the court, (i) shall give 2 weeks notice of such hearing in one or more daily or weekly newspapers of general circulation in the county or in each county wherein the district or districts from which the territory sought to be transferred is organized and by posting at least 10 copies of the notice in conspicuous places in the district or in each of the districts from which the territory is sought to be transferred, (ii) shall cause a copy of the notice to be personally served upon each trustee of the district from which the transfer is sought to be made, and (iii) in addition shall cause a copy of the notice to be personally served upon each of the trustees of the district to which the transfer is sought to be made at least one week before the date set for the hearing, and in the notice, or in any accompanying notice to be served upon the Trustees at the same time, a recital shall be made stating that the Trustees may at any time prior to the date of the hearing, or within such additional time as may be granted by the court upon request in writing filed on or before such date, file a written refusal to accept the territory as a part of their district, provided, that such notification need not be given to the trustees if they file in the proceeding their written appearances or written consent to a transfer of the territory to their district. Both the fire protection district from which the territory seeks to be transferred and the fire protection district to which the territory seeks to be transferred are necessary parties in any action to disconnect under this Section.

New matter indicated by italics - deletions by strikeout
At any time prior to the date set for the hearing, or within such additional time as may be granted by the court, the trustees of the district to which the transfer is sought to be made may file a written refusal to accept the territory as a part of their district and in case of such refusal the court shall enter an order dismissing the petition for the transfer. The trustees may withdraw their refusal at any time prior to the entry of an order dismissing the petition. In case the trustees fail to file a written refusal within the time hereinbefore authorized, they shall be deemed to have consented to a transfer of the territory to their district, and consent once given may not be withdrawn without leave of court for good cause shown. In case of such consent, the court shall proceed with the matter as herein provided but if the court finds that any of the conditions herein required for the making of a transfer do not exist it shall enter an order dismissing the petition. In taking any action upon the petition the findings of the court shall be filed of record in the case.

All property owners in the district from which the transfer is sought and all persons interested therein, may file objections, and at the hearing may appear and contest the transfer and the matters averred in the petition, and both objectors and petitioners may offer any competent evidence in regard thereto. In addition, all persons residing in or interested in any of the property situated in the territory sought to be transferred shall have an opportunity to be heard touching the location and boundary of the territory to be voted upon for such transfer, and may make suggestions regarding the same.

If the court shall, upon hearing the petition, find that the territory described in the petition would receive equal or greater benefits by being so transferred and meet the conditions hereinbefore set forth, it shall certify to the proper election officials the question of whether the territory shall be transferred, and its order, and such officials shall submit that question at an election in such territory in accordance with the general election law. The proposition shall be in substantially the following form:

For making the transfer from the
..... Fire Protection District to the

New matter indicated by italics - deletions by strikeout
..... Fire Protection District, remaining liable for a proportionate share of the bonded indebtedness outstanding as of the date of disconnection, if any, of the district from which disconnection is proposed and also assuming a proportionate share of the bonded indebtedness, if any, of the district to which transfer is proposed.

Against making the transfer from the
..... Fire Protection District to the
..... Fire Protection District, remaining liable for a proportionate share of the bonded indebtedness outstanding as of the date of disconnection, if any, of the district from which disconnection is proposed and also assuming a proportionate share of the bonded indebtedness, if any, of the district to which transfer is proposed.

If a majority of the votes cast upon the question of making the transfer shall be in favor of the transfer, the territory shall thenceforth cease to be a part of the fire protection district or districts to which it has been attached and shall become an integral part of the fire protection district to which the transfer shall have been sought and shall be subject to all the enjoyments and responsibilities of the latter district. In each case in which a transfer is effected pursuant to the provisions hereof, the circuit clerk in whose court the transfer proceedings have been conducted, shall certify copies of all orders entered in effecting such transfer and file or send them to the proper county clerk or clerks for filing and to the Office of the State Fire Marshal.

(Source: P.A. 85-556.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

New matter indicated by italics - deletions by strikeout
(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

Approved May 26, 2006.

PUBLIC ACT 94-0807
(House Bill No. 5220)

AN ACT concerning State government.

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

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Sections 2705-435 and 2705-440 as follows:

(20 ILCS 2705/2705-435) (was 20 ILCS 2705/49.25g-1)
Sec. 2705-435. Loans, grants, or contracts to rehabilitate, improve, or construct rail facilities; State Rail Freight Loan Repayment Fund. In addition to the powers under Section 105-430, the Department shall have the power to enter into agreements to loan or grant State funds to any railroad, unit of local government, rail user, or owner or lessee of a railroad right of way to rehabilitate, improve, or construct rail facilities.

For each project proposed for funding under this Section the Department shall, to the extent possible, give preference to cost effective projects that facilitate continuation of existing rail freight service. In the exercise of its powers under this Section, the Department shall coordinate its program with the industrial retention and attraction programs of the Department of Commerce and Economic Opportunity Community Affairs.

No funds provided under this Section shall be expended for the acquisition of a right of way or rolling stock or for operating subsidies. The costs of a project funded under this Section shall be apportioned in accordance with

New matter indicated by italics - deletions by strikeout
the agreement of the parties for the project. Projects are eligible for a loan or grant under this Section only when the Department determines that the transportation, economic, and public benefits associated with a project are greater than the capital costs of that project incurred by all parties to the agreement and that the project would not have occurred without its participation. In addition, a project to be eligible for assistance under this Section must be included in a State plan for rail transportation and local rail service prepared by the Department. The Department may also expend State funds for professional engineering services to conduct feasibility studies of projects proposed for funding under this Section, to estimate the costs and material requirements for those projects, to provide for the design of those projects, including plans and specifications, and to conduct investigations to ensure compliance with the project agreements.

The Department, acting through the Department of Central Management Services, shall also have the power to let contracts for the purchase of railroad materials and supplies. The Department shall also have the power to let contracts for the rehabilitation, improvement, or construction of rail facilities. Any such contract shall be let, after due public advertisement, to the lowest responsible bidder or bidders, upon terms and conditions to be fixed by the Department. With regard to rehabilitation, improvement, or construction contracts, the Department shall also require the successful bidder or bidders to furnish good and sufficient bonds to ensure proper and prompt completion of the work in accordance with the provisions of the contracts.

In the case of an agreement under which State funds are loaned under this Section, the agreement shall provide the terms and conditions of repayment. The agreement shall provide for the security that the Department shall determine to protect the State's interest. The funds may be loaned with or without interest. Loaned funds that are repaid to the Department shall be deposited in a special fund in the State treasury to be known as the State Rail Freight Loan Repayment Fund. In the case of repaid funds deposited in the State Rail Freight Loan Repayment Fund, the Department shall, subject to appropriation, have the reuse of those funds and the interest accrued thereon, which shall also be deposited by the State

New matter indicated by italics - deletions by strikeout
Treasurer in the Fund, as the State share in other eligible projects under this Section. However, no expenditures from the State Rail Freight Loan Repayment Fund for those projects shall at any time exceed the total sum of funds repaid and deposited in the State Rail Freight Loan Repayment Fund and interest earned by investment by the State Treasurer which the State Treasurer shall have deposited in that Fund.

For the purposes of promoting efficient rail freight service, the Department may also provide technical assistance to railroads, units of local government or rail users, or owners or lessees of railroad rights-of-way.

The Department shall take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation provided hereunder, including the power to sell, dispose, lease, or rent, upon terms and conditions determined by the Secretary to be appropriate, real or personal property that the Department may receive as a result thereof.

The Department is authorized to make reasonable rules and regulations consistent with law necessary to carry out the provisions of this Section.

(Source: P.A. 91-239, eff. 1-1-00; revised 12-6-03.)
(20 ILCS 2705/2705-440) (was 20 ILCS 2705/49.25h)
Sec. 2705-440. Intercity Rail Service.

(a) For the purposes of providing intercity railroad passenger service within this State (or as part of service to cities in adjacent states), the Department is authorized to enter into agreements with units of local government, the Commuter Rail Division of the Regional Transportation Authority (or a public corporation on behalf of that Division), architecture or engineering firms, the National Railroad Passenger Corporation, any carrier, any adjacent state (or political subdivision, corporation, or agency of an adjacent state), or any individual, corporation, partnership, or public or private entity. The cost related to such services shall be borne in such proportion as, by agreement or contract the parties may desire.
(b) In providing any intercity railroad passenger service as provided in this Section, the Department shall have the following additional powers:

   (1) to enter into trackage use agreements with rail carriers;
   (2) to enter into haulage agreements with rail carriers;
   (3) to lease or otherwise contract for use, maintenance, servicing, and repair of any needed locomotives, rolling stock, stations, or other facilities, the lease or contract having a term not to exceed 50 \( \frac{1}{2} \) years (but any multi-year contract shall recite that the contract is subject to termination and cancellation, without any penalty, acceleration payment, or other recoupment mechanism, in any fiscal year for which the General Assembly fails to make an adequate appropriation to cover the contract obligation);
   (4) to enter into management agreements;
   (5) to include in any contract indemnification of carriers or other parties for any liability with regard to intercity railroad passenger service;
   (6) to obtain insurance for any losses or claims with respect to the service;
   (7) to promote the use of the service;
   (8) to make grants to any body politic and corporate, any unit of local government, or the Commuter Rail Division of the Regional Transportation Authority to cover all or any part of any capital or operating costs of the service and to enter into agreements with respect to those grants;
   (9) to set any fares or make other regulations with respect to the service, consistent with any contracts for the service; and
   (10) to otherwise enter into any contracts necessary or convenient to provide the service.

(c) All service provided under this Section shall be exempt from all regulations by the Illinois Commerce Commission (other than for safety matters). To the extent the service is provided by the Commuter Rail Division of the Regional Transportation Authority (or a public corporation on behalf of that Division), it shall be exempt from safety regulations of

New matter indicated by italics - deletions by strikeout
the Illinois Commerce Commission to the extent the Commuter Rail Division adopts its own safety regulations.

(d) In connection with any powers exercised under this Section, the Department:

(1) shall not have the power of eminent domain; and
(2) shall not itself become the owner of railroad locomotives or other rolling stock, or directly operate any railroad service with its own employees.

(e) Any contract with the Commuter Rail Division of the Regional Transportation Authority (or a public corporation on behalf of the Division) under this Section shall provide that all costs in excess of revenue received by the Division generated from intercity rail service provided by the Division shall be fully borne by the Department, and no funds for operation of commuter rail service shall be used, directly or indirectly, or for any period of time, to subsidize the intercity rail operation. If at any time the Division does not have sufficient funds available to satisfy the requirements of this Section, the Division shall forthwith terminate the operation of intercity rail service. The payments made by the Department to the Division for the intercity rail passenger service shall not be made in excess of those costs or as a subsidy for costs of commuter rail operations. This shall not prevent the contract from providing for efficient coordination of service and facilities to promote cost effective operations of both intercity rail passenger service and commuter rail services with cost allocations as provided in this paragraph.

(Source: P.A. 91-239, eff. 1-1-00.)

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

Approved May 26, 2006.
Effective May 26, 2006
AN ACT concerning transportation.
WHEREAS, The Illinois General Assembly finds that laws protecting school-age children with legislation limiting speed limits near schools has successfully protected Illinois children for decades, and a considerable number of recreational facilities in Illinois often border or are in close proximity to educational facilities and do not have the same protections afforded to educational facilities; and
WHEREAS, The Illinois General Assembly finds that ensuring Safe Streets near educational and recreational facilities is a goal requiring the full attention of this General Assembly and the full cooperation of the federal, State, and local units of government and their respective executive departments and agencies; therefore

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

Section 5. The Illinois Vehicle Code is amended by adding Section 11-605.3 as follows:

(625 ILCS 5/11-605.3 new)
Sec. 11-605.3. Special traffic protections while passing parks and recreation facilities and areas.
(a) As used in this Section:
   (1) "Park district" means the following entities:
      (A) any park district organized under the Park District Code;
      (B) any park district organized under the Chicago Park District Act; and
      (C) any municipality, county, forest district, school district, township, or other unit of local government that operates a public recreation department or public recreation facilities that has recreation facilities that are not on land owned by any park district listed in subparagraphs (A) and (B) of this subdivision (a)(1).

New matter indicated by italics - deletions by strikeout
(2) "Park zone" means the recreation facilities and areas on any land owned or operated by a park district that are used for recreational purposes, including but not limited to: parks; playgrounds; swimming pools; hiking trails; bicycle paths; picnic areas; roads and streets; and parking lots.

(3) "Park zone street" means that portion of any street or intersection under the control of a local unit of government, adjacent to a park zone, where the local unit of government has, by ordinance or resolution, designated and approved the street or intersection as a park zone street. If, before the effective date of this amendatory Act of the 94th General Assembly, a street already had a posted speed limit lower than 20 miles per hour, then the lower limit may be used for that park zone street.

(4) "Safety purposes" means the costs associated with: park zone safety education; the purchase, installation, and maintenance of signs, roadway painting, and caution lights mounted on park zone signs; and any other expense associated with park zones and park zone streets.

(b) On any day when children are present and within 50 feet of motorized traffic, a person may not drive a motor vehicle at a speed in excess of 20 miles per hour or any lower posted speed while traveling on a park zone street that has been designated for the posted reduced speed.

(c) On any day when children are present and within 50 feet of motorized traffic, any driver traveling on a park zone street who fails to come to a complete stop at a stop sign or red light, including a driver who fails to come to a complete stop at a red light before turning right onto a park zone street, is in violation of this Section.

(d) This Section does not apply unless appropriate signs are posted upon park zone streets maintained by the Department or by the unit of local government in which the park zone is located. With regard to the special speed limit on park zone streets, the signs must give proper due warning that a park zone is being approached and must indicate the maximum speed limit on the park zone street.

New matter indicated by italics - deletions by strikeout
(e) A first violation of this Section is a petty offense with a minimum fine of $250. A second or subsequent violation of this Section is a petty offense with a minimum fine of $500.

(f) When a fine for a violation of this Section is imposed, the person who violates this Section shall be charged an additional $50, to be paid to the park district for safety purposes.

(g) The Department shall, within 6 months of the effective date of this amendatory Act of the 94th General Assembly, design a set of standardized traffic signs for park zones and park zone streets, including but not limited to: "park zone", "park zone speed limit", and "warning: approaching a park zone". The design of these signs shall be made available to all units of local government or manufacturers at no charge, except for reproduction and postage.

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

Passed in the General Assembly April 6, 2006.
Approved May 26, 2006.
Effective May 26, 2006.

PUBLIC ACT 94-0809
(Senate Bill No. 0827)

AN ACT concerning local government.

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

Section 5. The Fire Department Promotion Act is amended by changing Section 10 as follows:

(50 ILCS 742/10)
Sec. 10. Applicability.

(a) This Act shall apply to all positions in an affected department, except those specifically excluded in items (i), (ii), (iii), (iv), and (v) of the definition of "promotion" in Section 5 unless such positions are covered by a collective bargaining agreement in force on the effective date of this Act.

New matter indicated by italics - deletions by strikeout
Existing promotion lists shall continue to be valid until their expiration dates, or up to a maximum of 3 years after the effective date of this Act.

(b) Notwithstanding any statute, ordinance, rule, or other laws to the contrary, all promotions in an affected department to which this Act applies shall be administered in the manner provided for in this Act. Provisions of the Illinois Municipal Code, the Fire Protection District Act, municipal ordinances, or rules adopted pursuant to such authority and other laws relating to promotions in affected departments shall continue to apply to the extent they are compatible with this Act, but in the event of conflict between this Act and any other law, this Act shall control.

(c) A home rule or non-home rule municipality may not administer its fire department promotion process in a manner that is inconsistent with this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

(d) This Act is intended to serve as a minimum standard and shall be construed to authorize and not to limit:

1. An appointing authority from establishing different or supplemental promotional criteria or components, provided that the criteria are job-related and applied uniformly.
2. The right of negotiation by an employer and an exclusive bargaining representative to require an employer to negotiate of clauses within a collective bargaining agreement relating to conditions, criteria, or procedures for the promotion of employees to ranks, as defined in Section 5, covered by this Act who are members of bargaining units.
3. The negotiation by an employer and an exclusive bargaining representative of provisions within a collective bargaining agreement to achieve affirmative action objectives, provided that such clauses are consistent with applicable law.
4. Local authorities and exclusive bargaining agents affected by this Act may agree to waive one or more of its provisions and bargain on the contents of those provisions, provided that any such waivers shall be considered permissive subjects of bargaining.
AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
(Text of Section before amendment by P.A. 94-702 and 94-711)
Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of

New matter indicated by italics - deletions by strikeout
the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an

New matter indicated by italics - deletions by strikeout
adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels
must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

New matter indicated by italics - deletions by strikeout
(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.
(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

New matter indicated by italics - deletions by strikeout
(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.
On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

New matter indicated by italics - deletions by strikeout
(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to

New matter indicated by italics - deletions by strikeout
the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States

New matter indicated by italics - deletions by strikeout
Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.
(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising
from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with
a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts

New matter indicated by italics - deletions by strikeout
prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002;
50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of

New matter indicated by italics - deletions by strikeout
the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new

New matter indicated by italics - deletions by strikeout
employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is

New matter indicated by italics - deletions by strikeout
adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(1) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(2) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(3) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(4) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(B) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(1) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at

New matter indicated by italics - deletions by strikeout
least $250,000 of tax increment bonds were authorized on
June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Alton, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or

New matter indicated by italics - deletions by strikeout
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on December 29, 1986 by the Village of Gardner.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an

New matter indicated by italics - deletions by strikeout
amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the

New matter indicated by italics - deletions by strikeout
municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose

New matter indicated by italics - deletions by strikeout
residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended

New matter indicated by italics - deletions by strikeout
without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and
professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination,
including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the
estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since

New matter indicated by italics - deletions by strikeout
the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of

New matter indicated by italics - deletions by strikeout
necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the
school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is

New matter indicated by italics - deletions by strikeout
received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year,
provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-
38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of

New matter indicated by italics - deletions by strikeout
construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will
provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this

New matter indicated by italics - deletions by strikeout
paragraph, termination means a closing of a retail operation that is
directly related to the opening of the same operation or like retail
entity owned or operated by more than 50% of the original
ownership in a redevelopment project area, but it does not mean
closing an operation for reasons beyond the control of the retail
entity, as documented by the retail entity, subject to a reasonable
finding by the municipality that the current location contained
inadequate space, had become economically obsolete, or was no
longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the
Special Service Area Tax Act or Special Service Area Tax Law, then any
tax increment revenues derived from the tax imposed pursuant to the
Special Service Area Tax Act or Special Service Area Tax Law may be
used within the redevelopment project area for the purposes permitted by
that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project
area or the amended redevelopment project area boundaries which are
determined pursuant to subsection (9) of Section 11-74.4-8a of this Act.
The Department of Revenue shall certify pursuant to subsection (9) of
Section 11-74.4-8a the appropriate boundaries eligible for the
determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the
increase in the aggregate amount of taxes paid by retailers and servicemen,
other than retailers and servicemen subject to the Public Utilities Act, on
transactions at places of business located within a State Sales Tax
Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act,
the Service Use Tax Act, and the Service Occupation Tax Act, except such
portion of such increase that is paid into the State and Local Sales Tax
Reform Fund, the Local Government Distributive Fund, the Local
Government Tax Fund and the County and Mass Transit District Fund, for
as long as State participation exists, over and above the Initial Sales Tax
Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales
Tax Amounts for such taxes as certified by the Department of Revenue
and paid under those Acts by retailers and servicemen on transactions at

New matter indicated by italics - deletions by strikeout
places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on
June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed

New matter indicated by italics - deletions by strikeout
Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of

New matter indicated by italics - deletions by strikeout
the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an
adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels

New matter indicated by italics - deletions by strikeout
must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

New matter indicated by italics - deletions by strikeout
(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.
(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

New matter indicated by italics - deletions by strikeout
(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

New matter indicated by italics - deletions by strikeout
On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

New matter indicated by italics - deletions by strikeout
(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to

New matter indicated by italics - deletions by strikeout
the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States

New matter indicated by italics - deletions by strikeout
Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.
(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising

New matter indicated by italics - deletions by strikeout
from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelveths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelveths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with

New matter indicated by italics - deletions by strikeout
a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts

New matter indicated by italics - deletions by strikeout
prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002;

New matter indicated by italics - deletions by strikeout
50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of

New matter indicated by italics - deletions by strikeout
the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new

New matter indicated by italics - deletions by strikeout
employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is

New matter indicated by italics - deletions by strikeout
adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at

New matter indicated by italics - deletions by strikeout
least $250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

New matter indicated by italics - deletions by strikeout
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or

(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or

(Z) if the ordinance was adopted on November 11, 1996 by the City of Alton, or

(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or

(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or

(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or

(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or

(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or

(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or

(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or

(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or

(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or

(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or

(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or

(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or

New matter indicated by italics - deletions by strikeout
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
QQ if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or
(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or
(VV) if the ordinance was adopted on December 29, 1986 by the Village of Gardner.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

New matter indicated by italics - deletions by strikeout
A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the
provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project.
area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove

New matter indicated by italics - deletions by strikeout
more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a
redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

New matter indicated by italics - deletions by strikeout
(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

New matter indicated by italics - deletions by strikeout
(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students

New matter indicated by italics - deletions by strikeout
enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than

New matter indicated by italics - deletions by strikeout
$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following

New matter indicated by italics - deletions by strikeout
restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted

New matter indicated by italics - deletions by strikeout
housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2%
of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the
municipality, are set forth in a written agreement by or among the
municipality and the taxing district or taxing districts, which
agreement describes the program to be undertaken, including but
not limited to the number of employees to be trained, a description
of the training and services to be provided, the number and type of
positions available or to be available, itemized costs of the program
and sources of funds to pay for the same, and the term of the
agreement. Such costs include, specifically, the payment by
community college districts of costs pursuant to Sections 3-37, 3-
38, 3-40 and 3-40.1 of the Public Community College Act and by
school districts of costs pursuant to Sections 10-22.20a and 10-
23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the
construction, renovation or rehabilitation of a redevelopment
project provided that:

(A) such costs are to be paid directly from the
special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed
30% of the annual interest costs incurred by the redeveloper
with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the
special tax allocation fund to make the payment pursuant to
this paragraph (11) then the amounts so due shall accrue
and be payable when sufficient funds are available in the
special tax allocation fund;

(D) the total of such interest payments paid pursuant
to this Act may not exceed 30% of the total (i) cost paid or
incurred by the redeveloper for the redevelopment project
plus (ii) redevelopment project costs excluding any
property assembly costs and any relocation costs incurred
by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and
(D) of paragraph (11) shall be modified for the financing of
rehabilitated or new housing units for low-income
households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted
by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.
(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen,
other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until

New matter indicated by italics - deletions by strikeout
September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording

New matter indicated by italics - deletions by strikeout
during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

(Text of Section before amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance

New matter indicated by italics - deletions by strikeout
authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following:

New matter indicated by italics - deletions by strikeout
(a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

New matter indicated by italics - deletions by strikeout
If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

New matter indicated by italics - deletions by strikeout
A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were

New matter indicated by italics - deletions by strikeout
authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by

New matter indicated by italics - deletions by strikeout
the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 31, 1991 by the City of Sullivan, or (QQ) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on December 29, 1986 by the Village of Gardner and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations.
obligations or any other taxing district for the purpose of any limitation imposed by law.
(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in
direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations

New matter indicated by italics - deletions by strikeout
which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

New matter indicated by italics - deletions by strikeout
In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment
project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985,
or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) (OO) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) (OO) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on December 29, 1986 by the Village of Gardner and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under

New matter indicated by italics - deletions by strikeout
subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Approved May 26, 2006.
Effective May 26, 2006.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0811  
(Senate Bill No. 2252)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Secretary of State Act is amended by adding Section 17 as follows:  

(15 ILCS 305/17 new)

Sec. 17. The Secretary of State Antique Vehicle Show Fund. The Secretary of State is authorized to create a fund outside the State treasury, to be known as the Secretary of State Antique Vehicle Show Fund. The Fund shall be created and maintained in a manner approved by the Auditor General. The Fund shall be administered by the Secretary of State or his or her designee. Moneys received from entry fees paid by contestants in the Secretary of State Antique Vehicle Show may be deposited into the Fund. Moneys deposited into the Fund shall be used by the Secretary of State Antique Vehicle Show Committee to promote and produce the annual Secretary of State Antique Vehicle Show.

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

Approved May 26, 2006.
Effective May 26, 2006.

PUBLIC ACT 94-0812  
(Senate Bill No. 2254)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 15f as follows:  

(20 ILCS 1705/15f new)

New matter indicated by italics - deletions by strikeout
Sec. 15f. Individualized behavioral support plan.

(a) As used in this Section:

"Behavioral challenges" means episodes of significant property destruction, self-injurious behavior, assaultive behavior, or any other behavior that prevents a person from successful participation in a Home and Community Based Services Program for Persons with Developmental Disabilities, as determined by the community support team.

"Home and Community Based Services Program for Persons with Developmental Disabilities" means a program that is funded through a waiver authorized under Section 1915(c) of the federal Social Security Act and that is administered by the Department of Human Services' Division of Developmental Disabilities. Services under the Program include Community Integrated Living Arrangements, Community Living Facilities of 16 or fewer individuals, home-based support services, day programs, and therapies. The term also includes newly developed programs and settings that are funded through the Home and Community Based Services Program for Persons with Developmental Disabilities.

(b) Each individual participating in a Home and Community Based Services Program for Persons with Developmental Disabilities, regardless of whether the individual is eligible for federal financial participation for these services, who exhibits behavioral challenges shall have an individualized behavioral support plan. Each individualized support plan shall: (i) be designed to meet individual needs; (ii) be in the immediate and long-term best interests of the individual; (iii) be non-aversive; (iv) teach the individual new skills; (v) provide alternatives to behavioral challenges; (vi) offer opportunities for choice and social integration; and (vii) allow for environmental modifications. The plan must be based on a functional behavioral assessment conducted by a professional trained in its use. The plan shall be implemented by staff who have been trained in and are qualified to effectively apply positive non-aversive intervention. All behavioral supports required by the plan shall be applied in a humane and caring manner that respects the dignity of the individual and shall be implemented in a positive and socially supportive environment, including the home.
Interventions must not: (1) include electric shock; (2) withhold essential food and drink; (3) cause physical or psychological pain; (4) use drugs as restraints; or (5) produce humiliation or discomfort.

Nothing in this subsection shall preclude, for therapeutic purposes, variant scheduling of food or drink or the application of safe and appropriate time-out procedures.

(c) The Department of Human Services shall be responsible for developing and promulgating rules to implement the provisions of this Section and to carry out the intent of this Section.

(d) To the extent this Section conflicts with Article I of Chapter II of the Mental Health and Developmental Disabilities Code, that Article controls.

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

Passed in the General Assembly April 6, 2006.
Approved May 26, 2006.
Effective May 26, 2006.

AN ACT concerning gaming.

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

Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Section 28.1 as follows:

(230 ILCS 5/28.1)
Sec. 28.1. Payments.

(a) Beginning on January 1, 2000, moneys collected by the Department of Revenue and the Racing Board pursuant to Section 26 or Section 27 of this Act shall be deposited into the Horse Racing Fund, which is hereby created as a special fund in the State Treasury.

(b) Appropriations, as approved by the General Assembly, may be made from the Horse Racing Fund to the Board to pay the salaries of the

New matter indicated by italics - deletions by strikeout
Board members, secretary, stewards, directors of mutuels, veterinarians, representatives, accountants, clerks, stenographers, inspectors and other employees of the Board, and all expenses of the Board incident to the administration of this Act, including, but not limited to, all expenses and salaries incident to the taking of saliva and urine samples in accordance with the rules and regulations of the Board.

(c) Beginning on January 1, 2000, the Board shall transfer the remainder of the funds generated pursuant to Sections 26 and 27 from the Horse Racing Fund into the General Revenue Fund.

(d) Beginning January 1, 2000, payments to all programs in existence on the effective date of this amendatory Act of 1999 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 30, and subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 31 shall be made from the General Revenue Fund at the funding levels determined by amounts paid under this Act in calendar year 1998. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, payments to the Peoria Park District shall be made from the General Revenue Fund at the funding level determined by amounts paid to that park district for museum purposes under this Act in calendar year 1994. Beginning on the effective date of this amendatory Act of the 94th General Assembly, in lieu of payments to the Champaign Park District for museum purposes, payments to the Urbana Park District shall be made from the General Revenue Fund at the funding level determined by amounts paid to the Champaign Park District for museum purposes under this Act in calendar year 2005.

(e) Beginning July 1, 2006, the payment authorized under subsection (d) to museums and aquariums located in park districts of over 500,000 population shall be paid to museums, aquariums, and zoos in amounts determined by Museums in the Park, an association of museums, aquariums, and zoos located on Chicago Park District property.

(Source: P.A. 93-869, eff. 8-6-04.)

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

AN ACT concerning vehicles.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 11-605.1 and adding Section 11-612 as follows:

(625 ILCS 5/11-605.1)

Sec. 11-605.1. Special limit while traveling through a highway construction or maintenance speed zone.

(a) A person may not operate a motor vehicle in a construction or maintenance speed zone at a speed in excess of the posted speed limit.

(b) Nothing in this Chapter prohibits the use of electronic speed-detecting devices within 500 feet of signs within a construction or maintenance speed zone indicating the zone, as defined in this Section, nor shall evidence obtained by use of those devices be inadmissible in any prosecution for speeding, provided the use of the device shall apply only to the enforcement of the speed limit in the construction or maintenance speed zone.

(c) As used in this Section, a "construction or maintenance speed zone" is an area in which the Department, Toll Highway Authority, or local agency has determined that the preexisting established speed limit through a highway construction or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance speed zone and has posted a lower speed limit with a highway construction or maintenance speed zone special speed limit sign.

Highway construction or maintenance speed zone special speed limit signs shall be of a design approved by the Department. The signs must give proper due warning that a construction or maintenance speed

New matter indicated by italics - deletions by strikeout
zone is being approached and must indicate the maximum speed limit in effect. The signs also must state the amount of the minimum fine for a violation.

(d) A first violation of this Section is a petty offense with a minimum fine of $250. A second or subsequent violation of this Section is a petty offense with a minimum fine of $750.

(e) If a fine for a violation of this Section is $250 or greater, the person who violated this Section shall be charged an additional $125, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless (i) the violation occurred on a highway other than an interstate highway and (ii) a county police officer wrote the ticket for the violation, in which case the $125 shall be deposited into that county's Transportation Safety Highway Hire-back Fund. In the case of a second or subsequent violation of this Section, if the fine is $750 or greater, the person who violated this Section shall be charged an additional $250, which shall be deposited into the Transportation Safety Highway Hire-back Fund in the State treasury, unless (i) the violation occurred on a highway other than an interstate highway and (ii) a county police officer wrote the ticket for the violation, in which case the $250 shall be deposited into that county's Transportation Safety Highway Hire-back Fund.

(e-5) The Department of State Police and the local county police department have concurrent jurisdiction over any violation of this Section that occurs on an interstate highway.

(f) The Transportation Safety Highway Hire-back Fund, which was created by Public Act 92-619, shall continue to be a special fund in the State treasury. Subject to appropriation by the General Assembly and approval by the Secretary, the Secretary of Transportation shall use all moneys in the Transportation Safety Highway Hire-back Fund to hire off-duty Department of State Police officers to monitor construction or maintenance zones.

(f-5) Each county shall create a Transportation Safety Highway Hire-back Fund. The county shall use all moneys in its Transportation Safety Highway Hire-back Fund to hire off-duty county police officers to
monitor construction or maintenance zones in that county on highways other than interstate highways.

(g) For a second or subsequent violation of this Section within 2 years of the date of the previous violation, the Secretary of State shall suspend the driver's license of the violator for a period of 90 days.

(Source: P.A. 93-955, eff. 8-19-04.)

(625 ILCS 5/11-612 new)

Sec. 11-612. Certain systems to record vehicle speeds prohibited. Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used in this State to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event. No State or local governmental entity, including a home rule county or municipality, may use such a system in a way that is prohibited by this Section. The regulation of the use of such systems is an exclusive power and function of the State. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 10. The Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act is amended by changing Sections 10 and 30 as follows:

(625 ILCS 7/10)

Sec. 10. Establishment of automated control systems. The Department of State Police may establish an automated traffic control system in any construction or maintenance zone established by the Department of Transportation or the Illinois State Toll Highway Authority. An automated traffic control system may operate only during those periods when workers are present in the construction or maintenance zone. In any prosecution based upon evidence obtained through an automated traffic control system established under this Act, the State must prove that one or more workers were present in the construction or maintenance zone when the violation occurred.

(Source: P.A. 93-947, eff. 8-19-04.)
(625 ILCS 7/30)
Sec. 30. Requirements for issuance of a citation.
(a) The vehicle, vehicle operator, vehicle registration plate, speed, date, time, and location must be clearly visible on the photograph or other recorded image of the alleged violation.
(b) A Uniform Traffic Citation must be mailed or otherwise delivered to the registered owner of the vehicle. If mailed, the citation must be sent via certified mail within 14 business days of the alleged violation, return receipt requested.
(c) The Uniform Traffic Citation must include:
   (1) the name and address of the vehicle owner;
   (2) the registration number of the vehicle;
   (3) the offense charged;
   (4) the time, date, and location of the violation;
   (5) the first available court date; and
   (6) notice that the basis of the citation is the photograph or recorded image from the automated traffic control system.
(d) The Uniform Traffic Citation issued to the violator must be accompanied by a written document that lists the violator's rights and obligations and explains how the violator can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.
(Source: P.A. 93-947, eff. 8-19-04.)
Passed in the General Assembly April 6, 2006.
Approved May 26, 2006.

PUBLIC ACT 94-0815
(Senate Bill No. 2868)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Capital Development Board Act is amended by changing Section 10.09-5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 10.09-5. Standards for an energy code. To adopt rules, by January 1, 2004, implementing a statewide energy code for the construction or repair of State facilities described in Section 4.01. The energy code adopted by the Board shall incorporate standards promulgated by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc., (ASHRAE). In proposing rules, the Board shall consult with the Department of Commerce and Economic Opportunity Community Affairs.

(Source: P.A. 93-190, eff. 7-14-03; revised 12-6-03.)

Section 10. The Energy Efficient Commercial Building Act is amended by changing Section 10 as follows:

(20 ILCS 3125/10)
Sec. 10. Definitions.
"Board" means the Capital Development Board.
"Code" means the latest published edition of the International Code Council's International Energy Conservation Code, excluding published supplements but including 2000 International Energy Conservation Code, the ASHRAE 90.1-1999 Standard, which is included within that Code, the 2001 supplement to that Code, and the adaptations to the Code that are made by the Board.
"Commercial building" means any building except a building that is a residential building, as defined in this Section.
"Department" means the Department of Commerce and Economic Opportunity.
"Municipality" means any city, village, or incorporated town.
"Residential building" means (i) a detached one-family or 2-family dwelling or (ii) any building that is 3 stories or less in height above grade that contains multiple dwelling units, in which the occupants reside on a primarily permanent basis, such as a townhouse, a row house, an apartment house, a convent, a monastery, a rectory, a fraternity or sorority house, a dormitory, and a rooming house.

(Source: P.A. 93-936, eff. 8-13-04.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly April 11, 2006.
Approved May 26, 2006.
Effective May 26, 2006.

PUBLIC ACT 94-0816
(Senate Bill No. 0627)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Veterans' Health Insurance Program Act.
Section 3. Legislative intent. The General Assembly finds that those who have served their country honorably in military service and who are residing in this State deserve access to affordable, comprehensive health insurance. Many veterans are uninsured and unable to afford healthcare. This lack of healthcare, including preventative care, often exacerbates health conditions. The effects of lack of insurance negatively impact those residents of the State who are insured because the cost of paying for care to the uninsured is often shifted to those who have insurance in the form of higher health insurance premiums. It is, therefore, the intent of this legislation to provide access to affordable health insurance for veterans residing in Illinois who are unable to afford such coverage. However, the State has only a limited amount of resources, and the General Assembly therefore declares that while it intends to cover as many such veterans as possible, the State may not be able to cover every eligible person who qualifies for this Program as a matter of entitlement due to limited funding.
Section 5. Definitions. The following words have the following meanings:
"Department" means the Department of Healthcare and Family Services, or any successor agency.

New matter indicated by italics - deletions by strikeout
"Director" means the Director of Healthcare and Family Services, or any successor agency.

"Medical assistance" means health care benefits provided under Article V of the Illinois Public Aid Code.

"Program" means the Veterans' Health Insurance Program.

"Resident" means an individual who has an Illinois residence, as provided in Section 5-3 of the Illinois Public Aid Code.

"Veteran" means any person who has served in a branch of the United States military for greater than 180 consecutive days after initial training.

"Veterans' Affairs" or "VA" means the United States Department of Veterans' Affairs.

Section 10. Operation of the Program.

(a) The Veterans' Health Insurance Program is created. This Program is not an entitlement. Enrollment is based on the availability of funds, and enrollment may be capped based on funds appropriated for the Program. As soon as practical after the effective date of this Act, coverage for this Program shall begin. The Program shall be administered by the Department of Healthcare and Family Services in collaboration with the Department of Veterans' Affairs. The Department shall have the same powers and authority to administer the Program as are provided to the Department in connection with the Department's administration of the Illinois Public Aid Code. The Department shall coordinate the Program with other health programs operated by the Department and other State and federal agencies.

(b) The Department shall operate the Program in a manner so that the estimated cost of the Program during the fiscal year will not exceed the total appropriation for the Program. The Department may take any appropriate action to limit spending or enrollment into the Program, including, but not limited to, ceasing to accept or process applications, reviewing eligibility more frequently than annually, adjusting cost-sharing, or reducing the income threshold for eligibility as necessary to control expenditures for the Program.

Section 15. Eligibility.

New matter indicated by italics - deletions by strikeout
(a) To be eligible for the Program, a person must:
   (1) be a veteran who is not on active duty and who has not been dishonorably discharged from service;
   (2) be a resident of the State of Illinois;
   (3) be at least 19 years of age and no older than 64 years of age;
   (4) be uninsured, as defined by the Department by rule, for a period of time established by the Department by rule, which shall be no less than 6 months;
   (5) not be eligible for medical assistance under the Illinois Public Aid Code;
   (6) not be eligible for medical benefits through the Veterans Health Administration; and
   (7) have a household income no greater than the sum of (i) an amount equal to 25% of the federal poverty level plus (ii) an amount equal to the Veterans Administration means test income threshold at the initiation of the Program; depending on the availability of funds, this level may be increased to an amount equal to the sum of (iii) an amount equal to 50% of the federal poverty level plus (iv) an amount equal to the Veterans Administration means test income threshold after 6 months of operation. This means test income threshold is subject to alteration by the Department as set forth in subsection (b) of Section 10.

(b) A veteran who is determined eligible for the Program shall remain eligible for 12 months, provided the veteran remains a resident of the State and is not excluded under subsection (c) of this Section and provided the Department has not limited the enrollment period as set forth in subsection (b) of Section 10.

(c) A veteran is not eligible for coverage under the Program if:
   (1) the premium required under Section 35 of this Act has not been timely paid; if the required premiums are not paid, the liability of the Program shall be limited to benefits incurred under the Program for the time period for which premiums have been paid and for grace periods as established under subsection (d); if
the required monthly premium is not paid, the veteran is ineligible for re-enrollment for a minimum period of 3 months; or

(2) the veteran is a resident of a nursing facility or an inmate of a public institution, as defined by 42 CFR 435.1009.

(d) The Department shall adopt rules for the Program, including, but not limited to, rules relating to eligibility, re-enrollment, grace periods, notice requirements, hearing procedures, cost-sharing, covered services, and provider requirements.

Section 20. Notice of decisions to terminate eligibility. Whenever the Department decides to either deny or terminate eligibility under this Act, the veteran shall have a right to notice and a hearing, as provided by the Department by rule.

Section 25. Illinois Department of Veterans' Affairs. The Department shall coordinate with the Illinois Department of Veterans' Affairs and the Veterans Assistance Commissions to allow State Veterans' Affairs service officers and the Veterans Assistance Commissions to assist veterans to apply for the Program. All applicants must be reviewed for Veterans Health Administration eligibility or other existing health benefits prior to consideration for the Program.

Section 30. Health care benefits.

(a) For veterans eligible and enrolled, the Department shall purchase or provide health care benefits for eligible veterans that are identical to the benefits provided to adults under the State's approved plan under Title XIX of the Social Security Act, except for nursing facility services and non-emergency transportation.

(b) Providers shall be subject to approval by the Department to provide health care under the Illinois Public Aid Code and shall be reimbursed at the same rates as providers reimbursed under the State's approved plan under Title XIX of the Social Security Act.

(c) As an alternative to the benefits set forth in subsection (a) of this Section, and when cost-effective, the Department may offer veterans subsidies toward the cost of privately sponsored health insurance, including employer-sponsored health insurance.

New matter indicated by italics - deletions by strikeout
Section 35. Cost-sharing. The Department, by rule, shall set forth requirements concerning co-payments and monthly premiums for health care services. This cost-sharing shall be based on household income, as defined by the Department by rule, and is subject to alteration by the Department as set forth in subsection (b) of Section 10.

Section 40. Charge upon claims and causes of action; right of subrogation; recoveries. Sections 11-22, 11-22a, 11-22b, and 11-22c of the Illinois Public Aid Code apply to health benefits provided to veterans under this Act, as provided in those Sections.

Section 45. Reporting. The Department shall prepare a report for submission to the General Assembly on the first 6 months of operation of the Program. The report shall be due to the General Assembly by April 30, 2007. This report shall include information regarding implementation of the Program, including the number of veterans enrolled and any available information regarding other benefits derived from the Program, including screening for and acquisition of other veterans' benefits through the Veterans' Service Officers and the Veterans' Assistance Commissions. This report may also include recommendations regarding improvements that may be made to the Program and regarding the extension of the repeal date set forth in Section 85 of this Act.

Section 50. Emergency rulemaking. The Department may adopt rules necessary to establish and implement this Act through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For the purposes of that Act, the General Assembly finds that the adoption of rules to implement this Act is deemed an emergency and necessary for the public interest, safety, and welfare.

Section 85. Repeal. This Act is repealed on January 1, 2008.

Section 90. The State Finance Act is amended by changing Section 8g as follows:

(30 ILCS 105/8g)
Sec. 8g. Fund transfers.

(a) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and
the State Treasurer shall transfer the sum of $10,000,000 from the General Revenue Fund to the Motor Vehicle License Plate Fund created by Senate Bill 1028 of the 91st General Assembly.

(b) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $25,000,000 from the General Revenue Fund to the Fund for Illinois' Future created by Senate Bill 1066 of the 91st General Assembly.

(c) In addition to any other transfers that may be provided for by law, on August 30 of each fiscal year's license period, the Illinois Liquor Control Commission shall direct and the State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Youth Alcoholism and Substance Abuse Prevention Fund an amount equal to the number of retail liquor licenses issued for that fiscal year multiplied by $50.

(d) The payments to programs required under subsection (d) of Section 28.1 of the Horse Racing Act of 1975 shall be made, pursuant to appropriation, from the special funds referred to in the statutes cited in that subsection, rather than directly from the General Revenue Fund.

Beginning January 1, 2000, on the first day of each month, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to each of the special funds from which payments are to be made under Section 28.1(d) of the Horse Racing Act of 1975 an amount equal to 1/12 of the annual amount required for those payments from that special fund, which annual amount shall not exceed the annual amount for those payments from that special fund for the calendar year 1998. The special funds to which transfers shall be made under this subsection (d) include, but are not necessarily limited to, the Agricultural Premium Fund; the Metropolitan Exposition Auditorium and Office Building Fund; the Fair and Exposition Fund; the Standardbred Breeders Fund; the Thoroughbred Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.
(e) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $15,000,000 from the General Revenue Fund to the Fund for Illinois’ Future.

(f) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $70,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(f-1) In fiscal year 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $160,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2001, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(h) In each of fiscal years 2002 through 2004, but not thereafter, in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer $5,000,000 from the General Revenue Fund to the Tourism Promotion Fund.

(i) On or after July 1, 2001 and until May 1, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon

New matter indicated by italics - deletions by strikeout
notification from the Governor, but in any event on or before June 30, 2002.

(i-1) On or after July 1, 2002 and until May 1, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2003.

(j) On or after July 1, 2001 and no later than June 30, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From the General Revenue Fund</td>
<td>$8,450,000</td>
</tr>
<tr>
<td>From the Public Utility Fund</td>
<td>1,700,000</td>
</tr>
<tr>
<td>From the Transportation Regulatory Fund</td>
<td>2,650,000</td>
</tr>
<tr>
<td>From the Title III Social Security and Employment Fund</td>
<td>3,700,000</td>
</tr>
<tr>
<td>From the Professions Indirect Cost Fund</td>
<td>4,050,000</td>
</tr>
<tr>
<td>From the Underground Storage Tank Fund</td>
<td>550,000</td>
</tr>
<tr>
<td>From the Agricultural Premium Fund</td>
<td>750,000</td>
</tr>
<tr>
<td>From the State Pensions Fund</td>
<td>200,000</td>
</tr>
<tr>
<td>From the Road Fund</td>
<td>2,000,000</td>
</tr>
<tr>
<td>From the Health Facilities Planning Fund</td>
<td>1,000,000</td>
</tr>
<tr>
<td>From the Savings and Residential Finance Regulatory Fund</td>
<td>130,800</td>
</tr>
<tr>
<td>From the Appraisal Administration Fund</td>
<td>28,600</td>
</tr>
<tr>
<td>From the Pawnbroker Regulation Fund</td>
<td>3,600</td>
</tr>
<tr>
<td>From the Auction Regulation</td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Administration Fund.......................... 35,800
From the Bank and Trust Company Fund........ 634,800
From the Real Estate License Administration Fund.......................... 313,600

(k) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 92nd General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-1) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-2) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-3) On or after July 1, 2002 and no later than June 30, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

- Appraisal Administration Fund................. $150,000
- General Revenue Fund.......................... 10,440,000
- Savings and Residential Finance Regulatory Fund......................... 200,000
- State Pensions Fund............................ 100,000
- Bank and Trust Company Fund................... 100,000
- Professions Indirect Cost Fund................... 3,400,000
- Public Utility Fund............................. 2,081,200
- Real Estate License Administration Fund....... 150,000
- Title III Social Security and

New matter indicated by italics - deletions by strikeout
Employment Fund........................... 1,000,000
Transportation Regulatory Fund............ 3,052,100
Underground Storage Tank Fund............. 50,000

(l) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $3,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(m) In addition to any other transfers that may be provided for by law, on July 1, 2002 and on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(n) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,800,000 from the General Revenue Fund to the DHS Recoveries Trust Fund.

(o) On or after July 1, 2003, and no later than June 30, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Vehicle Inspection Fund: From the Underground Storage Tank Fund ....... $35,000,000.

(p) On or after July 1, 2003 and until May 1, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2004.

New matter indicated by italics - deletions by strikeout
(q) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.

(r) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,922,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(s) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $4,800,000 from the Statewide Economic Development Fund to the General Revenue Fund.

(t) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $50,000,000 from the General Revenue Fund to the Budget Stabilization Fund.

(u) On or after July 1, 2004 and until May 1, 2005, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2005.

(v) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

New matter indicated by italics - deletions by strikeout
(w) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,445,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(x) In addition to any other transfers that may be provided for by law, on January 15, 2005, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer to the General Revenue Fund the following sums:
   From the State Crime Laboratory Fund, $200,000;
   From the State Police Wireless Service Emergency Fund, $200,000;
   From the State Offender DNA Identification System Fund, $800,000; and
   From the State Police Whistleblower Reward and Protection Fund, $500,000.

(y) Notwithstanding any other provision of law to the contrary, in addition to any other transfers that may be provided for by law on June 30, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the designated funds into the General Revenue Fund and any future deposits that would otherwise be made into these funds must instead be made into the General Revenue Fund:
   (1) the Keep Illinois Beautiful Fund;
   (2) the Metropolitan Fair and Exposition Authority Reconstruction Fund;
   (3) the New Technology Recovery Fund;
   (4) the Illinois Rural Bond Bank Trust Fund;
   (5) the ISBE School Bus Driver Permit Fund;
   (6) the Solid Waste Management Revolving Loan Fund;
   (7) the State Postsecondary Review Program Fund;
   (8) the Tourism Attraction Development Matching Grant Fund;
   (9) the Patent and Copyright Fund;

New matter indicated by italics - deletions by strikeout
(10) the Credit Enhancement Development Fund;
(11) the Community Mental Health and Developmental Disabilities Services Provider Participation Fee Trust Fund;
(12) the Nursing Home Grant Assistance Fund;
(13) the By-product Material Safety Fund;
(14) the Illinois Student Assistance Commission Higher EdNet Fund;
(15) the DORS State Project Fund;
(16) the School Technology Revolving Fund;
(17) the Energy Assistance Contribution Fund;
(18) the Illinois Building Commission Revolving Fund;
(19) the Illinois Aquaculture Development Fund;
(20) the Homelessness Prevention Fund;
(21) the DCFS Refugee Assistance Fund;
(22) the Illinois Century Network Special Purposes Fund;
and
(23) the Build Illinois Purposes Fund.
(z) In addition to any other transfers that may be provided for by law, on July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(aa) In addition to any other transfers that may be provided for by law, on July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $9,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(bb) In addition to any other transfers that may be provided for by law, on or after July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,803,600 from the General Revenue Fund to the Securities Audit and Enforcement Fund.

(cc) In addition to any other transfers that may be provided for by law, on or after July 1, 2005 and until May 1, 2006, at the direction of and

New matter indicated by italics - deletions by strikeout
upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2006.

(dd) In addition to any other transfers that may be provided for by law, on April 1, 2005, or as soon thereafter as may be practical, at the direction of the Director of Public Aid (now Director of Healthcare and Family Services), the State Comptroller shall direct and the State Treasurer shall transfer from the Public Aid Recoveries Trust Fund amounts not to exceed $14,000,000 to the Community Mental Health Medicaid Trust Fund.

(ee) In addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Illinois Veterans Assistance Fund.

(Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05; 94-91, eff. 7-1-05; revised 12-15-05.)

Section 95. The Illinois Public Aid Code is amended by changing Sections 11-22, 11-22a, 11-22b, and 11-22c as follows:

(305 ILCS 5/11-22) (from Ch. 23, par. 11-22)
(Text of Section after amendment by P.A. 94-693)

Sec. 11-22. Charge upon claims and causes of action for injuries. The Illinois Department shall have a charge upon all claims, demands and causes of action for injuries to an applicant for or recipient of (i) financial aid under Articles III, IV, and V; or (ii) health care benefits provided under the Covering ALL KIDS Health Insurance Act, or (iii) health care benefits provided under the Veterans’ Health Insurance Program Act for the total amount of medical assistance provided the recipient from the time of

New matter indicated by italics - deletions by strikeout
injury to the date of recovery upon such claim, demand or cause of action. In addition, if the applicant or recipient was employable, as defined by the Department, at the time of the injury, the Department shall also have a charge upon any such claims, demands and causes of action for the total amount of aid provided to the recipient and his dependents, including all cash assistance and medical assistance only to the extent includable in the claimant's action, from the time of injury to the date of recovery upon such claim, demand or cause of action. Any definition of "employable" adopted by the Department shall apply only to persons above the age of compulsory school attendance.

If the injured person was employable at the time of the injury and is provided aid under Articles III, IV, or V and any dependent or member of his family is provided aid under Article VI, or vice versa, both the Illinois Department and the local governmental unit shall have a charge upon such claims, demands and causes of action for the aid provided to the injured person and any dependent member of his family, including all cash assistance, medical assistance and food stamps, from the time of the injury to the date of recovery.

"Recipient", as used herein, means (i) in the case of financial aid provided under this Code, the grantee of record and any persons whose needs are included in the financial aid provided to the grantee of record or otherwise met by grants under the appropriate Article of this Code for which such person is eligible, and (ii) in the case of health care benefits provided under the Covering ALL KIDS Health Insurance Act, the child to whom those benefits are provided, and (iii) in the case of health care benefits provided under the Veterans' Health Insurance Program Act, the veteran to whom benefits are provided.

In each case, the notice shall be served by certified mail or registered mail, upon the party or parties against whom the applicant or recipient has a claim, demand or cause of action. The notice shall claim the charge and describe the interest the Illinois Department, the local governmental unit, or the county, has in the claim, demand, or cause of action. The charge shall attach to any verdict or judgment entered and to any money or property which may be recovered on account of such claim,
demand, cause of action or suit from and after the time of the service of the notice.

On petition filed by the Illinois Department, or by the local governmental unit or county if either is claiming a charge, or by the recipient, or by the defendant, the court, on written notice to all interested parties, may adjudicate the rights of the parties and enforce the charge. The court may approve the settlement of any claim, demand or cause of action either before or after a verdict, and nothing in this Section shall be construed as requiring the actual trial or final adjudication of any claim, demand or cause of action upon which the Illinois Department, the local governmental unit or county has charge. The court may determine what portion of the recovery shall be paid to the injured person and what portion shall be paid to the Illinois Department, the local governmental unit or county having a charge against the recovery. In making this determination, the court shall conduct an evidentiary hearing and shall consider competent evidence pertaining to the following matters:

(1) the amount of the charge sought to be enforced against the recovery when expressed as a percentage of the gross amount of the recovery; the amount of the charge sought to be enforced against the recovery when expressed as a percentage of the amount obtained by subtracting from the gross amount of the recovery the total attorney's fees and other costs incurred by the recipient incident to the recovery; and whether the Department, unit of local government or county seeking to enforce the charge against the recovery should as a matter of fairness and equity bear its proportionate share of the fees and costs incurred to generate the recovery from which the charge is sought to be satisfied;

(2) the amount, if any, of the attorney's fees and other costs incurred by the recipient incident to the recovery and paid by the recipient up to the time of recovery, and the amount of such fees and costs remaining unpaid at the time of recovery;

(3) the total hospital, doctor and other medical expenses incurred for care and treatment of the injury to the date of recovery therefor, the portion of such expenses theretofore paid by the

New matter indicated by italics - deletions by strikeout
recipient, by insurance provided by the recipient, and by the Department, unit of local government and county seeking to enforce a charge against the recovery, and the amount of such previously incurred expenses which remain unpaid at the time of recovery and by whom such incurred, unpaid expenses are to be paid;

(4) whether the recovery represents less than substantially full recompense for the injury and the hospital, doctor and other medical expenses incurred to the date of recovery for the care and treatment of the injury, so that reduction of the charge sought to be enforced against the recovery would not likely result in a double recovery or unjust enrichment to the recipient;

(5) the age of the recipient and of persons dependent for support upon the recipient, the nature and permanency of the recipient's injuries as they affect not only the future employability and education of the recipient but also the reasonably necessary and foreseeable future material, maintenance, medical, rehabilitative and training needs of the recipient, the cost of such reasonably necessary and foreseeable future needs, and the resources available to meet such needs and pay such costs;

(6) the realistic ability of the recipient to repay in whole or in part the charge sought to be enforced against the recovery when judged in light of the factors enumerated above.

The burden of producing evidence sufficient to support the exercise by the court of its discretion to reduce the amount of a proven charge sought to be enforced against the recovery shall rest with the party seeking such reduction.

The court may reduce and apportion the Illinois Department's lien proportionate to the recovery of the claimant. The court may consider the nature and extent of the injury, economic and noneconomic loss, settlement offers, comparative negligence as it applies to the case at hand, hospital costs, physician costs, and all other appropriate costs. The Illinois Department shall pay its pro rata share of the attorney fees based on the Illinois Department's lien as it compares to the total settlement agreed

New matter indicated by italics - deletions by strikeout
upon. This Section shall not affect the priority of an attorney's lien under the Attorneys Lien Act. The charges of the Illinois Department described in this Section, however, shall take priority over all other liens and charges existing under the laws of the State of Illinois with the exception of the attorney's lien under said statute.

Whenever the Department or any unit of local government has a statutory charge under this Section against a recovery for damages incurred by a recipient because of its advancement of any assistance, such charge shall not be satisfied out of any recovery until the attorney's claim for fees is satisfied, irrespective of whether or not an action based on recipient's claim has been filed in court.

This Section shall be inapplicable to any claim, demand or cause of action arising under (a) the Workers' Compensation Act or the predecessor Workers' Compensation Act of June 28, 1913, (b) the Workers' Occupational Diseases Act or the predecessor Workers' Occupational Diseases Act of March 16, 1936; and (c) the Wrongful Death Act.

(Source: P.A. 94-693, eff. 7-1-06.)

(305 ILCS 5/11-22a) (from Ch. 23, par. 11-22a)
(Text of Section after amendment by P.A. 94-693)

Sec. 11-22a. Right of Subrogation. To the extent of the amount of (i) medical assistance provided by the Department to or on behalf of a recipient under Article V or VI, or (ii) health care benefits provided for a child under the Covering ALL KIDS Health Insurance Act, or (iii) health care benefits provided to a veteran under the Veterans' Health Insurance Program Act, the Department shall be subrogated to any right of recovery such recipient may have under the terms of any private or public health care coverage or casualty coverage, including coverage under the "Workers' Compensation Act", approved July 9, 1951, as amended, or the "Workers’ Occupational Diseases Act", approved July 9, 1951, as amended, without the necessity of assignment of claim or other authorization to secure the right of recovery to the Department. To enforce its subrogation right, the Department may (i) intervene or join in an action or proceeding brought by the recipient, his or her guardian, personal representative, estate, dependents, or survivors against any person or

New matter indicated by italics - deletions by strikeout
public or private entity that may be liable; (ii) institute and prosecute legal proceedings against any person or public or private entity that may be liable for the cost of such services; or (iii) institute and prosecute legal proceedings, to the extent necessary to reimburse the Illinois Department for its costs, against any noncustodial parent who (A) is required by court or administrative order to provide insurance or other coverage of the cost of health care services for a child eligible for medical assistance under this Code and (B) has received payment from a third party for the costs of those services but has not used the payments to reimburse either the other parent or the guardian of the child or the provider of the services.

(Source: P.A. 94-693, eff. 7-1-06.)

(305 ILCS 5/11-22b) (from Ch. 23, par. 11-22b)

(Text of Section after amendment by P.A. 94-693)

Sec. 11-22b. Recoveries.

(a) As used in this Section:

(1) "Carrier" means any insurer, including any private company, corporation, mutual association, trust fund, reciprocal or interinsurance exchange authorized under the laws of this State to insure persons against liability or injuries caused to another and any insurer providing benefits under a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance or use of a motor vehicle which provides uninsured motorist endorsement or coverage.

(2) "Beneficiary" means any person or their dependents who has received benefits or will be provided benefits under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act because of an injury for which another person may be liable. It includes such beneficiary's guardian, conservator or other personal representative, his estate or survivors.

(b) (1) When benefits are provided or will be provided to a beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act because of an injury for which another person is liable, or for which a carrier is liable in accordance with the provisions of any policy of insurance issued pursuant to the Illinois Insurance Code, the Illinois
Department shall have a right to recover from such person or carrier the reasonable value of benefits so provided. The Attorney General may, to enforce such right, institute and prosecute legal proceedings against the third person or carrier who may be liable for the injury in an appropriate court, either in the name of the Illinois Department or in the name of the injured person, his guardian, personal representative, estate, or survivors.

(2) The Department may:
   (A) compromise or settle and release any such claim for benefits provided under this Code, or
   (B) waive any such claims for benefits provided under this Code, in whole or in part, for the convenience of the Department or if the Department determines that collection would result in undue hardship upon the person who suffered the injury or, in a wrongful death action, upon the heirs of the deceased.

(3) No action taken on behalf of the Department pursuant to this Section or any judgment rendered in such action shall be a bar to any action upon the claim or cause of action of the beneficiary, his guardian, conservator, personal representative, estate, dependents or survivors against the third person who may be liable for the injury, or shall operate to deny to the beneficiary the recovery for that portion of any damages not covered hereunder.

(c) (1) When an action is brought by the Department pursuant to subsection (b), it shall be commenced within the period prescribed by Article XIII of the Code of Civil Procedure.

   However, the Department may not commence the action prior to 5 months before the end of the applicable period prescribed by Article XIII of the Code of Civil Procedure. Thirty days prior to commencing an action, the Department shall notify the beneficiary of the Department's intent to commence such an action.

   (2) The death of the beneficiary does not abate any right of action established by subsection (b).

   (3) When an action or claim is brought by persons entitled to bring such actions or assert such claims against a third person

New matter indicated by italics - deletions by strikeout
who may be liable for causing the death of a beneficiary, any settlement, judgment or award obtained is subject to the Department's claim for reimbursement of the benefits provided to the beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act.

(4) When the action or claim is brought by the beneficiary alone and the beneficiary incurs a personal liability to pay attorney's fees and costs of litigation, the Department's claim for reimbursement of the benefits provided to the beneficiary shall be the full amount of benefits paid on behalf of the beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act less a pro rata share which represents the Department's reasonable share of attorney's fees paid by the beneficiary and that portion of the cost of litigation expenses determined by multiplying by the ratio of the full amount of the expenditures of the full amount of the judgment, award or settlement.

(d) (1) If either the beneficiary or the Department brings an action or claim against such third party or carrier, the beneficiary or the Department shall within 30 days of filing the action give to the other written notice by personal service or registered mail of the action or claim and of the name of the court in which the action or claim is brought. Proof of such notice shall be filed in such action or claim. If an action or claim is brought by either the Department or the beneficiary, the other may, at any time before trial on the facts, become a party to such action or claim or shall consolidate his action or claim with the other if brought independently.

(2) If an action or claim is brought by the Department pursuant to subsection (b)(1), written notice to the beneficiary, guardian, personal representative, estate or survivor given pursuant to this Section shall advise him of his right to intervene in the proceeding, his right to obtain a private attorney of his choice and

New matter indicated by italics - deletions by strikeout
the Department's right to recover the reasonable value of the benefits provided.

(e) In the event of judgment or award in a suit or claim against such third person or carrier:

(1) If the action or claim is prosecuted by the beneficiary alone, the court shall first order paid from any judgment or award the reasonable litigation expenses incurred in preparation and prosecution of such action or claim, together with reasonable attorney's fees, when an attorney has been retained. After payment of such expenses and attorney's fees the court shall, on the application of the Department, allow as a first lien against the amount of such judgment or award the amount of the Department's expenditures for the benefit of the beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act, as provided in subsection (c)(4).

(2) If the action or claim is prosecuted both by the beneficiary and the Department, the court shall first order paid from any judgment or award the reasonable litigation expenses incurred in preparation and prosecution of such action or claim, together with reasonable attorney's fees for plaintiffs attorneys based solely on the services rendered for the benefit of the beneficiary. After payment of such expenses and attorney's fees, the court shall apply out of the balance of such judgment or award an amount sufficient to reimburse the Department the full amount of benefits paid on behalf of the beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act.

(f) The court shall, upon further application at any time before the judgment or award is satisfied, allow as a further lien the amount of any expenditures of the Department in payment of additional benefits arising out of the same cause of action or claim provided on behalf of the beneficiary under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act,
when such benefits were provided or became payable subsequent to the original order.

(g) No judgment, award, or settlement in any action or claim by a beneficiary to recover damages for injuries, when the Department has an interest, shall be satisfied without first giving the Department notice and a reasonable opportunity to perfect and satisfy its lien.

(h) When the Department has perfected a lien upon a judgment or award in favor of a beneficiary against any third party for an injury for which the beneficiary has received benefits under this Code, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act, the Department shall be entitled to a writ of execution as lien claimant to enforce payment of said lien against such third party with interest and other accruing costs as in the case of other executions. In the event the amount of such judgment or award so recovered has been paid to the beneficiary, the Department shall be entitled to a writ of execution against such beneficiary to the extent of the Department's lien, with interest and other accruing costs as in the case of other executions.

(i) Except as otherwise provided in this Section, notwithstanding any other provision of law, the entire amount of any settlement of the injured beneficiary's action or claim, with or without suit, is subject to the Department's claim for reimbursement of the benefits provided and any lien filed pursuant thereto to the same extent and subject to the same limitations as in Section 11-22 of this Code. (Source: P.A. 94-693, eff. 7-1-06.)

(305 ILCS 5/11-22c) (from Ch. 23, par. 11-22c)
(Text of Section after amendment by P.A. 94-693)
Sec. 11-22c. (a) As used in this Section, "recipient" means any person receiving financial assistance under Article IV or Article VI of this Code, or receiving health care benefits under the Covering ALL KIDS Health Insurance Act, or receiving health care benefits under the Veterans' Health Insurance Program Act.

(b) If a recipient maintains any suit, charge or other court or administrative action against an employer seeking back pay for a period
during which the recipient received financial assistance under Article IV or Article VI of this Code, or health care benefits under the Covering ALL KIDS Health Insurance Act, or health care benefits under the Veterans' Health Insurance Program Act, the recipient shall report such fact to the Department. To the extent of the amount of assistance provided to or on behalf of the recipient under Article IV or Article VI, or health care benefits provided under the Covering ALL KIDS Health Insurance Act, or health care benefits provided under the Veterans' Health Insurance Program Act, the Department may by intervention or otherwise without the necessity of assignment of claim, attach a lien on the recovery of back wages equal to the amount of assistance provided by the Department to the recipient under Article IV or Article VI, or under the Covering ALL KIDS Health Insurance Act, or under the Veterans' Health Insurance Program Act.

(Source: P.A. 94-693, eff. 7-1-06.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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


PUBLIC ACT 94-0817
(Senate Bill No. 2030)

AN ACT concerning revenue.

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

Section 5. The Film Production Services Tax Credit Act is amended by changing Sections 10, 40, 45, and 90 as follows:

(35 ILCS 15/10)

(Section scheduled to be repealed on January 1, 2007) Sec. 10. Definitions. As used in this Act:

New matter indicated by italics - deletions by strikeout
"Accredited production" means: (i) for productions commencing before May 1, 2006, a film, video, or television production that has been certified by the Department in which the aggregate Illinois labor expenditures included in the cost of the production, in the period that ends 12 months after the time principal filming or taping of the production began, exceed $100,000 for productions of 30 minutes or longer, or $50,000 for productions of less than 30 minutes; and (ii) for productions commencing on or after May 1, 2006, a film, video, or television production that has been certified by the Department in which the Illinois production spending included in the cost of production in the period that ends 12 months after the time principal filming or taping of the production began exceeds $100,000 for productions of 30 minutes or longer or exceeds $50,000 for productions of less than 30 minutes. "Accredited production" but does not include a production that:

1. is news, current events, or public programming, or a program that includes weather or market reports;
2. is a talk show;
3. is a production in respect of a game, questionnaire, or contest;
4. is a sports event or activity;
5. is a gala presentation or awards show;
6. is a finished production that solicits funds;
7. is a production produced by a film production company if records, as required by 18 U.S.C. 2257, are to be maintained by that film production company with respect to any performer portrayed in that single media or multimedia program; or
8. is a production produced primarily for industrial, corporate, or institutional purposes.

"Accredited production certificate" means a certificate issued by the Department certifying that the production is an accredited production that meets the guidelines of this Act.

"Applicant" means a taxpayer that is a film production company that is operating or has operated an accredited production located within the State of Illinois and that (i) owns the copyright in the accredited

New matter indicated by italics - deletions by strikeout
production throughout the Illinois production period or (ii) has contracted
directly with the owner of the copyright in the accredited production or a
person acting on behalf of the owner to provide services for the
production, where the owner of the copyright is not an eligible production
corporation.

"Credit" means:

(1) for an accredited production approved by the
Department on or before January 1, 2005 and commencing before
May 1, 2006, the amount equal to 25% of the Illinois labor
expenditure approved by the Department. The applicant is deemed
to have paid, on its balance due day for the year, an amount equal
to 25% of its qualified Illinois labor expenditure for the tax year.
For Illinois labor expenditures generated by the employment of
residents of geographic areas of high poverty or high
unemployment, as determined by the Department, in an accredited
production commencing before May 1, 2006 and
approved by the
Department after January 1, 2005, the applicant shall receive an
enhanced credit of 10% in addition to the 25% credit; and

(2) for an accredited production commencing on or after
May 1, 2006, the amount equal to:
(i) 20% of the Illinois production spending for the
taxable year; plus
(ii) 15% of the Illinois labor expenditures generated
by the employment of residents of geographic areas of high
poverty or high unemployment, as determined by the
Department.

"Department" means the Department of Commerce and Economic
Opportunity.
"Director" means the Director of Commerce and Economic
Opportunity.
"Illinois labor expenditure" means salary or wages paid to
employees of the applicant for services on the accredited production;
To qualify as an Illinois labor expenditure, the expenditure must be:

New matter indicated by italics - deletions by strikeout
(1) Reasonable in the circumstances.
(2) Included in the federal income tax basis of the property.
(3) Incurred by the applicant for services on or after January 1, 2004.
(4) Incurred for the production stages of the accredited production, from the final script stage to the end of the post-production stage.
(5) Limited to the first $25,000 of wages paid or incurred to each employee of a production commencing before May 1, 2006 and the first $100,000 of wages paid or incurred to each employee of a production commencing on or after May 1, 2006.
(6) For a production commencing before May 1, 2006, exclusive of the salary or wages paid to or incurred for the 2 highest paid employees of the production.
(7) Directly attributable to the accredited production.
(8) Paid in the tax year for which the applicant is claiming the credit or no later than 60 days after the end of the tax year.
(9) Paid to persons resident in Illinois at the time the payments were made.
(10) Paid for services rendered in Illinois.

"Illinois production spending" means the expenses incurred by the applicant for an accredited production, including, without limitation, all of the following:

(1) expenses to purchase, from vendors within Illinois, tangible personal property that is used in the accredited production;
(2) expenses to acquire services, from vendors in Illinois, for film production, editing, or processing; and
(3) the compensation, not to exceed $100,000 for any one employee, for contractual or salaried employees who are Illinois residents performing services with respect to the accredited production.

"Qualified production facility" means stage facilities in the State in which television shows and films are or are intended to be regularly

New matter indicated by italics - deletions by strikeout
produced and that contain at least one sound stage of at least 15,000 square feet.
(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.) (35 ILCS 15/40)

Sec. 40. Amount and duration of the credit. The amount of the credit awarded under this Act is based on the amount of the Illinois labor expenditure and Illinois production spending approved by the Department for the production as set forth under Section 10. The duration of the credit may not exceed one taxable year.
(Source: P.A. 93-543, eff. 1-1-04.)
(35 ILCS 15/45)

Sec. 45. Evaluation of tax credit program; reports to the General Assembly.

(a) The Department shall evaluate the tax credit program. The evaluation must include an assessment of the effectiveness of the program in creating and retaining new jobs in Illinois and of the revenue impact of the program, and may include a review of the practices and experiences of other states or nations with similar programs. Upon completion of this evaluation, the Department shall determine the overall success of the program, and may make a recommendation to extend, modify, or not extend the program based on this evaluation.

(b) At the end of each fiscal quarter, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) the economic impact of the tax credit program, including the number of jobs created and retained, including whether the job positions are entry level, management, talent-related, vendor-related, or production-related;

(2) the amount of film production spending brought to Illinois, including the amount of spending and type of Illinois vendors hired in connection with an accredited production; and

(3) an overall picture of whether the human infrastructure of the motion picture industry in Illinois reflects the geographical,
racial and ethnic, gender, and income-level diversity of the State of Illinois.

(c) At the end of each fiscal year, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) an identification of each vendor that provided goods or services that were included in an accredited production’s Illinois production spending;

(2) the amount paid to each identified vendor by the accredited production;

(3) for each identified vendor, a statement as to whether the vendor is a minority owned business or a female owned business, as defined under Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; and

(4) a description of any steps taken by the Department to encourage accredited productions to use vendors who are a minority owned business or a female owned business.

(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.)

(35 ILCS 15/90)
(Section scheduled to be repealed on January 1, 2007)
Sec. 90. Repeal. This Act is repealed on January 1, 2007.
(Source: P.A. 93-543, eff. 1-1-04; 93-840, eff. 7-30-04; 94-171, eff. 7-11-05.)

Section 10. The Energy Assistance Act is amended by changing Section 13 and by adding Section 17 as follows:

(305 ILCS 20/13)
(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations from individuals, foundations, corporations, and other sources, moneys received pursuant to Section 17, and, by statutory deposit, the moneys collected pursuant to this Section. Subject to appropriation, the Department shall use moneys from the Supplemental

New matter indicated by italics - deletions by strikeout
Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program authorized by Section 4 of this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 10% of the amount collected during that year pursuant to this Section.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) $0.40 per month on each account for residential electric service;
(2) $0.40 per month on each account for residential gas service;
(3) $4 per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;
(4) $4 per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;

New matter indicated by italics - deletions by strikeout
(5) $300 per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and
(6) $300 per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.
(c) For purposes of this Section:
(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;
(2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;
(3) "non-residential electric service" means electric utility service which is not residential electric service; and
(4) "non-residential gas service" means gas utility service which is not residential gas service.
(d) At least 45 days prior to the date on which it must begin assessing Energy Assistance Charges, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs.
(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.
(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received as payment of the Energy Assistance Charge.
on a return prescribed and furnished by the Department of Revenue
showing such information as the Department of Revenue may reasonably
require. If a customer makes a partial payment, a public utility, municipal
utility, or electric cooperative may elect either: (i) to apply such partial
payments first to amounts owed to the utility or cooperative for its services
and then to payment for the Energy Assistance Charge or (ii) to apply such
partial payments on a pro-rata basis between amounts owed to the utility
or cooperative for its services and to payment for the Energy Assistance
Charge.

(g) The Department of Revenue shall deposit into the
Supplemental Low-Income Energy Assistance Fund all moneys remitted to
it in accordance with subsection (f) of this Section.

(h) (Blank).

On or before December 31, 2002, the Department shall prepare a
report for the General Assembly on the expenditure of funds appropriated
from the Low-Income Energy Assistance Block Grant Fund for the
program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it
deems necessary to implement this Section.

(j) The Department of Commerce and Economic Opportunity
Community Affairs may establish such rules as it deems necessary to
implement this Section.

(k) The charges imposed by this Section shall only apply to
customers of municipal electric or gas utilities and electric or gas
cooperatives if the municipal electric or gas utility or electric or gas
cooperative makes an affirmative decision to impose the charge. If a
municipal electric or gas utility or an electric cooperative makes an
affirmative decision to impose the charge provided by this Section, the
municipal electric or gas utility or electric cooperative shall inform the
Department of Revenue in writing of such decision when it begins to
impose the charge. If a municipal electric or gas utility or electric or gas
cooperative does not assess this charge, the Department may not use funds
from the Supplemental Low-Income Energy Assistance Fund to provide

New matter indicated by italics - deletions by strikeout
benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed effective December 31, 2007 unless renewed by action of the General Assembly. The General Assembly shall consider the results of the evaluations described in Section 8 in its deliberations.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/17 new)

Sec. 17. Transfer into Supplemental Low-Income Energy Assistance Fund. Immediately upon the effective date of this amendatory Act of the 94th General Assembly, but no later than 5 business days after that effective date, the State Comptroller shall direct and the Treasurer shall transfer into the Supplemental Low-Income Energy Assistance Fund $5,201,055, which is equivalent to 50% of the average amount of Gas Revenue Tax paid per residential gas utility customer in State fiscal year 2005 multiplied by the number of residential gas utility customers that received assistance from the Low Income Home Energy Assistance Program during the State fiscal year 2005 winter heating season.

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


PUBLIC ACT 94-0818
(House Bill No. 2946)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Criminal Code of 1961 is amended by adding Section 12-36 as follows:

(720 ILCS 5/12-36 new)

Sec. 12-36. Possession of certain dogs by felons prohibited.

(a) For a period of 10 years commencing upon the release of a person from incarceration, it is unlawful for a person convicted of a forcible felony, a felony violation of the Humane Care for Animals Act, a felony violation of Article 24 of the Criminal Code of 1961, a felony violation of Class 3 or higher of the Illinois Controlled Substances Act, a felony violation of Class 3 or higher of the Cannabis Control Act, or a felony violation of Class 2 or higher of the Methamphetamine Control and Community Protection Act, to knowingly own, possess, have custody of, or reside in a residence with, either:

(1) an unspayed or unneutered dog or puppy older than 12 weeks of age; or

(2) irrespective of whether the dog has been spayed or neutered, any dog that has been determined to be a vicious dog under Section 15 of the Animal Control Act.

(b) Any dog owned, possessed by, or in the custody of a person convicted of a felony, as described in subsection (a), must be microchipped for permanent identification.

(c) Sentence. A person who violates this Section is guilty of a Class A misdemeanor.

(d) It is an affirmative defense to prosecution under this Section that the dog in question is neutered or spayed, or that the dog in question was neutered or spayed within 7 days of the defendant being charged with a violation of this Section. Medical records from, or the certificate of, a doctor of veterinary medicine licensed to practice in the State of Illinois who has personally examined or operated upon the dog, unambiguously indicating whether the dog in question has been spayed or neutered, shall be prima facie true and correct, and shall be sufficient evidence of whether the dog in question has been spayed or neutered. This subsection (d) is not applicable to any dog that has been determined to be a vicious dog under Section 15 of the Animal Control Act.

New matter indicated by italics - deletions by strikeout
AN ACT concerning animals.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by changing Section 5-1071 as follows:

(55 ILCS 5/5-1071) (from Ch. 34, par. 5-1071)
Sec. 5-1071. Dogs running at large. The county board of each county may regulate and prohibit the running at large of dogs in unincorporated areas of the county which have been subdivided for residence purposes. The county board may impose such fines or penalties as are deemed proper to effectuate any such regulation or prohibition of dogs running at large, except when a fine or penalty is already allowed by law. No fine or penalty may exceed $50 for any one offense.

(Source: P.A. 86-962.)

Section 10. The Animal Control Act is amended by changing Sections 16 and 26 as follows:

(510 ILCS 5/16) (from Ch. 8, par. 366)
Sec. 16. Animal attacks or injuries. If a dog or other animal, without provocation, attacks, attempts to attack, or injures any person who is peaceably conducting himself or herself in any place where he or she may lawfully be, the owner of such dog or other animal is liable in civil damages to such person for the full amount of the injury proximately caused thereby sustained.

(Source: P.A. 78-795.)

(510 ILCS 5/26) (from Ch. 8, par. 376)
Sec. 26. (a) Except as otherwise provided in this Act, any person violating or aiding in or abetting the violation of any provision of

New matter indicated by italics - deletions by strikeout
this Act, or counterfeiting or forging any certificate, permit, or tag, or making any misrepresentation in regard to any matter prescribed by this Act, or resisting, obstructing, or impeding the Administrator or any authorized officer in enforcing this Act, or refusing to produce for inoculation any dog in his possession, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of a Class C misdemeanor for a first offense and for a subsequent offense, is guilty of a Class B misdemeanor.

Each day a person fails to comply constitutes a separate offense. Each State's Attorney to whom the Administrator reports any violation of this Act shall cause appropriate proceedings to be instituted in the proper courts without delay and to be prosecuted in the manner provided by law.

(b) If the owner of a vicious dog subject to enclosure:
(1) fails to maintain or keep the dog in an enclosure or fails to spay or neuter the dog within the time period prescribed; and
(2) the dog inflicts serious physical injury upon any other person or causes the death of another person; and
(3) the attack is unprovoked in a place where such person is peaceably conducting himself or herself and where such person may lawfully be;
the owner shall be guilty of a Class 3 felony, unless the owner knowingly allowed the dog to run at large or failed to take steps to keep the dog in an enclosure then the owner shall be guilty of a Class 2 felony. The penalty provided in this paragraph shall be in addition to any other criminal or civil sanction provided by law.

(c) If the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog inflicts serious physical injury on a person or a companion animal, the owner shall be guilty of a Class 4 felony. If the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog kills a person the owner shall be guilty of a Class 3 felony.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

Section 15. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:

New matter indicated by italics - deletions by strikeout
(730 ILCS 5/5-5-3.2) (from Ch. 38, par. 1005-5-3.2)
Sec. 5-5-3.2. Factors in Aggravation.
(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1:

(1) the defendant's conduct caused or threatened serious harm;
(2) the defendant received compensation for committing the offense;
(3) the defendant has a history of prior delinquency or criminal activity;
(4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
(5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
(6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
(7) the sentence is necessary to deter others from committing the same crime;
(8) the defendant committed the offense against a person 60 years of age or older or such person's property;
(9) the defendant committed the offense against a person who is physically handicapped or such person's property;
(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the

New matter indicated by italics - deletions by strikeout
purposes of this Section, "sexual orientation" means heterosexual, homosexuality, or bisexuality;

(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;

(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;

(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;

(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 12-12 of the Criminal Code of 1961, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-6, 11-11, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 against that victim;

(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time

New matter indicated by italics - deletions by strikeout
of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 1961;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners
Identification Card Act or an act of armed violence while armed with a firearm; or 

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code; or 

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code. For the purposes of this Section: "School" is defined as a public or private elementary or secondary school, community college, college, or university. "Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center. 

(b) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender: 

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or 

New matter indicated by italics - deletions by strikeout
(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter or reckless homicide in which the defendant has been convicted of causing the death of more than one individual; or

(4) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;
(ii) a person 60 years of age or older at the time of the offense or such person's property; or
(iii) a person physically handicapped at the time of the offense or such person's property; or

(5) In the case of a defendant convicted of aggravated criminal sexual assault or criminal sexual assault, when the court finds that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective; or

(6) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;
(ii) the theft of human corpses;
(iii) the kidnapping of humans;

New matter indicated by italics - deletions by strikeout
(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or
(v) ritualized abuse of a child; or
(7) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or
(8) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or
(9) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 and the court finds that the defendant is a member of an organized gang; or
(10) When a defendant committed the offense using a firearm with a laser sight attached to it. For purposes of this paragraph (10), "laser sight" has the meaning ascribed to it in Section 24.6-5 of the Criminal Code of 1961; or
(11) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

New matter indicated by italics - deletions by strikeout
(12) When a defendant commits an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act, the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act, or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph (12), "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel; or:

(13) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged.

(b-1) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(c) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 where the victim was under 18 years of age at the time of the commission of the offense.

(d) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 for possessing a weapon
that is not readily distinguishable as one of the weapons enumerated in
(Source: P.A. 94-131, eff. 7-7-05; 94-375, eff. 1-1-06; 94-556, eff. 9-11-
05; revised 8-19-05.)

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

Passed in the General Assembly April 4, 2006.
Approved May 31, 2006.

PUBLIC ACT 94-0820
(House Bill No. 4711)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Criminal Code of 1961 is amended by changing
Section 26-5 as follows:

(720 ILCS 5/26-5)

Sec. 26-5. Dog fighting. (For other provisions that may apply to
dog fighting, see the Humane Care for Animals Act. For provisions similar
to this Section that apply to animals other than dogs, see in particular
Section 4.01 of the Humane Care for Animals Act.)

(a) No person may own, capture, breed, train, or lease any dog
which he or she knows is intended for use in any show, exhibition,
program, or other activity featuring or otherwise involving a fight between
the dog and any other animal or human, or the intentional killing of any
dog for the purpose of sport, wagering, or entertainment.

(b) No person may promote, conduct, carry on, advertise, collect
money for or in any other manner assist or aid in the presentation for
purposes of sport, wagering, or entertainment of any show, exhibition,
program, or other activity involving a fight between 2 or more dogs or any
dog and human, or the intentional killing of any dog.

New matter indicated by italics - deletions by strikeout
(c) No person may sell or offer for sale, ship, transport, or otherwise move, or deliver or receive any dog which he or she knows has been captured, bred, or trained, or will be used, to fight another dog or human or be intentionally killed for purposes of sport, wagering, or entertainment.

(c-5) No person may solicit a minor to violate this Section.

(d) No person may manufacture for sale, shipment, transportation, or delivery any device or equipment which he or she knows or should know is intended for use in any show, exhibition, program, or other activity featuring or otherwise involving a fight between 2 or more dogs, or any human and dog, or the intentional killing of any dog for purposes of sport, wagering, or entertainment.

(e) No person may own, possess, sell or offer for sale, ship, transport, or otherwise move any equipment or device which he or she knows or should know is intended for use in connection with any show, exhibition, program, or activity featuring or otherwise involving a fight between 2 or more dogs, or any dog and human, or the intentional killing of any dog for purposes of sport, wagering or entertainment.

(f) No person may knowingly make available any site, structure, or facility, whether enclosed or not, that he or she knows is intended to be used for the purpose of conducting any show, exhibition, program, or other activity involving a fight between 2 or more dogs, or any dog and human, or the intentional killing of any dog or knowingly manufacture, distribute, or deliver fittings to be used in a fight between 2 or more dogs or a dog and human.

(g) No person may attend or otherwise patronize any show, exhibition, program, or other activity featuring or otherwise involving a fight between 2 or more dogs, or any dog and human, or the intentional killing of any dog for purposes of sport, wagering, or entertainment.

(h) No person may tie or attach or fasten any live animal to any machine or device propelled by any power for the purpose of causing the animal to be pursued by a dog or dogs. This subsection (h) applies only when the dog is intended to be used in a dog fight.

(i) Penalties for violations of this Section shall be as follows:

New matter indicated by italics - deletions by strikeout
(1) Any person convicted of violating subsection (a), (b), or (c) of this Section is guilty of a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation, and may be fined an amount not to exceed $50,000.

(1.5) A person who knowingly owns a dog for fighting purposes or for producing a fight between 2 or more dogs or a dog and human or who knowingly offers for sale or sells a dog bred for fighting is guilty of a Class 3 felony and may be fined an amount not to exceed $50,000, if the dog participates in a dogfight and any of the following factors is present:

(i) the dogfight is performed in the presence of a person under 18 years of age;

(ii) the dogfight is performed for the purpose of or in the presence of illegal wagering activity; or

(iii) the dogfight is performed in furtherance of streetgang related activity as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(1.7) A person convicted of violating subsection (c-5) of this Section is guilty of a Class 4 felony A misdemeanor.

(2) Any person convicted of violating subsection (d) or (e) of this Section is guilty of a Class A misdemeanor for a first violation. A second or subsequent violation of subsection (d) or (e) of this Section is a Class 3 felony.

(2.5) Any person convicted of violating subsection (f) of this Section is guilty of a Class 4 felony.

(3) Any person convicted of violating subsection (g) of this Section is guilty of a Class 4 felony. If a person under 13 years of age is present at any show, exhibition, program, or other activity prohibited in subsection (g), the parent, legal guardian, or other person who is 18 years of age or older who brings that person under 13 years of age to that show, exhibition, program, or other activity is guilty of

New matter indicated by italics - deletions by strikeout
class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation.

(j) Any dog or equipment involved in a violation of this Section shall be immediately seized and impounded under Section 12 of the Humane Care for Animals Act when located at any show, exhibition, program, or other activity featuring or otherwise involving a dog fight for the purposes of sport, wagering, or entertainment.

(k) Any vehicle or conveyance other than a common carrier that is used in violation of this Section shall be seized, held, and offered for sale at public auction by the sheriff's department of the proper jurisdiction, and the proceeds from the sale shall be remitted to the general fund of the county where the violation took place.

(l) Any veterinarian in this State who is presented with a dog for treatment of injuries or wounds resulting from fighting where there is a reasonable possibility that the dog was engaged in or utilized for a fighting event for the purposes of sport, wagering, or entertainment shall file a report with the Department of Agriculture and cooperate by furnishing the owners' names, dates, and descriptions of the dog or dogs involved. Any veterinarian who in good faith complies with the requirements of this subsection has immunity from any liability, civil, criminal, or otherwise, that may result from his or her actions. For the purposes of any proceedings, civil or criminal, the good faith of the veterinarian shall be rebuttably presumed.

(m) In addition to any other penalty provided by law, upon conviction for violating this Section, the court may order that the convicted person and persons dwelling in the same household as the convicted person who conspired, aided, or abetted in the unlawful act that was the basis of the conviction, or who knew or should have known of the unlawful act, may not own, harbor, or have custody or control of any dog or other animal for a period of time that the court deems reasonable.

(n) A violation of subsection (a) of this Section may be inferred from evidence that the accused possessed any device or equipment described in subsection (d), (e), or (h) of this Section, and also possessed any dog.

New matter indicated by italics - deletions by strikeout
(o) When no longer required for investigations or court proceedings relating to the events described or depicted therein, evidence relating to convictions for violations of this Section shall be retained and made available for use in training peace officers in detecting and identifying violations of this Section. Such evidence shall be made available upon request to other law enforcement agencies and to schools certified under the Illinois Police Training Act.

(Source: P.A. 92-425, eff. 1-1-02; 92-650, eff. 7-11-02.)
Approved May 31, 2006.

PUBLIC ACT 94-0821
(House Bill No. 4760)

AN ACT concerning property.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Conveyances Act is amended by changing Section 35c as follows:

(765 ILCS 5/35c) (from Ch. 30, par. 34c)
Sec. 35c. Whenever any deed or instrument of conveyance or other instrument to be made a matter of record is executed there shall be typed or printed to the side or below all signatures the names of the parties signing such instruments including the witnesses thereto, if any, and the names of the parties or officers taking the acknowledgments. The absence or neglect to print or type the names of the parties under the signatures shall not invalidate the instrument.

Whenever any deed or instrument of conveyance or other instrument to be made a matter of record is executed, the signatures of the parties making the conveyance shall be acknowledged by a notary public appointed and commissioned by the Secretary of State or by one of the courts or officers designated in Section 20 of this Act. Failure to comply with this provision shall not invalidate the instrument.

New matter indicated by italics - deletions by strikeout
Whenever any deed or instrument of conveyance is executed the name and address of the owner or owners to whom subsequent tax bills are to be sent shall be endorsed on the instrument. The absence or neglect of any one to comply with this provision shall not invalidate the instrument.

Whenever any deed or instrument of conveyance is executed and is to be made a matter of record wherein a metes and bounds description is incorporated, the metes and bounds description shall contain the section, township and range with an identifiable point of beginning. Subsequent courses shall contain approximate linear distance and direction values, direction being defined as any one or more of the following:

a. The angular relationship of the described course to a described course.

b. The bearing of the described course relative to the bearing of a described course.

c. The relationship of the described course to a known line, or a point thereon, such as a previously described course in the same description or a line of a section or fraction thereof or a line in a platted lot or block.

If references are made to existing monuments or points or lines of previously recorded conveyances, the instant description shall contain sufficient information so that it may be located without reference to matters outside the instant description.

The neglect to comply with the provisions of this Section shall not invalidate the instrument.

(Source: P.A. 85-1232.)

Approved June 1, 2006.

PUBLIC ACT 94-0822
(Senate Bill No. 2349)

AN ACT concerning mortgages.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 1. Short title. This Act may be cited as the Mortgage
Rescue Fraud Act.

Section 5. Definitions. As used in this Act:
"Distressed property" means residential real property consisting of
one to 6 family dwelling units that is in foreclosure or at risk of loss due to
nonpayment of taxes, or whose owner is more than 90 days delinquent on
any loan that is secured by the property.

"Distressed property consultant" means any person who, directly or
indirectly, for compensation from the owner, makes any solicitation,
representation, or offer to perform or who, for compensation from the
owner, performs any service that the person represents will in any manner
do any of the following:

(1) stop or postpone the foreclosure sale or the loss of the
home due to nonpayment of taxes;
(2) obtain any forbearance from any beneficiary or
mortgagee, or relief with respect to a tax sale of the property;
(3) assist the owner to exercise any right of reinstatement or
right of redemption;
(4) obtain any extension of the period within which the
owner may reinstate the owner's rights with respect to the property;
(5) obtain any waiver of an acceleration clause contained in
any promissory note or contract secured by a mortgage on a
distressed property or contained in the mortgage;
(6) assist the owner in foreclosure, loan default, or post-tax
sale redemption period to obtain a loan or advance of funds;
(7) avoid or ameliorate the impairment of the owner's credit
resulting from the recording of a notice of default or the conduct of
a foreclosure sale or tax sale; or
(8) save the owner's residence from foreclosure or loss of
home due to nonpayment of taxes.

A "distressed property consultant" does not include any of the
following:

New matter indicated by italics - deletions by strikeout
(1) a person or the person's authorized agent acting under the express authority or written approval of the Department of Housing and Urban Development;

(2) a person who holds or is owed an obligation secured by a lien on any distressed property, or a person acting under the express authorization or written approval of such person, when the person performs services in connection with the obligation or lien, if the obligation or lien did not arise as the result of or as part of a proposed distressed property conveyance;

(3) banks, savings banks, savings and loan associations, credit unions, and insurance companies organized, chartered, or holding a certificate of authority to do business under the laws of this State or any other state or under the laws of the United States;

(4) licensed attorneys engaged in the practice of law;

(5) a Department of Housing and Urban Development approved mortgagee and any subsidiary or affiliate of these persons or entities, and any agent or employee of these persons or entities, while engaged in the business of these persons or entities;

(6) a 501(c)(3) nonprofit agency or organization, doing business for no less than 5 years, that offers counseling or advice to an owner of a distressed property, if they do not contract for services with for-profit lenders or distressed property purchasers, or any person who structures or plans such a transaction;

(7) licensees of the Residential Mortgage License Act of 1987;

(8) licensees of the Consumer Installment Loan Act who are authorized to make loans secured by real property; or

(9) licensees of the Real Estate License Act of 2000 when providing licensed activities.

"Distressed property purchaser" means any person who acquires any interest in fee in a distressed property while allowing the owner to possess, occupy, or retain any present or future interest in fee in the property, or any person who participates in a joint venture or joint enterprise involving a distressed property conveyance. "Distressed
property purchaser" does not mean any person who acquires distressed property at a short sale or any person acting in participation with any person who acquires distressed property at a short sale, if that person does not promise to convey an interest in fee back to the owner or does not give the owner an option to purchase the property at a later date.

"Distressed property conveyance" means a transaction in which an owner of a distressed property transfers an interest in fee in the distressed property; the acquirer of the property allows the owner of the distressed property to occupy the property; and the acquirer of the property or a person acting in participation with the acquirer of the property conveys or promises to convey an interest in fee back to the owner or gives the owner an option to purchase the property at a later date.

"Person" means any individual, partnership, corporation, limited liability company, association, or other group or entity, however organized.

"Service" means, without limitation, any of the following:

(1) debt, budget, or financial counseling of any type;
(2) receiving money for the purpose of distributing it to creditors in payment or partial payment of any obligation secured by a lien on a distressed property;
(3) contacting creditors on behalf of an owner of a residence that is distressed property;
(4) arranging or attempting to arrange for an extension of the period within which the owner of a distressed property may cure the owner's default and reinstate his or her obligation;
(5) arranging or attempting to arrange for any delay or postponement of the time of sale of the distressed property;
(6) advising the filing of any document or assisting in any manner in the preparation of any document for filing with any court; or
(7) giving any advice, explanation, or instruction to an owner of a distressed property that in any manner relates to the cure of a default or forfeiture or to the postponement or avoidance of sale of the distressed property.

New matter indicated by italics - deletions by strikeout
Section 10. Distressed property consultant contract terms.

(a) A distressed property consultant contract must be in writing and must fully disclose the exact nature of the distressed property consultant's services and the total amount and terms of compensation.

(b) The following notice, printed in at least 12-point boldface type and completed with the name of the distressed property consultant, must be printed immediately above the statement required by subsection (c) of this Section:

"NOTICE REQUIRED BY ILLINOIS LAW

.................................................(Name) or anyone working for him or her CANNOT:

(1) Take any money from you or ask you for money until ........................................ (Name) has completely finished doing everything he or she said he or she would do; or

(2) Ask you to sign or have you sign any lien, mortgage, or deed."

(c) A distressed property consultant contract must be written in the same language as principally used by the distressed property consultant to describe his or her services or to negotiate the contract, must be dated and signed by the owner, and must contain in immediate proximity to the space reserved for the owner's signature a conspicuous statement in a size equal to at least 12-point boldface type, as follows:

"You, the owner, may cancel this transaction at any time until after the distressed property consultant has fully performed each and every service the distressed property consultant contracted to perform or represented he or she would perform. See the attached notice of cancellation form for an explanation of this right."

(d) A distressed property contract must contain on the first page, in a type size no smaller than that generally used in the body of the document, each of the following:

(1) the name and address of the distressed property consultant to which the notice of cancellation is to be mailed; and

(2) the date the owner signed the contract.
(e) A distressed property consultant contract must be accompanied by a completed form in duplicate, captioned "NOTICE OF CANCELLATION," which must be attached to the contract, must be easily detachable, and must contain, in at least 12-point boldface type, the following statement written in the same language as used in the contract:

"NOTICE OF CANCELLATION

(Enter date of transaction)

You may cancel this transaction, without any penalty or obligation, at any time until after the distressed property consultant has fully performed each and every service the distressed property consultant contracted to perform or represented he or she would perform.

To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice, or any other written notice to:

...............(Name of distressed property consultant) at
...............(Address of distressed property consultant's place of business)

I hereby cancel this transaction on ............(Date)

...............(Owner's signature)"

(f) The distressed property consultant shall provide the owner with a copy of a distressed property consultant contract and the attached notice of cancellation immediately upon execution of the contract.

Section 15. Rescission of distressed property consultant contract.

(a) In addition to any other legal right to rescind a contract, an owner has the right to cancel a distressed property consultant contract at any time until after the distressed property consultant has fully performed each service the distressed property consultant contracted to perform or represented he or she would perform.

(b) Cancellation occurs when the owner gives written notice of cancellation to the distressed property consultant at the address specified in the distressed property consultant contract.

(c) Notice of cancellation, if given by mail, is effective when deposited in the mail properly addressed with postage prepaid. Notice by certified mail, return receipt requested, addressed to the address specified

New matter indicated by italics - deletions by strikeout
in the distressed property consultant contract, shall be conclusive proof of notice of service.

(d) Notice of cancellation given by the owner need not take the particular form as provided with the distressed property consultant contract and, however expressed, is effective if it indicates the intention of the owner not to be bound by the contract.

Section 20. Waiver of a distressed property consultant contract.

(a) Any waiver by an owner of the provisions of Section 10 or 15 is void and unenforceable as contrary to public policy.

(b) Any attempt by a distressed property consultant to induce an owner to waive the owner's rights is a violation of the Act.

Section 25. Distressed property conveyance contract. A distressed property purchaser shall enter into every distressed property conveyance in the form of a written contract. Every distressed property conveyance contract must be written in letters of a size equal to at least 12-point boldface type, in the same language principally used by the owner of the distressed property to negotiate the sale of the distressed property, must be fully completed, signed, and dated by the owner of the distressed property and the distressed property purchaser, and must be witnessed and acknowledged by a notary public, before the execution of any instrument of conveyance of the distressed property.

Section 30. Distressed property conveyance contract terms. Every contract required by Section 25 must contain the entire agreement of the parties, be fully assignable, and survive delivery of any instrument of conveyance of the distressed property. Every lease entered into pursuant to a contract required by Section 25 is terminable at will by the distressed property owner, without liability. Every contract required by Section 25 must include the following terms:

(1) the name, business address, and the telephone number of the distressed property purchaser;
(2) the address of the distressed property;
(3) the total consideration to be given by the distressed property purchaser or tax lien payor in connection with or incident to the sale;

New matter indicated by italics - deletions by strikeout
(4) a complete description of the terms of payment or other consideration including, but not limited to, any services of any nature that the distressed property purchaser represents he or she will perform for the owner of the distressed property before or after the sale;

(5) a complete description of the terms of any related agreement designed to allow the owner of the distressed property to remain in the home such as a rental agreement, repurchase agreement, contract for deed, or lease with option to buy;

(6) a notice of cancellation as provided in this Section;

(7) the following notice in at least 12-point boldface type, if the contract is printed, or in capital letters, if the contract is typed, and completed with the name of the distressed property purchaser, immediately above the statement required by this Section:

"NOTICE REQUIRED BY ILLINOIS LAW
Until your right to cancel this contract has ended, ..................(Name) or anyone working for ...................(Name) CANNOT ask you to sign or have you sign any deed or any other document. You are urged to have this contract reviewed by an attorney of your choice within 5 business days of signing it."; and

(8) if title to the distressed property will be transferred in the conveyance transaction, the following notice in at least 14-point boldface type if the contract is printed, or in capital letters if the contract is typed, and completed with the name of the distressed property purchaser, immediately above the statement required by this Section:

"NOTICE REQUIRED BY ILLINOIS LAW
As part of this transaction, you are giving up title to your home.".

Section 35. Cancellation of a distressed property conveyance contract.

(a) In addition to any other right of rescission, the owner of the distressed property has the right to cancel any contract with a distressed property purchaser until midnight of the fifth business day following the
day on which the owner of the distressed property signs a contract that complies with Sections 25 and 30 or until 8:00 a.m. on the last day of the period during which the owner of the distressed property has a right of redemption under the Illinois Mortgage Foreclosure Law or the Property Tax Code, whichever occurs first.

(b) Cancellation occurs when the owner of the distressed property delivers, by any means, written notice of cancellation to the address specified in the distressed property conveyance contract.

(c) A notice of cancellation given by the owner of the distressed property need not take the particular form as provided with the distressed property conveyance contract.

(d) Within 10 days following receipt of a notice of cancellation given in accordance with this Section, the distressed property purchaser shall return, without condition, any original contract and any other documents signed by the owner of the distressed property.

Section 40. Notice of cancellation of a distressed property conveyance contract.

(a) The contract must contain in immediate proximity to the space reserved for the owner of the distressed property's signature a conspicuous statement in a size equal to at least 12-point boldface type, if the contract is printed, or in capital letters, if the contract is typed, as follows:

"You may cancel this contract for the sale of your house, without any penalty or obligation, at any time before [Date and time of day]. See the attached notice of cancellation form for an explanation of this right."

The distressed property purchaser shall accurately enter the date and time of day on which the cancellation right ends.

(b) The contract must be accompanied by a completed form in duplicate, captioned "NOTICE OF CANCELLATION" in a size equal to a 12-point boldface type, if the contract is printed, or in capital letters, if the contract is typed, followed by a space in which the distressed property purchaser shall enter the date on which the owner of the distressed property executes any contract. This form must be attached to the contract, must be easily detachable, and must contain in at least 12-point type, if the
contract is printed, or in capital letters, if the contract is typed, the following statement written in the same language as used in the contract:

"NOTICE OF CANCELLATION

(Enter date contract signed)

You may cancel this contract for the sale of your home, without any penalty or obligation, at any time before .................. (enter date and time of day). To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice to ......................... (Name of purchaser) at ................................................................

(Street address of purchaser's place of business) NOT LATER THAN ......................... (Enter date and time of day).

I hereby cancel this transaction on ............... (Date)

............................................... (Seller's signature)".

(c) The distressed property purchaser shall provide the owner of the distressed property with a copy of the contract and the attached notice of cancellation immediately at the time the contract is executed by all parties.

(d) The distressed property purchaser shall record the contract with the recorder of deeds in the county where the distressed property is located within 10 days of its execution, provided the contract has not been canceled.

(e) The 5 business days during which the owner of the distressed property may cancel the contract shall not begin to run until all parties to the contract have executed the contract and the distressed property purchaser has complied with all the requirements of this Section.

Section 45. Waiver of a distressed property conveyance contract. Any waiver of the provisions of Sections 35 and 40 are void and unenforceable as contrary to public policy, except that a consumer may waive the 5-day right to cancel provided in Section 35 if the property is subject to a foreclosure sale within the 5 business days and the owner of the distressed property agrees to waive his or her right to cancel in a handwritten statement that is signed by all parties holding title to the distressed property.

New matter indicated by italics - deletions by strikeout
Section 50. Violations.
(a) It is a violation for a distressed property consultant to:

(1) claim, demand, charge, collect, or receive any compensation until after the distressed property consultant has fully performed each service the distressed property consultant contracted to perform or represented he or she would perform;

(2) claim, demand, charge, collect, or receive any fee, interest, or any other compensation for any reason that exceeds 2 monthly mortgage payments of principal and interest or the most recent tax installment on the distressed property, whichever is less;

(3) take a wage assignment, a lien of any type on real or personal property, or other security to secure the payment of compensation. Any such security is void and unenforceable;

(4) receive any consideration from any third party in connection with services rendered to an owner unless the consideration is first fully disclosed to the owner;

(5) acquire any interest, directly or indirectly, or by means of a subsidiary or affiliate in a distressed property from an owner with whom the distressed property consultant has contracted;

(6) take any power of attorney from an owner for any purpose, except to inspect documents as provided by law; or

(7) induce or attempt to induce an owner to enter a contract that does not comply in all respects with Sections 10 and 15 of this Act.

(b) A distressed property purchaser, in the course of a distressed property conveyance, shall not:

(1) enter into, or attempt to enter into, a distressed property conveyance unless the distressed property purchaser verifies and can demonstrate that the owner of the distressed property has a reasonable ability to pay for the subsequent conveyance of an interest back to the owner of the distressed property and to make monthly or any other required payments due prior to that time;

(2) fail to make a payment to the owner of the distressed property at the time the title is conveyed so that the owner of the

New matter indicated by italics - deletions by strikeout
distressed property has received consideration in an amount of at least 82% of the property's fair market value, or, in the alternative, fail to pay the owner of the distressed property no more than the costs necessary to extinguish all of the existing obligations on the distressed property, as set forth in subdivision (b)(10) of Section 45, provided that the owner's costs to repurchase the distressed property pursuant to the terms of the distressed property conveyance contract do not exceed 125% of the distressed property purchaser's costs to purchase the property. If an owner is unable to repurchase the property pursuant to the terms of the distressed property conveyance contract, the distressed property purchaser shall not fail to make a payment to the owner of the distressed property so that the owner of the distressed property has received consideration in an amount of at least 82% of the property's fair market value at the time of conveyance or at the expiration of the owner's option to repurchase.

(3) enter into repurchase or lease terms as part of the subsequent conveyance that are unfair or commercially unreasonable, or engage in any other unfair conduct;

(4) represent, directly or indirectly, that the distressed property purchaser is acting as an advisor or a consultant, or in any other manner represent that the distressed property purchaser is acting on behalf of the homeowner, or the distressed property purchaser is assisting the owner of the distressed property to "save the house", "buy time", or do anything couched in substantially similar language;

(5) misrepresent the distressed property purchaser's status as to licensure or certification;

(6) do any of the following until after the time during which the owner of a distressed property may cancel the transaction:

(A) accept from the owner of the distressed property an execution of any instrument of conveyance of any interest in the distressed property;

New matter indicated by italics - deletions by strikeout
(B) induce the owner of the distressed property to execute an instrument of conveyance of any interest in the distressed property; or

(C) record with the county recorder of deeds any document signed by the owner of the distressed property, including but not limited to any instrument of conveyance;

(7) fail to reconvey title to the distressed property when the terms of the conveyance contract have been fulfilled;

(8) induce the owner of the distressed property to execute a quit claim deed when entering into a distressed property conveyance;

(9) enter into a distressed property conveyance where any party to the transaction is represented by power of attorney;

(10) fail to extinguish all liens encumbering the distressed property, immediately following the conveyance of the distressed property, or fail to assume all liability with respect to the lien in foreclosure and prior liens that will not be extinguished by such foreclosure, which assumption shall be accomplished without violations of the terms and conditions of the lien being assumed. Nothing herein shall preclude a lender from enforcing any provision in a contract that is not otherwise prohibited by law;

(11) fail to complete a distressed property conveyance before a notary in the offices of a title company licensed by the Department of Financial and Professional Regulation, before an agent of such a title company, a notary in the office of a bank, or a licensed attorney where the notary is employed; or

(12) cause the property to be conveyed or encumbered without the knowledge or permission of the distressed property owner, or in any way frustrate the ability of the distressed property owner to complete the conveyance back to the distressed property owner.

(c) There is a rebuttable presumption that an appraisal by a person licensed or certified by an agency of this State or the federal government is an accurate determination of the fair market value of the property.
(d) "Consideration" in item (2) of subsection (b) means any payment or thing of value provided to the owner of the distressed property, including reasonable costs paid to independent third parties necessary to complete the distressed property conveyance or payment of money to satisfy a debt or legal obligation of the owner of the distressed property.

"Consideration" shall not include amounts imputed as a downpayment or fee to the distressed property purchaser, or a person acting in participation with the distressed property purchaser.

(e) An evaluation of "reasonable ability to pay" under subsection (b)(1) of this Section 50 shall include debt to income ratio, fair market value of the distressed property, and the distressed property owner's payment history. There is a rebuttable presumption that the distressed property purchaser has not verified reasonable payment ability if the distressed property purchaser has not obtained documents of assets, liabilities, and income, other than a statement by the owner of the distressed property.

Section 55. Civil remedies.
(a) A violation of any of the provisions of this Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. All remedies, penalties, and authority granted to the Attorney General or State's Attorney by the Consumer Fraud and Deceptive Business Practices Act shall be available to him or her for the enforcement of this Act.

(b) A consumer who suffers loss by reason of any violation of any provision of this Act may bring a civil action in accordance with the Consumer Fraud and Deceptive Business Practices Act to enforce that provision. All remedies and rights granted to a consumer by the Consumer Fraud and Deceptive Business Practices Act shall be available to the consumer bringing such an action. The remedies and rights provided for in this Act are not exclusive, but cumulative, and all other applicable claims, including, but not limited to, those brought under the doctrine of equitable mortgage, are specifically preserved.
Section 60. Criminal mortgage rescue fraud. A person commits the offense of criminal mortgage rescue fraud when he or she intentionally violates any provision enumerated in Section 50 of this Act.

Section 65. Criminal penalties. A person who commits the offense of criminal mortgage rescue fraud is guilty of a Class 2 felony.

Section 300. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2Z as follows:

(815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

Sec. 2Z. Violations of other Acts. Any person who knowingly violates the Automotive Repair Act, the Automotive Collision Repair Act, the Home Repair and Remodeling Act, the Dance Studio Act, the Physical Fitness Services Act, the Hearing Instrument Consumer Protection Act, the Illinois Union Label Act, the Job Referral and Job Listing Services Consumer Protection Act, the Travel Promotion Consumer Protection Act, the Credit Services Organizations Act, the Automatic Telephone Dialers Act, the Pay-Per-Call Services Consumer Protection Act, the Telephone Solicitations Act, the Illinois Funeral or Burial Funds Act, the Cemetery Care Act, the Safe and Hygienic Bed Act, the Pre-Need Cemetery Sales Act, the High Risk Home Loan Act, the Payday Loan Reform Act, the Mortgage Rescue Fraud Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax Act, the Payday Loan Reform Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use Tax Act, the Electronic Mail Act, paragraph (6) of subsection (k) of Section 6-305 of the Illinois Vehicle Code, Article 3 of the Residential Real Property Disclosure Act, the Automatic Contract Renewal Act, or the Personal Information Protection Act commits an unlawful practice within the meaning of this Act.

(Source: P.A. 93-561, eff. 1-1-04; 93-950, eff. 1-1-05; 94-13, eff. 12-6-05; 94-36, eff. 1-1-06; 94-280, eff. 1-1-06; 94-292, eff. 1-1-06; revised 8-19-05.)

Section 999. Effective date. This Act takes effect January 1, 2007.
Approved June 1, 2006.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0823
(Senate Bill No. 2569)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by adding Section 3-5046 as follows:

(55 ILCS 5/3-5046 new)

Sec. 3-5046. Quitclaim deed notification. Upon the recording or filing of a quitclaim deed on any property within a county with a population of 3,000,000 or more, the recorder of deeds must mail a notification postcard to the previous owner of record at the address listed on the property record in the recorder's office.

The postcard must state that a newly recorded quitclaim deed has been filed on the property, and must state the date of the new recording, the address of the recorder's office, and any other information deemed necessary by the recorder.

No county, including a home rule county, may act in a manner inconsistent with this Section. This Section is a denial and limitation of home rule powers under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

Approved in the General Assembly April 7, 2006.
Approved June 1, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Section 3.330 as follows:

(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)

Sec. 3.330. Pollution control facility.

(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:

(1) (Blank);
(2) waste storage sites regulated under 40 CFR, Part 761.42;
(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of

New matter indicated by italics - deletions by strikeout
underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;

(6) sites or facilities used by any person to specifically conduct a landscape composting operation;

(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving

New matter indicated by italics - deletions by strikeout
the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements.

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility accepting exclusively general construction or demolition debris, located in a county with a population over 700,000 as of January 1, 2000, and operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products; and

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station.

(b) A new pollution control facility is:

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or
(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 93-998, eff. 8-23-04; 94-94, eff. 7-1-05; 94-249, eff. 7-19-05; revised 8-18-05.)

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

Approved June 2, 2006.
Effective June 2, 2006.

PUBLIC ACT 94-0825
(Senate Bill No. 2303)

AN ACT concerning civil liability.

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

Section 5. The Good Samaritan Act is amended by adding Section 67 as follows:

(745 ILCS 49/67 new)

Sec. 67. First aid providers; exemption for first aid. Any person who is currently certified in first aid by the American Red Cross or the American Heart Association and who in good faith provides first aid without fee to any person shall not, as a result of his or her acts or omissions, except willful and wanton misconduct on the part of the person in providing the aid, be liable to a person to whom such aid is provided for civil damages.

The provisions of this Section shall not apply to any health care facility as defined in Section 8-2001 of the Code of Civil Procedure or to any practitioner as defined in Section 8-2003 of the Code of Civil Procedure providing services in a hospital or health care facility.

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved June 2, 2006.

New matter indicated by italics - deletions by strikeout
Effective July 1, 2006.

PUBLIC ACT 94-0826
(Senate Bill No. 2968)

AN ACT concerning immunity.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Good Samaritan Act is amended by changing
Section 70 as follows:
(745 ILCS 49/70)
Sec. 70. Law enforcement officers, or firemen, Emergency Medical
Technicians (EMTs) and First Responders; exemption from civil liability
for emergency care. Any law enforcement officer or fireman as defined in
Section 2 of the Line of Duty Compensation Act, any "emergency medical
technician (EMT)" as defined in Section 3.50 of the Emergency Medical
Services (EMS) Systems Act, and any "first responder" as defined in
Section 3.60 of the Emergency Medical Services (EMS) Systems Act, who
in good faith provides emergency care without fee or compensation to any
person shall not, as a result of his or her acts or omissions, except willful
and wanton misconduct on the part of the person, in providing the care, be
liable to a person to whom such care is provided for civil damages.
(Source: P.A. 93-1047, eff. 10-18-04.)
Approved June 2, 2006.

PUBLIC ACT 94-0827
(House Bill No. 4297)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Criminal Code of 1961 is amended by changing Section 16G-15 as follows:

(720 ILCS 5/16G-15)
Sec. 16G-15. Identity theft.
(a) A person commits the offense of identity theft when he or she knowingly:

(1) uses any personal identifying information or personal identification document of another person to fraudulently obtain credit, money, goods, services, or other property, or

(2) uses any personal identification information or personal identification document of another with intent to commit any felony theft or other felony violation of State law not set forth in paragraph (1) of this subsection (a), or

(3) obtains, records, possesses, sells, transfers, purchases, or manufactures any personal identification information or personal identification document of another with intent to commit or to aid or abet another in committing any felony theft or other felony violation of State law, or

(4) uses, obtains, records, possesses, sells, transfers, purchases, or manufactures any personal identification information or personal identification document of another knowing that such personal identification information or personal identification documents were stolen or produced without lawful authority, or

(5) uses, transfers, or possesses document-making implements to produce false identification or false documents with knowledge that they will be used by the person or another to commit any felony theft or other felony violation of State law.

(b) Knowledge shall be determined by an evaluation of all circumstances surrounding the use of the other person's identifying information or document.

(c) When a charge of identity theft of credit, money, goods, services, or other property exceeding a specified value is brought the value of the credit, money, goods, services, or other property is an element of the

New matter indicated by italics - deletions by strikeout
offense to be resolved by the trier of fact as either exceeding or not exceeding the specified value.

(d) Sentence.

(1) A person convicted of identity theft in violation of paragraph (1) of subsection (a) shall be sentenced as follows:

   (A) identity theft of credit, money, goods, services, or other property not exceeding $300 in value is a Class 4 felony. A person who has been previously convicted of identity theft of less than $300 who is convicted of a second or subsequent offense of identity theft of less than $300 is guilty of a Class 3 felony. A person who has been convicted of identity theft of less than $300 who has been previously convicted of any type of theft, robbery, armed robbery, burglary, residential burglary, possession of burglary tools, home invasion, home repair fraud, aggravated home repair fraud, or financial exploitation of an elderly or disabled person is guilty of a Class 3 felony. When a person has any such prior conviction, the information or indictment charging that person shall state the prior conviction so as to give notice of the State's intention to treat the charge as a Class 3 felony. The fact of the prior conviction is not an element of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during the trial.

   (B) Identity theft of credit, money, goods, services, or other property exceeding $300 and not exceeding $2,000 in value is a Class 3 felony.

   (C) Identity theft of credit, money, goods, services, or other property exceeding $2,000 and not exceeding $10,000 in value is a Class 2 felony.

   (D) Identity theft of credit, money, goods, services, or other property exceeding $10,000 and not exceeding $100,000 in value is a Class 1 felony.
(E) Identity theft of credit, money, goods, services, or other property exceeding $100,000 in value is a Class X felony.

(2) A person convicted of any offense enumerated in paragraphs (2) through (5) of subsection (a) is guilty of a Class 3 felony.

(3) A person convicted of any offense enumerated in paragraphs (2) through (5) of subsection (a) a second or subsequent time is guilty of a Class 2 felony.

(4) A person who, within a 12 month period, is found in violation of any offense enumerated in paragraphs (2) through (5) of subsection (a) with respect to the identifiers of 3 or more separate individuals, at the same time or consecutively, is guilty of a Class 2 felony.

(5) A person convicted of identity theft in violation of paragraph (2) of subsection (a) who uses any personal identification information or personal identification document of another to purchase methamphetamine manufacturing material as defined in Section 10 of the Methamphetamine Control and Community Protection Act with the intent to unlawfully manufacture methamphetamine is guilty of a Class 2 felony for a first offense and a Class 1 felony for a second or subsequent offense.

(Source: P.A. 93-401, eff. 7-31-03; 94-39, eff. 6-16-05.)
Approved June 5, 2006.

PUBLIC ACT 94-0828
(House Bill No. 5348)

AN ACT concerning burn injury reporting.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 1. Short title. This Act may be cited as the Burn Injury Reporting Act.

Section 5. Burn injury reporting.
(a) Every case of a burn injury treated in a hospital as described in this Act may be reported to the Office of the State Fire Marshal. The hospital's administrator, manager, superintendent, or his or her designee deciding to report under this Act shall make an oral report of every burn injury in a timely manner as soon as treatment permits, except as provided in subsection (c) of this Section, that meets one of the following criteria:

(1) a person receives a serious second-degree burn or a third degree burn, but not a radiation burn, to 10% or more of the person's body as a whole;
(2) a person sustains a burn to the upper respiratory tract or occurring laryngeal edema due to the inhalation of superheated air;
(3) a person sustains any burn injury likely to result in death; or
(4) a person sustains any other burn injury not excluded by subsection (c).

(b) The oral report shall consist of notification by telephone to the Office of the State Fire Marshal using a toll-free number established by the Office of the State Fire Marshal for this purpose.

(c) A hospital's administrator, manager, superintendent, or his or her designee deciding to report under this Act shall not report any of the following burn injuries:

(1) a burn injury of a first responder, as defined in Section 3.60 of the Emergency Medical Services (EMS) Systems Act, sustained in the line of duty;
(2) a burn injury caused by lighting;
(3) a burn injury caused by a motor vehicle accident; or
(4) a burn injury caused by an identifiable industrial accident or work-related accident.

Section 10. Report contents. The report shall consist of the following reported information to the extent available:

(1) Name, address, and date of birth of the victim.

New matter indicated by italics - deletions by strikeout
(2) Address where the burn injury occurred.
(3) Date and time of the burn occurrence.
(4) Degree of burn injury, percentage of the body affected by the burn injury, and the specific area of the body affected by the burn injury.
(5) The name and address of the facility treating the patient.

Section 15. Confidentiality. Information collected in these reports that could identify the hospital, any health care professional, any hospital staff, or the patient shall remain confidential and only be divulged as needed in the investigation or prosecution of a criminal offense. No information shall be included in the report naming or identifying any health care professional or hospital staff. The hospital medical records shall only be disclosed in accordance with Illinois law and the federal Health Insurance Portability and Accountability Act of 1996 and its rules.

Section 20. Good faith. With the exception of willful and wanton misconduct, any individual who in good faith acts in accordance with the terms of this Act or assisting in reporting shall not be subject to any civil or criminal liability or discipline for unprofessional conduct.

Section 25. Application. This Act applies only to hospitals that treat a patient initially for a burn injury. This Act does not apply to a hospital that receives a patient who has been transferred for a burn that was initially treated at another hospital. Nothing in this Act shall be construed to require a hospital to report burn injuries.

Section 30. Public information campaign. The Office of the State Fire Marshal shall conduct a public information campaign working in conjunction with hospitals, physicians, fire investigators, and law enforcement to inform hospitals of the opportunity to report burn injuries to the toll-free number maintained by the Office pursuant to this Act.

Section 300. The Regulatory Sunset Act is amended by adding Section 4.19a as follows:

Sec. 4.19a. Act repealed on January 1, 2009. The following Act is repealed on January 1, 2009:
The Burn Injury Reporting Act.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0828

Passed in the General Assembly April 5, 2006.
Approved June 5, 2006.

PUBLIC ACT 94-0829
(Senate Bill No. 0623)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Illinois Finance Authority Act is amended by
adding Section 825-85 as follows:
(20 ILCS 3501/825-85 new)
Sec. 825-85. Ambulance revolving loan program.
(a) The Authority and the State Fire Marshal shall jointly
administer an ambulance revolving loan program. The program shall
provide zero-interest loans for the purchase of ambulances by a fire
department, a fire protection district, a township fire department, or a
non-profit ambulance service. The Authority shall make loans based on
need, as determined by the State Fire Marshal.
(b) The loan funds, subject to appropriation, shall be paid out of
the Ambulance Revolving Loan Fund, a special fund in the State treasury.
The Fund shall consist of any moneys transferred or appropriated into the
Fund, as well as all repayments of loans made under the program. The Fund
shall be used for loans to fire departments, fire protection districts,
and non-profit ambulance services to purchase ambulances and for no
other purpose. All interest earned on moneys in the Fund shall be
deposited into the Fund.
(c) A loan for the purchase of ambulances may not exceed
$100,000 to any fire department, fire protection district, or non-profit
ambulance service. The repayment period for the loan may not exceed 10
years. The fire department, fire protection district, or non-profit
ambulance service shall repay each year at least 5% of the principal
amount borrowed or the remaining balance of the loan, whichever is less.

New matter indicated by italics - deletions by strikeout
All repayments of loans shall be deposited into the Ambulance Revolving Loan Fund.

(d) The Authority and the State Fire Marshal shall adopt rules to administer the program.

Section 95. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Ambulance Revolving Loan Fund.

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

Approved June 5, 2006.
Effective June 5, 2006.

PUBLIC ACT 94-0830
(Senate Bill No. 2391)

AN ACT concerning criminal law.

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

Section 2. The Illinois Controlled Substances Act is amended by changing Section 312 as follows:

(720 ILCS 570/312) (from Ch. 56 1/2, par. 1312)

Sec. 312. Requirements for dispensing controlled substances.

(a) A practitioner, in good faith, may dispense a Schedule II controlled substance, which is a narcotic drug listed in Section 206 of this Act; or which contains any quantity of amphetamine or methamphetamine, their salts, optical isomers or salts of optical isomers; phenmetrazine and its salts; or pentazocine; and Schedule III, IV, or V controlled substances to any person upon a written prescription of any prescriber, dated and signed by the person prescribing on the day when issued and bearing the name and address of the patient for whom, or the owner of the animal for which the controlled substance is dispensed, and the full name, address and registry number under the laws of the United States relating to

New matter indicated by italics - deletions by strikeout
controlled substances of the prescriber, if he is required by those laws to 
be registered. If the prescription is for an animal it shall state the species of 
animal for which it is ordered. The practitioner filling the prescription 
shall write the date of filling and his own signature on the face of the 
written prescription. The written prescription shall be retained on file by 
the practitioner who filled it or pharmacy in which the prescription was 
filled for a period of 2 years, so as to be readily accessible for inspection or 
removal by any officer or employee engaged in the enforcement of this 
Act. Whenever the practitioner's or pharmacy's copy of any prescription is 
removed by an officer or employee engaged in the enforcement of this Act, 
for the purpose of investigation or as evidence, such officer or employee 
shall give to the practitioner or pharmacy a receipt in lieu thereof. A 
prescription for a Schedule II controlled substance shall not be filled more 
than 7 days after the date of issuance. A written prescription for Schedule 
III, IV or V controlled substances shall not be filled or refilled more than 6 
months after the date thereof or refilled more than 5 times unless renewed, 
in writing, by the prescriber.

(b) In lieu of a written prescription required by this Section, a 
pharmacist, in good faith, may dispense Schedule III, IV, or V substances 
to any person either upon receiving a facsimile of a written, signed 
prescription transmitted by the prescriber or the prescriber's agent or upon 
a lawful oral prescription of a prescriber which oral prescription shall be 
reduced promptly to writing by the pharmacist and such written 
memorandum thereof shall be dated on the day when such oral 
prescription is received by the pharmacist and shall bear the full name and 
address of the ultimate user for whom, or of the owner of the animal for 
which the controlled substance is dispensed, and the full name, address, 
and registry number under the law of the United States relating to 
controlled substances of the prescriber prescribing if he is required by 
those laws to be so registered, and the pharmacist filling such oral 
prescription shall write the date of filling and his own signature on the face 
of such written memorandum thereof. The facsimile copy of the 
prescription or written memorandum of the oral prescription shall be 
retained on file by the proprietor of the pharmacy in which it is filled for a 

New matter indicated by italics - deletions by strikeout
period of not less than two years, so as to be readily accessible for inspection by any officer or employee engaged in the enforcement of this Act in the same manner as a written prescription. The facsimile copy of the prescription or oral prescription and the written memorandum thereof shall not be filled or refilled more than 6 months after the date thereof or be refilled more than 5 times, unless renewed, in writing, by the prescriber.

(c) Except for any non-prescription targeted methamphetamine precursor regulated by as defined in the Methamphetamine Precursor Control Act, a controlled substance included in Schedule V shall not be distributed or dispensed other than for a medical purpose and not for the purpose of evading this Act, and then:

1. only personally by a person registered to dispense a Schedule V controlled substance and then only to his patients, or
2. only personally by a pharmacist, and then only to a person over 21 years of age who has identified himself to the pharmacist by means of 2 positive documents of identification.
3. the dispenser shall record the name and address of the purchaser, the name and quantity of the product, the date and time of the sale, and the dispenser's signature.
4. no person shall purchase or be dispensed more than 120 milliliters or more than 120 grams of any Schedule V substance which contains codeine, dihydrocodeine, or any salts thereof, or ethylmorphine, or any salts thereof, in any 96 hour period. The purchaser shall sign a form, approved by the Department of Professional Regulation, attesting that he has not purchased any Schedule V controlled substances within the immediately preceding 96 hours.
5. a copy of the records of sale, including all information required by paragraph (3), shall be forwarded to the Department of Professional Regulation at its principal office by the 15th day of the following month.
6. all records of purchases and sales shall be maintained for not less than 2 years.
(7) no person shall obtain or attempt to obtain within any consecutive 96 hour period any Schedule V substances of more than 120 milliliters or more than 120 grams containing codeine, dihydrocodeine or any of its salts, or ethylmorphine or any of its salts. Any person obtaining any such preparations or combination of preparations in excess of this limitation shall be in unlawful possession of such controlled substance.

(8) a person qualified to dispense controlled substances under this Act and registered thereunder shall at no time maintain or keep in stock a quantity of Schedule V controlled substances defined and listed in Section 212 (b) (1), (2) or (3) in excess of 4.5 liters for each substance; a pharmacy shall at no time maintain or keep in stock a quantity of Schedule V controlled substances as defined in excess of 4.5 liters for each substance, plus the additional quantity of controlled substances necessary to fill the largest number of prescription orders filled by that pharmacy for such controlled substances in any one week in the previous year. These limitations shall not apply to Schedule V controlled substances which Federal law prohibits from being dispensed without a prescription.

(9) no person shall distribute or dispense butyl nitrite for inhalation or other introduction into the human body for euphoric or physical effect.

(d) Every practitioner shall keep a record of controlled substances received by him and a record of all such controlled substances administered, dispensed or professionally used by him otherwise than by prescription. It shall, however, be sufficient compliance with this paragraph if any practitioner utilizing controlled substances listed in Schedules III, IV and V shall keep a record of all those substances dispensed and distributed by him other than those controlled substances which are administered by the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means to the body of a patient or research subject. A practitioner who dispenses, other than by administering, a controlled substance in Schedule II, which is a narcotic

New matter indicated by italics - deletions by strikeout
drug listed in Section 206 of this Act, or which contains any quantity of amphetamine or methamphetamine, their salts, optical isomers or salts of optical isomers, pentazocine, or methaqualone shall do so only upon the issuance of a written prescription blank by a prescriber.

(e) Whenever a manufacturer distributes a controlled substance in a package prepared by him, and whenever a wholesale distributor distributes a controlled substance in a package prepared by him or the manufacturer, he shall securely affix to each package in which that substance is contained a label showing in legible English the name and address of the manufacturer, the distributor and the quantity, kind and form of controlled substance contained therein. No person except a pharmacist and only for the purposes of filling a prescription under this Act, shall alter, deface or remove any label so affixed.

(f) Whenever a practitioner dispenses any controlled substance except a non-prescription targeted methamphetamine precursor regulated by as defined in the Methamphetamine Precursor Control Act, he shall affix to the container in which such substance is sold or dispensed, a label indicating the date of initial filling, the practitioner's name and address, the name of the patient, the name of the prescriber, the directions for use and cautionary statements, if any, contained in any prescription or required by law, the proprietary name or names or the established name of the controlled substance, and the dosage and quantity, except as otherwise authorized by regulation by the Department of Professional Regulation. No person shall alter, deface or remove any label so affixed.

(g) A person to whom or for whose use any controlled substance has been prescribed or dispensed by a practitioner, or other persons authorized under this Act, and the owner of any animal for which such substance has been prescribed or dispensed by a veterinarian, may lawfully possess such substance only in the container in which it was delivered to him by the person dispensing such substance.

(h) The responsibility for the proper prescribing or dispensing of controlled substances is upon the prescriber and the responsibility for the proper filling of a prescription for controlled substance drugs rests with the pharmacist. An order purporting to be a prescription issued to any
individual, which is not in the regular course of professional treatment nor part of an authorized methadone maintenance program, nor in legitimate and authorized research instituted by any accredited hospital, educational institution, charitable foundation, or federal, state or local governmental agency, and which is intended to provide that individual with controlled substances sufficient to maintain that individual's or any other individual's physical or psychological addiction, habitual or customary use, dependence, or diversion of that controlled substance is not a prescription within the meaning and intent of this Act; and the person issuing it, shall be subject to the penalties provided for violations of the law relating to controlled substances.

(i) A prescriber shall not preprint or cause to be preprinted a prescription for any controlled substance; nor shall any practitioner issue, fill or cause to be issued or filled, a preprinted prescription for any controlled substance.

(j) No person shall manufacture, dispense, deliver, possess with intent to deliver, prescribe, or administer or cause to be administered under his direction any anabolic steroid, for any use in humans other than the treatment of disease in accordance with the order of a physician licensed to practice medicine in all its branches for a valid medical purpose in the course of professional practice. The use of anabolic steroids for the purpose of hormonal manipulation that is intended to increase muscle mass, strength or weight without a medical necessity to do so, or for the intended purpose of improving physical appearance or performance in any form of exercise, sport, or game, is not a valid medical purpose or in the course of professional practice.

(Source: P.A. 94-694, eff. 1-15-06.)

Section 5. The Methamphetamine Control and Community Protection Act is amended by changing Sections 15, 20, 25, 30, 45, and 55 and by adding Section 56 as follows:

(720 ILCS 646/15)

Sec. 15. Participation in methamphetamine manufacturing.

(a) Participation in methamphetamine manufacturing.

New matter indicated by italics - deletions by strikeout
(1) It is unlawful to *knowingly* participate in the manufacture of methamphetamine with the intent that methamphetamine or a substance containing methamphetamine be produced.

(2) A person who violates paragraph (1) of this subsection (a) is subject to the following penalties:

   (A) A person who participates in the manufacture of less than 15 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class 1 felony.

   (B) A person who participates in the manufacture of 15 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000 or the street value of the methamphetamine manufactured, whichever is greater.

   (C) A person who participates in the manufacture of 100 or more grams but less than 400 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 9 years and not more than 40 years, and subject to a fine not to exceed $200,000 or the street value of the methamphetamine manufactured, whichever is greater.

   (D) A person who participates in the manufacture of 400 or more grams but less than 900 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 12 years and not more than 50 years, and subject to a fine not to exceed $300,000 or the street value of the methamphetamine manufactured, whichever is greater.
(E) A person who participates in the manufacture of 900 grams or more of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 15 years and not more than 60 years, and subject to a fine not to exceed $400,000 or the street value of the methamphetamine, whichever is greater.

(b) Aggravated participation in methamphetamine manufacturing.

(1) It is unlawful to engage in aggravated participation in the manufacture of methamphetamine. A person engages in aggravated participation in the manufacture of methamphetamine when the person violates paragraph (1) of subsection (a) and:

(A) the person knowingly does so in a multi-unit dwelling;

(B) the person knowingly does so in a structure or vehicle where a child under the age of 18, a person with a disability, or a person 60 years of age or older who is incapable of adequately providing for his or her own health and personal care resides, is present, or is endangered by the manufacture of methamphetamine;

(C) the person does so in a structure or vehicle where a woman the person knows to be pregnant (including but not limited to the person herself) resides, is present, or is endangered by the methamphetamine manufacture;

(D) the person knowingly does so in a structure or vehicle protected by one or more firearms, explosive devices, booby traps, alarm systems, surveillance systems, guard dogs, or dangerous animals;

(E) the methamphetamine manufacturing in which the person participates is a contributing cause of the death, serious bodily injury, disability, or disfigurement of another person, including but not limited to an emergency service provider;

New matter indicated by italics - deletions by strikeout
(F) the methamphetamine manufacturing in which
the person participates is a contributing cause of a fire or
explosion that damages property belonging to another
person; or

(G) the person knowingly organizes, directs, or
finances the methamphetamine manufacturing or activities
carried out in support of the methamphetamine
manufacturing.

(2) A person who violates paragraph (1) of this subsection
(b) is subject to the following penalties:

(A) A person who participates in the manufacture of
less than 15 grams of methamphetamine or a substance
containing methamphetamine is guilty of a Class X felony,
subject to a term of imprisonment of not less than 6 years
and not more than 30 years, and subject to a fine not to
exceed $100,000 or the street value of the
methamphetamine, whichever is greater.

(B) A person who participates in the manufacture of
15 or more grams but less than 100 grams of
methamphetamine or a substance containing
methamphetamine is guilty of a Class X felony, subject to a
term of imprisonment of not less than 9 years and not more
than 40 years, and subject to a fine not to exceed $200,000
or the street value of the methamphetamine, whichever is
greater.

(C) A person who participates in the manufacture of
100 or more grams but less than 400 grams of
methamphetamine or a substance containing
methamphetamine is guilty of a Class X felony, subject to a
term of imprisonment of not less than 12 years and not
more than 50 years, and subject to a fine not to exceed
$300,000 or the street value of the methamphetamine,
whichever is greater.

New matter indicated by italics - deletions by strikeout
(D) A person who participates in the manufacture of 400 grams or more of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 15 years and not more than 60 years, and subject to a fine not to exceed $400,000 or the street value of the methamphetamine, whichever is greater.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 646/20)
Sec. 20. Methamphetamine precursor.
(a) Methamphetamine precursor or substance containing any methamphetamine precursor in standard dosage form.

(1) It is unlawful to knowingly possess, procure, transport, store, or deliver any methamphetamine precursor or substance containing any methamphetamine precursor in standard dosage form with the intent that it be used to manufacture methamphetamine or a substance containing methamphetamine.

(2) A person who violates paragraph (1) of this subsection (a) is subject to the following penalties:

(A) A person who possesses, procures, transports, stores, or delivers less than 15 grams of methamphetamine precursor or substance containing any methamphetamine precursor is guilty of a Class 2 felony.

(B) A person who possesses, procures, transports, stores, or delivers 15 or more grams but less than 30 grams of methamphetamine precursor or substance containing any methamphetamine precursor is guilty of a Class 1 felony.

(C) A person who possesses, procures, transports, stores, or delivers 30 or more grams but less than 150 grams of methamphetamine precursor or substance containing any methamphetamine precursor is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000.

New matter indicated by italics - deletions by strikeout
(D) A person who possesses, procures, transports, stores, or delivers 150 or more grams but less than 500 grams of methamphetamine precursor or substance containing any methamphetamine precursor is guilty of a Class X felony, subject to a term of imprisonment of not less than 8 years and not more than 40 years, and subject to a fine not to exceed $200,000.

(E) A person who possesses, procures, transports, stores, or delivers 500 or more grams of methamphetamine precursor or substance containing any methamphetamine precursor is guilty of a Class X felony, subject to a term of imprisonment of not less than 10 years and not more than 50 years, and subject to a fine not to exceed $300,000.

(b) Methamphetamine precursor or substance containing any methamphetamine precursor in any form other than a standard dosage form.

(1) It is unlawful to knowingly possess, procure, transport, store, or deliver any methamphetamine precursor or substance containing any methamphetamine precursor in any form other than a standard dosage form with the intent that it be used to manufacture methamphetamine or a substance containing methamphetamine.

(2) A person who violates paragraph (1) of this subsection (b) is subject to the following penalties:

(A) A person who violates paragraph (1) of this subsection (b) with the intent that less than 10 grams of methamphetamine or a substance containing methamphetamine be manufactured is guilty of a Class 2 felony.

(B) A person who violates paragraph (1) of this subsection (b) with the intent that 10 or more grams but less than 20 grams of methamphetamine or a substance containing methamphetamine be manufactured is guilty of a Class 1 felony.
(C) A person who violates paragraph (1) of this subsection (b) with the intent that 20 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine be manufactured is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000.

(D) A person who violates paragraph (1) of this subsection (b) with the intent that 100 or more grams but less than 350 grams of methamphetamine or a substance containing methamphetamine be manufactured is guilty of a Class X felony, subject to a term of imprisonment of not less than 8 years and not more than 40 years, and subject to a fine not to exceed $200,000.

(E) A person who violates paragraph (1) of this subsection (b) with the intent that 350 or more grams of methamphetamine or a substance containing methamphetamine be manufactured is guilty of a Class X felony, subject to a term of imprisonment of not less than 10 years and not more than 50 years, and subject to a fine not to exceed $300,000.

(c) Rule of evidence. The presence of any methamphetamine precursor in a sealed, factory imprinted container, including, but not limited to, a bottle, box, package, or blister pack, at the time of seizure by law enforcement, is prima facie evidence that the methamphetamine precursor located within the container is in fact the material so described and in the amount listed on the container. The factory imprinted container is admissible for a violation of this Act for purposes of proving the contents of the container.

(720 ILCS 646/25)
Sec. 25. Anhydrous ammonia.

New matter indicated by italics - deletions by strikeout
(a) Possession, procurement, transportation, storage, or delivery of anhydrous ammonia with the intent that it be used to manufacture methamphetamine.

(1) It is unlawful to knowingly engage in the possession, procurement, transportation, storage, or delivery of anhydrous ammonia or to attempt to engage in any of these activities or to assist another in engaging in any of these activities with the intent that the anhydrous ammonia be used to manufacture methamphetamine.

(2) A person who violates paragraph (1) of this subsection (a) is guilty of a Class 1 felony.

(b) Aggravated possession, procurement, transportation, storage, or delivery of anhydrous ammonia with the intent that it be used to manufacture methamphetamine.

(1) It is unlawful to knowingly engage in the aggravated possession, procurement, transportation, storage, or delivery of anhydrous ammonia with the intent that it be used to manufacture methamphetamine. A person commits this offense when the person engages in the possession, procurement, transportation, storage, or delivery of anhydrous ammonia or attempts to engage in any of these activities or assists another in engaging in any of these activities with the intent that the anhydrous ammonia be used to manufacture methamphetamine and:

(A) the person knowingly does so in a multi-unit dwelling;

(B) the person knowingly does so in a structure or vehicle where a child under the age of 18, or a person with a disability, or a person who is 60 years of age or older who is incapable of adequately providing for his or her own health and personal care resides, is present, or is endangered by the anhydrous ammonia;

(C) the person's possession, procurement, transportation, storage, or delivery of anhydrous ammonia

New matter indicated by italics - deletions by strikeout
is a contributing cause of the death, serious bodily injury, disability, or disfigurement of another person; or

(D) the person's possession, procurement, transportation, storage, or delivery of anhydrous ammonia is a contributing cause of a fire or explosion that damages property belonging to another person.

(2) A person who violates paragraph (1) of this subsection (b) is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000.

(c) Possession, procurement, transportation, storage, or delivery of anhydrous ammonia in an unauthorized container.

(1) It is unlawful to knowingly possess, procure, transport, store, or deliver anhydrous ammonia in an unauthorized container.

(2) A person who violates paragraph (1) of this subsection (c) is guilty of a Class 3 felony.

(3) Affirmative defense. It is an affirmative defense that the person charged possessed, procured, transported, stored, or delivered anhydrous ammonia in a manner that substantially complied with the rules governing anhydrous ammonia equipment found in 8 Illinois Administrative Code Section 215, in 92 Illinois Administrative Code Sections 171 through 180, or in any provision of the Code of Federal Regulations incorporated by reference into these Sections of the Illinois Administrative Code.

(d) Tampering with anhydrous ammonia equipment.

(1) It is unlawful to knowingly tamper with anhydrous ammonia equipment. A person tampers with anhydrous ammonia equipment when, without authorization from the lawful owner, the person:

(A) removes or attempts to remove anhydrous ammonia from the anhydrous ammonia equipment used by the lawful owner;

(B) damages or attempts to damage the anhydrous ammonia equipment used by the lawful owner; or

New matter indicated by italics - deletions by strikeout
(C) vents or attempts to vent anhydrous ammonia into the environment.

(2) A person who violates paragraph (1) of this subsection (d) is guilty of a Class 3 felony.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 646/30)
Sec. 30. Methamphetamine manufacturing material.
(a) It is unlawful to knowingly engage in the possession, procurement, transportation, storage, or delivery of any methamphetamine manufacturing material, other than a methamphetamine precursor, substance containing a methamphetamine precursor, or anhydrous ammonia, with the intent that it be used to manufacture methamphetamine.

(b) A person who violates subsection (a) of this Section is guilty of a Class 2 felony.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 646/45)
Sec. 45. Methamphetamine manufacturing waste.
(a) It is unlawful to knowingly burn, place in a trash receptacle, or dispose of methamphetamine manufacturing waste, knowing that the waste was used in the manufacturing of methamphetamine.

(b) A person who violates subsection (a) of this Section is guilty of a Class 2 felony.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 646/55)
Sec. 55. Methamphetamine delivery.
(a) Delivery or possession with intent to deliver methamphetamine or a substance containing methamphetamine.

(1) It is unlawful knowingly to engage in the delivery or possession with intent to deliver methamphetamine or a substance containing methamphetamine.

(2) A person who violates paragraph (1) of this subsection (a) is subject to the following penalties:

(A) A person who delivers or possesses with intent to deliver less than 5 grams of methamphetamine or a

New matter indicated by italics - deletions by strikeout
substance containing methamphetamine is guilty of a Class 2 felony.

(B) A person who delivers or possesses with intent to deliver 5 or more grams but less than 15 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class 1 felony.

(C) A person who delivers or possesses with intent to deliver 15 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000 or the street value of the methamphetamine, whichever is greater.

(D) A person who delivers or possesses with intent to deliver 100 or more grams but less than 400 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 9 years and not more than 40 years, and subject to a fine not to exceed $200,000 or the street value of the methamphetamine, whichever is greater.

(E) A person who delivers or possesses with intent to deliver 400 or more grams but less than 900 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 12 years and not more than 50 years, and subject to a fine not to exceed $300,000 or the street value of the methamphetamine, whichever is greater.

(F) A person who delivers or possesses with intent to deliver 900 or more grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than
15 years and not more than 60 years, and subject to a fine not to exceed $400,000 or the street value of the methamphetamine, whichever is greater.

(b) Aggravated delivery or possession with intent to deliver methamphetamine or a substance containing methamphetamine.

(1) It is unlawful to engage in the aggravated delivery or possession with intent to deliver methamphetamine or a substance containing methamphetamine. A person engages in the aggravated delivery or possession with intent to deliver methamphetamine or a substance containing methamphetamine when the person violates paragraph (1) of subsection (a) of this Section and:

(A) the person is at least 18 years of age and knowingly delivers or possesses with intent to deliver the methamphetamine or substance containing methamphetamine to a person under 18 years of age;

(B) the person is at least 18 years of age and knowingly uses, engages, employs, or causes another person to use, engage, or employ a person under 18 years of age to deliver the methamphetamine or substance containing methamphetamine;

(C) the person knowingly delivers or possesses with intent to deliver the methamphetamine or substance containing methamphetamine in any structure or vehicle protected by one or more firearms, explosive devices, booby traps, alarm systems, surveillance systems, guard dogs, or dangerous animals;

(D) the person knowingly delivers or possesses with intent to deliver the methamphetamine or substance containing methamphetamine in any school, on any real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity;

(E) the person delivers or causes another person to deliver the methamphetamine or substance containing

New matter indicated by italics - deletions by strikeout
methamphetamine to a woman that the person knows to be pregnant; or

(F) (blank) the person knowingly brings or causes another to bring the methamphetamine or substance containing methamphetamine into Illinois from a location outside of Illinois.

(2) A person who violates paragraph (1) of this subsection (b) is subject to the following penalties:

(A) A person who delivers or possesses with intent to deliver less than 5 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class 1 felony.

(B) A person who delivers or possesses with intent to deliver 5 or more grams but less than 15 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 6 years and not more than 30 years, and subject to a fine not to exceed $100,000 or the street value of the methamphetamine, whichever is greater.

(C) A person who delivers or possesses with intent to deliver 15 or more grams but less than 100 grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 8 years and not more than 40 years, and subject to a fine not to exceed $200,000 or the street value of the methamphetamine, whichever is greater.

(D) A person who delivers or possesses with intent to deliver 100 or more grams of methamphetamine or a substance containing methamphetamine is guilty of a Class X felony, subject to a term of imprisonment of not less than 10 years and not more than 50 years, and subject to a fine.
not to exceed $300,000 or the street value of the
methamphetamine, whichever is greater.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 646/56 new)

Sec. 56. Methamphetamine trafficking.

(a) Except for purposes as authorized by this Act, any person who
knowingly brings, or causes to be brought, into this State
methamphetamine, anhydrous ammonia, or a methamphetamine precursor
for the purpose of manufacture or delivery of methamphetamine or with
the intent to manufacture or deliver methamphetamine is guilty of
methamphetamine trafficking.

(b) A person convicted of methamphetamine trafficking shall be
sentenced to a term of imprisonment of not less than twice the minimum
term and not more than twice the maximum term of imprisonment based
upon the amount of methamphetamine brought or caused to be brought
into this State, as provided in subsection (a) of Section 55 of this Act.

(c) A person convicted of methamphetamine trafficking based upon
a methamphetamine precursor shall be sentenced to a term of
imprisonment of not less than twice the minimum term and not more than
twice the maximum term of imprisonment based upon the amount of
methamphetamine precursor provided in subsection (a) or (b) of Section
20 of this Act brought or caused to be brought into this State.

(d) A person convicted of methamphetamine trafficking based upon
anhydrous ammonia under paragraph (1) of subsection (a) of Section 25
of this Act shall be sentenced to a term of imprisonment of not less than
twice the minimum term and not more than twice the maximum term of
imprisonment provided in paragraph (1) of subsection (a) of Section 25 of
this Act.

Section 10. The Methamphetamine Precursor Control Act is
amended by changing Sections 5, 10, 15, 20, 25, and 35 and by adding
Section 60 as follows:

(720 ILCS 648/5)

Sec. 5. Purpose. The purpose of this Act is to reduce the harm that
methamphetamine manufacturing and manufacturers are inflicting on

New matter indicated by italics - deletions by strikeout
individuals, families, communities, first responders, the economy, and the environment in Illinois, by making it more difficult for persons engaged in the unlawful manufacture of methamphetamine and related activities to obtain methamphetamine's essential ingredient, ephedrine or pseudoephedrine. *It is the intent of the General Assembly that this Act operate in tandem with and be interpreted as consistent with federal laws and regulations relating to the subject matter of this Act to the greatest extent possible.*

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/10)

Sec. 10. Definitions. In this Act:

"Administer" or "administration" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Agent" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Convenience package" means any package that contains 360 milligrams or less of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in liquid or liquid-filled capsule form.

"Deliver" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Dispense" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Distribute" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"List I chemical" has the meaning provided in 21 U.S.C. Section 802.

"Methamphetamine precursor" has the meaning provided in Section 10 of the Methamphetamine Control and Community Protection Act.

"Package" means an item packaged and marked for retail sale that is not designed to be further broken down or subdivided for the purpose of retail sale.

"Pharmacist" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

New matter indicated by italics - deletions by strikeout
"Pharmacy" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Practitioner" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescriber" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescription" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Readily retrievable" has the meaning provided in 21 C.F.R. part 1300.

"Retail distributor" means a grocery store, general merchandise store, drug store, other merchandise store, or other entity or person whose activities as a distributor relating to drug products containing targeted methamphetamine precursor are limited exclusively or almost exclusively to sales for personal use by an ultimate user, both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales.

"Sales employee" means any employee or agent, other than a pharmacist or pharmacy technician who works exclusively or almost exclusively behind a pharmacy counter, who at any time (a) operates a cash register at which targeted packages may be sold, (b) works at or behind a pharmacy counter, (c) stocks shelves containing targeted packages, or (d) trains or supervises any other employee or agent who engages in any of the preceding activities.

"Single retail transaction" means a sale by a retail distributor to a specific customer at a specific time.

"Targeted methamphetamine precursor" means any compound, mixture, or preparation that contains any detectable quantity of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

"Targeted package" means a package, including a convenience package, containing any amount of targeted methamphetamine precursor.

"Ultimate user" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.
Sec. 15. Basic provisions.
(a) No targeted methamphetamine precursor shall be purchased, received, or otherwise acquired in any manner other than that described in Section 20 of this Act.
(b) No targeted methamphetamine precursor shall be knowingly administered, dispensed, or distributed for any purpose other than a medical purpose.
(c) No targeted methamphetamine precursor shall be knowingly administered, dispensed, or distributed for the purpose of violating or evading this Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act.
(d) No targeted methamphetamine precursor shall be administered, dispensed, or distributed with knowledge that it will be used to manufacture methamphetamine or with reckless disregard of its likely use to manufacture methamphetamine.
(e) No targeted methamphetamine precursor shall be administered, dispensed, or distributed except by:
   (1) a pharmacist pursuant to the valid order of a prescriber;
   (2) any other practitioner authorized to do so by the Illinois Controlled Substances Act;
   (3) a drug abuse treatment program, pursuant to subsection (d) of Section 313 of the Illinois Controlled Substances Act;
   (4) a pharmacy pursuant to Section 25 of this Act;
   (5) a retail distributor pursuant to Sections 30 and 35 of this Act; or
   (6) a distributor authorized by the Drug Enforcement Administration to distribute bulk quantities of a list I chemical under the federal Controlled Substances Act and corresponding regulations, or the employee or agent of such a distributor acting in the normal course of business.
(f) Notwithstanding any provision of this Act to the contrary, it is lawful for persons to provide small quantities of targeted

New matter indicated by italics - deletions by strikeout
methamphetamine precursors to immediate family or household members for legitimate medical purposes, and it is lawful for persons to receive small quantities of targeted methamphetamine precursors from immediate family or household members for legitimate medical purposes.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/20)

Sec. 20. Restrictions on purchase, receipt, or acquisition.

(a) Except as provided in subsection (e) of this Section, any person 18 years of age or older wishing to purchase, receive, or otherwise acquire a targeted methamphetamine precursor shall, prior to taking possession of the targeted methamphetamine precursor:

(1) provide a driver's license or other government-issued identification showing the person's name, date of birth, and photograph; and

(2) sign a log documenting the name and address of the person, date and time of the transaction, and brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers.

(b) Except as provided in subsection (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire, within any 30-day period products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

(c) Except as provided in subsections (d) and (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than 2 targeted packages in a single retail transaction.

(d) Except as provided in subsection (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than one convenience package from a retail location other than a pharmacy counter in a 24-hour period.

(e) This Section shall not apply to any person who purchases, receives, or otherwise acquires a targeted methamphetamine precursor for

New matter indicated by italics - deletions by strikeout
the purpose of dispensing, distributing, or administering it in a lawful manner described in subsection (e) of Section 15 of this Act.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/25)

Sec. 25. Pharmacies.

(a) No targeted methamphetamine precursor may be knowingly distributed through a pharmacy, including a pharmacy located within, owned by, operated by, or associated with a retail distributor unless all terms of this Section are satisfied.

(b) Any targeted methamphetamine precursor other than a convenience package or a liquid, including but not limited to any targeted methamphetamine precursor in liquid-filled capsules, shall: (1) be packaged in blister packs, with each blister containing not more than 2 dosage units, or when the use of blister packs is technically infeasible, in unit dose packets. Each targeted package shall;

and (2) contain no more than 3,000 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

(c) The targeted methamphetamine precursor shall be stored behind the pharmacy counter and distributed by a pharmacist or pharmacy technician licensed under the Pharmacy Practice Act of 1987.

(d) Any retail distributor operating a pharmacy, and any pharmacist or pharmacy technician involved in the transaction or transactions, shall ensure that any person purchasing, receiving, or otherwise acquiring the targeted methamphetamine precursor complies with subsection (a) of Section 20 of this Act.

(e) Any retail distributor operating a pharmacy, and any pharmacist or pharmacy technician involved in the transaction or transactions, shall verify that:

(1) The person purchasing, receiving, or otherwise acquiring the targeted methamphetamine precursor is 18 years of age or older and resembles the photograph of the person on the government-issued identification presented by the person; and
(2) The name entered into the log referred to in subsection 
(a) of Section 20 of this Act corresponds to the name on the 
government-issued identification presented by the person. 

(f) The logs referred to in subsection (a) of Section 20 of this Act 
shall be kept confidential, maintained for not less than 2 years, and made 
available for inspection and copying by any law enforcement officer upon 
request of that officer. These logs may be kept in an electronic format if 
they include all the information specified in subsection (a) of Section 20 of 
this Act in a manner that is readily retrievable and reproducible in hard-
copy format. 

(g) No retail distributor operating a pharmacy, and no pharmacist 
or pharmacy technician, shall knowingly distribute any targeted 
ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

(j) A pharmacist or pharmacy technician may distribute a targeted 
ephedrine or pseudoephedrine, their salts or optical isomers.

(1) the person presents a driver's license issued without a 
photograph by the State of Illinois pursuant to the Illinois 
Administrative Code, Title 92, Section 1030.90(b)(1) or 
1030.90(b)(2); or

New matter indicated by italics - deletions by strikeout
(2) the person is known to the pharmacist or pharmacy technician, the person presents some form of identification, and the pharmacist or pharmacy technician reasonably believes that the targeted methamphetamine precursor will be used for a legitimate medical purpose and not to manufacture methamphetamine.

(k) When a pharmacist or pharmacy technician distributes a targeted methamphetamine precursor to a person according to the procedures set forth in this Act, and the pharmacist or pharmacy technician does not have access to a working cash register at the pharmacy counter, the pharmacist or pharmacy technician may instruct the person to pay for the targeted methamphetamine precursor at a cash register located elsewhere in the retail establishment, whether that register is operated by a pharmacist, pharmacy technician, or other employee or agent of the retail establishment.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/35)

Sec. 35. Retail distributors; training requirements.

(a) Every retail distributor of any targeted methamphetamine precursor shall train each sales employee on the topics listed on the certification form described in subsection (b) of this Section. This training may be conducted by a live trainer or by means of a computer-based training program. This training shall be completed within 30 days of the effective date of this Act or within 30 days of the date that each sales employee begins working for the retail distributor, whichever of these 2 dates comes later.

(b) Immediately after training each sales employee as required in subsection (a) of this Section, every retail distributor of any targeted methamphetamine precursor shall have each sales employee read, sign, and date a certification containing the following language:

(1) My name is (insert name of employee) and I am an employee of (insert name of business) at (insert street address).

(2) I understand that in Illinois there are laws governing the sale of certain over-the-counter medications that contain a chemical called ephedrine or a second chemical called

New matter indicated by italics - deletions by strikeout
pseudoephedrine. Medications that are subject to these laws are called "targeted methamphetamine precursors".

(3) I understand that "targeted methamphetamine precursors" can be used to manufacture the illegal and dangerous drug methamphetamine and that methamphetamine is causing great harm to individuals, families, communities, the economy, and the environment throughout Illinois.

(4) I understand that under Illinois law, unless they are at a pharmacy counter, customers can only purchase small "convenience packages" of "targeted methamphetamine precursors".

(5) I understand that under Illinois law, customers can only purchase these "convenience packages" if they are 18 years of age or older, show identification, and sign a log according to procedures that have been described to me.

(6) I understand that under Illinois law, I cannot sell more than one "convenience package" to a single customer in one 24-hour period.

(7) I understand that under Illinois law, I cannot sell "targeted methamphetamine precursors" to a person if I know that the person is going to use them to make methamphetamine.

(8) I understand that there are a number of ingredients that are used to make the illegal drug methamphetamine, including "targeted methamphetamine precursors" sold in "convenience packages". My employer has shown me a list of these various ingredients, and I have reviewed the list.

(9) I understand that there are certain procedures that I should follow if I suspect that a store customer is purchasing "targeted methamphetamine precursors" or other products for the purpose of manufacturing methamphetamine. These procedures have been described to me, and I understand them.

(c) A certification form of the type described in subsection (b) of this Section may be signed with a handwritten signature or an electronic signature that includes a unique identifier for each employee. The
certification shall be retained by the retail distributor for each sales employee for the duration of his or her employment and for at least 30 days following the end of his or her employment. Any such form shall be made available for inspection and copying by any law enforcement officer upon request of that officer. These records may be kept in electronic format if they include all the information specified in this Section in a manner that is readily retrievable and reproducible in hard-copy format.

(d) The Office of the Illinois Attorney General shall make available to retail distributors the list of methamphetamine ingredients referred to in subsection (b) of this Section.

(e) The training requirements set forth in this Section apply to the distribution of convenience packages away from pharmacy counters as set forth in Section 30 of this Act but do not apply to the distribution of targeted methamphetamine precursors through a pharmacy as set forth in Section 25 of this Act.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/60 new)

Sec. 60. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Passed in the General Assembly April 6, 2006.
Approved June 5, 2006.
Effective June 5, 2006.
Section 1. Short title. This Act may be cited as the Methamphetamine Manufacturer Registry Act.

Section 5. Definition. As used in this Act, "methamphetamine manufacturer" means a person who has been convicted of any violation of Section 15 of the Methamphetamine Control and Community Protection Act.

Section 10. Methamphetamine Manufacturer Database.

(a) The Department of State Police shall establish and maintain a Methamphetamine Manufacturer Database for the purpose of identifying methamphetamine manufacturers and making that information available to law enforcement and the general public. For every person convicted of a violation of Section 15 of the Methamphetamine Control and Community Protection Act on or after the effective date of this Act, the methamphetamine manufacturer database shall contain information relating to each methamphetamine manufacturer. The information shall include the methamphetamine manufacturer's name, date of birth, offense or offenses requiring inclusion in the Methamphetamine Manufacturer Database, the conviction date and county of each such offense, and such other identifying information as the Department of State Police deems necessary to identify the methamphetamine manufacturer, but shall not include the social security number of the methamphetamine manufacturer.

(b) The Department of State Police must make the information contained in the Statewide Methamphetamine Manufacturer Database accessible on the Internet by means of a hyperlink labeled "Methamphetamine Manufacturer Information" on the Department's World Wide Web home page. The Department of State Police must update that information as it deems necessary.

(c) The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this Section and those rules must include procedures to ensure that the information in the database is accurate, and that the information in the database reflects any changes based on the reversal of a conviction for an offense requiring inclusion in the Methamphetamine Manufacturer Database, or a court order requiring the sealing or expungement of records

New matter indicated by italics - deletions by strikeout
relating to the offense. A certified copy of such an order shall be deemed prima facie true and correct and, shall be sufficient to require the immediate amendment or removal of any person's information from the Methamphetamine Manufacturer Database by the Department of State Police.

Section 15. Conviction Information.

(a) Within 60 days after the effective date of this Act, each circuit clerk shall forward monthly to the Department of State Police a copy of the judgment for each and all persons convicted of an offense within the definition of methamphetamine manufacturer, as defined in Section 5 of this Act, during the previous month.

(b) Within 120 days after the effective date of this Act, the Director of Corrections shall forward to the Department of State Police a list of all persons incarcerated or on mandatory supervised release, who have been convicted of an offense within the definition of methamphetamine manufacturer, as defined in Section 5 of this Act.

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

Approved June 5, 2006
Effective June 5, 2006.

PUBLIC ACT 94-0832
(House Bill No. 5245)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-342 as follows:

(20 ILCS 2310/2310-342 new)
Sec. 2310-342. Umbilical cord blood donations.

New matter indicated by italics - deletions by strikeout
(a) Subject to appropriations for that purpose, the Department of Public Health shall, by January 1, 2007, prepare and distribute to health and maternal care providers written publications that include the following information:

(1) The medical processes involved in the collection of umbilical cord blood.

(2) The medical risks to a mother and her newborn child of umbilical cord blood collection.

(3) The current and potential future medical uses and benefits of umbilical cord blood collection to a mother, her newborn child, and her biological family.

(4) The current and potential future medical uses and benefits of umbilical cord blood collection to persons who are not biologically related to a mother or her newborn child.

(5) Any costs that may be incurred by a pregnant woman who chooses to make an umbilical cord blood donation.

(6) Options for ownership and future use of the donated material.

(7) The availability in Illinois of umbilical cord blood donations.

(b) In developing the publications required under subsection (a), the Department of Public Health shall consult with an organization of physicians licensed to practice medicine in all its branches and consumer groups. The Department shall update the publications every 2 years.

Section 10. The Hospital Licensing Act is amended by changing Section 6.21 as follows:

(210 ILCS 85/6.21)

Sec. 6.21. Umbilical cord blood donation.

(a) All licensed hospitals shall offer a pregnant patient the option to donate, to a publicly accessible certified cord blood bank, blood extracted from the umbilical cord following the delivery of a newborn child if the donation can be made at no expense to the patient or hospital for collection or storage.
(b) Nothing in this Section obligates a hospital to collect umbilical cord blood if, in the professional judgment of a physician licensed to practice medicine in all its branches or a nurse, the collection would threaten the health of the mother or child.

(c) Nothing in this Section imposes a requirement upon any hospital employee, physician, nurse, or hospital that is directly affiliated with a bona fide religious denomination that includes as an integral part of its beliefs and practices the tenet that blood transfer is contrary to the moral principles the denomination considers to be an essential part of its beliefs.

(d) Subject to appropriations for that purpose, the Department of Public Health shall make the maximization of umbilical cord blood donations a public health goal. All licensed hospitals and birthing centers shall cooperate with the Department of Public Health in implementing this goal of increasing donations of umbilical cord blood.

(Source: P.A. 93-143, eff. 1-1-04.)

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

Passed in the General Assembly March 27, 2006.
Approved June 5, 2006.
Effective June 5, 2006.
References in this Act to the Office of Banks and Real Estate or "the Office" mean the Department of Financial and Professional Regulation.

References in this Act to the Commissioner of Banks and Real Estate or "the Commissioner" mean the Secretary of Financial and Professional Regulation.

Sec. 1-5. Prohibitions.

(a) No person or group of persons, except an association duly incorporated under this Act or a prior Act or a Federal association or a foreign association duly authorized to do business in this State, shall transact business within the scope of this Act or do any business under any name or title or circulate or use any advertising or make any representation or give any information to any person which indicates or reasonably implies the operation of a business which is within the scope of this Act.

(b) A circuit court may issue an injunction to restrain any person from violating or continuing to violate subsection (a) any of the foregoing provisions of this Section.

(b-5) Except as otherwise expressly permitted by law or with the written consent of the association, no person or group of persons may use the name of or a name similar to the name of an existing association when marketing or soliciting business from customers or prospective customers if the name or similar name is used in a manner that would cause a reasonable person to believe that the marketing material or solicitation originated from or is endorsed by the existing association or that the existing association is in any other way responsible for the marketing material or solicitation.

(c) Any person or group of persons who violates subsection (a) of any provision of this Section commits a business offense and shall be fined not to exceed $5,000.

(d) In addition to any other available remedies, an existing association may report an alleged violation of any provision of this Section to the Secretary. If the Secretary of Financial and Professional Regulation finds that any person or group of persons is in violation of any

New matter indicated by italics - deletions by strikeout
provision of this Section, then the Secretary may direct that person or group of persons to cease and desist from that violation. If the Secretary issues a cease and desist order against any person or group of persons for violation of subsection (b-5), then the order must require that person or group of persons to cease and desist from using the offending marketing material or solicitation in Illinois.

If the person or group of persons against whom the Secretary issued the cease and desist order persists in the violation, then the Secretary may impose a civil penalty of up to $10,000 for each violation. Each day that a person or group of persons is in violation of this Section constitutes a separate violation of this Section and each instance in which marketing material or a solicitation is sent in violation of subsection (b-5) constitutes a separate violation of this Section.

(e) The Department of Financial and Professional Regulation may adopt rules to administer the provisions of this Section.

(Source: P.A. 84-543.)

Section 10. The Savings Bank Act is amended by adding Section 1001.5 and by changing Section 1004 as follows:

(205 ILCS 205/1001.5 new)

Sec. 1001.5. References to Office or Commissioner of Banks and Real Estate. On and after the effective date of this amendatory Act of the 94th General Assembly, unless the context requires otherwise:

(1) References in this Act to the Office of Banks and Real Estate or "the Office" mean the Department of Financial and Professional Regulation.

(2) References in this Act to the Commissioner of Banks and Real Estate or "the Commissioner" mean the Secretary of Financial and Professional Regulation.

(205 ILCS 205/1004) (from Ch. 17, par. 7301-4)

Sec. 1004. Applicability.

(a) This Act shall apply to all financial institutions no matter how named or chartered, if they comply with the provisions of this Act and with the rules of the Commissioner promulgated pursuant to this Act.

New matter indicated by italics - deletions by strikeout
(b) No person or group of persons, except a savings bank duly organized or authorized under this Act, a predecessor Act, or a federal Act may transact business within the scope of this Act or do business under any name or title or circulate or use any advertising or make any representations or give any information to anyone using any media, including electronic media, that indicates or implies the operation of a business within the scope of this Act. Nothing herein shall prohibit the continued use of the name or title "savings bank" by any bank or savings and loan association if the use of that name or title was in effect before January 1, 1990.

(c) Except as otherwise expressly permitted by law or with the written consent of the savings bank, no person or group of persons may use the name of or a name similar to the name of an existing savings bank when marketing or soliciting business from customers or prospective customers if the name or similar name is used in a manner that would cause a reasonable person to believe that the marketing material or solicitation originated from or is endorsed by the existing savings bank or that the existing savings bank is in any other way responsible for the marketing material or solicitation.

(d) Any person who violates subsection (b) of this Section commits a business offense and shall be fined in an amount not to exceed $5,000.

(e) In addition to any other available remedies, any existing savings bank may report an alleged violation of any provision of this Section to the Secretary of Financial and Professional Regulation. If the Secretary finds that any person or group of persons is in violation of any provision of this Section, then the Secretary may direct that person or group of persons to cease and desist from that violation. If the Secretary issues a cease and desist order against any person or group of persons for violation of subsection (c), then the order must require that person or group of persons to cease and desist from using the offending marketing material or solicitation in Illinois.

If the person or group of persons against whom the Secretary issued the cease and desist order persists in the violation, then the Secretary may impose a civil penalty of up to $10,000 for each violation.

New matter indicated by italics - deletions by strikeout
Each day that a person or group of persons is in violation of this Section constitutes a separate violation of this Section and each instance in which marketing material or a solicitation is sent in violation of subsection (c) constitutes a separate violation of this Section.

(f) The Department of Financial and Professional Regulation may adopt rules to administer the provisions of this Section.

(Source: P.A. 86-1213.)

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

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0834
(House Bill No. 4463)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 20-109 as follows:

(40 ILCS 5/20-109) (from Ch. 108 1/2, par. 20-109)
Sec. 20-109. "Pension credit": Credit or equities acquired by an employee in the form of contributions, earnings or service as defined under the law governing each of the systems in which he has credits or equities, except credits and equities (1) of less than one year in any one system, except that this one-year limitation shall not apply to (A) employees who transfer or are transferred, as a class, from one participating system to another or who are persons to whom Section 14-108.2a or 14-108.2b applies or (B) persons who move from participation with a school district as a teacher aide under Article 7 to participation under Article 16; or (2) which have previously been forfeited by acceptance of a refund or which have been applied towards a retirement annuity and have not been reestablished in accordance with the law

New matter indicated by italics - deletions by strikeout
governing the system from which the refund or retirement annuity had been received. If a retirement system provides no refund of contributions, the pension credit in the case of any employee who has participated in that system shall be considered effective for the purposes of this Article.
(Source: P.A. 88-535; 89-246, eff. 8-4-95.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0835
(Senate Bill No. 0176)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

ARTICLE 1.

Section 1-1. Short title. This Act may be cited as the FY2007 Budget Implementation (Education) Act.

Section 1-5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the Governor's FY2007 budget recommendations concerning education.

ARTICLE 90.

Section 90-3. The Arts Council Act is amended by adding Section 4.5 as follows:

(20 ILCS 3915/4.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 4.5. Arts and foreign language education grants. The Council has the authority as set forth in Section 2-3.65a of the School Code concerning the administration and award of grants.

Section 90-5. The State Finance Act is amended by changing Section 6z-67 as follows:

(30 ILCS 105/6z-67)

Sec. 6z-67. SBE Federal Department of Agriculture Fund. The SBE Federal Department of Agriculture Fund is created as a federal trust fund in the State treasury. This fund is established to receive funds from the federal Department of Agriculture Education, including administrative funds recovered from federal programs, for the specific purposes established by the terms and conditions of federal awards. Moneys in the SBE Federal Department of Agriculture Fund shall be used, subject to appropriation by the General Assembly, for grants and contracts to local education agencies, colleges and universities, and other State agencies and for administrative expenses of the State Board of Education. However, non-appropriated spending is allowed for the refund of unexpended grant moneys to the federal government.

(Source: P.A. 93-838, eff. 7-30-04; 94-69, eff. 7-1-05.)

Section 90-10. The School Code is amended by adding Section 2-3.65a and by changing Sections 2-3.131 (as added by Public Act 93-21 and amended by Public Acts 93-838 and 94-69) and 18-8.05 as follows:

(105 ILCS 5/2-3.65a new)

Sec. 2-3.65a. Arts and foreign language education grant program. There is created an arts and foreign language education grant program to fund arts education and foreign language education programs in the public schools, subject to appropriation to the State Board of Education. The grants shall be for the purpose of supporting arts and foreign language education in the schools, with an emphasis on ensuring that art and foreign language courses are available as part of a school's core curriculum. The State Board of Education shall enter into an agreement with the Illinois Arts Council to cooperate in administering and awarding grants under the program.

(105 ILCS 5/2-3.131)

New matter indicated by italics - deletions by strikeout
Sec. 2-3.131. Transitional assistance payments.

(a) If the amount that the State Board of Education will pay to a school district from fiscal year 2004 appropriations, as estimated by the State Board of Education on April 1, 2004, is less than the amount that the State Board of Education paid to the school district from fiscal year 2003 appropriations, then, subject to appropriation, the State Board of Education shall make a fiscal year 2004 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2004 appropriations and the amount paid from fiscal year 2003 appropriations.

(b) If the amount that the State Board of Education will pay to a school district from fiscal year 2005 appropriations, as estimated by the State Board of Education on April 1, 2005, is less than the amount that the State Board of Education paid to the school district from fiscal year 2004 appropriations, then the State Board of Education shall make a fiscal year 2005 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2005 appropriations and the amount paid from fiscal year 2004 appropriations.

(c) If the amount that the State Board of Education will pay to a school district from fiscal year 2006 appropriations, as estimated by the State Board of Education on April 1, 2006, is less than the amount that the State Board of Education paid to the school district from fiscal year 2005 appropriations, then the State Board of Education shall make a fiscal year 2006 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2006 appropriations and the amount paid from fiscal year 2005 appropriations.

(d) If the amount that the State Board of Education will pay to a school district from fiscal year 2007 appropriations, as estimated by the State Board of Education on April 1, 2007, is less than the amount that the State Board of Education paid to the school district from fiscal year 2006 appropriations, then the State Board of Education, subject to appropriation, shall make a fiscal year 2007 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2007 appropriations and the amount paid from fiscal year 2006 appropriations.
payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2007 appropriations and the amount paid from fiscal year 2006 appropriations. (Source: P.A. 93-21, eff. 7-1-03; 93-838, eff. 7-30-04; 94-69, eff. 7-1-05.)

Sec. 18-8.05 Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

New matter indicated by italics - deletions by strikeout
(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

New matter indicated by italics - deletions by strikeout
(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

**B. Foundation Level.**

1. The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

2. For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810. For the 2004-2005 school year, the Foundation Level of support is $4,964. For the 2005-2006 school year, the Foundation Level of support is $5,164.

New matter indicated by italics - deletions by strikeout
(3) For the 2006-2007 2005-2006 school year and each school year thereafter, the Foundation Level of support is $5,334 $5,164 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30

New matter indicated by italics - deletions by strikeout
of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be calculated as the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the

New matter indicated by italics - deletions by strikeout
general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).
(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-
schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock
hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in

New matter indicated by italics - deletions by strikeout
their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(i) On the days when the Prairie State Achievement Examination is administered under subsection (c) of Section 2-3.64 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted towards the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code (a) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax

New matter indicated by italics - deletions by strikeout
Code for owners with a household income of $30,000 or less. The county clerk of any county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed

New matter indicated by italics - deletions by strikeout
valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).
"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant

New matter indicated by italics - deletions by strikeout
to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for

New matter indicated by italics - deletions by strikeout
supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for
school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

New matter indicated by italics - deletions by strikeout
(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be $1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,680 multiplied by the low income eligible pupil count.
(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year, 2004-2005 school year, and 2006-2007 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2007-2008 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2008-2009 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33. Notwithstanding the provisions of this paragraph to the contrary, if for any school year supplemental general State aid grants are prorated as provided in paragraph (1) of this subsection (H), then the grants under this paragraph shall be prorated.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006

New matter indicated by italics - deletions by strikeout
school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds.
funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify.

New matter indicated by italics - deletions by strikeout
Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district

New matter indicated by italics - deletions by strikeout
that has not submitted a plan that has been approved by the State Board of Education.

(I) General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or
resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted prior to the annexation or division, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing or resulting districts, as constituted upon such annexation or division, for the first 4 years of their existence. The total difference payment shall be allocated between or among the annexing or resulting districts in the same ratio as the pupil enrollment from that portion of the annexed or divided district or districts which is annexed to or included in each such annexing or resulting district bears to the total pupil enrollment from the entire annexed or divided district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation or division becomes effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing or resulting districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data which shall be certified to the State Board of Education, on forms which it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts, or resulting and divided districts are located.

(3.5) Claims for financial assistance under this subsection (I) shall not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I) shall be treated as separate from all other payments made pursuant to this Section.

(J) Supplementary Grants in Aid.

New matter indicated by italics - deletions by strikeout
(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the
State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the

New matter indicated by italics - deletions by strikeout
operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the
Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

New matter indicated by italics - deletions by strikeout
(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. Under Section 6 of the Statute on Statutes there is an irreconcilable conflict between Public Act 93-808 and Public Act 93-838. Public Act 93-838, being the last acted upon, is controlling. The text of Public Act 93-838 is the law regardless of the text of Public Act 93-808.

(Source: P.A. 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; revised 8-22-05.)

ARTICLE 99.

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

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0836
(Senate Bill No. 0230)

AN ACT concerning revenue.

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

ARTICLE 1. SHORT TITLE; PURPOSE

Section 1-1. Short title. This Act may be cited as the FY2007 Budget Implementation (Revenue) Act.

Section 1-3. Purpose. The purpose of this Act is to make changes in State programs that are necessary to implement the Governor's FY2007 budget recommendations concerning revenue.

ARTICLE 5. AMENDATORY PROVISIONS

Section 5-5. The Illinois Income Tax Act is amended by changing Sections 905 and 911 as follows:

(35 ILCS 5/905) (from Ch. 120, par. 9-905)

New matter indicated by italics - deletions by strikeout
Sec. 905. Limitations on Notices of Deficiency.
(a) In general. Except as otherwise provided in this Act:

(1) A notice of deficiency shall be issued not later than 3 years after the date the return was filed, and

(2) No deficiency shall be assessed or collected with respect to the year for which the return was filed unless such notice is issued within such period.

(b) Substantial omission of items.

(1) Omission of more than 25% of income. If the taxpayer omits from base income an amount properly includible therein which is in excess of 25% of the amount of base income stated in the return, a notice of deficiency may be issued not later than 6 years after the return was filed. For purposes of this paragraph, there shall not be taken into account any amount which is omitted in the return if such amount is disclosed in the return, or in a statement attached to the return, in a manner adequate to apprise the Department of the nature and the amount of such item.

(2) Reportable transactions. If a taxpayer fails to include on any return or statement for any taxable year any information with respect to a reportable transaction, as required under Section 501(b) of this Act, a notice of deficiency may be issued not later than 6 years after the return is filed with respect to the taxable year in which the taxpayer participated in the reportable transaction and said deficiency is limited to the non-disclosed item.

(c) No return or fraudulent return. If no return is filed or a false and fraudulent return is filed with intent to evade the tax imposed by this Act, a notice of deficiency may be issued at any time.

(d) Failure to report federal change. If a taxpayer fails to notify the Department in any case where notification is required by Section 304(c) or 506(b), or fails to report a change or correction which is treated in the same manner as if it were a deficiency for federal income tax purposes, a notice of deficiency may be issued (i) at any time or (ii) on or after August 13, 1999, at any time for the taxable year for which the notification is required or for any taxable year to which the taxpayer may carry an Article

New matter indicated by italics - deletions by strikeout
2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is required; provided, however, that the amount of any proposed assessment set forth in the notice shall be limited to the amount of any deficiency resulting under this Act from the recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is required after giving effect to the item or items required to be reported.

(e) Report of federal change.

(1) Before August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of any deficiency resulting under this Act from recomputation of the taxpayer's net income, net loss, or Article 2 credits for the taxable year after giving effect to the item or items reflected in the reported alteration.

(2) On and after August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given for the taxable year for which the notification is given or for any taxable year to which the taxpayer may carry an Article 2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of any deficiency resulting under this Act from recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is given after giving effect to the item or items reflected in the reported alteration.

(f) Extension by agreement. Where, before the expiration of the time prescribed in this Section for the issuance of a notice of deficiency, both the Department and the taxpayer shall have consented in writing to its

New matter indicated by italics - deletions by strikeout
issuance after such time, such notice may be issued at any time prior to the expiration of the period agreed upon. In the case of a taxpayer who is a partnership, Subchapter S corporation, or trust and who enters into an agreement with the Department pursuant to this subsection on or after January 1, 2003, a notice of deficiency may be issued to the partners, shareholders, or beneficiaries of the taxpayer at any time prior to the expiration of the period agreed upon. Any proposed assessment set forth in the notice, however, shall be limited to the amount of any deficiency resulting under this Act from recomputation of items of income, deduction, credits, or other amounts of the taxpayer that are taken into account by the partner, shareholder, or beneficiary in computing its liability under this Act. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(g) Erroneous refunds. In any case in which there has been an erroneous refund of tax payable under this Act, a notice of deficiency may be issued at any time within 2 years from the making of such refund, or within 5 years from the making of such refund if it appears that any part of the refund was induced by fraud or the misrepresentation of a material fact, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of such erroneous refund.

Beginning July 1, 1993, in any case in which there has been a refund of tax payable under this Act attributable to a net loss carryback as provided for in Section 207, and that refund is subsequently determined to be an erroneous refund due to a reduction in the amount of the net loss which was originally carried back, a notice of deficiency for the erroneous refund amount may be issued at any time during the same time period in which a notice of deficiency can be issued on the loss year creating the carryback amount and subsequent erroneous refund. The amount of any proposed assessment set forth in the notice shall be limited to the amount of such erroneous refund.
(h) Time return deemed filed. For purposes of this Section a tax return filed before the last day prescribed by law (including any extension thereof) shall be deemed to have been filed on such last day.

(i) Request for prompt determination of liability. For purposes of subsection (a)(1), in the case of a tax return required under this Act in respect of a decedent, or by his estate during the period of administration, or by a corporation, the period referred to in such Subsection shall be 18 months after a written request for prompt determination of liability is filed with the Department (at such time and in such form and manner as the Department shall by regulations prescribe) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by such corporation, but not more than 3 years after the date the return was filed. This subsection shall not apply in the case of a corporation unless:

1. (A) such written request notifies the Department that the corporation contemplates dissolution at or before the expiration of such 18-month period, (B) the dissolution is begun in good faith before the expiration of such 18-month period, and (C) the dissolution is completed;

2. (A) such written request notifies the Department that a dissolution has in good faith been begun, and (B) the dissolution is completed; or

3. a dissolution has been completed at the time such written request is made.

(j) Withholding tax. In the case of returns required under Article 7 of this Act (with respect to any amounts withheld as tax or any amounts required to have been withheld as tax) a notice of deficiency shall be issued not later than 3 years after the 15th day of the 4th month following the close of the calendar year in which such withholding was required.

(k) Penalties for failure to make information reports. A notice of deficiency for the penalties provided by Subsection 1405.1(c) of this Act may not be issued more than 3 years after the due date of the reports with respect to which the penalties are asserted.

(l) Penalty for failure to file withholding returns. A notice of deficiency for penalties provided by Section 1004 of this Act for taxpayer's

New matter indicated by italics - deletions by strikeout
failure to file withholding returns may not be issued more than three years after the 15th day of the 4th month following the close of the calendar year in which the withholding giving rise to taxpayer's obligation to file those returns occurred.

(m) Transferee liability. A notice of deficiency may be issued to a transferee relative to a liability asserted under Section 1405 during time periods defined as follows:

1) Initial Transferee. In the case of the liability of an initial transferee, up to 2 years after the expiration of the period of limitation for assessment against the transferor, except that if a court proceeding for review of the assessment against the transferor has begun, then up to 2 years after the return of the certified copy of the judgment in the court proceeding.

2) Transferee of Transferee. In the case of the liability of a transferee, up to 2 years after the expiration of the period of limitation for assessment against the preceding transferee, but not more than 3 years after the expiration of the period of limitation for assessment against the initial transferor; except that if, before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the initial transferor or the last preceding transferee, as the case may be, then the period of limitation for assessment of the liability of the transferee shall expire 2 years after the return of the certified copy of the judgment in the court proceeding.

(n) Notice of decrease in net loss. On and after August 23, 2002 the effective date of this amendatory Act of the 92nd General Assembly, no notice of deficiency shall be issued as the result of a decrease determined by the Department in the net loss incurred by a taxpayer in any taxable year ending prior to December 31, 2002 under Section 207 of this Act unless the Department has notified the taxpayer of the proposed decrease within 3 years after the return reporting the loss was filed or within one year after an amended return reporting an increase in the loss was filed, provided that in the case of an amended return, a decrease proposed by the

New matter indicated by italics - deletions by strikeout
Department more than 3 years after the original return was filed may not exceed the increase claimed by the taxpayer on the original return.
(Source: P.A. 92-846, eff. 8-23-02; 93-840, eff. 7-30-04.)
(35 ILCS 5/911) (from Ch. 120, par. 9-911)
Sec. 911. Limitations on Claims for Refund.
(a) In general. Except as otherwise provided in this Act:
   (1) A claim for refund shall be filed not later than 3 years after the date the return was filed (in the case of returns required under Article 7 of this Act respecting any amounts withheld as tax, not later than 3 years after the 15th day of the 4th month following the close of the calendar year in which such withholding was made), or one year after the date the tax was paid, whichever is the later; and
   (2) No credit or refund shall be allowed or made with respect to the year for which the claim was filed unless such claim is filed within such period.
(b) Federal changes.
   (1) In general. In any case where notification of an alteration is required by Section 506(b), a claim for refund may be filed within 2 years after the date on which such notification was due (regardless of whether such notice was given), but the amount recoverable pursuant to a claim filed under this Section shall be limited to the amount of any overpayment resulting under this Act from recomputation of the taxpayer's net income, net loss, or Article 2 credits for the taxable year after giving effect to the item or items reflected in the alteration required to be reported.
   (2) Tentative carryback adjustments paid before January 1, 1974. If, as the result of the payment before January 1, 1974 of a federal tentative carryback adjustment, a notification of an alteration is required under Section 506(b), a claim for refund may be filed at any time before January 1, 1976, but the amount recoverable pursuant to a claim filed under this Section shall be limited to the amount of any overpayment resulting under this Act from recomputation of the taxpayer's base income for the taxable

New matter indicated by italics - deletions by strikeout
year after giving effect to the federal alteration resulting from the tentative carryback adjustment irrespective of any limitation imposed in paragraph (l) of this subsection.

(c) Extension by agreement. Where, before the expiration of the time prescribed in this section for the filing of a claim for refund, both the Department and the claimant shall have consented in writing to its filing after such time, such claim may be filed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. In the case of a taxpayer who is a partnership, Subchapter S corporation, or trust and who enters into an agreement with the Department pursuant to this subsection on or after January 1, 2003, a claim for refund may be issued to the partners, shareholders, or beneficiaries of the taxpayer at any time prior to the expiration of the period agreed upon. Any refund allowed pursuant to the claim, however, shall be limited to the amount of any overpayment of tax due under this Act that results from recomputation of items of income, deduction, credits, or other amounts of the taxpayer that are taken into account by the partner, shareholder, or beneficiary in computing its liability under this Act.

(d) Limit on amount of credit or refund.

(1) Limit where claim filed within 3-year period. If the claim was filed by the claimant during the 3-year period prescribed in subsection (a), the amount of the credit or refund shall not exceed the portion of the tax paid within the period, immediately preceding the filing of the claim, equal to 3 years plus the period of any extension of time for filing the return.

(2) Limit where claim not filed within 3-year period. If the claim was not filed within such 3-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the one year immediately preceding the filing of the claim.

(e) Time return deemed filed. For purposes of this section a tax return filed before the last day prescribed by law for the filing of such return (including any extensions thereof) shall be deemed to have been filed on such last day.

New matter indicated by italics - deletions by strikeout
(f) No claim for refund based on the taxpayer's taking a credit for estimated tax payments as provided by Section 601(b)(2) or for any amount paid by a taxpayer pursuant to Section 602(a) or for any amount of credit for tax withheld pursuant to Section 701 may be filed more than 3 years after the due date, as provided by Section 505, of the return which was required to be filed relative to the taxable year for which the payments were made or for which the tax was withheld. The changes in this subsection (f) made by this amendatory Act of 1987 shall apply to all taxable years ending on or after December 31, 1969.

(g) Special Period of Limitation with Respect to Net Loss Carrybacks. If the claim for refund relates to an overpayment attributable to a net loss carryback as provided by Section 207, in lieu of the 3 year period of limitation prescribed in subsection (a), the period shall be that period which ends 3 years after the time prescribed by law for filing the return (including extensions thereof) for the taxable year of the net loss which results in such carryback (or, on and after August 13, 1999, with respect to a change in the carryover of an Article 2 credit to a taxable year resulting from the carryback of a Section 207 loss incurred in a taxable year beginning on or after January 1, 2000, the period shall be that period that ends 3 years after the time prescribed by law for filing the return (including extensions of that time) for that subsequent taxable year), or the period prescribed in subsection (c) in respect of such taxable year, whichever expires later. In the case of such a claim, the amount of the refund may exceed the portion of the tax paid within the period provided in subsection (d) to the extent of the amount of the overpayment attributable to such carryback. On and after August 13, 1999, if the claim for refund relates to an overpayment attributable to the carryover of an Article 2 credit, or of a Section 207 loss, earned, incurred (in a taxable year beginning on or after January 1, 2000), or used in a year for which a notification of a change affecting federal taxable income must be filed under subsection (b) of Section 506, the claim may be filed within the period prescribed in paragraph (1) of subsection (b) in respect of the year for which the notification is required. In the case of such a claim, the amount of the refund may exceed the portion of the tax paid within the
period provided in subsection (d) to the extent of the amount of the overpayment attributable to the recomputation of the taxpayer's Article 2 credits, or Section 207 loss, earned, incurred, or used in the taxable year for which the notification is given.

(h) Claim for refund based on net loss. On and after August 23, 2002 the effective date of this amendatory Act of the 92nd General Assembly, no claim for refund shall be allowed to the extent the refund is the result of an amount of net loss incurred in any taxable year ending prior to December 31, 2002 under Section 207 of this Act that was not reported to the Department within 3 years of the due date (including extensions) of the return for the loss year on either the original return filed by the taxpayer or on amended return or to the extent that the refund is the result of an amount of net loss incurred in any taxable year under Section 207 for which no return was filed within 3 years of the due date (including extensions) of the return for the loss year.

(Source: P.A. 91-541, eff. 8-13-99; 92-846, eff. 8-23-02.)

Section 5-10. The Public Utilities Act is amended by changing Section 8-403.1 as follows:

(220 ILCS 5/8-403.1) (from Ch. 111 2/3, par. 8-403.1)
Sec. 8-403.1. Electricity purchased from qualified solid waste energy facility; tax credit; distributions for economic development.
(a) It is hereby declared to be the policy of this State to encourage the development of alternate energy production facilities in order to conserve our energy resources and to provide for their most efficient use.
(b) For the purpose of this Section and Section 9-215.1, "qualified solid waste energy facility" means a facility determined by the Illinois Commerce Commission to qualify as such under the Local Solid Waste Disposal Act, to use methane gas generated from landfills as its primary fuel, and to possess characteristics that would enable it to qualify as a cogeneration or small power production facility under federal law.
(c) In furtherance of the policy declared in this Section, the Illinois Commerce Commission shall require electric utilities to enter into long-term contracts to purchase electricity from qualified solid waste energy facilities located in the electric utility's service area, for a period beginning

New matter indicated by italics - deletions by strikeout
on the date that the facility begins generating electricity and having a duration of not less than 10 years in the case of facilities fueled by landfill-generated methane, or 20 years in the case of facilities fueled by methane generated from a landfill owned by a forest preserve district. The purchase rate contained in such contracts shall be equal to the average amount per kilowatt-hour paid from time to time by the unit or units of local government in which the electricity generating facilities are located, excluding amounts paid for street lighting and pumping service.

(d) Whenever a public utility is required to purchase electricity pursuant to subsection (c) above, it shall be entitled to credits in respect of its obligations to remit to the State taxes it has collected under the Electricity Excise Tax Law equal to the amounts, if any, by which payments for such electricity exceed (i) the then current rate at which the utility must purchase the output of qualified facilities pursuant to the federal Public Utility Regulatory Policies Act of 1978, less (ii) any costs, expenses, losses, damages or other amounts incurred by the utility, or for which it becomes liable, arising out of its failure to obtain such electricity from such other sources. The amount of any such credit shall, in the first instance, be determined by the utility, which shall make a monthly report of such credits to the Illinois Commerce Commission and, on its monthly tax return, to the Illinois Department of Revenue. Under no circumstances shall a utility be required to purchase electricity from a qualified solid waste energy facility at the rate prescribed in subsection (c) of this Section if such purchase would result in estimated tax credits that exceed, on a monthly basis, the utility's estimated obligation to remit to the State taxes it has collected under the Electricity Excise Tax Law. The owner or operator shall negotiate facility operating conditions with the purchasing utility in accordance with that utility's posted standard terms and conditions for small power producers. If the Department of Revenue disputes the amount of any such credit, such dispute shall be decided by the Illinois Commerce Commission. Whenever a qualified solid waste energy facility has paid or otherwise satisfied in full the capital costs or indebtedness incurred in developing and implementing the qualified solid waste energy facility, whenever the qualified solid waste energy facility

New matter indicated by italics - deletions by strikeout
ceases to operate and produce electricity from methane gas generated from landfills, or at the end of the contract entered into pursuant to subsection (c) of this Section, whichever occurs first, the qualified solid waste energy facility shall reimburse the Public Utility Fund and the General Revenue Fund in the State treasury for the actual reduction in payments to those Funds caused by this subsection (d) in a manner to be determined by the Illinois Commerce Commission and based on the manner in which revenues for those Funds were reduced. The payments shall be made to the Illinois Commerce Commission, which shall determine the appropriate disbursements to the Public Utility Fund and the General Revenue Fund based on this subsection (d).

(e) The Illinois Commerce Commission shall not require an electric utility to purchase electricity from any qualified solid waste energy facility which is owned or operated by an entity that is primarily engaged in the business of producing or selling electricity, gas, or useful thermal energy from a source other than one or more qualified solid waste energy facilities.

(e-5) A qualified solid waste energy facility may receive the purchase rate provided in subsection (c) of this Section only for kilowatt-hours generated by the use of methane gas generated from landfills. The purchase rate provided in subsection (c) of this Section does not apply to electricity generated by the use of a fuel that is not methane gas generated from landfills. If the Illinois Commerce Commission determines that a qualified solid waste energy facility has violated the requirement regarding the use of methane gas generated from a landfill as set forth in this subsection (e-5), then the Commission shall issue an order requiring that the qualified solid waste energy facility repay the State for all dollar amounts of electricity sales that are determined by the Commission to be the result of the violation. As part of that order, the Commission shall have the authority to revoke the facility’s approval to act as a qualified solid waste energy facility granted by the Commission under this Section. If the amount owed by the qualified solid waste energy facility is not received by the Commission within 90 days after the date of the Commission’s order that requires repayment, then the Commission shall

New matter indicated by italics - deletions by strikeout
issue an order that revokes the facility's approval to act as a qualified solid waste energy facility granted by the Commission under this Section. The Commission's action that vacates prior qualified solid waste energy facility approval does not excuse the repayment to the State treasury required by subsection (d) of this Section for utility tax credits accumulated up to the time of the Commission's action. A qualified solid waste energy facility must receive Commission approval before it may use any fuel in addition to methane gas generated from a landfill in order to generate electricity. If a qualified solid waste energy facility petitions the Commission to use any fuel in addition to methane gas generated from a landfill to generate electricity, then the Commission shall have the authority to do the following:

(1) establish the methodology for determining the amount of electricity that is generated by the use of methane gas generated from a landfill and the amount that is generated by the use of other fuel;

(2) determine all reporting requirements for the qualified solid waste energy facility that are necessary for the Commission to determine the amount of electricity that is generated by the use of methane gas from a landfill and the amount that is generated by the use of other fuel and the resulting payments to the qualified solid waste energy facility; and

(3) require that the qualified solid waste energy facility, at the qualified solid waste energy facility's expense, install metering equipment that the Commission determines is necessary to enforce compliance with this subsection (e-5).

A public utility that is required to enter into a long-term purchase contract with a qualified solid waste energy facility has no duty to determine whether the electricity being purchased was generated by the use of methane gas generated from a landfill or was generated by the use of some other fuel in violation of the requirements of this subsection (e-5).

(f) This Section does not require an electric utility to construct additional facilities unless those facilities are paid for by the owner or operator of the affected qualified solid waste energy facility.
(g) The Illinois Commerce Commission shall require that: (1) electric utilities use the electricity purchased from a qualified solid waste energy facility to displace electricity generated from nuclear power or coal mined and purchased outside the boundaries of the State of Illinois before displacing electricity generated from coal mined and purchased within the State of Illinois, to the extent possible, and (2) electric utilities report annually to the Commission on the extent of such displacements.

(h) Nothing in this Section is intended to cause an electric utility that is required to purchase power hereunder to incur any economic loss as a result of its purchase. All amounts paid for power which a utility is required to purchase pursuant to subparagraph (c) shall be deemed to be costs prudently incurred for purposes of computing charges under rates authorized by Section 9-220 of this Act. Tax credits provided for herein shall be reflected in charges made pursuant to rates so authorized to the extent such credits are based upon a cost which is also reflected in such charges.

(i) Beginning in February 1999 and through January 2009, each qualified solid waste energy facility that sells electricity to an electric utility at the purchase rate described in subsection (c) shall file with the Department of Revenue on or before the 15th of each month a form, prescribed by the Department of Revenue, that states the number of kilowatt hours of electricity for which payment was received at that purchase rate from electric utilities in Illinois during the immediately preceding month. This form shall be accompanied by a payment from the qualified solid waste energy facility in an amount equal to six-tenths of a mill ($0.0006) per kilowatt hour of electricity stated on the form. Beginning on the effective date of this amendatory Act of the 92nd General Assembly, a qualified solid waste energy facility must file the form required under this subsection (i) before the 15th of each month regardless of whether the facility received any payment in the previous month. Payments received by the Department of Revenue shall be deposited into the Municipal Economic Development Fund, a trust fund created outside the State treasury. The State Treasurer may invest the moneys in the Fund in any investment authorized by the Public Funds Act.
Investment Act, and investment income shall be deposited into and become part of the Fund. Moneys in the Fund shall be used by the State Treasurer as provided in subsection (j).

Beginning on July 1, 2006 through January 31, 2009, each month the State Treasurer shall certify the following to the State Comptroller:

(A) the amount received by the Department of Revenue under this subsection (i) during the immediately preceding month; and

(B) the amount received by the Department of Revenue under this subsection (i) in the corresponding month in calendar year 2002.

As soon as practicable after receiving the certification from the State Treasurer, the State Comptroller shall transfer from the General Revenue Fund to the Municipal Economic Development Fund in the State treasury an amount equal to the amount by which the amount calculated under item (B) of this paragraph exceeds the amount calculated under item (A) of this paragraph, if any.

The obligation of a qualified solid waste energy facility to make payments into the Municipal Economic Development Fund shall terminate upon either: (1) expiration or termination of a facility's contract to sell electricity to an electric utility at the purchase rate described in subsection (c); or (2) entry of an enforceable, final, and non-appealable order by a court of competent jurisdiction that Public Act 89-448 is invalid. Payments by a qualified solid waste energy facility into the Municipal Economic Development Fund do not relieve the qualified solid waste energy facility of its obligation to reimburse the Public Utility Fund and the General Revenue Fund for the actual reduction in payments to those Funds as a result of credits received by electric utilities under subsection (d).

A qualified solid waste energy facility that fails to timely file the requisite form and payment as required by this subsection (i) shall be subject to penalties and interest in conformance with the provisions of the Illinois Uniform Penalty and Interest Act.

Every qualified solid waste energy facility subject to the provisions of this subsection (i) shall keep and maintain records and books of its sales

New matter indicated by italics - deletions by strikeout
pursuant to subsection (c), including payments received from those sales and the corresponding tax payments made in accordance with this subsection (i), and for purposes of enforcement of this subsection (i) all such books and records shall be subject to inspection by the Department of Revenue or its duly authorized agents or employees.

When a qualified solid waste energy facility fails to file the form or make the payment required under this subsection (i), the Department of Revenue, to the extent that it is practical, may enforce the payment obligation in a manner consistent with Section 5 of the Retailers' Occupation Tax Act, and if necessary may impose and enforce a tax lien in a manner consistent with Sections 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5i of the Retailers' Occupation Tax Act. No tax lien may be imposed or enforced, however, unless a qualified solid waste energy facility fails to make the payment required under this subsection (i). Only to the extent necessary and for the purpose of enforcing this subsection (i), the Department of Revenue may secure necessary information from a qualified solid waste energy facility in a manner consistent with Section 10 of the Retailers' Occupation Tax Act.

All information received by the Department of Revenue in its administration and enforcement of this subsection (i) shall be confidential in a manner consistent with Section 11 of the Retailers' Occupation Tax Act. The Department of Revenue may adopt rules to implement the provisions of this subsection (i).

For purposes of implementing the maximum aggregate distribution provisions in subsections (j) and (k), when a qualified solid waste energy facility makes a late payment to the Department of Revenue for deposit into the Municipal Economic Development Fund, that payment and deposit shall be attributed to the month and corresponding quarter in which the payment should have been made, and the Treasurer shall make retroactive distributions or refunds, as the case may be, whenever such late payments so require.

(j) The State Treasurer, without appropriation, must make distributions immediately after January 15, April 15, July 15, and October 15 of each year, up to maximum aggregate distributions of $500,000 for
the distributions made in the 4 quarters beginning with the April distribution and ending with the January distribution, from the Municipal Economic Development Fund to each city, village, or incorporated town that has within its boundaries an incinerator that: (1) uses or, on the effective date of Public Act 90-813, used municipal waste as its primary fuel to generate electricity; (2) was determined by the Illinois Commerce Commission to qualify as a qualified solid waste energy facility prior to the effective date of Public Act 89-448; and (3) commenced operation prior to January 1, 1998. Total distributions in the aggregate to all qualified cities, villages, and incorporated towns in the 4 quarters beginning with the April distribution and ending with the January distribution shall not exceed $500,000. The amount of each distribution shall be determined pro rata based on the population of the city, village, or incorporated town compared to the total population of all cities, villages, and incorporated towns eligible to receive a distribution. Distributions received by a city, village, or incorporated town must be held in a separate account and may be used only to promote and enhance industrial, commercial, residential, service, transportation, and recreational activities and facilities within its boundaries, thereby enhancing the employment opportunities, public health and general welfare, and economic development within the community, including administrative expenditures exclusively to further these activities. These funds, however, shall not be used by the city, village, or incorporated town, directly or indirectly, to purchase, lease, operate, or in any way subsidize the operation of any incinerator, and these funds shall not be paid, directly or indirectly, by the city, village, or incorporated town to the owner, operator, lessee, shareholder, or bondholder of any incinerator. Moreover, these funds shall not be used to pay attorneys fees in any litigation relating to the validity of Public Act 89-448. Nothing in this Section prevents a city, village, or incorporated town from using other corporate funds for any legitimate purpose. For purposes of this subsection, the term "municipal waste" has the meaning ascribed to it in Section 3.290 of the Environmental Protection Act.

New matter indicated by italics - deletions by strikeout
(k) If maximum aggregate distributions of $500,000 under subsection (j) have been made after the January distribution from the Municipal Economic Development Fund, then the balance in the Fund shall be refunded to the qualified solid waste energy facilities that made payments that were deposited into the Fund during the previous 12-month period. The refunds shall be prorated based upon the facility's payments in relation to total payments for that 12-month period.

(l) Beginning January 1, 2000, and each January 1 thereafter, each city, village, or incorporated town that received distributions from the Municipal Economic Development Fund, continued to hold any of those distributions, or made expenditures from those distributions during the immediately preceding year shall submit to a financial and compliance and program audit of those distributions performed by the Auditor General at no cost to the city, village, or incorporated town that received the distributions. The audit should be completed by June 30 or as soon thereafter as possible. The audit shall be submitted to the State Treasurer and those officers enumerated in Section 3-14 of the Illinois State Auditing Act. If the Auditor General finds that distributions have been expended in violation of this Section, the Auditor General shall refer the matter to the Attorney General. The Attorney General may recover, in a civil action, 3 times the amount of any distributions illegally expended. For purposes of this subsection, the terms "financial audit," "compliance audit", and "program audit" have the meanings ascribed to them in Sections 1-13 and 1-15 of the Illinois State Auditing Act.

(m) On and after the effective date of this amendatory Act of the 94th General Assembly, beginning on the first date on which renewable energy certificates or other saleable representations are sold by a qualified solid waste energy facility, with or without the electricity generated by the facility, and utilized by an electric utility or another electric supplier to comply with a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission, that qualified solid waste energy facility may not sell electricity pursuant to this Section and shall be exempt from the requirements of subsections (a) through (l) of this Section, except that it

New matter indicated by italics - deletions by strikeout
shall remain obligated for any reimbursements required under subsection (d) of this Section. All of the provisions of this Section shall remain in full force and effect with respect to any qualified solid waste energy facility that sold electric energy pursuant to this Section at any time before July 1, 2006 and that does not sell renewable energy certificates or other saleable representations to meet the requirements of a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission.

(n) Notwithstanding any other provision of law to the contrary, beginning on July 1, 2006, the Illinois Commerce Commission shall not issue any order determining that a facility is a qualified solid waste energy facility unless the qualified solid waste energy facility was determined by the Illinois Commerce Commission to be a qualified solid waste energy facility before July 1, 2006. As a guide to the intent, interpretation, and application of this amendatory Act of the 94th General Assembly, it is hereby declared to be the policy of this State to honor each qualified solid waste energy facility contract in existence on the effective date of this amendatory Act of the 94th General Assembly if the qualified solid waste energy facility continues to meet the requirements of this Section for the duration of its respective contract term.

(Source: P.A. 91-901, eff. 1-1-01; 92-435, eff. 8-17-01; 92-574, eff. 6-26-02.)

ARTICLE 99. EFFECTIVE DATE
Section 99-99. Effective date. This Act takes effect upon becoming law.

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0837
(Senate Bill No. 0622)

AN ACT concerning State government.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-327 as follows:

(20 ILCS 2605/2605-327)
Sec. 2605-327. Conviction and sex offender information for medical school. Upon the inquiry request of a medical school under the Medical School Matriculant Criminal History Records Check Act, to ascertain whether a matriculant of the medical school has been convicted of any violent felony or has been adjudicated a sex offender.

The Department shall make sex offender information available to the inquiring medical school through the Statewide Sex Offender Database. Medical schools in this State must conduct an inquiry into the Statewide Sex Offender Database on all matriculants as part of the admissions process. Furnish this information to the medical school that requested the information.

Pursuant to the Medical School Matriculant Criminal History Records Check Act, the Department shall conduct a fingerprint-based criminal history records check of the Statewide Sex Offender Database, the Illinois criminal history records database; and the Federal Bureau of Investigation criminal history records database upon the request of a public medical school. Pursuant to the Medical School Matriculant Criminal History Records Check Act, the Department shall conduct a fingerprint-based, Illinois Uniform Conviction Information Act check of the Illinois criminal history records database upon the request of a private medical school. The Department may charge the requesting public or private medical school a fee for conducting the fingerprint-based criminal history records check. The fee shall not exceed the cost of the inquiry and shall be deposited into the State Police Services Fund.
(Source: P.A. 94-709, eff. 12-5-05.)

Section 10. The Medical School Matriculant Criminal History Records Check Act is amended by changing Sections 10 and 25 as follows:

New matter indicated by italics - deletions by strikeout
(110 ILCS 57/10)

Sec. 10. Criminal history records check for matriculants.

(a) A public medical school located in Illinois must conduct an inquiry into the Department of State Police's Statewide Sex Offender Database for each matriculant and must require that each matriculant submit to a fingerprint-based criminal history records check for violent felony convictions, and any adjudication of the matriculant as a sex offender conducted by the Department of State Police and the Federal Bureau of Investigation, as part of the medical school admissions process. The medical school shall forward the name, sex, race, date of birth, social security number, and fingerprints of each of its matriculants to the Department of State Police to be searched against the Statewide Sex Offender Database and the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The fingerprints of each matriculant must be submitted in the form and manner prescribed by the Department of State Police. The Department of State Police shall furnish, pursuant to positive identification, records of a matriculant's violent felony convictions and any record of a matriculant's adjudication as a sex offender to the medical school that requested the criminal history records check.

(b) A private medical school located in Illinois must conduct an inquiry into the Department of State Police's Statewide Sex Offender Database for each matriculant and must require that each matriculant submit to an Illinois Uniform Conviction Information Act fingerprint-based, criminal history records check for violent felony convictions, conducted by the Department of State Police, as part of the medical school admissions process. The medical school shall forward the name, sex, race, date of birth, social security number, and fingerprints of each of its matriculants to the Department of State Police to be searched against the fingerprint records now and hereafter filed in the Department of State Police criminal history records database. The fingerprints of each matriculant must be submitted in the form and manner prescribed by the Department of State Police. The Department of State Police shall furnish, pursuant to positive identification, records of a matriculant's violent

New matter indicated by italics - deletions by strikeout
felony convictions to the medical school that requested the criminal history records check.

(Source: P.A. 94-709, eff. 12-5-05.)

(110 ILCS 57/25)

Sec. 25. Civil immunity. Except for wilful or wanton misconduct, no medical school acting under the provisions of this Act shall be civilly liable to any matriculant for reporting any required information to the Department of State Police or for any decision made pursuant to Section 20 of this Act.

(Source: P.A. 94-709, eff. 12-5-05.)

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

Approved June 6, 2006.
Effective June 6, 2006.
(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24 month period, except that this limitation on the number of emergency rules that may be adopted in a 24 month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, or (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with

New matter indicated by italics - deletions by strikeout
this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month

New matter indicated by italics - deletions by strikeout
limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of this amendatory Act of the 93rd General Assembly or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of

New matter indicated by italics - deletions by strikeout
emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to implement any provision of this amendatory Act of the 94th General Assembly or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services Public Aid may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act, and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.
Sec. 5-46.2. Implementation of changes to State Medicaid plan. In order to provide for the timely and expeditious implementation of the federally approved amendment to the Title XIX State Plan as authorized by subsection (r-5) of Section 5A-12.1 of the Illinois Public Aid Code, the Department of Healthcare and Family Services may adopt any rules necessary to implement changes resulting from that amendment to the hospital access improvement payments authorized by Public Act 94-242 and subsection (d) of Section 5A-2 of the Illinois Public Aid Code. The Department is authorized to adopt rules implementing those changes by emergency rulemaking. This emergency rulemaking authority is granted by, and may be exercised only during, the 94th General Assembly.

Section 15. The Illinois Public Aid Code is amended by changing Sections 5-5.4, 5A-2, and 5A-12.1 and adding Section 12-4.36 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services Public Aid. The Department of Healthcare and Family Services Public Aid shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and

New matter indicated by italics - deletions by strikeout
subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, 2007, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus $1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus $3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by $4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled
Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid \(\textit{now Healthcare and Family Services}\) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department of Public Aid shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.
(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These

New matter indicated by italics - deletions by strikeout
rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The Illinois Department may by rule adjust these socio-development component rates, but in no case may such rates be diminished.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated
for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services Public Aid shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

(Source: P.A. 93-20, eff. 6-20-03; 93-649, eff. 1-8-04; 93-659, eff. 2-3-04; 93-841, eff. 7-30-04; 93-1087, eff. 2-28-05; 94-48, eff. 7-1-05; 94-85, eff. 6-28-05; 94-697, eff. 11-21-05; revised 12-15-05.)

New matter indicated by italics - deletions by strikeout
Sec. 5A-2. Assessment; no local authorization to tax.

(a) Subject to Sections 5A-3 and 5A-10, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to the hospital's occupied bed days multiplied by $84.19 multiplied by the proration factor for State fiscal year 2004 and the hospital's occupied bed days multiplied by $84.19 for State fiscal year 2005.

The Department of Healthcare and Family Services shall use the number of occupied bed days as reported by each hospital on the Annual Survey of Hospitals conducted by the Department of Public Health to calculate the hospital's annual assessment. If the sum of a hospital's occupied bed days is not reported on the Annual Survey of Hospitals or if there are data errors in the reported sum of a hospital's occupied bed days as determined by the Department of Healthcare and Family Services, then the Department may obtain the sum of occupied bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department of Healthcare and Family Services or its duly authorized agents and employees.

Subject to Sections 5A-3 and 5A-10, for the privilege of engaging in the occupation of hospital provider, beginning August 1, 2005, an annual assessment is imposed on each hospital provider for State fiscal years 2006, 2007, and 2008, in an amount equal to 2.5835% of the hospital provider's adjusted gross hospital revenue for inpatient services and 2.5835% of the hospital provider's adjusted gross hospital revenue for outpatient services. If the hospital provider's adjusted gross hospital revenue is not available, then the Illinois Department may obtain the hospital provider's adjusted gross hospital revenue from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department of Healthcare and Family Services or its duly authorized agents and employees.
day by the Illinois Department or its duly authorized agents and employees.

(b) Nothing in this Article shall be construed to authorize any home rule unit or other unit of local government to license for revenue or to impose a tax or assessment upon hospital providers or the occupation of hospital provider, or a tax or assessment measured by the income or earnings of a hospital provider.

(c) As provided in Section 5A-14, this Section is repealed on July 1, 2008.

(d) Notwithstanding any of the other provisions of this Section, the Department is authorized, during this 94th General Assembly, to adopt rules to reduce the rate of any annual assessment imposed under this Section, as authorized by Section 5-46.2 of the Illinois Administrative Procedure Act.

(Source: P.A. 93-659, eff. 2-3-04; 93-841, eff. 7-30-04; 93-1066, eff. 1-15-05; 94-242, eff. 7-18-05; revised 12-15-05.)

(305 ILCS 5/5A-12.1)

(Section scheduled to be repealed on July 1, 2008)

Sec. 5A-12.1. Hospital access improvement payments.

(a) To preserve and improve access to hospital services, for hospital services rendered on or after August 1, 2005, the Department of Public Aid shall make payments to hospitals as set forth in this Section, except for hospitals described in subsection (b) of Section 5A-3. These payments shall be paid on a quarterly basis. For State fiscal year 2006, once the approval of the payment methodology required under this Section and any waiver required under 42 CFR 433.68 by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services is received, the Department shall pay the total amounts required for fiscal year 2006 under this Section within 100 days of the latest notification. In State fiscal years 2007 and 2008, the total amounts required under this Section shall be paid in 4 equal installments on or before the seventh State business day of September, December, March, and May, except that if the date of notification of the approval of the payment methodologies required under this Section and any waiver

New matter indicated by italics - deletions by strikeout
required under 42 CFR 433.68 is on or after July 1, 2006, the sum of amounts required under this Section prior to the date of notification shall be paid within 100 days of the date of the last notification. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment, (ii) the assessment imposed under this Article is determined to be a permissible tax under Title XIX of the Social Security Act, and (iii) the assessment is in effect.

(b) Medicaid eligibility payment. In addition to amounts paid for inpatient hospital services, the Department shall pay each Illinois hospital (except for hospitals described in Section 5A-3) for each inpatient Medicaid admission in State fiscal year 2003, $430 multiplied by the percentage by which the number of Medicaid recipients in the county in which the hospital is located increased from State fiscal year 1998 to State fiscal year 2003.

(c) Medicaid high volume adjustment.

(1) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois hospital (except for hospitals that qualify for Medicaid Percentage Adjustment payments under 89 Ill. Adm. Code 148.122 for the 12-month period beginning on October 1, 2004) that provided more than 10,000 Medicaid inpatient days of care (determined using the hospital's fiscal year 2002 Medicaid cost report on file with the Department on July 1, 2004) amounts as follows:

(i) for hospitals that provided more than 10,000 Medicaid inpatient days of care but less than or equal to 14,500 Medicaid inpatient days of care, $90 for each Medicaid inpatient day of care provided during that period; and

(ii) for hospitals that provided more than 14,500 Medicaid inpatient days of care but less than or equal to 18,500 Medicaid inpatient days of care, $135 for each Medicaid inpatient day of care provided during that period; and
(iii) for hospitals that provided more than 18,500 Medicaid inpatient days of care but less than or equal to 20,000 Medicaid inpatient days of care, $225 for each Medicaid inpatient day of care provided during that period; and

(iv) for hospitals that provided more than 20,000 Medicaid inpatient days of care, $900 for each Medicaid inpatient day of care provided during that period.

Provided, however, that no hospital shall receive more than $19,000,000 per year in such payments under subparagraphs (i), (ii), (iii), and (iv).

(2) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that as of October 1, 2004, qualified for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122 and provided more than 21,000 Medicaid inpatient days of care (determined using the hospital's fiscal year 2002 Medicaid cost report on file with the Department on July 1, 2004) $35 for each Medicaid inpatient day of care provided during that period. Provided, however, that no hospital shall receive more than $1,200,000 per year in such payments.

(d) Intensive care adjustment. In addition to rates paid for inpatient services, the Department shall pay an adjustment payment to each Illinois general acute care hospital located in a large urban area that, based on the hospital's fiscal year 2002 Medicaid cost report, had a ratio of Medicaid intensive care unit days to total Medicaid days greater than 19%. If such ratio for the hospital is less than 30%, the hospital shall be paid an adjustment payment for each Medicaid inpatient day of care provided equal to $1,000 multiplied by the hospital's ratio of Medicaid intensive care days to total Medicaid days. If such ratio for the hospital is equal to or greater than 30%, the hospital shall be paid an adjustment payment for each Medicaid inpatient day of care provided equal to $2,800 multiplied by the hospital's ratio of Medicaid intensive care days to total Medicaid days.

New matter indicated by italics - deletions by strikeout
(e) Trauma center adjustments.

(1) In addition to rates paid for inpatient hospital services, the Department shall pay to each Illinois general acute care hospital that as of January 1, 2005, was designated as a Level I trauma center and is either located in a large urban area or is located in another urban area and as of October 1, 2004 qualified for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122, a payment equal to $800 multiplied by the hospital's Medicaid intensive care unit days (excluding Medicare crossover days). This payment shall be calculated based on data from the hospital's 2002 cost report on file with the Department on July 1, 2004. For hospitals located in large urban areas outside of a city with a population in excess of 1,000,000 people, the payment required under this subsection shall be multiplied by 4.5. For hospitals located in other urban areas, the payment required under this subsection shall be multiplied by 8.5.

(2) In addition to rates paid for inpatient hospital services, the Department shall pay an additional payment to each Illinois general acute care hospital that as of January 1, 2005, was designated as a Level II trauma center and is located in a county with a population in excess of 3,000,000 people. The payment shall equal $4,000 per day for the first 500 Medicaid inpatient days, $2,000 per day for the Medicaid inpatient days between 501 and 1,500, and $100 per day for any Medicaid inpatient day in excess of 1,500. This payment shall be calculated based on data from the hospital's 2002 cost report on file with the Department on July 1, 2004.

(3) In addition to rates paid for inpatient hospital services, the Department shall pay an additional payment to each Illinois general acute care hospital that as of January 1, 2005, was designated as a Level II trauma center, is located in a large urban area outside of a county with a population in excess of 3,000,000 people, and as of January 1, 2005, was designated a Level III perinatal center or designated a Level II or II+ prenatal center that

New matter indicated by italics - deletions by strikeout
Public Act 94-0838

has a ratio of Medicaid intensive care unit days to total Medicaid days greater than 5%. The payment shall equal $4,000 per day for the first 500 Medicaid inpatient days, $2,000 per day for the Medicaid inpatient days between 501 and 1,500, and $100 per day for any Medicaid inpatient day in excess of 1,500. This payment shall be calculated based on data from the hospital's 2002 cost report on file with the Department on July 1, 2004.

(4) In addition to rates paid for inpatient hospital services, the Department shall pay an additional payment to each Illinois children's hospital that as of January 1, 2005, was designated a Level I pediatric trauma center that had more than 30,000 Medicaid days in State fiscal year 2003 and to each Level I pediatric trauma center located outside of Illinois and that had more than 700 Illinois Medicaid cases in State fiscal year 2003. The amount of such payment shall equal $325 multiplied by the hospital's Medicaid intensive care unit days, and this payment shall be multiplied by 2.25 for hospitals located outside of Illinois. This payment shall be calculated based on data from the hospital's 2002 cost report on file with the Department on July 1, 2004.

(5) Notwithstanding any other provision of this subsection, a children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3)(B), is not eligible for the payments described in paragraphs (1), (2), and (3) of this subsection.

(f) Psychiatric rate adjustment.

(1) In addition to rates paid for inpatient psychiatric services, the Department shall pay each Illinois psychiatric hospital and general acute care hospital with a distinct part psychiatric unit, for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2003, an amount equal to $420 less the hospital's per diem rate for Medicaid inpatient psychiatric services as in effect on July 1, 2002. In no event, however, shall that amount be less than zero.

(2) For Illinois psychiatric hospitals and distinct part psychiatric units of Illinois general acute care hospitals whose New matter indicated by italics - deletions by strikeout
inpatient per diem rate as in effect on July 1, 2002 is greater than $420, the Department shall pay, in addition to any other amounts authorized under this Code, $40 for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2003.

(3) In addition to rates paid for inpatient psychiatric services, for Illinois psychiatric hospitals located in a county with a population in excess of 3,000,000 people that did not qualify for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122 for the 12-month period beginning on October 1, 2004, the Illinois Department shall make an adjustment payment of $150 for each Medicaid inpatient psychiatric day of care provided by the hospital in State fiscal year 2003. In addition to rates paid for inpatient psychiatric services, for Illinois psychiatric hospitals located in a county with a population in excess of 3,000,000 people, but outside of a city with a population in excess of 1,000,000 people, that did qualify for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122 for the 12-month period beginning on October 1, 2004, the Illinois Department shall make an adjustment payment of $20 for each Medicaid inpatient psychiatric day of care provided by the hospital in State fiscal year 2003.

(g) Rehabilitation adjustment.

(1) In addition to rates paid for inpatient rehabilitation services, the Department shall pay each Illinois general acute care hospital with a distinct part rehabilitation unit that had at least 40 beds as reported on the hospital's 2003 Medicaid cost report on file with the Department as of March 31, 2005, for each Medicaid inpatient day of care provided during State fiscal year 2003, an amount equal to $230.

(2) In addition to rates paid for inpatient rehabilitation services, for Illinois rehabilitation hospitals that did not qualify for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122 for the 12-month period beginning on October 1, 2004, the Illinois Department shall make an adjustment payment of

New matter indicated by italics - deletions by strikeout
$200 for each Medicaid inpatient day of care provided during State fiscal year 2003.

(h) Supplemental tertiary care adjustment. In addition to rates paid for inpatient services, the Department shall pay to each Illinois hospital eligible for tertiary care adjustment payments under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2005, a supplemental tertiary care adjustment payment equal to 2.5 multiplied by the tertiary care adjustment payment required under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2005.

(i) Crossover percentage adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois general acute care hospital, excluding any hospital defined as a cancer center hospital in rules by the Department, located in an urban area that provided over 500 days of inpatient care to Medicaid recipients, that had a ratio of crossover days to total Medicaid days, utilizing information used for the Medicaid percentage adjustment determination described in 84 Ill. Adm. Code 148.122, effective October 1, 2004, of greater than 40%, and that does not qualify for Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122, on October 1, 2004, an amount as follows:

(1) for hospitals located in an other urban area, $140 per Medicaid inpatient day (including crossover days);

(2) for hospitals located in a large urban area whose ratio of crossover days to total Medicaid days is less than 55%, $350 per Medicaid inpatient day (including crossover days);

(3) for hospitals located in a large urban area whose ratio of crossover days to total Medicaid days is equal to or greater than 55%, $1,400 per Medicaid inpatient day (including crossover days).

The term "Medicaid days" in paragraphs (1), (2), and (3) of this subsection (i) means the Medicaid days utilized for the Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122 for the October 1, 2004 determination.

(j) Long term acute care hospital adjustment. In addition to rates paid for inpatient services, the Department shall pay each Illinois long
term acute care hospital that, as of October 1, 2004, qualified for a Medicaid percentage adjustment under 89 Ill. Adm. Code 148.122, $125 for each Medicaid inpatient day of care provided in State fiscal year 2003. In addition to rates paid for inpatient services, the Department shall pay each long term acute care hospital that, as of October 1, 2004, did not qualify for a Medicaid percentage adjustment under 89 Ill. Adm. Code 148.122, $1,250 for each Medicaid inpatient day of care provided in State fiscal year 2003. For purposes of this subsection, "long term acute care hospital" means a hospital that (i) is not a psychiatric hospital, rehabilitation hospital, or children's hospital and (ii) has an average length of inpatient stay greater than 25 days.

(k) Obstetrical care adjustments.

(1) In addition to rates paid for inpatient services, the Department shall pay each Illinois hospital an amount equal to $550 multiplied by each Medicaid obstetrical day of care provided by the hospital in State fiscal year 2003.

(2) In addition to rates paid for inpatient services, the Department shall pay each Illinois hospital that qualified as a Medicaid disproportionate share hospital under 89 Ill. Adm. Code 148.120 as of October 1, 2004, and that had a Medicaid obstetrical percentage greater than 10% and a Medicaid emergency care percentage greater than 40%, an amount equal to $650 multiplied by each Medicaid obstetrical day of care provided by the hospital in State fiscal year 2003.

(3) In addition to rates paid for inpatient services, the Department shall pay each Illinois hospital that is located in the St. Louis metropolitan statistical area and that provided more than 500 Medicaid obstetrical days of care in State fiscal year 2003, an amount equal to $1,800 multiplied by each Medicaid obstetrical day of care provided by the hospital in State fiscal year 2003.

(4) In addition to rates paid for inpatient services, the Department shall pay $600 for each Medicaid obstetrical day of care provided in State fiscal year 2003 by each Illinois hospital that (i) is located in a large urban area, (ii) is located in a county whose

New matter indicated by italics - deletions by strikeout
number of Medicaid recipients increased from State fiscal year 1998 to State fiscal year 2003 by more than 60%, and (iii) that had a Medicaid obstetrical percentage used for the October 1, 2004, Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122 greater than 25%.

(5) In addition to rates paid for inpatient services, the Department shall pay $400 for each Medicaid obstetrical day of care provided in State fiscal year 2003 by each Illinois rural hospital that (i) was designated a Level II perinatal center as of January 1, 2005, (ii) had a Medicaid inpatient utilization rate greater than 34% in State fiscal year 2002, and (iii) had a Medicaid obstetrical percentage used for the October 1, 2004, Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122 greater than 15%.

(l) Outpatient access payments. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital (except for hospitals described in Section 5A-3), an amount equal to 2.38 multiplied by the hospital's outpatient ambulatory procedure listing payments for services provided during State fiscal year 2003 multiplied by the percentage by which the number of Medicaid recipients in the county in which the hospital is located increased from State fiscal year 1998 to State fiscal year 2003.

(m) Outpatient utilization payment.

(1) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois rural hospital, an amount equal to 1.7 multiplied by the hospital's outpatient ambulatory procedure listing payments for services provided during State fiscal year 2003.

(2) In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital located in an urban area, an amount equal to 0.45 multiplied by the hospital's outpatient ambulatory procedure listing payments received for services provided during State fiscal year 2003.
(n) Outpatient complexity of care adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois hospital located in an urban area an amount equal to 2.55 multiplied by the hospital's emergency care percentage multiplied by the hospital's outpatient ambulatory procedure listing payments received for services provided during State fiscal year 2003. For children's hospitals with an inpatient utilization rate used for the October 1, 2004, Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122 greater than 90%, this adjustment shall be multiplied by 2. For cancer center hospitals, this adjustment shall be multiplied by 3.

(o) Rehabilitation hospital adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay each Illinois freestanding rehabilitation hospital that does not qualify for a Medicaid percentage adjustment under 89 Ill. Adm. Code 148.122 as of October 1, 2004, an amount equal to 3 multiplied by the hospital's outpatient ambulatory procedure listing payments for Group 6A services provided during State fiscal year 2003.

(p) Perinatal outpatient adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay an adjustment payment to each large urban general acute care hospital that is designated as a perinatal center as of January 1, 2005, has a Medicaid obstetrical percentage of at least 10% used for the October 1, 2004, Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122, has a Medicaid intensive care unit percentage of at least 3%, and has a ratio of ambulatory procedure listing Level 3 services to total ambulatory procedure listing services of at least 50%. The amount of the adjustment payment under this subsection shall be $550 multiplied by the hospital's outpatient ambulatory procedure listing Level 3A services provided in State fiscal year 2003. If the hospital, as of January 1, 2005, was designated a Level III or II+ perinatal center, the adjustment payments required by this subsection shall be multiplied by 4.

(q) Supplemental psychiatric adjustment payments. In addition to rates paid for inpatient services, the Department shall pay to each Illinois hospital that does not qualify for Medicaid percentage adjustments

(r) Outpatient community access adjustment. In addition to the rates paid for outpatient hospital services, the Department shall pay an adjustment payment to each general acute care hospital that is designated as a perinatal center as of January 1, 2005, that had a Medicaid obstetrical percentage used for the October 1, 2004, Medicaid percentage adjustment determination described in 89 Ill. Adm. Code 148.122 of at least 12.5%, that had a ratio of crossover days to total Medicaid days utilizing information used for the Medicaid percentage adjustment described in 89 Ill. Adm. Code 148.122 determination effective October 1, 2004, of greater than or equal to 25%, and that qualified for the Medicaid percentage adjustment payments under 89 Ill. Adm. Code 148.122 on October 1, 2004, an amount equal to $100 multiplied by the hospital's outpatient ambulatory procedure listing services provided during State fiscal year 2003.

(r-5) Notwithstanding any of the other provisions of this Section, the Department is authorized, during this 94th General Assembly, to adopt rules that change the hospital access improvement payments specified in this Section, but only to the extent necessary to conform to any federally approved amendment to the Title XIX State plan. Any such rules shall be adopted by the Department, as authorized by Section 5-46.2 of the Illinois Administrative Procedure Act. Notwithstanding any other provision of law, any changes implemented in relation to Public Act 94-242 shall be given retroactive effect so that they shall be deemed to have taken effect as of the effective date of that Public Act.

(s) Definitions. Unless the context requires otherwise or unless provided otherwise in this Section, the terms used in this Section for qualifying criteria and payment calculations shall have the same meanings as those terms have been given in the Illinois Department's administrative...
rules as in effect on May 1, 2005. Other terms shall be defined by the Illinois Department by rule.

As used in this Section, unless the context requires otherwise:

"Emergency care percentage" means a fraction, the numerator of which is the total Group 3 ambulatory procedure listing services provided by the hospital in State fiscal year 2003, and the denominator of which is the total ambulatory procedure listing services provided by the hospital in State fiscal year 2003.

"Large urban area" means an area located within a metropolitan statistical area, as defined by the U.S. Office of Management and Budget in OMB Bulletin 04-03, dated February 18, 2004, with a population in excess of 1,000,000.

"Medicaid intensive care unit days" means the number of hospital inpatient days during which Medicaid recipients received intensive care services from the hospital, as determined from the hospital's 2002 Medicaid cost report that was on file with the Department as of July 1, 2004.

"Other urban area" means an area located within a metropolitan statistical area, as defined by the U.S. Office of Management and Budget in OMB Bulletin 04-03, dated February 18, 2004, with a city with a population in excess of 50,000 or a total population in excess of 100,000.

(t) For purposes of this Section, a hospital that enrolled to provide Medicaid services during State fiscal year 2003 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this Section.

(u) For purposes of this Section, the terms "Medicaid days", "ambulatory procedure listing services", and "ambulatory procedure listing payments" do not include any days, charges, or services for which Medicare was liable for payment, except where explicitly stated otherwise in this Section.

(v) As provided in Section 5A-14, this Section is repealed on July 1, 2008.

(Source: P.A. 94-242, eff. 7-18-05.)

(305 ILCS 5/12-4.36 new)

New matter indicated by italics - deletions by strikeout
Sec. 12-4.36. Pilot program for persons who are medically fragile and technology-dependent.

(a) Subject to appropriations for the first fiscal year of the pilot program beginning July 1, 2006, the Department of Human Services, in cooperation with the Department of Healthcare and Family Services, shall adopt rules to initiate a 3-year pilot program to (i) test a standardized assessment tool for persons who are medically fragile and technology-dependent who may be provided home and community-based services to meet their medical needs rather than be provided care in an institution not solely because of a severe mental or developmental impairment and (ii) provide appropriate home and community-based medical services for such persons as provided in subsection (c) of this Section. The Department of Human Services may administer the pilot program until June 30, 2009 if the General Assembly annually appropriates funds for this purpose.

(b) Notwithstanding any other provisions of this Code, the rules implementing the pilot program shall provide for criteria, standards, procedures, and reimbursement for services that are not otherwise being provided in scope, duration, or amount through any other program administered by any Department of Human Services or any other agency of the State for these medically fragile, technology-dependent persons. At a minimum, the rules shall include the following:

(1) A requirement that a pilot program participant be eligible for medical assistance under this Code, a citizen of the United States, or an individual who is lawfully residing permanently in the United States, and a resident of Illinois.

(2) A requirement that a standardized assessment for medically fragile, technology-dependent persons will establish the level of care and the service-cost maximums.

(3) A requirement for a determination by a physician licensed to practice medicine in all its branches (i) that, except for the provision of home and community-based care, these individuals would require the level of care provided in an institutional setting and (ii) that the necessary level of care can be provided safely in
the home and community through the provision of medical support services.

(4) A requirement that the services provided be medically necessary and appropriate for the level of functioning of the persons who are participating in the pilot program.

(5) Provisions for care coordination and family support services that will enable the person to receive services in the most integrated setting possible appropriate to his or her medical condition and level of functioning.

(6) The frequency of assessment and plan-of-care reviews.

(7) The family or guardian's active participation as care givers in meeting the individual's medical needs.

(8) The estimated cost to the State for in-home care, as compared to the institutional level of care appropriate to the individual's medical needs, may not exceed 100% of the institutional care as indicated by the standardized assessment tool.

(9) When determining the hours of medically necessary support services needed to maintain the individual at home, consideration shall be given to the availability of other services, including direct care provided by the individual's family or guardian that can reasonably be expected to meet the medical needs of the individual.

(c) During the pilot program, an individual who has received services pursuant to paragraph 7 of Section 5-2 of this Code, but who no longer receive such services because he or she has reached the age of 21, may be provided additional services pursuant to rule if the Department of Human Services, Division of Rehabilitation Services, determines from completion of the assessment tool for that individual that the exceptional care rate established by the Department of Healthcare and Family Services under Section 5-5.8a of this Code is not sufficient to cover the medical needs of the individual under the home and community-based services (HCBS) waivers for persons with disabilities.

(d) The Department of Human Services is authorized to lower the payment levels established under this Section or take such other actions,
including, without limitation, cessation of enrollment, reduction of available medical services, and changing standards for eligibility, that are deemed necessary by the Department during a State fiscal year to ensure that payments under this Section do not exceed available funds. These changes may be accomplished by emergency rulemaking under Section 5-45 of the Illinois Administrative Procedure Act, except that the limitation on the number of emergency rules that may be adopted in a 24-month period shall not apply.

(e) The Department of Human Services must make an annual report to the Governor and the General Assembly with respect to the persons eligible for medical assistance under this pilot program. The report must cover the State fiscal year ending on June 30 of the preceding year. The first report is due by January 1, 2008. The report must include the following information for the fiscal year covered by the report:

(1) The number of persons who were evaluated through the assessment tool under this pilot program.

(2) The number of persons who received services not available under the home and community-based services (HCBS) waivers for persons with disabilities under this pilot program.

(3) The number of persons whose services were reduced under this pilot program.

(4) The nature, scope, and cost of services provided under this pilot program.

(5) The comparative costs of providing those services in other institutions.

(6) The Department's progress in establishing an objective, standardized assessment tool for the HCBS waiver that assesses the medical needs of medically fragile, technology-dependent adults.

(7) Recommendations for the funding needed to expand this pilot program to all medically fragile, technology-dependent individuals in HCBS waivers.

(305 ILCS 5/5-5.22 rep.)

New matter indicated by italics - deletions by strikeout
Section 16. The Illinois Public Aid Code is amended by repealing Section 5-5.22.

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

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0839
(Senate Bill No. 1977)

AN ACT concerning finance.

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

ARTICLE 1. SHORT TITLE; PURPOSE

Section 1-1. Short title. This Act may be cited as the FY2007 Budget Implementation (Finance) Act.

Section 1-3. Purpose. The purpose of this Act is to make changes in State programs that are necessary to implement the Governor's FY2007 budget recommendations concerning finance.

ARTICLE 5. AMENDATORY PROVISIONS

Section 5-5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 6.10, 10, and 13.1 as follows:

(5 ILCS 375/6.10)
Sec. 6.10. Contributions to the Community College Health Insurance Security Fund.
(a) Beginning January 1, 1999, every active contributor of the State Universities Retirement System (established under Article 15 of the Illinois Pension Code) who (1) is a full-time employee of a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards and (2) is not an employee as defined in Section 3 of this Act shall make contributions toward the cost of community college annuitant and survivor health benefits at the rate of 0.50% of salary.

New matter indicated by italics - deletions by strikeout
These contributions shall be deducted by the employer and paid to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employees under Section 15-157 of the Illinois Pension Code. An employer may agree to pick up or pay the contributions required under this subsection on behalf of the employee; such contributions shall be deemed to have been paid by the employee.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (a) into the Community College Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

(b) Beginning January 1, 1999, every community college district (other than a community college district subject to Article VII of the Public Community College Act) or association of community college boards that is an employer under the State Universities Retirement System shall contribute toward the cost of the community college health benefits provided under Section 6.9 of this Act an amount equal to 0.50% of the salary paid to its full-time employees who participate in the State Universities Retirement System and are not members as defined in Section 3 of this Act.

These contributions shall be paid by the employer to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employers under Section 15-155 of the Illinois Pension Code.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (b) into the Community College Health Insurance Security Fund.
Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

(c) On or before November 15 of each year, the Board of Trustees of the State Universities Retirement System shall certify to the Governor, the Director of Central Management Services, and the State Comptroller its estimate of the total amount of contributions to be paid under subsection (a) of this Section for the next fiscal year. Beginning in fiscal year 2008, the amount certified shall be decreased or increased each year by the amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for the previous fiscal year. The State Universities Retirement System shall calculate the amount of actual active employee contributions in fiscal years 1999 through 2005. Based upon this calculation, the fiscal year 2008 certification shall include an amount equal to the cumulative amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for those fiscal years. The certification shall include a detailed explanation of the methods and information that the Board relied upon in preparing its estimate. As soon as possible after the effective date of this Section, the Board shall submit its estimate for fiscal year 1999.

(d) Beginning in fiscal year 1999, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Community College Health Insurance Security Fund 1/12 of the annual amount appropriated for that fiscal year to the State Comptroller for deposit into the Community College Health Insurance Security Fund under Section 1.4 of the State Pension Funds Continuing Appropriation Act.

(e) Except where otherwise specified in this Section, the definitions that apply to Article 15 of the Illinois Pension Code apply to this Section.

New matter indicated by italics - deletions by strikeout
Sec. 10. Payments by State; premiums.

(a) The State shall pay the cost of basic non-contributory group life insurance and, subject to member paid contributions set by the Department or required by this Section, the basic program of group health benefits on each eligible member, except a member, not otherwise covered by this Act, who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code, and part of each eligible member's and retired member's premiums for health insurance coverage for enrolled dependents as provided by Section 9. The State shall pay the cost of the basic program of group health benefits only after benefits are reduced by the amount of benefits covered by Medicare for all members and dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, except that such reduction in benefits shall apply only to those members and dependents who (1) first become eligible for such Medicare coverage on or after July 1, 1992; or (2) are Medicare-eligible members or dependents of a local government unit which began participation in the program on or after July 1, 1992; or (3) remain eligible for, but no longer receive Medicare coverage which they had been receiving on or after July 1, 1992. The Department may determine the aggregate level of the State's contribution on the basis of actual cost of medical services adjusted for age, sex or geographic or other demographic characteristics which affect the costs of such programs.

The cost of participation in the basic program of group health benefits for the dependent or survivor of a living or deceased retired employee who was formerly employed by the University of Illinois in the Cooperative Extension Service and would be an annuitant but for the fact that he or she was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code shall not be greater than the cost of participation that would otherwise apply to that dependent or survivor if he or she were the

New matter indicated by italics - deletions by strikeout
dependent or survivor of an annuitant under the State Universities Retirement System.

(a-1) Beginning January 1, 1998, for each person who becomes a new SERS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SERS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant. In the case of a new SERS annuitant who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the annuitant shall be deemed to be receiving a retirement annuity based on the number of years of creditable service that the annuitant had established at the time of his or her termination of service under SERS.

(a-2) Beginning January 1, 1998, for each person who becomes a new SERS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Employees' Retirement System of Illinois on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SERS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor. In the case of a new SERS survivor who was the dependent of an annuitant who elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the deceased annuitant's creditable service shall be determined as of the date of termination of service rather than the date of death.
(a-3) Beginning January 1, 1998, for each person who becomes a new SURLS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SURLS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant.

(a-4) (Blank).

(a-5) Beginning January 1, 1998, for each person who becomes a new SURLS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Universities Retirement System on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SURLS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-6) Beginning July 1, 1998, for each person who becomes a new TRS State annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code upon which the annuitant's retirement annuity is based, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of a new TRS State annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant.

New matter indicated by italics - deletions by strikeout
(a-7) Beginning July 1, 1998, for each person who becomes a new TRS State survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code on the date of death, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of the deceased employee's or deceased annuitant's creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of the new TRS State survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-8) A new SERS annuitant, new SERS survivor, new SERS annuitant, new SERS survivor, new TRS State annuitant, or new TRS State survivor may waive or terminate coverage in the program of group health benefits. Any such annuitant or survivor who has waived or terminated coverage may enroll or re-enroll in the program of group health benefits only during the annual benefit choice period, as determined by the Director; except that in the event of termination of coverage due to nonpayment of premiums, the annuitant or survivor may not re-enroll in the program.

(a-9) No later than May 1 of each calendar year, the Director of Central Management Services shall certify in writing to the Executive Secretary of the State Employees' Retirement System of Illinois the amounts of the Medicare supplement health care premiums and the amounts of the health care premiums for all other retirees who are not Medicare eligible.

A separate calculation of the premiums based upon the actual cost of each health care plan shall be so certified.

The Director of Central Management Services shall provide to the Executive Secretary of the State Employees' Retirement System of Illinois such information, statistics, and other data as he or she may require to
review the premium amounts certified by the Director of Central Management Services.

(b) State employees who become eligible for this program on or after January 1, 1980 in positions normally requiring actual performance of duty not less than 1/2 of a normal work period but not equal to that of a normal work period, shall be given the option of participating in the available program. If the employee elects coverage, the State shall contribute on behalf of such employee to the cost of the employee's benefit and any applicable dependent supplement, that sum which bears the same percentage as that percentage of time the employee regularly works when compared to normal work period.

(c) The basic non-contributory coverage from the basic program of group health benefits shall be continued for each employee not in pay status or on active service by reason of (1) leave of absence due to illness or injury, (2) authorized educational leave of absence or sabbatical leave, or (3) military leave with pay and benefits. This coverage shall continue until expiration of authorized leave and return to active service, but not to exceed 24 months for leaves under item (1) or (2). This 24-month limitation and the requirement of returning to active service shall not apply to persons receiving ordinary or accidental disability benefits or retirement benefits through the appropriate State retirement system or benefits under the Workers' Compensation or Occupational Disease Act.

(d) The basic group life insurance coverage shall continue, with full State contribution, where such person is (1) absent from active service by reason of disability arising from any cause other than self-inflicted, (2) on authorized educational leave of absence or sabbatical leave, or (3) on military leave with pay and benefits.

(e) Where the person is in non-pay status for a period in excess of 30 days or on leave of absence, other than by reason of disability, educational or sabbatical leave, or military leave with pay and benefits, such person may continue coverage only by making personal payment equal to the amount normally contributed by the State on such person's behalf. Such payments and coverage may be continued: (1) until such time as the person returns to a status eligible for coverage at State expense, but
not to exceed 24 months, (2) until such person's employment or annuitant status with the State is terminated, or (3) for a maximum period of 4 years for members on military leave with pay and benefits and military leave without pay and benefits (exclusive of any additional service imposed pursuant to law).

(f) The Department shall establish by rule the extent to which other employee benefits will continue for persons in non-pay status or who are not in active service.

(g) The State shall not pay the cost of the basic non-contributory group life insurance, program of health benefits and other employee benefits for members who are survivors as defined by paragraphs (1) and (2) of subsection (q) of Section 3 of this Act. The costs of benefits for these survivors shall be paid by the survivors or by the University of Illinois Cooperative Extension Service, or any combination thereof. However, the State shall pay the amount of the reduction in the cost of participation, if any, resulting from the amendment to subsection (a) made by this amendatory Act of the 91st General Assembly.

(h) Those persons occupying positions with any department as a result of emergency appointments pursuant to Section 8b.8 of the Personnel Code who are not considered employees under this Act shall be given the option of participating in the programs of group life insurance, health benefits and other employee benefits. Such persons electing coverage may participate only by making payment equal to the amount normally contributed by the State for similarly situated employees. Such amounts shall be determined by the Director. Such payments and coverage may be continued until such time as the person becomes an employee pursuant to this Act or such person's appointment is terminated.

(i) Any unit of local government within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a unit of local government must agree to enroll all of its employees, who may select coverage under either the State group health benefits plan or a health maintenance organization that has contracted with the State to be available as a health care provider for

New matter indicated by italics - deletions by strikeout
employees as defined in this Act. A unit of local government must remit the entire cost of providing coverage under the State group health benefits plan or, for coverage under a health maintenance organization, an amount determined by the Director based on an analysis of the sex, age, geographic location, or other relevant demographic variables for its employees, except that the unit of local government shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the unit of local government attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 85% of the employees are enrolled and the unit of local government remits the entire cost of providing coverage to those employees, except that a participating school district must have enrolled at least 85% of its full-time employees who have not waived coverage under the district's group health plan by participating in a component of the district's cafeteria plan. A participating school district is not required to enroll a full-time employee who has waived coverage under the district's health plan, provided that an appropriate official from the participating school district attests that the full-time employee has waived coverage by participating in a component of the district's cafeteria plan. For the purposes of this subsection, "participating school district" includes a unit of local government whose primary purpose is education as defined by the Department's rules.

Employees of a participating unit of local government who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating unit of local government may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the unit of local government, its employees, or some combination of the two as determined by the unit of local government. The unit of local government shall be responsible for timely collection and transmission of dependent premiums.

New matter indicated by italics - deletions by strikeout
The Director shall annually determine monthly rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages, or contributed by the State for basic insurance coverages on behalf of its employees, adjusted for differences between State employees and employees of the local government in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the unit of local government and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the unit of local government.

In the case of coverage of local government employees under a health maintenance organization, the Director shall annually determine for each participating unit of local government the maximum monthly amount the unit may contribute toward that coverage, based on an analysis of (i) the age, sex, geographic location, and other relevant demographic variables of the unit's employees and (ii) the cost to cover those employees under the State group health benefits plan. The Director may similarly determine the maximum monthly amount each unit of local government may contribute toward coverage of its employees' dependents under a health maintenance organization.

Monthly payments by the unit of local government or its employees for group health benefits plan or health maintenance organization coverage shall be deposited in the Local Government Health Insurance Reserve Fund.

The Local Government Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. All revenues arising from the administration of the health benefits program established under this Section shall be deposited into the Local Government Health Insurance Reserve Fund. All expenditures from this Fund shall be used for

New matter indicated by italics - deletions by strikeout
payments for health care benefits for local government and rehabilitation facility employees, annuitants, and dependents, and to reimburse the Department or its administrative service organization for all expenses incurred in the administration of benefits. No other State funds may be used for these purposes.

A local government employer's participation or desire to participate in a program created under this subsection shall not limit that employer's duty to bargain with the representative of any collective bargaining unit of its employees.

(j) Any rehabilitation facility within the State of Illinois may apply to the Director to have its employees, annuitants, and their eligible dependents provided group health coverage under this Act on a non-insured basis. To participate, a rehabilitation facility must agree to enroll all of its employees and remit the entire cost of providing such coverage for its employees, except that the rehabilitation facility shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the rehabilitation facility attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 85% of the employees are enrolled and the rehabilitation facility remits the entire cost of providing coverage to those employees. Employees of a participating rehabilitation facility who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating rehabilitation facility may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the rehabilitation facility, its employees, or some combination of the 2 as determined by the rehabilitation facility. The rehabilitation facility shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine quarterly rates of payment, subject to the following constraints:

New matter indicated by italics - deletions by strikeout
(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the rehabilitation facility in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the rehabilitation facility and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the rehabilitation facility.

Monthly payments by the rehabilitation facility or its employees for group health benefits shall be deposited in the Local Government Health Insurance Reserve Fund.

(k) Any domestic violence shelter or service within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a domestic violence shelter or service must agree to enroll all of its employees and pay the entire cost of providing such coverage for its employees. A participating domestic violence shelter may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with employees, or some combination of the 2 as determined by the domestic violence shelter or service. The domestic violence shelter or service shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the domestic violence shelter or service in age, sex, geographic

New matter indicated by italics - deletions by strikeout
location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the domestic violence shelter or service and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the domestic violence shelter or service.

Monthly payments by the domestic violence shelter or service or its employees for group health insurance shall be deposited in the Local Government Health Insurance Reserve Fund.

(l) A public community college or entity organized pursuant to the Public Community College Act may apply to the Director initially to have only annuitants not covered prior to July 1, 1992 by the district's health plan provided health coverage under this Act on a non-insured basis. The community college must execute a 2-year contract to participate in the Local Government Health Plan. Any annuitant may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

The Director shall annually determine monthly rates of payment subject to the following constraints: for those community colleges with annuitants only enrolled, first year rates shall be equal to the average cost to cover claims for a State member adjusted for demographics, Medicare participation, and other factors; and in the second year, a further adjustment of rates shall be made to reflect the actual first year's claims experience of the covered annuitants.

(l-5) The provisions of subsection (l) become inoperative on July 1, 1999.

(m) The Director shall adopt any rules deemed necessary for implementation of this amendatory Act of 1989 (Public Act 86-978).

(Source: P.A. 92-16, eff. 6-28-01; 93-839, eff. 7-30-04.)

(5 ILCS 375/13.1) (from Ch. 127, par. 533.1)

Sec. 13.1. (a) All contributions, appropriations, interest, and dividend payments to fund the program of health benefits and other employee benefits, and all other revenues arising from the administration

New matter indicated by italics - deletions by strikeout
of any employee health benefits program, shall be deposited in a trust fund outside the State Treasury, with the State Treasurer as ex-officio custodian, to be known as the Health Insurance Reserve Fund.

(b) Upon the adoption of a self-insurance health plan, any monies attributable to the group health insurance program shall be deposited in or transferred to the Health Insurance Reserve Fund for use by the Department. As of the effective date of this amendatory Act of 1986, the Department shall certify to the Comptroller the amount of money in the Group Insurance Premium Fund attributable to the State group health insurance program and the Comptroller shall transfer such money from the Group Insurance Premium Fund to the Health Insurance Reserve Fund. Contributions by the State to the Health Insurance Reserve Fund to meet the requirements of this Act, as established by the Director, from the General Revenue Fund and the Road Fund to the Health Insurance Reserve Fund shall be by annual appropriations, and all other contributions to meet the requirements of the programs of health benefits or other employee benefits shall be deposited in the Health Insurance Reserve Fund. The Department shall draw the appropriation from the General Revenue Fund and the Road Fund from time to time as necessary to make expenditures authorized under this Act.

The Director may employ such assistance and services and may purchase such goods as may be necessary for the proper development and administration of any of the benefit programs authorized by this Act. The Director may promulgate rules and regulations in regard to the administration of these programs.

All monies received by the Department for deposit in or transfer to the Health Insurance Reserve Fund, through appropriation or otherwise, shall be used to provide for the making of payments to claimants and providers and to reimburse the Department for all expenses directly incurred relating to Department development and administration of the program of health benefits and other employee benefits.

Any administrative service organization administering any self-insurance health plan and paying claims and benefits under authority of this Act may receive, pursuant to written authorization and direction of the

New matter indicated by italics - deletions by strikeout
Director, an initial transfer and periodic transfers of funds from the Health Insurance Reserve Fund in amounts determined by the Director who may consider the amount recommended by the administrative service organization. Notwithstanding any other statute, such transferred funds shall be retained by the administrative service organization in a separate account provided by any bank as defined by the Illinois Banking Act. The Department may promulgate regulations further defining the banks authorized to accept such funds and all methodology for transfer of such funds. Any interest earned by monies in such account shall inure to the Health Insurance Reserve Fund, shall remain in such account and shall be used exclusively to pay claims and benefits under this Act. Such transferred funds shall be used exclusively for administrative service organization payment of claims to claimants and providers under the self-insurance health plan by the drawing of checks against such account. The administrative service organization may not use such transferred funds, or interest accrued thereon, for any other purpose including, but not limited to, reimbursement of administrative expenses or payments of administration fees due the organization pursuant to its contract or contracts with the Department of Central Management Services.

The account of the administrative service organization established under this Section, any transfers from the Health Insurance Reserve Fund to such account and the use of such account and funds shall be subject to (1) audit by the Department or private contractor authorized by the Department to conduct audits, and (2) post audit pursuant to the Illinois State Auditing Act.

(c) The Director, with the advice and consent of the Commission, shall establish premiums for optional coverage for dependents of eligible members for the health plans. The eligible members shall be responsible for their portion of such optional premium. The State shall contribute an amount per month for each eligible member who has enrolled one or more dependents under the health plans. Such contribution shall be made directly to the Health Insurance Reserve Fund. Those employees described in subsection (b) of Section 9 of this Act shall be allowed to continue in

New matter indicated by italics - deletions by strikeout
the health plan by making personal payments with the premiums to be deposited in the Health Insurance Reserve Fund.

(d) The Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. All expenditures from that fund shall be at the direction of the Director and shall be only for the purpose of:

(1) the payment of administrative expenses incurred by the Department for the program of health benefits or other employee benefit programs, including but not limited to the costs of audits or actuarial consultations, professional and contractual services, electronic data processing systems and services, and expenses in connection with the development and administration of such programs;

(2) the payment of administrative expenses incurred by the Administrative Service Organization;

(3) the payment of health benefits;

(4) refunds to employees for erroneous payments of their selected dependent coverage;

(5) payment of premium for stop-loss or re-insurance;

(6) payment of premium to health maintenance organizations pursuant to Section 6.1 of this Act;

(7) payment of adoption program benefits; and

(8) payment of other benefits offered to members and dependents under this Act.

(Source: P.A. 91-390, eff. 7-30-99.)

Section 5-10. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-812 as follows:

(20 ILCS 605/605-812 new)

Sec. 605-812. Employment opportunities grant program.

(a) The Department shall administer a grant program to expand employment opportunities for targeted populations in eligible grant areas in Illinois. The goal of the program shall be to expand the number of people in targeted populations who enter and complete building trades

New matter indicated by italics - deletions by strikeout
apprenticeship programs and achieve journey-level status within a building trades union.

(b) All successful grant applicants shall be required to partner with a joint labor and management-sponsored apprenticeship program or programs. All successful grant applicants must provide participating individuals with paid employment opportunities while participating in the program.

(c) The Department shall establish criteria for (i) prioritizing grant requests from eligible grant applicants and (ii) determining what project activities qualify for funding. Entities eligible to apply for grant funding shall include: community-based organizations and educational institutions. These eligible entities shall have the following capabilities: a demonstrated expertise in serving targeted populations; knowledge of the construction industry; demonstrated success in placing clients in employment; previous experience offering employment services for targeted populations; and expertise in preparing workers for employment in the building trades.

(d) The Department shall determine the targeted populations to be served by the program. The Department shall establish geographic boundaries of eligible grant areas.

(e) The Department shall require all successful grant applicants to report quarterly on implementation of planned activities and success in reaching key milestones. Successful grant applicants must also maintain and report individual-level information on types of services received and resulting outcomes, including placement into specific apprenticeship programs.

(f) The Department shall report to the Governor and the General Assembly on December 31, 2007 and on December 31 of each year thereafter as long as grant-funded activities are provided on the activities undertaken by all successful grant applicants. The report shall include an evaluation of those activities and their success in assisting participating individuals to enter and complete building trades apprenticeship programs and achieve journey-level status.

New matter indicated by italics - deletions by strikeout
Section 5-15. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-4 as follows:

(20 ILCS 687/6-4)
(Section scheduled to be repealed on December 16, 2007)
Sec. 6-4. Renewable Energy Resources Trust Fund.
(a) A fund to be called the Renewable Energy Resources Trust Fund is hereby established in the State Treasury.
(b) The Renewable Energy Resources Trust Fund shall be administered by the Department to provide grants, loans, and other incentives to foster investment in and the development and use of renewable energy resources as provided in Section 6-3 of this Law or pursuant to the Illinois Renewable Fuels Development Program Act.
(c) All funds used by the Department for the Renewable Energy Resources Program shall be subject to appropriation by the General Assembly.
(Source: P.A. 90-561, eff. 12-16-97.)

Section 5-20. The Illinois Renewable Fuels Development Program Act is amended by changing Section 20 as follows:

(20 ILCS 689/20)
Sec. 20. Grants. Subject to appropriation from the Build Illinois Bond Fund, the Director is authorized to award grants to eligible applicants. The annual aggregate amount of grants awarded shall not exceed $20,000,000.
(Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03.)

Section 5-25. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 18.4 as follows:

(20 ILCS 1705/18.4)
Sec. 18.4. Community Mental Health Medicaid Trust Fund; reimbursement.
(a) The Community Mental Health Medicaid Trust Fund is hereby created in the State Treasury.
(b) Except as otherwise provided in this Section, effective in the first fiscal year following repayment of interfund transfers under New matter indicated by italics - deletions by strikeout
subsection (b-1), amounts the first $73,000,000 paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited as follows:

(1) The first $75,000,000 shall be deposited directly into the Community Mental Health Medicaid Trust Fund to be used for the purchase of community mental health services;

(2) The next $4,500,000 shall be deposited directly into the Community Mental Health Medicaid Trust Fund to be used by the Department of Human Services' Division of Mental Health for the oversight and administration of community mental health services and up to $1,000,000 of this amount may be used for support of community mental health service initiatives; and

(3) Any additional amounts shall be deposited 50% into the Community Mental Health Medicaid Trust Fund to be used for the purchase of community mental health services and 50% into the General Revenue Fund.

(b-1) For State fiscal year 2005, the first $73,000,000 in any funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited directly into the Community Mental Health Medicaid Trust Fund before any deposits are made into the General Revenue Fund. The next $25,000,000, less any deposits made prior to the effective date of this amendatory Act of the 94th General Assembly, shall be deposited into the

New matter indicated by italics - deletions by strikeout
General Revenue Fund. Amounts received in excess of $98,000,000 shall be deposited 50% into the General Revenue Fund and 50% into the Community Mental Health Medicaid Trust Fund. At the direction of the Director of Healthcare and Family Services Public Aid, on April 1, 2005, or as soon thereafter as practical, the Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed $14,000,000 into the Community Mental Health Medicaid Trust Fund from the Public Aid Recoveries Trust Fund.

(b-2) For State fiscal year 2006, and in subsequent fiscal years until any transfers under subsection (b-1) are repaid, the first $73,000,000 in any funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited directly into the Community Mental Health Medicaid Trust Fund. Then the next $14,000,000, or such amount as was transferred under subsection (b-1) at the direction of the Director of Healthcare and Family Services Public Aid, shall be deposited into the Public Aid Recoveries Trust Fund. The next $11,000,000 shall be deposited into the General Revenue Fund. Any additional amounts received shall be deposited in accordance with subsection (b) 50% into the General Revenue Fund and 50% into the Community Mental Health Medicaid Trust Fund.

(c) The Department shall reimburse community mental health services providers for Medicaid-reimbursed mental health services provided to eligible individuals. Moneys in the Community Mental Health Medicaid Trust Fund may be used for that purpose.

(d) As used in this Section:

"Medicaid-reimbursed mental health services" means services provided by a community mental health provider under an agreement with the Department that is eligible for reimbursement under the federal Title XIX program or Title XXI program.

"Community mental health provider" means a community agency that is funded by the Department to provide a Medicaid-reimbursed service.

New matter indicated by italics - deletions by strikeout
"Service Services" means a mental health service services provided pursuant to the provisions of administrative rules adopted by the Department and funded by the Department of Human Services' Division of Mental Health, under one of the following programs:

(1) Medicaid Clinic Option;
(2) Medicaid Rehabilitation Option;
(3) Targeted Case Management.

(Source: P.A. 93-841, eff. 7-30-04; 94-58, eff. 6-17-05.)

Section 5-35. The Illinois Global Partnership Act is amended by changing Section 50 as follows:

(20 ILCS 3948/50)
Sec. 50. Finances; audits; annual report.

(a) IGP may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this State or its departments, agencies, or instrumentalities, from any other governmental unit, and from private and civic sources for the purpose of funding any projects authorized by this Act. IGP may receive appropriations.

(b) Services of personnel, use of equipment and office space, and other necessary services may be accepted from members of the board as part of IGP's financial support.

(c) State funds appropriated for the operations and functions of IGP for fiscal year 2011 and each fiscal year thereafter should not exceed 60% of IGP's funding from all sources for the fiscal year.

(d) The board shall arrange for the annual financial audit of IGP by one or more independent certified public accountants in accordance with generally accepted accounting principles. The annual audit results shall be included in the annual report required under subsection (e).

(e) IGP shall report annually on its activities and finances to the Governor and the members of the General Assembly.

(f) Payments by the IGP to the Department of Agriculture as reimbursement for employee costs as provided in Section 45 and for proportionate lease payments for office space for employees shall be deposited into the Agricultural Premium Fund.

(Source: P.A. 94-388, eff. 7-29-05.)

New matter indicated by italics - deletions by strikeout
Section 5-36. The I-FLY Act is amended by changing Sections 10, 15, 20, and 25 as follows:

(20 ILCS 3958/10)
Sec. 10. Definitions. As used in this Act:
"Air carrier" means an entity that provides commercial passenger air transportation.
"Commission" means the Air Service Commission.
"Department" means the Department of Transportation.
(Source: P.A. 93-585, eff. 8-22-03.)

(20 ILCS 3958/15)
Sec. 15. I-FLY Fund.
(a) The I-FLY Fund is created as a special fund in the State treasury. Moneys may be deposited into the Fund from: (1) appropriations made by the General Assembly and units of local government to the Fund, (2) federal moneys designated for the Fund, and (3) any grants or gifts designated for the Fund.
(b) The moneys in the Fund shall be used by the Department of Transportation, subject to appropriation, for air carrier recruitment, and retention program grants, and planning grants, and Commission expenses.
(Source: P.A. 93-585, eff. 8-22-03.)

(20 ILCS 3958/20)
Sec. 20. Air Service Commission. There is created the Air Service Commission. The Commission shall consist of 5 members, each of whom has airport management or air carrier experience, or both. The members shall be appointed by the Governor, with the advice and consent of the Senate, each one from a different geographical region of the State outside of Cook County. The Governor shall designate one of the members as the chairperson.
Members shall serve for a term of 4 years, except that, for the initial members appointed, one shall serve for a term of 5 years, one for a term of 4 years, one for a term of 3 years, one for a term of 2 years, and one for a term of one year. Initial terms shall commence on July 1, 2003. Each member shall serve until a successor is appointed and qualified.

New matter indicated by italics - deletions by strikeout
Vacancies shall be filled in the same manner as initial appointments. The members shall not receive a salary but shall be reimbursed for the necessary expenses incurred in the performance of their duties.

The Commission shall administer this Act and is authorized to do all things reasonable and necessary to accomplish the goals of the I-FLY Program in cooperation with the Department.

(Source: P.A. 93-585, eff. 8-22-03.)

(20 ILCS 3958/25)

Sec. 25. I-FLY Program.

(a) The Department Commission shall establish the I-FLY Program, in cooperation with the Commission. The Program shall consist of the following components:

(1) air carrier recruitment and retention grants as described in subsection (c); and

(2) planning grants under subsection (d).

The Department Commission may make grants under this Act only to airports that are located completely outside of Cook County.

(b) During any one-year period, an airport may receive a grant for only one of the 2 components specified in subsection (a).

(c) Air carrier recruitment and retention program grants.

(1) An airport may receive an air carrier recruitment and retention program grant from the Department Commission only if:

(A) it is capable of supporting takeoffs and landings by aircraft that have at least 19 passenger seats or have made improvements or commitments to the Department Commission to provide this capability; and

(B) it has a commitment from an air carrier to start or continue air service to the community that the airport serves subject to financial support from the State and from the airport or unit of local government that the airport serves. The commitment must specify that the air carrier would not provide or continue to provide service to the community if financial assistance were not available.
(2) An application for an air carrier recruitment and retention program grant must contain commitments from the airport or the unit of local government in which the airport is located as to the amount of the total project cost, the contribution from the unit of local government or airport, the method in which the contribution from the airport or unit of local government will be generated, and the requested State contribution.

(3) The air carrier recruitment and retention program grant shall be used to guarantee the financial viability of air carriers providing reasonable air service at the airport. A grant under this subsection (c) to a particular airport may be in only one of the following 3 forms:

(A) A grant may be used to guarantee that an air carrier shall receive an agreed amount of revenue per flight.

(B) A grant may be used to guarantee a reduced or subsidized consumer ticket price.

(C) A grant may be used to guarantee a profit goal established by the air carrier and airport.

(4) During the first year of a grant under this subsection (c), the grant shall pay 80% of the total cost of the guarantee and the airport or unit of local government in which the airport is located shall pay 20% of the total cost of the guarantee. During the second year of a grant under this subsection (c), the grant shall pay 50% of the total cost of the guarantee and the airport or the unit of local government in which the airport is located shall pay 50% of the total cost of the guarantee.

(5) The total State funding for a grant under this subsection (c) to a particular airport may not exceed $1,000,000 in any year.

(6) An airport that has received a 2-year grant under this subsection (c) may apply for another grant for an additional 2-year period; however, the Department Commission shall, in determining whether to make a grant for an additional 2-year period, give priority to other airports that have not previously received a grant under this subsection (c). The Department

New matter indicated by italics - deletions by strikeout
Commission shall also give priority in making grants under this subsection (c) to airports at which the Department of Commerce and Economic Opportunity determines that a 2-year grant may result in the creation of stable and reliable commercial air service without an additional grant.

(d) Planning grants. An airport may apply for and receive a planning grant to conduct feasibility studies or business plans designed to study the recruitment, retention, or expansion of an air carrier at the airport. To be eligible for a grant under this subsection (d), the airport must have the potential for initial or expanded air service as the Department of Commerce and Economic Opportunity determines through its evaluation process. The grant shall pay 70% of the total cost of the feasibility studies or business plans and the airport or the unit of local government in which the airport is located shall pay 30% of the total cost of the feasibility studies or business plans. An airport may receive only one planning grant. (Source: P.A. 93-585, eff. 8-22-03.)

Section 5-37. The Compensation Review Act is amended by changing Section 2 as follows:

(25 ILCS 120/2) (from Ch. 63, par. 902)

Sec. 2. There is created the Compensation Review Board, hereinafter referred to as the Board, as an independent commission within the legislative branch of State government.

The Board shall consist of 12 members, appointed 3 each by the Speaker of the House of Representatives, the Minority Leader thereof, the President of the Senate, and the Minority Leader thereof. Members shall be adults and be residents of Illinois. Members may not be members or employees of the judicial, executive or legislative branches of State government; nor may members be persons registered under the Lobbyist Registration Act. Any member may be reappointed for a consecutive term. The respective appointing legislative leader may remove any such appointed member prior to the expiration of his term on the Board for official misconduct, incompetence or neglect of duty.

Members shall serve without compensation but shall receive an allowance for living expenses incurred in the performance of their official duties.

New matter indicated by italics - deletions by strikeout
duties in an amount per day equal to the amount permitted to be deducted for such expenses by members of the General Assembly under the federal Internal Revenue Code, as now or hereafter amended. The rate for reimbursement of mileage expenses shall be equal to the amount established from time to time for members of the General Assembly.

The Board may, without regard to the Personnel Code, employ and fix the compensation or remuneration of employees and contract for personal and professional services as it considers necessary or desirable. The General Assembly shall appropriate to the Commission on Government Forecasting and Accountability the funds necessary to operate the Board, and the Commission shall prepare and submit vouchers on behalf of the Board and provide other fiscal services to the Board as the Board requests and directs; but the Commission shall not exercise any authority or control over the Board or its employees or contractors.

(Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

Section 5-40. The State Finance Act is amended by changing Sections 6p-5, 6z-32, 6z-63, 6z-64, 8.3, 8.16c, 8.43, 8.44, 8.55, 8g, 8h, and 13.2 and by adding Sections 5.663 and 8.45 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. The Pension Stabilization Fund.

(30 ILCS 105/6p-5)
Sec. 6p-5. Efficiency Initiatives Revolving Fund. Amounts designated by the Director of Central Management Services and approved by the Governor as savings from the efficiency initiatives authorized by Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois shall be paid into the Efficiency Initiatives Revolving Fund. State agencies shall pay these amounts into the Efficiency Initiatives Revolving Fund from the line item appropriations where the cost savings are anticipated to occur. The money in this fund shall be used by the Department for expenses incurred in connection with the efficiency initiatives authorized by Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois or for payment of Facilities Management Revolving Fund billings issued to the Department, as authorized under

New matter indicated by italics - deletions by strikeout
Section 6z-65. On or before August 31, 2004, and each August 31 thereafter, the Department of Central Management Services shall transfer excess balances in the Efficiency Initiatives Revolving Fund to the General Revenue Fund. As used in this Section, "excess balances" means amounts in excess of the amount necessary to fund current and anticipated efficiency initiatives.
(Source: P.A. 93-25, eff. 6-20-03.)

(30 ILCS 105/6z-32)

(a) The Conservation 2000 Fund and the Conservation 2000 Projects Fund are created as special funds in the State Treasury. These funds shall be used to establish a comprehensive program to protect Illinois' natural resources through cooperative partnerships between State government and public and private landowners. Moneys in these Funds may be used, subject to appropriation, by the Environmental Protection Agency and the Departments of Agriculture, Natural Resources, and Transportation for purposes relating to natural resource protection, recreation, tourism, and compatible agricultural and economic development activities. Without limiting these general purposes, moneys in these Funds may be used, subject to appropriation, for the following specific purposes:

1. To foster sustainable agriculture practices and control soil erosion and sedimentation, including grants to Soil and Water Conservation Districts for conservation practice cost-share grants and for personnel, educational, and administrative expenses.

2. To establish and protect a system of ecosystems in public and private ownership through conservation easements, incentives to public and private landowners, including technical assistance and grants, and land acquisition provided these mechanisms are all voluntary on the part of the landowner and do not involve the use of eminent domain.

3. To develop a systematic and long-term program to effectively measure and monitor natural resources and ecological

New matter indicated by italics - deletions by strikeout
conditions through investments in technology and involvement of scientific experts.

(4) To initiate strategies to enhance, use, and maintain Illinois' inland lakes through education, technical assistance, research, and financial incentives.

(5) To conduct an extensive review of existing Illinois water laws.

(b) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month, beginning on September 30, 1995 and ending on June 30, 2009, from the General Revenue Fund to the Conservation 2000 Fund, an amount equal to 1/10 of the amount set forth below in fiscal year 1996 and an amount equal to 1/12 of the amount set forth below in each of the other specified fiscal years:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>1997</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>2001 through 2004</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>$0</td>
</tr>
<tr>
<td>2008 2007 through 2009</td>
<td>$14,000,000</td>
</tr>
</tbody>
</table>

(c) Notwithstanding any other provision of law to the contrary and in addition to any other transfers that may be provided for by law, on the last day of each month beginning on July 31, 2006 and ending on June 30, 2007, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer $1,000,000 from the Open Space Lands Acquisition and Development Fund to the Conservation 2000 Fund.

(d) There shall be deposited into the Conservation 2000 Projects Fund such bond proceeds and other moneys as may, from time to time, be provided by law.

New matter indicated by italics - deletions by strikeout
Sec. 6z-63. The Professional Services Fund.

(a) The Professional Services Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

1. amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
2. federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
3. interest earned on moneys in the Fund; and
4. receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of professional services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

1. providing professional services to State agencies or other State entities;
2. rendering other services to State agencies at the Governor's direction or to other State entities upon agreement between the Director of Central Management Services and the appropriate official or governing body of the other State entity; or
3. providing for payment of administrative and other expenses incurred by the Department in providing professional services.

(c) State agencies or other State entities may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Professional Services Fund in satisfaction of billings issued under subsection (a) of this Section.
(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for professional services provided by the Department on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(e) The following amounts are authorized for transfer into the Professional Services Fund for the fiscal year beginning July 1, 2004:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$5,440,431</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$814,468</td>
</tr>
<tr>
<td>Motor Fuel Tax Fund</td>
<td>$263,500</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$234,013</td>
</tr>
<tr>
<td>Professions Indirect Cost Fund</td>
<td>$276,800</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$207,610</td>
</tr>
<tr>
<td>Bank &amp; Trust Company Fund</td>
<td>$200,214</td>
</tr>
<tr>
<td>State Lottery Fund</td>
<td>$193,691</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>$174,672</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$168,327</td>
</tr>
<tr>
<td>Illinois Clean Water Fund</td>
<td>$124,675</td>
</tr>
<tr>
<td>Clean Air Act (CAA) Permit Fund</td>
<td>$91,803</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$90,959</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$109,428</td>
</tr>
<tr>
<td>Horse Racing Fund</td>
<td>$71,127</td>
</tr>
<tr>
<td>Health Insurance Reserve Fund</td>
<td>$66,577</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$61,081</td>
</tr>
<tr>
<td>Guardianship and Advocacy Fund</td>
<td>$1,068</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$493</td>
</tr>
<tr>
<td>Wildlife and Fish Fund</td>
<td>$247</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$33,277</td>
</tr>
<tr>
<td>Nuclear Safety Emergency Preparedness Fund</td>
<td>$25,652</td>
</tr>
<tr>
<td>Tourism Promotion Fund</td>
<td>$6,814</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
All of these transfers shall be made on July 1, 2004, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(e-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and through June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and Drug Safety Fund</td>
<td>$3,249</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$12,942</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$8,579</td>
</tr>
<tr>
<td>Illinois Department of Agriculture Laboratory Services Revolving Fund</td>
<td>$1,963</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$11,275</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$27,000</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$22,007</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$59,483</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$29,862</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$78,213</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$2,744</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$16,034</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$37,669</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$7,260</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$4,659</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$8,602</td>
</tr>
<tr>
<td>Department of Children and Family Services Training Fund</td>
<td>$29,906</td>
</tr>
<tr>
<td>Facility Licensing Fund</td>
<td>$1,083</td>
</tr>
<tr>
<td>Youth Alcoholism and Substance Abuse Prevention Fund</td>
<td>$2,783</td>
</tr>
<tr>
<td>Plugging and Restoration Fund</td>
<td>$1,105</td>
</tr>
<tr>
<td>State Crime Laboratory Fund</td>
<td>$1,353</td>
</tr>
<tr>
<td>Fund</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>$9,190</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$4,932</td>
</tr>
<tr>
<td>Solid Waste Management Revolving</td>
<td>$2,735</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$2,166</td>
</tr>
<tr>
<td>Violence Prevention Fund</td>
<td>$5,176</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$14,777</td>
</tr>
<tr>
<td>DCFS Children's Services Fund</td>
<td>$1,256,594</td>
</tr>
<tr>
<td>State Police DUI Fund</td>
<td>$1,434</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$3,191</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$7,996</td>
</tr>
<tr>
<td>Fair and Exposition Fund</td>
<td>$3,732</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$5,792</td>
</tr>
<tr>
<td>Optometric Licensing and Disciplinary Board Fund</td>
<td>$1,032</td>
</tr>
<tr>
<td>Underground Resources Conservation Enforcement Fund</td>
<td>$1,221</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$6,434</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$5,473</td>
</tr>
<tr>
<td>Illinois Affordable Housing Trust Fund</td>
<td>$118,222</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$10,021</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$17,524</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$15,501</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$49,105</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$126,344</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$92,513</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$181,949</td>
</tr>
<tr>
<td>Paper and Printing Revolving Fund</td>
<td>$3,632</td>
</tr>
<tr>
<td>Air Transportation Revolving Fund</td>
<td>$1,969</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$304,278</td>
</tr>
<tr>
<td>Environmental Laboratory Certification Fund</td>
<td>$1,357</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$5,892</td>
</tr>
<tr>
<td>Provider Inquiry Trust Fund</td>
<td>$1,742</td>
</tr>
<tr>
<td>Lead Poisoning Screening, Prevention, and Abatement Fund</td>
<td>$8,200</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Treatment Fund</td>
<td>$14,028</td>
</tr>
<tr>
<td>Feed Control Fund</td>
<td>$2,472</td>
</tr>
<tr>
<td>Plumbing Licensure and Program Fund</td>
<td>$3,521</td>
</tr>
<tr>
<td>Insurance Premium Tax Refund Fund</td>
<td>$7,872</td>
</tr>
<tr>
<td>Tax Compliance and Administration Fund</td>
<td>$5,416</td>
</tr>
<tr>
<td>Appraisal Administration Fund</td>
<td>$2,924</td>
</tr>
<tr>
<td>Trauma Center Fund</td>
<td>$40,139</td>
</tr>
<tr>
<td>Alternate Fuels Fund</td>
<td>$1,467</td>
</tr>
<tr>
<td>Illinois State Fair Fund</td>
<td>$13,844</td>
</tr>
<tr>
<td>State Asset Forfeiture Fund</td>
<td>$8,210</td>
</tr>
<tr>
<td>Federal Asset Forfeiture Fund</td>
<td>$6,471</td>
</tr>
<tr>
<td>Department of Corrections Reimbursement and Education Fund</td>
<td>$78,965</td>
</tr>
<tr>
<td>Health Facility Plan Review Fund</td>
<td>$3,444</td>
</tr>
<tr>
<td>LEADS Maintenance Fund</td>
<td>$6,075</td>
</tr>
<tr>
<td>State Offender DNA Identification System Fund</td>
<td>$1,712</td>
</tr>
<tr>
<td>Illinois Historic Sites Fund</td>
<td>$4,511</td>
</tr>
<tr>
<td>Public Pension Regulation Fund</td>
<td>$2,313</td>
</tr>
<tr>
<td>Workforce, Technology, and Economic Development Fund</td>
<td></td>
</tr>
<tr>
<td>Renewable Energy Resources Trust Fund</td>
<td>$29,920</td>
</tr>
<tr>
<td>Energy Efficiency Trust Fund</td>
<td>$8,368</td>
</tr>
<tr>
<td>Pesticide Control Fund</td>
<td>$6,687</td>
</tr>
<tr>
<td>Conservation 2000 Fund</td>
<td>$30,764</td>
</tr>
<tr>
<td>Wireless Carrier Reimbursement Fund</td>
<td>$91,024</td>
</tr>
<tr>
<td>International Tourism Fund</td>
<td>$13,057</td>
</tr>
<tr>
<td>Public Transportation Fund</td>
<td>$701,837</td>
</tr>
<tr>
<td>Horse Racing Fund</td>
<td>$18,589</td>
</tr>
<tr>
<td>Death Certificate Surcharge Fund</td>
<td>$1,901</td>
</tr>
<tr>
<td>State Police Wireless Service</td>
<td></td>
</tr>
<tr>
<td>Emergency Fund</td>
<td>$1,012</td>
</tr>
<tr>
<td>Downstate Public Transportation Fund</td>
<td>$112,085</td>
</tr>
<tr>
<td>Motor Carrier Safety Inspection Fund</td>
<td>$6,543</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
State Police Whistleblower Reward
   and Protection Fund  $1,894
Illinois Standardbred Breeders Fund        $4,412
Illinois Thoroughbred Breeders Fund        $6,635
Illinois Clean Water Fund                     $17,579
Independent Academic Medical Center Fund     $5,611
Child Support Administrative Fund          $432,527
Corporate Headquarters Relocation
   Assistance Fund                        $4,047
Local Initiative Fund                      $58,762
Tourism Promotion Fund                     $88,072
Digital Divide Elimination Fund            $11,593
Presidential Library and Museum Operating Fund $4,624
Metro-East Public Transportation Fund       $47,787
Medical Special Purposes Trust Fund         $11,779
Dram Shop Fund                              $11,317
Illinois State Dental Disciplinary Fund    $1,986
Hazardous Waste Research Fund               $1,333
Real Estate License Administration Fund     $10,886
Traffic and Criminal Conviction
   Surcharge Fund                         $44,798
Criminal Justice Information
   Systems Trust Fund                     $5,693
Design Professionals Administration
   and Investigation Fund                $2,036
State Surplus Property Revolving Fund       $6,829
Illinois Forestry Development Fund         $7,012
State Police Services Fund                 $47,072
Youth Drug Abuse Prevention Fund           $1,299
Metabolic Screening and Treatment Fund     $15,947
Insurance Producer Administration Fund     $30,870
Coal Technology Development Assistance Fund $43,692
Rail Freight Loan Repayment Fund           $1,016
Low-Level Radioactive Waste

New matter indicated by italics - deletions by strikeout
Facility Development and Operation Fund...... $1,989  
Environmental Protection Permit and Inspection Fund............. $32,125  
Park and Conservation Fund........................... $41,038  
Local Tourism Fund ................................     $34,492  
Illinois Capital Revolving Loan Fund................. $10,624  
Illinois Equity Fund............................... $1,929  
Large Business Attraction Fund..................... $5,554  
Illinois Beach Marina Fund......................... $5,053  
International and Promotional Fund.................. $1,466  
Public Infrastructure Construction Loan Revolving Fund........ $3,111  
Insurance Financial Regulation Fund............... $42,575  
Total                                                                                 $4,975,487

(e-7) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and through June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Professional Services Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and Drug Safety Fund</td>
<td>$3,300</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$13,000</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$8,600</td>
</tr>
<tr>
<td>Illinois Department of Agriculture Laboratory Services Revolving Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Illinois Veterans’ Rehabilitation Fund</td>
<td>$11,300</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$27,200</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$22,100</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>$59,800</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$30,000</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>$78,700</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>$2,800</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$16,100</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$37,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$7,300</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$4,700</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>$8,700</td>
</tr>
<tr>
<td>Facility Licensing Fund</td>
<td>$1,100</td>
</tr>
<tr>
<td><strong>Youth Alcoholism and</strong></td>
<td></td>
</tr>
<tr>
<td>Substance Abuse Prevention Fund</td>
<td>$2,800</td>
</tr>
<tr>
<td>Plugging and Restoration Fund</td>
<td>$1,100</td>
</tr>
<tr>
<td>State Crime Laboratory Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>$9,200</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$5,000</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$2,200</td>
</tr>
<tr>
<td>Violence Prevention Fund</td>
<td>$5,200</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$14,900</td>
</tr>
<tr>
<td>DCFS Children’s Services Fund</td>
<td>$1,294,000</td>
</tr>
<tr>
<td>State Police DUI Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$3,200</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$8,000</td>
</tr>
<tr>
<td>Fair and Exposition Fund</td>
<td>$3,800</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$5,800</td>
</tr>
<tr>
<td>Optometric Licensing and Disciplinary Board Fund...</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>Underground Resources Conservation</strong></td>
<td></td>
</tr>
<tr>
<td>Enforcement Fund</td>
<td>$1,200</td>
</tr>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$6,500</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$5,500</td>
</tr>
<tr>
<td>Illinois Affordable Housing Trust Fund</td>
<td>$118,900</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$10,100</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$17,600</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$15,600</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>$49,400</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$127,100</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$93,100</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$183,000</td>
</tr>
<tr>
<td>Paper and Printing Revolving Fund</td>
<td>$3,700</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Transportation Revolving Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$306,100</td>
</tr>
<tr>
<td>Environmental Laboratory Certification Fund</td>
<td>$1,400</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$5,900</td>
</tr>
<tr>
<td>Provider Inquiry Trust Fund</td>
<td>$1,800</td>
</tr>
<tr>
<td>Lead Poisoning Screening, Prevention, and Abatement Fund</td>
<td>$8,200</td>
</tr>
<tr>
<td>Drug Treatment Fund</td>
<td>$14,100</td>
</tr>
<tr>
<td>Feed Control Fund</td>
<td>$2,500</td>
</tr>
<tr>
<td>Plumbing Licensure and Program Fund</td>
<td>$3,500</td>
</tr>
<tr>
<td>Insurance Premium Tax Refund Fund</td>
<td>$7,900</td>
</tr>
<tr>
<td>Tax Compliance and Administration Fund</td>
<td>$5,400</td>
</tr>
<tr>
<td>Appraisal Administration Fund</td>
<td>$2,900</td>
</tr>
<tr>
<td>Trauma Center Fund</td>
<td>$40,400</td>
</tr>
<tr>
<td>Alternate Fuels Fund</td>
<td>$1,500</td>
</tr>
<tr>
<td>Illinois State Fair Fund</td>
<td>$13,900</td>
</tr>
<tr>
<td>State Asset Forfeiture Fund</td>
<td>$8,300</td>
</tr>
<tr>
<td>Department of Corrections</td>
<td></td>
</tr>
<tr>
<td>Reimbursement and Education Fund</td>
<td>$79,400</td>
</tr>
<tr>
<td>Health Facility Plan Review Fund</td>
<td>$3,500</td>
</tr>
<tr>
<td>LEADS Maintenance Fund</td>
<td>$6,100</td>
</tr>
<tr>
<td>State Offender DNA Identification System Fund</td>
<td>$1,700</td>
</tr>
<tr>
<td>Illinois Historic Sites Fund</td>
<td>$4,500</td>
</tr>
<tr>
<td>Public Pension Regulation Fund</td>
<td>$2,300</td>
</tr>
<tr>
<td>Workforce, Technology, and Economic Development Fund</td>
<td>$5,400</td>
</tr>
<tr>
<td>Renewable Energy Resources Trust Fund</td>
<td>$30,100</td>
</tr>
<tr>
<td>Energy Efficiency Trust Fund</td>
<td>$8,400</td>
</tr>
<tr>
<td>Pesticide Control Fund</td>
<td>$6,700</td>
</tr>
<tr>
<td>Conservation 2000 Fund</td>
<td>$30,900</td>
</tr>
<tr>
<td>Wireless Carrier Reimbursement Fund</td>
<td>$91,600</td>
</tr>
<tr>
<td>International Tourism Fund</td>
<td>$13,100</td>
</tr>
<tr>
<td>Public Transportation Fund</td>
<td>$705,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horse Racing Fund</td>
<td>$18,700</td>
</tr>
<tr>
<td>Death Certificate Surcharge Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>State Police Wireless Service Emergency Fund</td>
<td>$1,000</td>
</tr>
<tr>
<td>Downstate Public Transportation Fund</td>
<td>$112,700</td>
</tr>
<tr>
<td>Motor Carrier Safety Inspection Fund</td>
<td>$6,600</td>
</tr>
<tr>
<td>State Police Whistleblower Reward and Protection Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>Illinois Standardbred Breeders Fund</td>
<td>$4,400</td>
</tr>
<tr>
<td>Illinois Thoroughbred Breeders Fund</td>
<td>$6,700</td>
</tr>
<tr>
<td>Illinois Clean Water Fund</td>
<td>$17,700</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$435,100</td>
</tr>
<tr>
<td>Tourism Promotion Fund</td>
<td>$88,600</td>
</tr>
<tr>
<td>Digital Divide Elimination Fund</td>
<td>$11,700</td>
</tr>
<tr>
<td>Presidential Library and Museum Operating Fund</td>
<td>$4,700</td>
</tr>
<tr>
<td>Metro-East Public Transportation Fund</td>
<td>$48,100</td>
</tr>
<tr>
<td>Medical Special Purposes Trust Fund</td>
<td>$11,800</td>
</tr>
<tr>
<td>Dram Shop Fund</td>
<td>$11,400</td>
</tr>
<tr>
<td>Illinois State Dental Disciplinary Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Hazardous Waste Research Fund</td>
<td>$1,300</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>$10,900</td>
</tr>
<tr>
<td>Traffic and Criminal Conviction Surcharge Fund</td>
<td>$45,100</td>
</tr>
<tr>
<td>Criminal Justice Information Systems Trust Fund</td>
<td>$5,700</td>
</tr>
<tr>
<td>Design Professionals Administration and Investigation Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>State Surplus Property Revolving Fund</td>
<td>$6,900</td>
</tr>
<tr>
<td>State Police Services Fund</td>
<td>$47,300</td>
</tr>
<tr>
<td>Youth Drug Abuse Prevention Fund</td>
<td>$1,300</td>
</tr>
<tr>
<td>Metabolic Screening and Treatment Fund</td>
<td>$16,000</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>$31,100</td>
</tr>
<tr>
<td>Coal Technology Development Assistance Fund</td>
<td>$43,900</td>
</tr>
<tr>
<td>Low-Level Radioactive Waste Facility Development and Operation Fund</td>
<td>$2,000</td>
</tr>
<tr>
<td>Environmental Protection Permit and Inspection Fund</td>
<td>$32,300</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park and Conservation Fund</td>
<td>$41,300</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>$34,700</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$10,700</td>
</tr>
<tr>
<td>Illinois Equity Fund</td>
<td>$1,900</td>
</tr>
<tr>
<td>Large Business Attraction Fund</td>
<td>$5,600</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund</td>
<td>$5,100</td>
</tr>
<tr>
<td>International and Promotional Fund</td>
<td>$1,500</td>
</tr>
<tr>
<td>Public Infrastructure Construction Loan</td>
<td></td>
</tr>
<tr>
<td>Revolving Fund</td>
<td>$3,100</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$42,800</td>
</tr>
<tr>
<td>Total</td>
<td>$4,918,200</td>
</tr>
</tbody>
</table>

Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Professional Services Fund amounts equal to one-fourth of the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$4,440,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$5,324,411</td>
</tr>
<tr>
<td>Total</td>
<td>$9,764,411</td>
</tr>
</tbody>
</table>

Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer from the funds specified into the Professional Services Fund according to the schedule specified herein as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$4,466,000</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$5,355,500</td>
</tr>
<tr>
<td>Total</td>
<td>$9,821,500</td>
</tr>
</tbody>
</table>

One-fourth of the specified amount shall be transferred on each of July 1 and October 1, 2006, or as soon as may be practical thereafter, and one-half of the specified amount shall be transferred on January 1, 2007, or as soon as may be practical thereafter.

New matter indicated by italics - deletions by strikeout
(f) The term "professional services" means services rendered on behalf of State agencies and other State entities pursuant to Section 405-293 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.
(Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

(30 ILCS 105/6z-64)
Sec. 6z-64. The Workers' Compensation Revolving Fund.
(a) The Workers' Compensation Revolving Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

(1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
(2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
(3) interest earned on moneys in the Fund;
(4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies and universities for the cost of workers' compensation services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section, if any;
(5) amounts received from a State agency or university for workers' compensation payments for temporary total disability, as provided in Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois; and
(6) amounts recovered through subrogation in workers' compensation and workers' occupational disease cases.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

(1) providing workers' compensation services to State agencies and State universities; or

New matter indicated by italics - deletions by strikeout
(2) providing for payment of administrative and other expenses incurred by the Department in providing workers' compensation services.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Workers' Compensation Revolving Fund in satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. For the fiscal year beginning on July 1, 2004 only, the Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for workers' compensation services provided by the Department and attributable to the State agency and relevant fund on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(d-5) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2005 and until June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mental Health Fund</td>
<td>$17,694,000</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$1,252,600</td>
</tr>
<tr>
<td>Department of Corrections Reimbursement</td>
<td>$1,198,600</td>
</tr>
<tr>
<td>and Education Fund</td>
<td></td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$535,400</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$441,900</td>
</tr>
<tr>
<td>Health Insurance Reserve Fund</td>
<td>$238,900</td>
</tr>
<tr>
<td>Fire Prevention Fund</td>
<td>$234,100</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>$142,000</td>
</tr>
<tr>
<td>Motor Fuel Tax Fund</td>
<td>$132,800</td>
</tr>
<tr>
<td>Illinois Workers' Compensation Commission Operations Fund</td>
<td>$123,900</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
State Boating Act Fund.......................... $112,300
Public Utility Fund.............................. $106,500
State Lottery Fund............................... $101,300
Traffic and Criminal Conviction Surcharge Fund................................. $88,500
State Surplus Property Revolving Fund...................... $82,700
Natural Areas Acquisition Fund........................ $65,600
Securities Audit and Enforcement Fund.................... $65,200
Agricultural Premium Fund.......................... $63,400
Capital Development Fund.......................... $57,500
State Gaming Fund................................. $54,300
Underground Storage Tank Fund..................... $53,700
Illinois State Medical Disciplinary Fund............. $53,000
Personal Property Tax Replacement Fund............ $53,000
General Professions Dedicated Fund............... $51,900
Total

(d-10) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund amounts equal to one-fourth of each of the following totals:

General Revenue Fund.......................... $34,000,000
Road Fund.......................... $25,987,000
Total

(d-12) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 94th General Assembly, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

General Revenue Fund.......................... $10,000,000

New matter indicated by italics - deletions by strikeout
Road Fund................................. $5,000,000
Total $15,000,000

(d-15) Notwithstanding any other provision of State law to the contrary and in addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from each designated fund into the Workers' Compensation Revolving Fund the following amounts:

General Revenue Fund............... $44,028,200
Road Fund................................. $28,084,000
Total $72,112,200

(d-20) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2006 and until June 30, 2007, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Director of Central Management Services, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Workers' Compensation Revolving Fund from the designated funds not exceeding the following totals:

Mental Health Fund............... $19,121,800
Statistical Services Revolving Fund... $1,353,700
Department of Corrections Reimbursement and Education Fund............... $1,295,300
Communications Revolving Fund........ $578,600
Child Support Administrative Fund....... $477,600
Health Insurance Reserve Fund.......... $258,200
Fire Prevention Fund...................... $253,000
Park and Conservation Fund............. $153,500
Motor Fuel Tax Fund...................... $143,500
Illinois Workers' Compensation
Commission Operations Fund.......... $133,900
State Boating Act Fund............... $121,400
Public Utility Fund...................... $115,100
State Lottery Fund...................... $109,500
Traffic and Criminal Conviction Surcharge Fund... $95,700

New matter indicated by italics - deletions by strikeout
State Surplus Property Revolving Fund .......... $89,400
Natural Areas Acquisition Fund .......... $70,800
Securities Audit and Enforcement Fund .......... $70,400
Agricultural Premium Fund .......... $68,500
State Gaming Fund .......... $58,600
Underground Storage Tank Fund .......... $58,000
Illinois State Medical Disciplinary Fund .......... $57,200
Personal Property Tax Replacement Fund .......... $57,200
General Professions Dedicated Fund .......... $56,100

Total $24,797,000

(e) The term "workers' compensation services" means services, claims expenses, and related administrative costs incurred in performing the duties under Sections 405-105 and 405-411 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

(30 ILCS 105/8.3) (from Ch. 127, par. 144.3)
Sec. 8.3. Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code; and
secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Illinois
Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement;

1. Department of Public Health;
2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly;

New matter indicated by italics - deletions by strikeout
3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of appropriate personnel;


Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except for expenditures with respect to the Division of Operations;

2. Department of Transportation, only with respect to Intercity Rail Subsidies and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

Department of Central Management Services, except for awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except not more than 40% of the funds appropriated for the Division of Operations;

2. State Officers.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided
hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal and interest on that bonded indebtedness as it becomes due and payable as provided in the Transportation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and

secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those monies, and the costs for patrolling and policing the public highways (by State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The

New matter indicated by italics - deletions by strikeout
separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, 2004, 2005, and 2006, and 2007 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $97,310,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus $9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

Beginning with fiscal year 1995 and thereafter, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>$80,500,000</td>
</tr>
<tr>
<td>2001</td>
<td>$80,500,000</td>
</tr>
<tr>
<td>2002</td>
<td>$80,500,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Fiscal Year 2003 $130,500,000;
Fiscal Year 2004 $130,500,000;
Fiscal Year 2005 $130,500,000;
Fiscal Year 2006 $130,500,000;
Fiscal Year 2007 $130,500,000;
Fiscal Year 2008 2007 and each year thereafter $30,500,000.

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by this amendatory Act of the 93rd General Assembly.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600, 93-0025, and 93-0839, and 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by this amendatory Act of the 94th General Assembly and the 93rd General Assembly shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 93-25, eff. 6-20-03; 93-721, eff. 1-1-05; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)
(30 ILCS 105/8.16c)
Sec. 8.16c. Appropriations related to efficiency initiatives. Appropriations for processing contracted assistance, the purchase of commodities and equipment, the retention of staff, and all other expenses incident to efficiency initiatives authorized by Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois are payable from the Efficiency Initiatives Revolving Fund. *Facilities Management Revolving Fund billings issued to the Department of Central Management Services, as authorized by Section 6z-65, are also payable from the Efficiency Initiatives Revolving Fund.* Until there are sufficient funds in the Efficiency Initiatives Revolving Fund to carry out the purposes of this amendatory Act of the 93rd General Assembly, the State agencies subject to Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois shall, on written approval of the Director of Central Management Services, pay the costs associated with the efficiency initiative *authorized by that Section* from current appropriations as if those expenses were duly incurred by the respective agencies.

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

(30 ILCS 105/8.43)
Sec. 8.43. Special fund transfers.  
(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

SECRETARY OF STATE SPECIAL LICENSE PLATE FUND.......................... $856,000
SECURITIES INVESTORS EDUCATION FUND ...... $3,271,000
SECURITIES AUDIT & ENFORCEMENT FUND ..... $17,014,000
DEPARTMENT OF BUSINESS SERVICES SPECIAL OPERATIONS FUND.......................... $524,000
SECRETARY OF STATE SPECIAL SERVICES FUND........ $600,000
SECRETARY OF STATE DUI ADMINISTRATION FUND ...... $582,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOOD &amp; DRUG SAFETY FUND</td>
<td>$817,000</td>
</tr>
<tr>
<td>TRANSPORTATION REGULATORY FUND</td>
<td>$2,379,000</td>
</tr>
<tr>
<td>FINANCIAL INSTITUTION FUND</td>
<td>$2,003,000</td>
</tr>
<tr>
<td>GENERAL PROFESSIONS DEDICATED FUND</td>
<td>$497,000</td>
</tr>
<tr>
<td>DRIVERS EDUCATION FUND</td>
<td>$2,967,000</td>
</tr>
<tr>
<td>STATE BOATING ACT FUND</td>
<td>$1,072,000</td>
</tr>
<tr>
<td>AGRICULTURAL PREMIUM FUND</td>
<td>$7,777,000</td>
</tr>
<tr>
<td>PUBLIC UTILITY FUND</td>
<td>$8,202,000</td>
</tr>
<tr>
<td>RADIATION PROTECTION FUND</td>
<td>$750,000</td>
</tr>
<tr>
<td>SOLID WASTE MANAGEMENT FUND</td>
<td>$10,084,000</td>
</tr>
<tr>
<td>SUBTITLE D MANAGEMENT FUND</td>
<td>$3,006,000</td>
</tr>
<tr>
<td>PLUGGING AND RESTORATION FUND</td>
<td>$1,255,000</td>
</tr>
<tr>
<td>REGISTERED CERTIFIED PUBLIC ACCOUNTANTS</td>
<td>$819,000</td>
</tr>
<tr>
<td>ADMINISTRATION AND DISCIPLINARY FUND</td>
<td>$1,880,000</td>
</tr>
<tr>
<td>SOLID WASTE MANAGEMENT REVOLVING LOAN FUND</td>
<td>$647,000</td>
</tr>
<tr>
<td>RESPONSE CONTRACTORS INDEMNIFICATION FUND</td>
<td>$107,000</td>
</tr>
<tr>
<td>CAPITAL DEVELOPMENT BOARD REVOLVING LOAN FUND</td>
<td>$1,229,000</td>
</tr>
<tr>
<td>PROFESSIONS INDIRECT COST FUND</td>
<td>$39,000</td>
</tr>
<tr>
<td>ILLINOIS HEALTH FACILITIES PLANNING FUND</td>
<td>$2,351,000</td>
</tr>
<tr>
<td>OPTOMETRIC LICENSING AND DISCIPLINARY BOARD FUND</td>
<td>$1,121,000</td>
</tr>
<tr>
<td>STATE RAIL FREIGHT LOAN REPAYMENT FUND</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>ILLINOIS TAX INCREMENT FUND</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>USED TIRE MANAGEMENT FUND</td>
<td>$3,278,000</td>
</tr>
<tr>
<td>AUDIT EXPENSE FUND</td>
<td>$1,237,000</td>
</tr>
<tr>
<td>INSURANCE PREMIUM TAX REFUND FUND</td>
<td>$2,500,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
CORPORATE FRANCHISE TAX REFUND FUND ........ $1,650,000
TAX COMPLIANCE AND ADMINISTRATION FUND .......... $9,513,000
APPRaisal ADMINISTRATION FUND ........................ $1,107,000
STATE ASSET FORFEITURE FUND ........ $1,500,000
FEDERAL ASSET FORFEITURE FUND ............ $3,943,000
DEPARTMENT OF CORRECTIONS REIMBURSEMENT AND EDUCATION FUND ................ $14,500,000
LEADS MAINTENANCE FUND ... $2,000,000
STATE OFFENDER DNA IDENTIFICATION SYSTEM FUND .... $250,000
WORKFORCE, TECHNOLOGY, AND ECONOMIC DEVELOPMENT FUND ................ $267,819.60 $1,500,000
RENEWABLE ENERGY RESOURCES TRUST FUND $.9,510,000
ENERGY EFFICIENCY TRUST FUND ........ $3,040,000
CONSERVATION 2000 FUND ............... $7,439,000
HORSE RACING FUND ................ $2,500,000
STATE POLICE WIRELESS SERVICE EMERGENCY FUND . $500,000
WHISTLEBLOWER REWARD AND PROTECTION FUND ..... $750,000
TOBACCO SETTLEMENT RECOVERY FUND ............. $19,300,000
PRESIDENTIAL LIBRARY AND MUSEUM FUND .. $500,000
MEDICAL SPECIAL PURPOSES TRUST FUND ...... $967,000
DRAM SHOP FUND ................................. $1,517,000
DESIGN PROFESSIONALS ADMINISTRATION AND INVESTIGATION FUND ................ $1,172,000
ILLINOIS FORESTRY DEVELOPMENT FUND .... $1,257,000
STATE POLICE SERVICES FUND ..................... $250,000
METABOLIC SCREENING AND TREATMENT FUND .... $3,435,000

New matter indicated by italics - deletions by strikeout
INSURANCE PRODUCER ADMINISTRATION FUND ..... $12,727,000
LOW-LEVEL RADIOACTIVE WASTE FACILITY DEVELOPMENT AND OPERATION FUND .......... $2,202,000
LOW-LEVEL RADIOACTIVE WASTE FACILITY CLOSURE, POST-CLOSURE CARE AND COMPENSATION FUND ......$6,000,000
ENVIRONMENTAL PROTECTION PERMIT AND INSPECTION FUND .................. $874,000
PARK AND CONSERVATION FUND .................... $1,000,000
PUBLIC INFRASTRUCTURE CONSTRUCTION LOAN REVOLVING FUND .......................... $1,822,000
LOBBYIST REGISTRATION ADMINISTRATION DIVISION OF CORPORATIONS REGISTERED LIMITED LIABILITY PARTNERSHIP FUND ........... $356,000
WORKING CAPITAL REVOLVING FUND (30 ILCS 105/6)........................................... $12,000,000

All of these transfers shall be made on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2005, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. Any amounts transferred from the General Revenue Fund to a fund pursuant to this subsection (b) from time to time shall be re-transferred by the State Comptroller and the State Treasurer from the receiving fund into the General Revenue Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund. In all events, the

New matter indicated by italics - deletions by strikeout
full amounts of all transfers from the General Revenue Fund to receiving funds shall be re-transferred to the General Revenue Fund no later than June 30, 2005.

(c) The sum of $57,700,000 shall be transferred, pursuant to appropriation, from the State Pensions Fund to the designated retirement systems (as defined in Section 8.12 of the State Finance Act) on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical. On April 16, 2005, or as soon thereafter as practical, there shall be transferred, pursuant to appropriation, from the State Pensions Fund to the designated retirement systems (as defined in Section 8.12 of the State Finance Act) the lesser of (i) an amount equal to the balance in the State Pensions Fund on April 16, 2005, minus an amount equal to 75% of the total amount of fiscal year 2005 appropriations from the State Pensions Fund that were appropriated to the State Treasurer for administration of the Uniform Disposition of Unclaimed Property Act or (ii) $35,000,000. These transfers are intended to be all or part of the transfer required under Section 8.12 of the State Finance Act for fiscal year 2005.

(d) The sum of $49,775,000 shall be transferred from the School Technology Revolving Loan Fund to the Common School Fund on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical, notwithstanding any other provision of State law to the contrary.

(e) The sum of $80,000,000 shall be transferred from the General Revenue Fund to the State Pensions Fund on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical.

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

(30 ILCS 105/8.44)

Sec. 8.44. Special fund transfers.

(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

Aeronautics Fund........................................................... $2,186

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Operations Regulatory Fund</td>
<td>$32,750</td>
</tr>
<tr>
<td>Agrichemical Incident Response Trust Fund</td>
<td>$419,830</td>
</tr>
<tr>
<td>Agricultural Master Fund</td>
<td>$17,827</td>
</tr>
<tr>
<td>Air Transportation Revolving Fund</td>
<td>$181,478</td>
</tr>
<tr>
<td>Airport Land Loan Revolving Fund</td>
<td>$1,669,970</td>
</tr>
<tr>
<td>Alternate Fuels Fund</td>
<td>$1,056,833</td>
</tr>
<tr>
<td>Alternative Compliance Market Account Fund</td>
<td>$53,120</td>
</tr>
<tr>
<td>Appraisal Administration Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Armory Rental Fund</td>
<td>$111,538</td>
</tr>
<tr>
<td>Assisted Living and Shared Housing Regulatory Fund...</td>
<td>$24,493</td>
</tr>
<tr>
<td>Bank and Trust Company Fund</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$453,054</td>
</tr>
<tr>
<td>Care Provider Fund for Persons with a Developmental Disability</td>
<td>$2,378,270</td>
</tr>
<tr>
<td>Charter Schools Revolving Loan Fund</td>
<td>$650,721</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$1,117,266</td>
</tr>
<tr>
<td>Coal Mining Regulatory Fund</td>
<td>$127,583</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$12,999,839</td>
</tr>
<tr>
<td>Community Health Center Care Fund</td>
<td>$104,480</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$716,232</td>
</tr>
<tr>
<td>Continuing Legal Education Trust Fund</td>
<td>$23,419</td>
</tr>
<tr>
<td>Corporate Franchise Tax Refund Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>Court of Claims Administration and Grant Fund</td>
<td>$24,949</td>
</tr>
<tr>
<td>Criminal Justice Information Projects Fund</td>
<td>$18,212</td>
</tr>
<tr>
<td>DCFS Special Purposes Trust Fund</td>
<td>$77,835</td>
</tr>
<tr>
<td>Death Certificate Surcharge Fund</td>
<td>$1,134,341</td>
</tr>
<tr>
<td>Department of Business Services</td>
<td></td>
</tr>
<tr>
<td>Special Operations Fund</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Department of Children and Family Services</td>
<td></td>
</tr>
<tr>
<td>Training Fund</td>
<td>$1,408,106</td>
</tr>
<tr>
<td>Department of Corrections</td>
<td></td>
</tr>
<tr>
<td>Reimbursement and Education Fund</td>
<td>$2,208,323</td>
</tr>
<tr>
<td>Department of Insurance State Trust Fund</td>
<td>$18,009</td>
</tr>
<tr>
<td>Department of Labor Special State Trust Fund</td>
<td>$359,895</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department on Aging State Projects Fund</td>
<td>$10,059</td>
</tr>
<tr>
<td>Design Professionals Administration and Investigation Fund</td>
<td>$51,701</td>
</tr>
<tr>
<td>DHS Recoveries Trust Fund</td>
<td>$1,591,834</td>
</tr>
<tr>
<td>DHS State Projects Fund</td>
<td>$89,917</td>
</tr>
<tr>
<td>Division of Corporations Registered Limited Liability Partnership Fund</td>
<td>$150,000</td>
</tr>
<tr>
<td>DNR Special Projects Fund</td>
<td>$301,649</td>
</tr>
<tr>
<td>Dram Shop Fund</td>
<td>$110,554</td>
</tr>
<tr>
<td>Drivers Education Fund</td>
<td>$30,152</td>
</tr>
<tr>
<td>Drug Rebate Fund</td>
<td>$17,315,821</td>
</tr>
<tr>
<td>Drug Traffic Prevention Fund</td>
<td>$22,123</td>
</tr>
<tr>
<td>Drug Treatment Fund</td>
<td>$160,030</td>
</tr>
<tr>
<td>Drunk and Drugged Driving Prevention Fund</td>
<td>$51,220</td>
</tr>
<tr>
<td>Drycleaner Environmental Response Trust Fund</td>
<td>$1,137,971</td>
</tr>
<tr>
<td>DuQuoin State Fair Harness Racing Trust Fund</td>
<td>$3,368</td>
</tr>
<tr>
<td>Early Intervention Services Revolving Fund</td>
<td>$1,044,935</td>
</tr>
<tr>
<td>Economic Research and Information Fund</td>
<td>$49,005</td>
</tr>
<tr>
<td>Educational Labor Relations Board</td>
<td></td>
</tr>
<tr>
<td>Fair Share Trust Fund</td>
<td>$40,933</td>
</tr>
<tr>
<td>Efficiency Initiatives Revolving Fund</td>
<td>$6,178,298</td>
</tr>
<tr>
<td>Emergency Planning and Training Fund</td>
<td>$28,845</td>
</tr>
<tr>
<td>Emergency Public Health Fund</td>
<td>$139,997</td>
</tr>
<tr>
<td>Emergency Response Reimbursement Fund</td>
<td>$15,873</td>
</tr>
<tr>
<td>EMS Assistance Fund</td>
<td>$40,923</td>
</tr>
<tr>
<td>Energy Assistance Contribution Fund</td>
<td>$89,692</td>
</tr>
<tr>
<td>Energy Efficiency Trust Fund</td>
<td>$1,300,938</td>
</tr>
<tr>
<td>Environmental Laboratory Certification Fund</td>
<td>$62,039</td>
</tr>
<tr>
<td>Environmental Protection Permit and Inspection Fund</td>
<td>$180,571</td>
</tr>
<tr>
<td>Environmental Protection Trust Fund</td>
<td>$2,228,031</td>
</tr>
<tr>
<td>EPA Court Trust Fund</td>
<td>$338,646</td>
</tr>
<tr>
<td>EPA Special State Projects Trust Fund</td>
<td>$284,263</td>
</tr>
<tr>
<td>Explosives Regulatory Fund</td>
<td>$23,125</td>
</tr>
<tr>
<td>Facilities Management Revolving Fund</td>
<td>$4,803,971</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Public Act 94-0839

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility Licensing Fund</td>
<td>$22,958</td>
</tr>
<tr>
<td>Family Care Fund</td>
<td>$22,585</td>
</tr>
<tr>
<td>Federal Asset Forfeiture Fund</td>
<td>$1,871</td>
</tr>
<tr>
<td>Feed Control Fund</td>
<td>$478,234</td>
</tr>
<tr>
<td>Fertilizer Control Fund</td>
<td>$207,398</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$2,448,690</td>
</tr>
<tr>
<td>Firearm Owner's Notification Fund</td>
<td>$3,960</td>
</tr>
<tr>
<td>Food and Drug Safety Fund</td>
<td>$421,401</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$3,975,808</td>
</tr>
<tr>
<td>Good Samaritan Energy Trust Fund</td>
<td>$7,191</td>
</tr>
<tr>
<td>Governor's Grant Fund</td>
<td>$1,592</td>
</tr>
<tr>
<td>Group Workers' Compensation Pool Insolvency Fund</td>
<td>$136,547</td>
</tr>
<tr>
<td>Guardianship and Advocacy Fund</td>
<td>$27,289</td>
</tr>
<tr>
<td>Hazardous Waste Occupational Licensing Fund</td>
<td>$14,939</td>
</tr>
<tr>
<td>Hazardous Waste Research Fund</td>
<td>$125,209</td>
</tr>
<tr>
<td>Health Facility Plan Review Fund</td>
<td>$165,972</td>
</tr>
<tr>
<td>Hearing Instrument Dispenser</td>
<td>$102,842</td>
</tr>
<tr>
<td>Home Inspector Administration Fund</td>
<td>$244,503</td>
</tr>
<tr>
<td>IEMA State Projects Fund</td>
<td>$13</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund</td>
<td>$177,801</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$4,024,106</td>
</tr>
<tr>
<td>Illinois Clean Water Fund</td>
<td>$1,835,796</td>
</tr>
<tr>
<td>Illinois Community College Board Contracts and Grants Fund</td>
<td>$9</td>
</tr>
<tr>
<td>Illinois Department of Agriculture Laboratory Services Revolving Fund</td>
<td>$174,795</td>
</tr>
<tr>
<td>Illinois Equity Fund</td>
<td>$119,193</td>
</tr>
<tr>
<td>Illinois Executive Mansion Trust Fund</td>
<td>$56,154</td>
</tr>
<tr>
<td>Illinois Forestry Development Fund</td>
<td>$1,389,096</td>
</tr>
<tr>
<td>Illinois Future Teacher Corps Scholarship Fund</td>
<td>$4,836</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$650,646</td>
</tr>
<tr>
<td>Illinois Habitat Endowment Trust Fund</td>
<td>$3,641,262</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$23,066</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Name of Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois Historic Sites Fund</td>
<td>$134,366</td>
</tr>
<tr>
<td>Illinois National Guard Armory Construction Fund....</td>
<td>$31,469</td>
</tr>
<tr>
<td>Illinois Rural Rehabilitation Fund</td>
<td>$8,190</td>
</tr>
<tr>
<td>Illinois School Asbestos Abatement Fund</td>
<td>$183,191</td>
</tr>
<tr>
<td>Illinois State Fair Fund</td>
<td>$50,176</td>
</tr>
<tr>
<td>Illinois State Podiatric Disciplinary Fund</td>
<td>$317,239</td>
</tr>
<tr>
<td>Illinois Student Assistance Commission Contracts and Grants Fund</td>
<td>$5,589</td>
</tr>
<tr>
<td>Illinois Tourism Tax Fund</td>
<td>$647,749</td>
</tr>
<tr>
<td>Illinois Undergraduate Utility Facilities Damage Prevention Fund</td>
<td>$2,175</td>
</tr>
<tr>
<td>Illinois Veterans' Rehabilitation Fund</td>
<td>$218,940</td>
</tr>
<tr>
<td>Industrial Hygiene Regulatory and Enforcement Fund...</td>
<td>$3,564</td>
</tr>
<tr>
<td>Innovations in Long-Term Care Quality Demonstration Grants Fund</td>
<td>$565,494</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$800,000</td>
</tr>
<tr>
<td>ISAC Accounts Receivable Fund</td>
<td>$26,374</td>
</tr>
<tr>
<td>ISBE GED Testing Fund</td>
<td>$146,196</td>
</tr>
<tr>
<td>ISBE Teacher Certificate Institute Fund</td>
<td>$122,117</td>
</tr>
<tr>
<td>J.J. Wolf Memorial for Conservation Investigation Fund.</td>
<td>$8,137</td>
</tr>
<tr>
<td>Kaskaskia Commons Permanent Fund</td>
<td>$79,813</td>
</tr>
<tr>
<td>Land Reclamation Fund</td>
<td>$30,582</td>
</tr>
<tr>
<td>Large Business Attraction Fund</td>
<td>$340,777</td>
</tr>
<tr>
<td>Lawyers' Assistance Program Fund</td>
<td>$198,207</td>
</tr>
<tr>
<td>LEADS Maintenance Fund</td>
<td>$76,981</td>
</tr>
<tr>
<td>Lieutenant Governor's Grant Fund</td>
<td>$188</td>
</tr>
<tr>
<td>Livestock Management Facilities Fund</td>
<td>$47,800</td>
</tr>
<tr>
<td>Local Initiative Fund</td>
<td>$1,940,646</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>$132,876</td>
</tr>
<tr>
<td>Long Term Care Monitor/Receiver Fund</td>
<td>$427,850</td>
</tr>
<tr>
<td>Monetary Award Program Reserve Fund</td>
<td>$879,700</td>
</tr>
<tr>
<td>McCormick Place Expansion Project Fund</td>
<td>$0</td>
</tr>
<tr>
<td>Medicaid Buy-In Program Revolving Fund</td>
<td>$318,894</td>
</tr>
<tr>
<td>Medicaid Fraud and Abuse Prevention Fund</td>
<td>$60,306</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Medical Special Purposes Trust Fund................. $930,668
Military Affairs Trust Fund......................... $68,468
Motor Carrier Safety Inspection Fund............... $147,477
Motor Fuel and Petroleum Standards Fund............ $19,673
Motor Vehicle Review Board Fund.................... $250,000
Motor Vehicle Theft Prevention Trust Fund........... $1,415,361
Narcotics Profit Forfeiture Fund..................... $39,379
Natural Heritage Endowment Trust Fund.............. $557,264
Natural Heritage Fund................................ $3,336
Natural Resources Information Fund............... $64,596
Natural Resources Restoration Trust Fund........... $63,002
Off-Highway Vehicle Trails Fund...................... $244,815
Oil Spill Response Fund................................ $167,547
Paper and Printing Revolving Fund.................. $48,476
Park and Conservation Fund......................... $3,050,154
Pawnbroker Regulation Fund........................... $94,131
Pesticide Control Fund............................... $420,223
Petroleum Resources Revolving Fund............... $85,540
Police Training Board Services Fund............... $1,540
Pollution Control Board Fund....................... $23,004
Pollution Control Board Trust Fund................ $410,651
Post Transplant Maintenance and Retention Fund.... $75,100
Presidential Library and Museum Operating Fund.... $727,250
Professional Regulation Evidence Fund.............. $2,817
Professional Services Fund.......................... $46,222
Provider Inquiry Trust Fund.......................... $207,098
Public Aid Recoveries Trust Fund................... $7,610,631
Public Health Laboratory Services Revolving Fund... $92,276
Public Health Special State Projects Fund.......... $816,202
Public Health Water Permit Fund.................... $17,624
Public Infrastructure Construction
Loan Revolving Fund.................................. $63,802
Public Pension Regulation Fund...................... $222,433
Racing Board Fingerprint License Fund.............. $16,835

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Radiation Protection Fund</td>
<td>$212,010</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Regulatory Evaluation and Basic Enforcement Fund</td>
<td>$64,221</td>
</tr>
<tr>
<td>Regulatory Fund</td>
<td>$55,246</td>
</tr>
<tr>
<td>Renewable Energy Resources Trust Fund</td>
<td>$14,033</td>
</tr>
<tr>
<td>Response Contractors Indemnification Fund</td>
<td>$126</td>
</tr>
<tr>
<td>Rural/Downstate Health Access Fund</td>
<td>$4,644</td>
</tr>
<tr>
<td>Savings and Residential Finance Regulatory Fund</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>School District Emergency Financial Assistance Fund</td>
<td>$2,130,848</td>
</tr>
<tr>
<td>School Technology Revolving Loan Fund</td>
<td>$19,158</td>
</tr>
<tr>
<td>Second Injury Fund</td>
<td>$151,493</td>
</tr>
<tr>
<td>Secretary of State Interagency Grant Fund</td>
<td>$40,900</td>
</tr>
<tr>
<td>Secretary of State Special License Plate Fund</td>
<td>$520,200</td>
</tr>
<tr>
<td>Secretary of State Special Services Fund</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Securities Audit and Enforcement Fund</td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Securities Investors Education Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>Self-Insurers Administration Fund</td>
<td>$286,964</td>
</tr>
<tr>
<td>Sex Offender Registration Fund</td>
<td>$7,647</td>
</tr>
<tr>
<td>Sexual Assault Services Fund</td>
<td>$12,210</td>
</tr>
<tr>
<td>Small Business Environmental Assistance Fund</td>
<td>$13,686</td>
</tr>
<tr>
<td>Snowmobile Trail Establishment Fund</td>
<td>$3,124</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$6,587,173</td>
</tr>
<tr>
<td>Sports Facilities Tax Trust Fund</td>
<td>$1,112,590</td>
</tr>
<tr>
<td>State Appellate Defender Special State Projects Fund</td>
<td>$23,820</td>
</tr>
<tr>
<td>State Asset Forfeiture Fund</td>
<td>$71,988</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$401,824</td>
</tr>
<tr>
<td>State College and University Trust Fund</td>
<td>$139,439</td>
</tr>
<tr>
<td>State Crime Laboratory Fund</td>
<td>$44,965</td>
</tr>
<tr>
<td>State Fair Promotional Activities Fund</td>
<td>$8,734</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$639,662</td>
</tr>
<tr>
<td>State Offender DNA Identification System Fund</td>
<td>$81,740</td>
</tr>
<tr>
<td>State Off-Set Claims Fund</td>
<td>$1,487,926</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$1,045,889</td>
</tr>
<tr>
<td>State Police Motor Vehicle Theft Prevention Fund</td>
<td>$164,843</td>
</tr>
</tbody>
</table>
State Police Vehicle Fund............................                                     $22,899
State Police Whistleblower Reward and Protection Fund.             $199,699
State Rail Freight Loan Repayment Fund............                        $1,147,727
State Surplus Property Revolving Fund.............                      $388,284
State Whistleblower Reward and Protection Fund........                     $1,592
State's Attorneys Appellate Prosecutor's County Fund.                   $70,101
Statewide Grand Jury Prosecution Fund..........................                               $7,645
Statistical Services Revolving Fund......................                       $4,847,783
Subtitle D Management Fund..........................                                         $169,744
Tanning Facility Permit Fund...........................................                       $64,571
Tax Compliance and Administration Fund..........................               $429,377
tax Recovery Fund.............................................................               $113,591
Teacher Certificate Fee Revolving Fund.............................................            $982,399
Toxic Pollution Prevention Fund.............................................................            $28,534
Underground Resources Conservation Enforcement Fund.                  $294,251
University Grant Fund.............................................................            $23,881
Used Tire Management Fund.............................................................            $1,918,500
Watershed Park Fund.................................................................            $19,786
Weights and Measures Fund.............................................................            $1,078,121
Workers' Compensation Benefit Trust Fund......................               $266,574
Workers' Compensation Revolving Fund..................................................            $520,285
Working Capital Revolving Fund.............................................................            $1,404,868
Youth Alcoholism and Substance Abuse Prevention Fund.             $29,995
Youth Drug Abuse Prevention Fund.............................................................            $4,091

All of these transfers shall be made in equal quarterly installments with the first made on the effective date of this amendatory Act of the 94th General Assembly, or as soon thereafter as practical, and with the remaining transfers to be made on October 1, January 1, and April 1, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

The Governor may direct the State Comptroller and the State Treasurer to reverse the transfers previously authorized by statute to the General Revenue Fund and retransfer from the General Revenue Fund, if

New matter indicated by italics - deletions by strikeout
applicable, all or a portion of the transfers made pursuant to this subsection (a) to the following funds:

(1) the Drycleaner Environmental Response Trust Fund;
(2) the Educational Labor Relations Board Fair Share Trust Fund;
(3) the Environmental Protection Trust Fund;
(4) the Facilities Management Revolving Fund;
(5) the Illinois Forestry Development Fund;
(6) the Illinois Habitat Endowment Trust Fund;
(7) the Innovations in Long-Term Care Quality Demonstration Grants Fund;
(8) the Kaskaskia Commons Permanent Fund;
(9) the Land Reclamation Fund;
(10) the Lawyers' Assistance Program Fund;
(11) the Local Initiative Fund;
(12) the Petroleum Resources Revolving Fund;
(13) the Sports Facilities Tax Trust Fund;
(14) the State Garage Revolving Fund;
(15) the State Off-Set Claims Fund; and
(16) the DCFS Special Purposes Trust Fund.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly through June 30, 2006, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. All or a portion of the Any amounts transferred from the General Revenue Fund to a fund pursuant to this subsection (b) from time to time may shall be re-transferred by the State Comptroller and the State Treasurer from the receiving fund into the General Revenue Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund. In all events, the full amounts of all transfers from the General Revenue

New matter indicated by italics - deletions by strikeout
Fund to receiving funds shall be re-transferred to the General Revenue Fund no later than June 30, 2006.

(c) Notwithstanding any other provision of law, on July 1, 2005, or as soon thereafter as may be practical, the State Comptroller and the State Treasurer shall transfer $5,000,000 from the Communications Revolving Fund to the Hospital Basic Services Prevention Fund.

(Source: P.A. 94-91, eff. 7-1-05.)

Sec. 8.45. Special fund transfers.

(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

- Food and Drug Safety Fund $421,000
- Grade Crossing Prevention Fund $4,000,000
- General Professions Dedicated Fund $5,000,000
- Economic Research and Information Fund $25,000
- Illinois Department of Agriculture Laboratorv Services Revolving Fund $100,000
- Drivers Education Fund $900,000
- State Parks Fund $1,046,000
- Illinois State Pharmacy Disciplinary Fund $3,000,000
- Public Utility Fund $440,000
- Solid Waste Management Fund $200,000
- Illinois Gaming Law Enforcement Fund $652,000
- Subtitle D Management Fund $300,000
- Community Health Center Care Fund $100,000
- School District Emergency Financial Assistance Fund $1,325,000
- Explosives Regulatory Fund $23,000
- Aggregate Operations Regulatory Fund $33,000
- Coal Mining Regulatory Fund $50,000
- Registered Certified Public Accountants' Administration and Disciplinary Fund $1,000,000
- Agrichemical Incident Response Trust Fund $200,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$600,000</td>
</tr>
<tr>
<td>Division of Corporations Registered Limited Liability Fund</td>
<td>$555,000</td>
</tr>
<tr>
<td>Local Government Health Insurance Reserve Fund</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>IPTIP Administrative Trust Fund</td>
<td>$700,000</td>
</tr>
<tr>
<td>Professions Indirect Cost Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>State Police DUI Fund</td>
<td>$150,000</td>
</tr>
<tr>
<td>Asbestos Abatement Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>Savings and Residential Finance Regulatory Fund</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Fair and Exposition Fund</td>
<td>$200,000</td>
</tr>
<tr>
<td>State Police Vehicle Fund</td>
<td>$144,000</td>
</tr>
<tr>
<td>Department of Labor Special State Trust Fund</td>
<td>$162,000</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Underground Resources Conservation Enforcement Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>Mandatory Arbitration Fund</td>
<td>$906,000</td>
</tr>
<tr>
<td>Income Tax Refund Fund</td>
<td>$44,000,000</td>
</tr>
<tr>
<td>Long Term Care Monitor/Receiver Fund</td>
<td>$300,000</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$200,000</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$691,300</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$231,600</td>
</tr>
<tr>
<td>Paper and Printing Revolving Fund</td>
<td>$9,900</td>
</tr>
<tr>
<td>Air Transportation Revolving Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>Tax Recovery Fund</td>
<td>$150,000</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$1,076,800</td>
</tr>
<tr>
<td>Facilities Management Revolving Fund</td>
<td>$111,900</td>
</tr>
<tr>
<td>Professional Services Fund</td>
<td>$1,064,800</td>
</tr>
<tr>
<td>Treasurer's Rental Fee Fund</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Workers' Compensation Revolving Fund.......... $530,800
Audit Expense Fund................................ $1,800,000
Securities Audit and Enforcement Fund......... $695,000
Department of Business Services
  Special Operations Fund...................... $7,650,000
Innovations in Long-Term Care Quality
  Demonstration Grants Fund.................... $300,000
State Treasurer's Bank Services Trust Fund... $5,000,000
Corporate Franchise Tax Refund Fund......... $1,400,000
Tax Compliance and Administration Fund........ $429,400
Appraisal Administration Fund................ $1,000,000
Trauma Center Fund............................. $5,000,000
Public Aid Recoveries Trust Fund............ $8,611,000
State Asset Forfeiture Fund................... $250,000
Health Facility Plan Review Fund............. $166,000
LEADS Maintenance Fund........................ $77,000
Illinois Historic Sites Fund................. $134,400
Public Pension Regulation Fund............... $50,000
Pawnbroker Regulation Fund................... $100,000
Charter Schools Revolving Loan Fund......... $1,200,000
Attorney General Whistleblower
  Reward and Protection Fund.................. $1,000,000
Wireless Carrier Reimbursement Fund.......... $8,000,000
International Tourism Fund................... $3,000,000
Real Estate Recovery Fund.................... $200,000
Death Certificate Surcharge Fund............. $1,000,000
Auction Recovery Fund......................... $50,000
Motor Carrier Safety Inspection Fund.......... $150,000
State Police Whistleblower Reward
  and Protection Fund......................... $750,000
Post Transplant Maintenance and Retention Fund... $75,000
Tobacco Settlement Recovery Fund............ $19,900,000
Medicaid Buy-In Program Revolving Fund...... $319,000
Home Inspector Administration Fund.......... $200,000

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourism Promotion Fund</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Lawyers' Assistance Program Fund</td>
<td>$67,200</td>
</tr>
<tr>
<td>Presidential Library and Museum Operating Fund</td>
<td>$750,000</td>
</tr>
<tr>
<td>Dram Shop Fund</td>
<td>$112,000</td>
</tr>
<tr>
<td>Illinois State Dental Disciplinary Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Traffic and Criminal Conviction Surcharge Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Design Professionals Administration and Investigation Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>State Surplus Property Revolving Fund</td>
<td>$6,300</td>
</tr>
<tr>
<td>State Police Services Fund</td>
<td>$200,000</td>
</tr>
<tr>
<td>Health Insurance Reserve Fund</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>DHS Recoveries Trust Fund</td>
<td>$3,591,800</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>State Treasurer Court Ordered Escrow Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Environmental Protection Permit and Inspection Fund</td>
<td>$181,000</td>
</tr>
<tr>
<td>Illinois State Podiatric Disciplinary Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>International and Promotional Fund</td>
<td>$70,000</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>$5,000,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$200,084,200</strong></td>
</tr>
</tbody>
</table>

All of these transfers shall be made in equal quarterly installments with the first made on July 1, 2006, or as soon thereafter as practical, and with the remaining transfers to be made on October 1, January 1, and April 1, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly through June 30, 2007, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as
is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. All or a portion of the amounts transferred from the General Revenue Fund to a fund pursuant to this subsection (b) from time to time may be re-transferred by the State Comptroller and the State Treasurer from the receiving fund into the General Revenue Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund.

(30 ILCS 105/8.55)
Sec. 8.55. Interfund transfers. On or after July 1, 2004 and until June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Healthcare and Family Services (formerly Director of Public Aid), the State Comptroller shall direct and the State Treasurer shall transfer amounts into the General Revenue Fund from the designated funds not exceeding the following totals:

- Hospital Provider Fund........................                          $36,000,000
- Health and Human Services Medicaid Trust Fund.    $124,000,000.

Transfers of moneys under this Section may not exceed a total of $80,000,000 in any State fiscal year.
(Source: P.A. 93-841, eff. 7-30-04; revised 12-15-05.)

(30 ILCS 105/8g)
Sec. 8g. Fund transfers.
(a) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $10,000,000 from the General Revenue Fund to the Motor Vehicle License Plate Fund created by Senate Bill 1028 of the 91st General Assembly.

(b) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $25,000,000 from the General Revenue Fund to the Fund for Illinois' Future created by Senate Bill 1066 of the 91st General Assembly.

New matter indicated by italics - deletions by strikeout
(c) In addition to any other transfers that may be provided for by law, on August 30 of each fiscal year's license period, the Illinois Liquor Control Commission shall direct and the State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Youth Alcoholism and Substance Abuse Prevention Fund an amount equal to the number of retail liquor licenses issued for that fiscal year multiplied by $50.

(d) The payments to programs required under subsection (d) of Section 28.1 of the Horse Racing Act of 1975 shall be made, pursuant to appropriation, from the special funds referred to in the statutes cited in that subsection, rather than directly from the General Revenue Fund.

Beginning January 1, 2000, on the first day of each month, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to each of the special funds from which payments are to be made under Section 28.1(d) of the Horse Racing Act of 1975 an amount equal to 1/12 of the annual amount required for those payments from that special fund, which annual amount shall not exceed the annual amount for those payments from that special fund for the calendar year 1998. The special funds to which transfers shall be made under this subsection (d) include, but are not necessarily limited to, the Agricultural Premium Fund; the Metropolitan Exposition Auditorium and Office Building Fund; the Fair and Exposition Fund; the Standardbred Breeders Fund; the Thoroughbred Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

(e) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $15,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

(f) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall
transfer the sum of $70,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(f-1) In fiscal year 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $160,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2001, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(h) In each of fiscal years 2002 through 2004, but not thereafter, in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer $5,000,000 from the General Revenue Fund to the Tourism Promotion Fund.

(i) On or after July 1, 2001 and until May 1, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2002.

(i-1) On or after July 1, 2002 and until May 1, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2003.
notification from the Governor, but in any event on or before June 30, 2003.

(j) On or after July 1, 2001 and no later than June 30, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

From the General Revenue Fund..................                    $8,450,000
From the Public Utility Fund..................                           1,700,000
From the Transportation Regulatory Fund.......                 2,650,000
From the Title III Social Security and
    Employment Fund..................                                  3,700,000
From the Professions Indirect Cost Fund......                  4,050,000
From the Underground Storage Tank Fund........                    550,000
From the Agricultural Premium Fund...........                           750,000
From the State Pensions Fund..................                             200,000
From the Road Fund................................                              2,000,000
From the Health Facilities
    Planning Fund................................                           1,000,000
From the Savings and Residential Finance
    Regulatory Fund..............................                             130,800
From the Appraisal Administration Fund........                   28,600
From the Pawnbroker Regulation Fund...........                           3,600
From the Auction Regulation
    Administration Fund..................                                  35,800
From the Bank and Trust Company Fund...........                      634,800
From the Real Estate License
    Administration Fund..................                              313,600

(k) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 92nd General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

New matter indicated by italics - deletions by strikeout
(k-1) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-2) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-3) On or after July 1, 2002 and no later than June 30, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

- Appraisal Administration Fund........................ $150,000
- General Revenue Fund.......................... 10,440,000
- Savings and Residential Finance
  - Regulatory Fund............................ 200,000
- State Pensions Fund.............................. 100,000
- Bank and Trust Company Fund..................... 100,000
- Professions Indirect Cost Fund................... 3,400,000
- Public Utility Fund............................ 2,081,200
- Real Estate License Administration Fund........ 150,000
- Title III Social Security and Employment Fund........ 1,000,000
- Transportation Regulatory Fund................... 3,052,100
- Underground Storage Tank Fund................... 50,000

(l) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $3,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

New matter indicated by italics - deletions by strikeout
(m) In addition to any other transfers that may be provided for by law, on July 1, 2002 and on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(n) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,800,000 from the General Revenue Fund to the DHS Recoveries Trust Fund.

(o) On or after July 1, 2003, and no later than June 30, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Vehicle Inspection Fund:

From the Underground Storage Tank Fund ........ $35,000,000.

(p) On or after July 1, 2003 and until May 1, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2004.

(q) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.

(r) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.
$1,922,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(s) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $4,800,000 from the Statewide Economic Development Fund to the General Revenue Fund.

(t) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $50,000,000 from the General Revenue Fund to the Budget Stabilization Fund.

(u) On or after July 1, 2004 and until May 1, 2005, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2005.

(v) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(w) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,445,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(x) In addition to any other transfers that may be provided for by law, on January 15, 2005, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer to the General Revenue Fund the following sums:

New matter indicated by italics - deletions by strikeout
From the State Crime Laboratory Fund, $200,000; From the State Police Wireless Service Emergency Fund, $200,000; From the State Offender DNA Identification System Fund, $800,000; and From the State Police Whistleblower Reward and Protection Fund, $500,000.

(y) Notwithstanding any other provision of law to the contrary, in addition to any other transfers that may be provided for by law on June 30, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the designated funds into the General Revenue Fund and any future deposits that would otherwise be made into these funds must instead be made into the General Revenue Fund:

(1) the Keep Illinois Beautiful Fund;
(2) the Metropolitan Fair and Exposition Authority Reconstruction Fund;
(3) the New Technology Recovery Fund;
(4) the Illinois Rural Bond Bank Trust Fund;
(5) the ISBE School Bus Driver Permit Fund;
(6) the Solid Waste Management Revolving Loan Fund;
(7) the State Postsecondary Review Program Fund;
(8) the Tourism Attraction Development Matching Grant Fund;
(9) the Patent and Copyright Fund;
(10) the Credit Enhancement Development Fund;
(11) the Community Mental Health and Developmental Disabilities Services Provider Participation Fee Trust Fund;
(12) the Nursing Home Grant Assistance Fund;
(13) the By-product Material Safety Fund;
(14) the Illinois Student Assistance Commission Higher EdNet Fund;
(15) the DORS State Project Fund;
(16) the School Technology Revolving Fund;

New matter indicated by italics - deletions by strikeout
(17) the Energy Assistance Contribution Fund;
(18) the Illinois Building Commission Revolving Fund;
(19) the Illinois Aquaculture Development Fund;
(20) the Homelessness Prevention Fund;
(21) the DCFS Refugee Assistance Fund;
(22) the Illinois Century Network Special Purposes Fund;
and

(23) the Build Illinois Purposes Fund.

(z) In addition to any other transfers that may be provided for by law, on July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(aa) In addition to any other transfers that may be provided for by law, on July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $9,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(bb) In addition to any other transfers that may be provided for by law, on July 1, 2005, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $6,803,600 from the General Revenue Fund to the Securities Audit and Enforcement Fund.

(cc) In addition to any other transfers that may be provided for by law, on or after July 1, 2005 and until May 1, 2006, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2006.

New matter indicated by italics - deletions by strikeout
In addition to any other transfers that may be provided for by law, on April 1, 2005, or as soon thereafter as may be practical, at the direction of the Director of Public Aid (now Director of Healthcare and Family Services), the State Comptroller shall direct and the State Treasurer shall transfer from the Public Aid Recoveries Trust Fund amounts not to exceed $14,000,000 to the Community Mental Health Medicaid Trust Fund.

Notwithstanding any other provision of law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Illinois Civic Center Bond Fund to the Illinois Civic Center Bond Retirement and Interest Fund.

In addition to any other transfers that may be provided for by law, on and after July 1, 2006 and until June 30, 2007, at the direction of and upon notification from the Governor’s Office of Management and Budget, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $1,900,000 from the General Revenue Fund to the Illinois Capital Revolving Loan Fund.

In addition to any other transfers that may be provided for by law, on and after July 1, 2006 and until May 1, 2007, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of $80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2007.

In addition to any other transfers that may be provided for by law, on and after July 1, 2006 and until June 30, 2007, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts from the Illinois Affordable Housing Trust Fund to the designated funds not exceeding the following amounts:

New matter indicated by italics - deletions by strikeout
(ii) In addition to any other transfers that may be provided for by law, on or before August 31, 2006, the Governor and the State Comptroller may agree to transfer the surplus cash balance from the General Revenue Fund to the Budget Stabilization Fund and the Pension Stabilization Fund in equal proportions. The determination of the amount of the surplus cash balance shall be made by the Governor, with the concurrence of the State Comptroller, after taking into account the June 30, 2006 balances in the general funds and the actual or estimated spending from the general funds during the lapse period. Notwithstanding the foregoing, the maximum amount that may be transferred under this subsection (ii) is $50,000,000.

(jj) In addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $8,250,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(kk) In addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $1,400,000 from the General Revenue Fund to the Violence Prevention Fund.

(ll) In addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund amounts equal to one-fourth of $20,000,000 to the Renewable Energy Resources Trust Fund.

(mm) In addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State

New matter indicated by italics - deletions by strikeout
Comptroller shall direct and the State Treasurer shall transfer the sum of $1,320,000 from the General Revenue Fund to the I-FLY Fund.

(nn) In addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of $3,000,000 from the General Revenue Fund to the African-American HIV/AIDS Response Fund.

(oo) In addition to any other transfers that may be provided for by law, on and after July 1, 2006 and until June 30, 2007, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts identified as net receipts from the sale of all or part of the Illinois Student Assistance Commission loan portfolio from the Student Loan Operating Fund to the General Revenue Fund. The maximum amount that may be transferred pursuant to this Section is $38,800,000. In addition, no transfer may be made pursuant to this Section that would have the effect of reducing the available balance in the Student Loan Operating Fund to an amount less than the amount remaining unexpended and unreserved from the total appropriations from the Fund estimated to be expended for the fiscal year. The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practical after receiving the direction to transfer from the Governor.

(Source: P.A. 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05; 94-58, eff. 6-17-05; 94-91, eff. 7-1-05; revised 12-15-05.)

(30 ILCS 105/8h)
Sec. 8h. Transfers to General Revenue Fund.
(a) Except as provided in subsection (b), (c), (d), or (e), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the

New matter indicated by italics - deletions by strikeout
revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, or the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, or the Low-Level Radioactive Waste Facility Development and Operation Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

New matter indicated by italics - deletions by strikeout
The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(b) This Section does not apply to: (i) the Ticket For The Cure Fund; (ii) or to any fund established under the Community Senior Services and Resources Act; or (iii) on or after January 1, 2006 (the effective date of Public Act 94-511) this amendatory Act of the 94th General Assembly, the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

(d) (e) This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

(e) Subsection (a) does not apply to, and no transfer may be made under this Section from, the Pension Stabilization Fund.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

(30 ILCS 105/13.2) (from Ch. 127, par. 149.2)
Sec. 13.2. Transfers among line item appropriations.

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

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

(a-2) Except as otherwise provided in this Section, transfers may be made only among the objects of expenditure enumerated in this

New matter indicated by italics - deletions by strikeout
Section, except that no funds may be transferred from any appropriation for personal services, from any appropriation for State contributions to the State Employees' Retirement System, from any separate appropriation for employee retirement contributions paid by the employer, nor from any appropriation for State contribution for employee group insurance. During State fiscal year 2005, an agency may transfer amounts among its appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State Contributions to retirement systems; notwithstanding and in addition to the transfers authorized in subsection (c) of this Section, the fiscal year 2005 transfers authorized in this sentence may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund. During State fiscal year 2007, the Departments of Children and Family Services, Corrections, Human Services, and Juvenile Justice may transfer amounts among their respective appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State contributions to retirement systems. Notwithstanding, and in addition to, the transfers authorized in subsection (c) of this Section, these transfers may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund.

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

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

The Illinois Department of Healthcare and Family Services Public Aid is authorized to make transfers representing savings attributable to not increasing grants due to the births of additional children from line items

New matter indicated by italics - deletions by strikeout
for payments of cash grants to line items for payments for employment and social services for the purposes outlined in subsection (f) of Section 4-2 of the Illinois Public Aid Code.

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

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

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

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

New matter indicated by italics - deletions by strikeout
Notwithstanding the above, any amounts appropriated for payment of workers' compensation claims to an agency to which the authority to evaluate, administer and pay such claims has been delegated by the Department of Central Management Services may be transferred to any other expenditure object where such amounts exceed the amount necessary for the payment of such claims.

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

(c-2) Special provisions for State fiscal year 2005. Notwithstanding subsections (a), (a-2), and (c), for State fiscal year 2005 only, transfers may be made among any line item appropriations from the same or any other treasury fund for any objects or purposes, without limitation, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that the sum of those transfers by a State agency shall not exceed 4% of the aggregate amount appropriated to that State agency for fiscal year 2005.
(d) Transfers among appropriations made to agencies of the Legislative and Judicial departments and to the constitutionally elected officers in the Executive branch require the approval of the officer authorized in Section 10 of this Act to approve and certify vouchers. Transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy and the Board of Higher Education require the approval of the Board of Higher Education and the Governor. Transfers among appropriations to all other agencies require the approval of the Governor.

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

(Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03; 93-680, eff. 7-1-04; 93-839, eff. 7-30-04; revised 12-15-05.)

(30 ILCS 105/5.344 rep.)

Section 5-45. The State Finance Act is amended by repealing Section 5.344 on September 1, 2006.

Section 5-46. The Budget Stabilization Act is amended by changing Sections 10 and 15 and adding Sections 20 and 25 as follows:

(30 ILCS 122/10)
Sec. 10. Budget limitations.
(a) In addition to Section 50-5 of the State Budget Law of the Civil Administrative Code of Illinois, the General Assembly's appropriations

New matter indicated by italics - deletions by strikeout
and transfers or diversions as required by law from general funds shall not exceed 99% 99.5% of the estimated general funds revenues for the fiscal year when revenue estimates of the State's general funds revenues exceed the prior fiscal year's estimated general funds revenues by more than 4%.

(b) The General Assembly's appropriations and transfers or diversions as required by law from general funds shall not exceed 98% 99% of the estimated general funds revenues for the fiscal year when revenue estimates of the State's general funds revenues exceed the prior fiscal year's estimated general funds revenues by more than 4% for 2 or more consecutive fiscal years.

(c) For the purpose of this Act, "estimated general funds revenues" include, for each budget year, all taxes, fees, and other revenues expected to be deposited into the State's general funds, including recurring transfers from other State funds into the general funds.

Year-over-year comparisons used to determine the percentage growth factor of estimated general funds revenues shall exclude the sum of the following: (i) expected revenues resulting from new taxes or fees or from tax or fee increases during the first year of the change, (ii) expected revenues resulting from one-time receipts or non-recurring transfers in, (iii) expected proceeds resulting from borrowing, and (iv) increases in federal grants that must be completely appropriated based on the terms of the grants.

(Source: P.A. 93-660, eff. 7-1-04.)

(30 ILCS 122/15)

Sec. 15. Transfers to Budget Stabilization Fund. In furtherance of the State's objective for the Budget Stabilization Fund to have resources representing 5% of the State's annual general funds revenues:

(a) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 99% 99.5% of the estimated general funds revenues pursuant to subsection (a) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 0.5% .5% of the estimated general funds revenues to the Budget Stabilization Fund.

New matter indicated by italics - deletions by strikeout
(b) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 98% 99% of the estimated general funds revenues pursuant to subsection (b) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 1% of the estimated general funds revenues to the Budget Stabilization Fund.

(c) The Comptroller shall transfer 1/12 of the total amount to be transferred each fiscal year under this Section into the Budget Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible. The balance of the Budget Stabilization Fund shall not exceed 5% of the total of general funds revenues estimated for that fiscal year except as provided by subsection (d) of this Section.

(d) If the balance of the Budget Stabilization Fund exceeds 5% of the total general funds revenues estimated for that fiscal year, the additional transfers are not required unless there are outstanding liabilities under Section 25 of the State Finance Act from prior fiscal years. If there are such outstanding Section 25 liabilities, then the Comptroller shall continue to transfer 1/12 of the total amount identified for transfer to the Budget Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible to be reserved for those Section 25 liabilities. Nothing in this Act prohibits the General Assembly from appropriating additional moneys into the Budget Stabilization Fund.

(e) On or before August 31 of each fiscal year, the amount determined to be transferred to the Budget Stabilization Fund shall be reconciled to actual general funds revenues for that fiscal year. The final transfer for each fiscal year shall be adjusted so that the total amount transferred under this Section is equal to the percentage specified in subsection (a) or (b) of this Section 10 of this Act, as applicable, based on actual general funds revenues calculated consistently with subsection (c) of Section 10 of this Act for each fiscal year.

(f) For the fiscal year beginning July 1, 2006 and for each fiscal year thereafter, the budget proposal to the General Assembly shall identify liabilities incurred in a prior fiscal year under Section 25 of the State
Finance Act and the budget proposal shall provide funding as allowable pursuant to subsection (d) of this Section, if applicable.

(Source: P.A. 93-660, eff. 7-1-04.)

(30 ILCS 122/20 new)

Sec. 20. Pension Stabilization Fund.

(a) The Pension Stabilization Fund is hereby created as a special fund in the State treasury. Moneys in the fund shall be used for the sole purpose of making payments to the designated retirement systems as provided in Section 25.

(b) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 99% of the estimated general funds revenues pursuant to subsection (a) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 0.5% of the estimated general funds revenues to the Pension Stabilization Fund.

(c) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 98% of the estimated general funds revenues pursuant to subsection (b) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 1.0% of the estimated general funds revenues to the Pension Stabilization Fund.

(d) The Comptroller shall transfer 1/12 of the total amount to be transferred each fiscal year under this Section into the Pension Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible; except that the final transfer of the fiscal year shall be made as soon as practical after the August 31 following the end of the fiscal year.

Before the final transfer for a fiscal year is made, the Comptroller shall reconcile the estimated general funds revenues used in calculating the other transfers under this Section for that fiscal year with the actual general funds revenues for that fiscal year. The final transfer for the fiscal year shall be adjusted so that the total amount transferred under this
Section for that fiscal year is equal to the percentage specified in subsection (b) or (c) of this Section, whichever is applicable, of the actual general funds revenues for that fiscal year. The actual general funds revenues for the fiscal year shall be calculated in a manner consistent with subsection (c) of Section 10 of this Act.

(30 ILCS 122/25 new)
Sec. 25. Transfers from the Pension Stabilization Fund.
(a) As used in this Section, "designated retirement systems" means:
   (1) the State Employees' Retirement System of Illinois;
   (2) the Teachers' Retirement System of the State of Illinois;
   (3) the State Universities Retirement System;
   (4) the Judges Retirement System of Illinois; and
   (5) the General Assembly Retirement System.

(b) As soon as may be practical after any money is deposited into the Pension Stabilization Fund, the State Comptroller shall apportion the deposited amount among the designated retirement systems and the State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems. The amount deposited shall be apportioned among the designated retirement systems in the same proportion as their respective portions of the total actuarial reserve deficiency of the designated retirement systems, as most recently determined by the Governor's Office of Management and Budget. Amounts received by a designated retirement system under this Section shall be used for funding the unfunded liabilities of the retirement system. Payments under this Section are authorized by the continuing appropriation under Section 1.7 of the State Pension Funds Continuing Appropriation Act.

(c) At the request of the State Comptroller, the Governor's Office of Management and Budget shall determine the individual and total actuarial reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall consider the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Pension Division of the Department of Financial and Professional Regulation.
(d) Payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under Section 2-124, 14-131, 15-155, 16-158, or 18-131 of the Illinois Pension Code.

Section 5-55. The Illinois Income Tax Act is amended by changing Section 901 as follows:

(35 ILCS 5/901) (from Ch. 120, par. 9-901)
Sec. 901. Collection Authority.
(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c) and (e) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services Public Aid.

(b) Local Governmental Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by
subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) $6,666,666, and beginning July 1, 2004, zero. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Educational Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator...
of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of

New matter indicated by italics - deletions by strikeout
overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.


(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by

New matter indicated by italics - deletions by strikeout
the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into

New matter indicated by italics - deletions by strikeout
the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(Source: P.A. 93-32, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; revised 12-15-05.)

Section 5-60. The Cigarette Tax Act is amended by changing Section 2 as follows:

(35 ILCS 130/2) (from Ch. 120, par. 453.2)

Sec. 2. Tax imposed; rate; collection, payment, and distribution; discount.

(a) A tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at the rate of 5 1/2 mills per cigarette sold, or otherwise disposed of in the course of such business in this State. In addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 1/2 mill per cigarette sold or otherwise disposed of in the course of such business in this State on and after January 1, 1947, and shall be paid into the Metropolitan Fair and Exposition Authority Reconstruction Fund or as otherwise provided in Section 29. On and after December 1, 1985, in addition to any other tax imposed by this Act, a tax is imposed upon any

New matter indicated by italics - deletions by strikeout
person engaged in business as a retailer of cigarettes in this State at a rate of 4 mills per cigarette sold or otherwise disposed of in the course of such business in this State. Of the additional tax imposed by this amendatory Act of 1985, $9,000,000 of the moneys received by the Department of Revenue pursuant to this Act shall be paid each month into the Common School Fund. On and after the effective date of this amendatory Act of 1989, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 5 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after the effective date of this amendatory Act of 1993, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after December 15, 1997, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business of this State. All of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act from the additional taxes imposed by this amendatory Act of 1997, shall be paid each month into the Common School Fund. On and after July 1, 2002, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 20.0 mills per cigarette sold or otherwise disposed of in the course of such business in this State. The payment of such taxes shall be evidenced by a stamp affixed to each original package of cigarettes, or an authorized substitute for such stamp imprinted on each original package of such cigarettes underneath the sealed transparent outside wrapper of such original package, as hereinafter provided. However, such taxes are not imposed upon any activity in such business in interstate commerce or otherwise, which activity may not under the Constitution and statutes of the United States be made the subject of taxation by this State.

Beginning on the effective date of this amendatory Act of the 92nd General Assembly and through June 30, 2006, all of the moneys received
by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act, other than the moneys that are dedicated to the Common School Fund, shall be distributed each month as follows: first, there shall be paid into the General Revenue Fund an amount which, when added to the amount paid into the Common School Fund for that month, equals $33,300,000, except that in the month of August of 2004, this amount shall equal $83,300,000; then, from the moneys remaining, if any amounts required to be paid into the General Revenue Fund in previous months remain unpaid, those amounts shall be paid into the General Revenue Fund; then, beginning on April 1, 2003, from the moneys remaining, $5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund. To the extent that more than $25,000,000 has been paid into the General Revenue Fund and Common School Fund per month for the period of July 1, 1993 through the effective date of this amendatory Act of 1994 from combined receipts of the Cigarette Tax Act and the Cigarette Use Tax Act, notwithstanding the distribution provided in this Section, the Department of Revenue is hereby directed to adjust the distribution provided in this Section to increase the next monthly payments to the Long Term Care Provider Fund by the amount paid to the General Revenue Fund and Common School Fund in excess of $25,000,000 per month and to decrease the next monthly payments to the General Revenue Fund and Common School Fund by that same excess amount.

Beginning on July 1, 2006, all of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act, other than the moneys that are dedicated to the Common School Fund, shall be distributed each month as follows: first, there shall be paid into the General Revenue Fund an amount that, when added to the amount paid into the Common School Fund for that month, equals $29,200,000; then, from the moneys remaining, if any amounts required to be paid into the General Revenue Fund in previous months remain unpaid, those

New matter indicated by italics - deletions by strikeout
amounts shall be paid into the General Revenue Fund; then from the moneys remaining, $5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund.

When any tax imposed herein terminates or has terminated, distributors who have bought stamps while such tax was in effect and who therefore paid such tax, but who can show, to the Department's satisfaction, that they sold the cigarettes to which they affixed such stamps after such tax had terminated and did not recover the tax or its equivalent from purchasers, shall be allowed by the Department to take credit for such absorbed tax against subsequent tax stamp purchases from the Department by such distributor.

The impact of the tax levied by this Act is imposed upon the retailer and shall be prepaid or pre-collected by the distributor for the purpose of convenience and facility only, and the amount of the tax shall be added to the price of the cigarettes sold by such distributor. Collection of the tax shall be evidenced by a stamp or stamps affixed to each original package of cigarettes, as hereinafter provided.

Each distributor shall collect the tax from the retailer at or before the time of the sale, shall affix the stamps as hereinafter required, and shall remit the tax collected from retailers to the Department, as hereinafter provided. Any distributor who fails to properly collect and pay the tax imposed by this Act shall be liable for the tax. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on the effective date of this amendatory Act of 1989 shall not be required to pay the additional tax imposed by this amendatory Act of 1989 on such stamped cigarettes. Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale at 12:01 a.m. on the effective date of this amendatory Act of 1993, is required to pay the additional tax imposed by this amendatory Act of 1993 on such stamped cigarettes. This payment, less the discount provided in subsection (b), shall be due when
the distributor first makes a purchase of cigarette tax stamps after the
effective date of this amendatory Act of 1993, or on the first due date of a
return under this Act after the effective date of this amendatory Act of
1993, whichever occurs first. Any distributor having cigarettes to which
stamps have been affixed in his possession for sale on December 15, 1997
shall not be required to pay the additional tax imposed by this amendatory
Act of 1997 on such stamped cigarettes.

Any distributor having cigarettes to which stamps have been
affixed in his or her possession for sale on July 1, 2002 shall not be
required to pay the additional tax imposed by this amendatory Act of the
92nd General Assembly on those stamped cigarettes.

The amount of the Cigarette Tax imposed by this Act shall be
separately stated, apart from the price of the goods, by both distributors
and retailers, in all advertisements, bills and sales invoices.

(b) The distributor shall be required to collect the taxes provided
under paragraph (a) hereof, and, to cover the costs of such collection, shall
be allowed a discount during any year commencing July 1st and ending the
following June 30th in accordance with the schedule set out hereinbelow,
which discount shall be allowed at the time of purchase of the stamps
when purchase is required by this Act, or at the time when the tax is
remitted to the Department without the purchase of stamps from the
Department when that method of paying the tax is required or authorized
by this Act. Prior to December 1, 1985, a discount equal to 1 2/3% of the
amount of the tax up to and including the first $700,000 paid hereunder by
such distributor to the Department during any such year; 1 1/3% of the
next $700,000 of tax or any part thereof, paid hereunder by such
distributor to the Department during any such year; 1% of the
next $700,000 of tax, or any part thereof, paid hereunder by such distributor to
the Department during any such year, and 2/3 of 1% of the amount of any
additional tax paid hereunder by such distributor to the Department during
any such year shall apply. On and after December 1, 1985, a discount
equal to 1.75% of the amount of the tax payable under this Act up to and
including the first $3,000,000 paid hereunder by such distributor to the
Department during any such year and 1.5% of the amount of any

New matter indicated by italics - deletions by strikeout
additional tax paid hereunder by such distributor to the Department during any such year shall apply.

Two or more distributors that use a common means of affixing revenue tax stamps or that are owned or controlled by the same interests shall be treated as a single distributor for the purpose of computing the discount.

(c) The taxes herein imposed are in addition to all other occupation or privilege taxes imposed by the State of Illinois, or by any political subdivision thereof, or by any municipal corporation.

(Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

Section 5-65. The Motor Fuel Tax Law is amended by changing Section 8 as follows:

(35 ILCS 505/8) (from Ch. 120, par. 424)

Sec. 8. Except as provided in Section 8a, subdivision (b)(1) of Section 12a, Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all money received by the Department under this Act, including payments made to the Department by member jurisdictions participating in the International Fuel Tax Agreement, shall be deposited in a special fund in the State treasury, to be known as the "Motor Fuel Tax Fund", and shall be used as follows:

(a) 2 1/2 cents per gallon of the tax collected on special fuel under paragraph (b) of Section 2 and Section 13a of this Act shall be transferred to the State Construction Account Fund in the State Treasury;

(b) $420,000 shall be transferred each month to the State Boating Act Fund to be used by the Department of Natural Resources for the purposes specified in Article X of the Boat Registration and Safety Act;

(c) $2,250,000 shall be transferred each month to the Grade Crossing Protection Fund to be used as follows: not less than $6,000,000 each fiscal year shall be used for the construction or reconstruction of rail highway grade separation structures; $2,250,000 in fiscal year 2004 and each fiscal year thereafter shall be transferred to the Transportation Regulatory Fund and shall be accounted for as part of the rail carrier portion of such funds and shall be used to pay the cost of administration of the Illinois Commerce Commission's railroad safety program in

New matter indicated by italics - deletions by strikeout
connection with its duties under subsection (3) of Section 18c-7401 of the Illinois Vehicle Code, with the remainder to be used by the Department of Transportation upon order of the Illinois Commerce Commission, to pay that part of the cost apportioned by such Commission to the State to cover the interest of the public in the use of highways, roads, streets, or pedestrian walkways in the county highway system, township and district road system, or municipal street system as defined in the Illinois Highway Code, as the same may from time to time be amended, for separation of grades, for installation, construction or reconstruction of crossing protection or reconstruction, alteration, relocation including construction or improvement of any existing highway necessary for access to property or improvement of any grade crossing including the necessary highway approaches thereto of any railroad across the highway or public road, or for the installation, construction, reconstruction, or maintenance of a pedestrian walkway over or under a railroad right-of-way, as provided for in and in accordance with Section 18c-7401 of the Illinois Vehicle Code. The Commission shall not order more than $2,000,000 per year in Grade Crossing Protection Fund moneys for pedestrian walkways. In entering orders for projects for which payments from the Grade Crossing Protection Fund will be made, the Commission shall account for expenditures authorized by the orders on a cash rather than an accrual basis. For purposes of this requirement an "accrual basis" assumes that the total cost of the project is expended in the fiscal year in which the order is entered, while a "cash basis" allocates the cost of the project among fiscal years as expenditures are actually made. To meet the requirements of this subsection, the Illinois Commerce Commission shall develop annual and 5-year project plans of rail crossing capital improvements that will be paid for with moneys from the Grade Crossing Protection Fund. The annual project plan shall identify projects for the succeeding fiscal year and the 5-year project plan shall identify projects for the 5 directly succeeding fiscal years. The Commission shall submit the annual and 5-year project plans for this Fund to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the

New matter indicated by italics - deletions by strikeout
Minority Leader of the House of Representatives on the first Wednesday in April of each year;
   (d) of the amount remaining after allocations provided for in subsections (a), (b) and (c), a sufficient amount shall be reserved to pay all of the following:
      (1) the costs of the Department of Revenue in administering this Act;
      (2) the costs of the Department of Transportation in performing its duties imposed by the Illinois Highway Code for supervising the use of motor fuel tax funds apportioned to municipalities, counties and road districts;
      (3) refunds provided for in Section 13 of this Act and under the terms of the International Fuel Tax Agreement referenced in Section 14a;
      (4) from October 1, 1985 until June 30, 1994, the administration of the Vehicle Emissions Inspection Law, which amount shall be certified monthly by the Environmental Protection Agency to the State Comptroller and shall promptly be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund to the Vehicle Inspection Fund, and for the period July 1, 1994 through June 30, 2000, one-twelfth of $25,000,000 each month, for the period July 1, 2000 through June 30, 2003, one-twelfth of $30,000,000 each month, and $15,000,000 on July 1, 2003, and $15,000,000 on January 1, 2004, and $15,000,000 on each July 1 and October 1, or as soon thereafter as may be practical, during the period July 1, 2004 through June 30, 2008, for the administration of the Vehicle Emissions Inspection Law of 1995, to be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund into the Vehicle Inspection Fund;
      (5) amounts ordered paid by the Court of Claims; and
      (6) payment of motor fuel use taxes due to member jurisdictions under the terms of the International Fuel Tax Agreement. The Department shall certify these amounts to the
Comptroller by the 15th day of each month; the Comptroller shall cause orders to be drawn for such amounts, and the Treasurer shall administer those amounts on or before the last day of each month; (e) after allocations for the purposes set forth in subsections (a), (b), (c) and (d), the remaining amount shall be apportioned as follows:

(1) Until January 1, 2000, 58.4%, and beginning January 1, 2000, 45.6% shall be deposited as follows:
   (A) 37% into the State Construction Account Fund, and
   (B) 63% into the Road Fund, $1,250,000 of which shall be reserved each month for the Department of Transportation to be used in accordance with the provisions of Sections 6-901 through 6-906 of the Illinois Highway Code;

(2) Until January 1, 2000, 41.6%, and beginning January 1, 2000, 54.4% shall be transferred to the Department of Transportation to be distributed as follows:
   (A) 49.10% to the municipalities of the State,
   (B) 16.74% to the counties of the State having 1,000,000 or more inhabitants,
   (C) 18.27% to the counties of the State having less than 1,000,000 inhabitants,
   (D) 15.89% to the road districts of the State.

As soon as may be after the first day of each month the Department of Transportation shall allot to each municipality its share of the amount apportioned to the several municipalities which shall be in proportion to the population of such municipalities as determined by the last preceding municipal census if conducted by the Federal Government or Federal census. If territory is annexed to any municipality subsequent to the time of the last preceding census the corporate authorities of such municipality may cause a census to be taken of such annexed territory and the population so ascertained for such territory shall be added to the population of the municipality as determined by the last preceding census for the purpose of determining the allotment for that municipality. If the
population of any municipality was not determined by the last Federal census preceding any apportionment, the apportionment to such municipality shall be in accordance with any census taken by such municipality. Any municipal census used in accordance with this Section shall be certified to the Department of Transportation by the clerk of such municipality, and the accuracy thereof shall be subject to approval of the Department which may make such corrections as it ascertains to be necessary.

As soon as may be after the first day of each month the Department of Transportation shall allot to each county its share of the amount apportioned to the several counties of the State as herein provided. Each allotment to the several counties having less than 1,000,000 inhabitants shall be in proportion to the amount of motor vehicle license fees received from the residents of such counties, respectively, during the preceding calendar year. The Secretary of State shall, on or before April 15 of each year, transmit to the Department of Transportation a full and complete report showing the amount of motor vehicle license fees received from the residents of each county, respectively, during the preceding calendar year. The Department of Transportation shall, each month, use for allotment purposes the last such report received from the Secretary of State.

As soon as may be after the first day of each month, the Department of Transportation shall allot to the several counties their share of the amount apportioned for the use of road districts. The allotment shall be apportioned among the several counties in the State in the proportion which the total mileage of township or district roads in the respective counties bears to the total mileage of all township and district roads in the State. Funds allotted to the respective counties for the use of road districts therein shall be allocated to the several road districts in the county in the proportion which the total mileage of such township or district roads in the respective road districts bears to the total mileage of all such township or district roads in the county. After July 1 of any year, no allocation shall be made for any road district unless it levied a tax for road and bridge purposes in an amount which will require the extension of such tax against the taxable property in any such road district at a rate of not less than

New matter indicated by italics - deletions by strikeout
either .08% of the value thereof, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less. If any road district has levied a special tax for road purposes pursuant to Sections 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such tax was levied in an amount which would require extension at a rate of not less than .08% of the value of the taxable property thereof, as equalized or assessed by the Department of Revenue, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such levy shall, however, be deemed a proper compliance with this Section and shall qualify such road district for an allotment under this Section. If a township has transferred to the road and bridge fund money which, when added to the amount of any tax levy of the road district would be the equivalent of a tax levy requiring extension at a rate of at least .08%, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such transfer, together with any such tax levy, shall be deemed a proper compliance with this Section and shall qualify the road district for an allotment under this Section.

In counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law, road districts may retain their entitlement to a motor fuel tax allotment if, at the time the property tax extension limitation was imposed, the road district was levying a road and bridge tax at a rate sufficient to entitle it to a motor fuel tax allotment and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. Any road district may in all circumstances retain its entitlement to a motor fuel tax allotment if it levied a road and bridge tax in an amount that will require the extension of the tax against the taxable property in the road district at a rate of not less than 0.08% of the assessed value of the property, based upon the assessment for the year immediately preceding the year in which the tax was levied and as equalized by the Department of Revenue or, in

New matter indicated by italics - deletions by strikeout
DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less.

As used in this Section the term "road district" means any road district, including a county unit road district, provided for by the Illinois Highway Code; and the term "township or district road" means any road in the township and district road system as defined in the Illinois Highway Code. For the purposes of this Section, "road district" also includes park districts, forest preserve districts and conservation districts organized under Illinois law and "township or district road" also includes such roads as are maintained by park districts, forest preserve districts and conservation districts. The Department of Transportation shall determine the mileage of all township and district roads for the purposes of making allotments and allocations of motor fuel tax funds for use in road districts.

Payment of motor fuel tax moneys to municipalities and counties shall be made as soon as possible after the allotment is made. The treasurer of the municipality or county may invest these funds until their use is required and the interest earned by these investments shall be limited to the same uses as the principal funds.

(Source: P.A. 92-16, eff. 6-28-01; 92-30, eff. 7-1-01; 93-32, eff. 6-20-03; 93-839, eff. 7-30-04.)

Section 5-70. The Illinois Pension Code is amended by changing Sections 2-124, 14-108.6, 14-131, 15-155, 16-158, and 18-131 as follows:

(40 ILCS 5/2-124) (from Ch. 108 1/2, par. 2-124)
Sec. 2-124. Contributions by State.
(a) The State shall make contributions to the System by appropriations of amounts which, together with the contributions of participants, interest earned on investments, and other income will meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

(b) The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the prescribed rate of interest, using the formula in subsection (c).
(c) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $4,157,000.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $5,220,300.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the

New matter indicated by italics - deletions by strikeout
"required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 2-134, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/14-108.6)
Sec. 14-108.6. Alternative retirement cancellation payment.
(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this System who, as of June 1, 2006 July 1, 2005, was (i) in active payroll status as an employee in a position listed in subsection (b) of this Section and continuously employed in a position listed in subsection (b) on and after January 1, 2006 2005 and (ii) an active contributor to this System with respect to that employment;

New matter indicated by italics - deletions by strikeout
(2) have not previously received any retirement annuity under this Article;

(3) in the case of persons employed in a position title listed under paragraph (1) of subsection (b), be among the first 500 persons to file with the Board on or before August 31, 2006 September 30, 2005 a written application requesting the alternative retirement cancellation payment provided in this Section;

(4) in the case of persons employed in a position title listed under paragraph (2) of subsection (b), have received written authorization from the director or other head of his or her department and filed that authorization with the system on or before August 1, 2006 September 1, 2005;

(5) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(6) terminate employment under this Article within one month after approval of the person's application requesting the alternative retirement cancellation payment, but in no event later than September 30, 2006 October 31, 2005.

(b)(1) Position titles eligible for the alternative retirement cancellation payment provided in this Section are:

911 Analyst III; Brickmason; Account Clerk I and II; Budget Analyst I and II; Account Technician I and II; Budget Operations Director; Accountant; Budget Principal; Accountant Advanced; Building Services Worker; Accountant Supervisor; Building/Grounds Laborer; Accounting Fiscal Administrative Career Trainee; Building/Grounds Lead I and 2; Accounts Payable Processing Analyst; Building/Grounds Maintenance Worker; Accounts Payable Specialist; Building/Grounds Supervisor; Accounts Processing Analyst; Bureau Chief; Actuarial Assistant; Business Administrative Specialist; Administrative and Technology Director; Business Analyst I through IV; Administrative Assistant I through III; Business Manager;

New matter indicated by italics - deletions by strikeout
Administrative Clerk; Buyer; Administrative Coordinator; Buyer Assistant; Administrator; Capital Budget Analyst I and II; Administrator of Capital Programs; Capital Budget Director; Administrator of Construction Administration; Capital Programs Analyst I and II; Administrator of Contract Administration; Capital Programs Technician; Administrator of Fair Employment Practices; Carpenter; Administrator of Fiscal; Carpenter Foreman; Administrator of Information Management; Cartographer I through III; Administrator of Information Systems; Chief - Police; Administrator of Personnel; Chief Veterans Technician; Administrator of Professional Services; Circuit Provisioning Specialist; Administrator of Public Affairs; Civil Engineer IV I through IX; Administrator of Quality-Based Selection; Civil Engineer Trainee; Administrator of Strategic Planning and Training; Clerical Trainee; Appeals & Orders Coordinator; Communications Director; Appraisal Specialist 1 through 3; Community Planner 3; Assignment Coordinator; Commander; Assistant Art-in-Architecture Coordinator; Compliance Specialist; Assistant Chief - Police; Conservation Education Representative; Assistant Internal Auditor; Conservation Grant Administrator 1 through 3; Assistant Manager; Construction Supervisor I and II; Assistant Personnel Officer; Consumer Policy Analyst; Assistant Professor Scientist; Consumer Program Coordinator; Assistant Reimbursement Officer; Contract Executive; Assistant Steward; Coordinator of Administrative Services; Associate Director for Administrative Services; Coordinator of Art-in-Architecture; Associate Museum Director; Corrections Clerk I through III; Associate Professor Scientist; Corrections Maintenance Supervisor; Corrections Caseworker Supervisor; Corrections Food Service Supervisor; Auto Parts Warehouse Specialist; Corrections Maintenance Worker; Auto Parts Warehouser; Curator I through III; Automotive Attendant I and II; Data Processing Administrative Specialist; Automotive Mechanic; Data Processing Assistant; Automotive Shop Supervisor; Data Processing Operator; Baker;

New matter indicated by italics - deletions by strikeout
Data Processing Specialist; Barber; Data Processing Supervisor 1 through 3; Beautician; Data Processing Technician; Brickmason; Deputy Chief Counsel; Director of Licensing; Desktop Technician; Director of Security; Human Resources Officer; Division Chief; Human Resources Representative; Division Director; Human Resources Specialist; Economic Analyst I through IV; Human Resources Trainee; Electrical Engineer; Human Services Casework Manager; Electrical Engineer I through V; Human Services Grant Coordinator 2 and 3; Electrical Equipment Installer/Repairer; Iconographer; Electrical Equipment Installer/Repairer Lead Worker; Industry and Commercial Development Representative 1 and 2; Electrician; Industry Services Consultant 1 and 2; Electronics Technician; Information Services Intern; Elevator Operator; Information Services Specialist I and II; Endangered Species Secretary; Information Systems Analyst I through III; Engineering Aide; Information Systems Manager; Engineering Analyst I through IV; Information Systems Planner; Engineering Manager I and II; Institutional Maintenance Worker; Engineering Technician I through V; Instrument Designer; Environmental Scientist I and II; Insurance Analyst I through IV; Executive I through VI; Executive Assistant; Intermittent Clerk; Executive Assistant I through IV; Intermittent Laborer Maintenance; Executive Secretary 1 through 3; Intern; Federal Funding and Public Safety Director; Internal Auditor 1; Financial & Budget Assistant; Internal Communications Officer; Financial & Budget Supervisor; International Marketing Representative 1; Financial Management Director; IT Manager; Fiscal Executive; Janitor I and II; Fiscal Officer; Junior State Veterinarian; Gas Engineer I through IV; Junior Supervisor Scientist; General Counsel and Regulatory Director; Laboratory Manager II; General Services Administrator I; Labor Maintenance Lead Worker; General Services Technician; Laborer; Geographic Information Specialist 1 and 2; Laborer (Building); Geologist I through IV; Laborer (Maintenance); Graphic Arts Design Supervisor; Landscape Architect; Graphic

New matter indicated by italics - deletions by strikeout
Arts Designer; Landscape Architect I through IV; Graphic Arts Technician; Landscape Planner; Grounds Supervisor; Laundry Manager I; Highway Construction Supervisor I; Legislative Liaison I and II; Historical Research Editor 2; Liability Claims Adjuster 1 and 2; Historical Research Specialist; Librarian 1 and 2; Horse Custodian; Library Aide I through III; Horse Identifier; Library Associate; Hourly Assistant; Library Technical Assistant; Human Resource Coordinator; Licensing Assistant; Human Resources Analyst; Line Technician I through II; Human Resources Assistant; Local History Service Representative; Human Resources Associate; Local Housing Advisor 2 and 3; Human Resources Manager; Local Revenue and Fiscal Advisor 3; Machinist; Locksmith; Maintenance Equipment Operator; Operations Communications Specialist Trainee; Maintenance Worker; Operations Technician; Maintenance Worker Power Plant; Painter; Management Information Technician; Paralegal Assistant; Management Operations Analyst 1 and 2; Performance Management Analyst; Management Secretary I; Personnel Manager; Management Systems Specialist; Photogrammetrist I through IV; Management Technician I through IV; Physician; Manager; Physician Specialist Operations A through D; Manpower Planner 1 through 3; Planning Director; Medical Administrator III and V; Plant Maintenance Engineer 1 and 2; Methods & Processes Advisor 1, 2 and III; Plumber; Methods & Processes Career Associate 1 and 2; Policy Advisor; Microfilm Operator I through III; Policy Analyst I through IV; Military Administrative Assistant I; Power Shovel Operator (Maintenance); Military Administrative Clerk; Principal Economist; Military Administrative Officer-Legal; Principal Scientist; Military Administrative Specialist; Private Secretary 1 and 2; Military Community Relations Specialist; Private Secretary I and II; Military Cooperative Agreement Specialist; Procurement Representative; Military Crash, Fire, Rescue I through III; Professor & Scientist; Military Energy Manager; Program Manager; Military Engineer Technician;

New matter indicated by italics - deletions by strikeout
Program Specialist; Military Environmental Specialist I through III; Project Coordinator; Military Facilities Engineer; Project Designer; Military Facilities Officer I; Project Manager I through III; Military Maintenance Engineer; Project Manager; Military Museum Director; Project Manager/Technical Specialist I thru III; Military Program Supervisor; Project Specialist I through IV; Military Property Custodian II; Projects Director; Military Real Property Clerk; Property & Supply Clerk I through III; Motorist Assistance Specialist; Property Control Officer; Museum Director; Public Administration Intern; Museum Security Head I through III; Public Information Coordinator; Museum Technician I through III; Public Information Officer; Network Control Center Specialist; Public Information Officer 2 through 4; Network Control Center Technician 2; Public Service Administrator; Network Engineer I through IV; Race Track Maintenance 1 and 2; Office Administration Specialist; Radio Technician Program Coordinator; Office Administrator 1 through 5; Realty Specialist I through V; Office Aide; Receptionist; Office Assistant; Regional Manager; Office Associate; Regulatory Accountant IV; Office Clerk; Reimbursement Officer I and 2; Office Coordinator; Representative I and II; Office Manager; Representative Trainee; Office Occupations Trainee; School Construction Manager; Office Specialist; Secretary I and IV; Operations Communications Specialist I and II; Security Guard; Senior Economic Analyst; Security Supervisor; Senior Editor; Systems Developer I through IV; Senior Electrical Engineer; Systems Developer Trainee; Senior Financial & Budget Assistant; Systems Engineer I through IV; Senior Gas Engineer; Systems Engineer Trainee; Senior Policy Analyst; Tariff & Order Coordinator; Senior Programs Analyst; Tariff Administrator III; Senior Project Consultant; Tariff Analyst IV; Senior Project Manager; Teacher of Barbering; Senior Public Information Officer; Teacher of Beauty Culture; Senior Public Service Administrator; Technical Advisor 2 and 3; Senior Rate Analyst; Technical Advisor I through VII; Senior Technical

New matter indicated by italics - deletions by strikeout
Assistant; Technical Analyst; Technical Manager VII through IX; Senior Technical Supervisor; Technical Assistant; Senior Technology Specialist; Technical Manager I; Senior Transportation Industry Analyst; Technical Manager I through X; Sewage Plant Operator; Technical Specialist; Sign Hanger; Technical Support Specialist; Sign Hanger Foreman; Technical Specialist I thru III; Sign Painter; Technician Trainee; Sign Shop Foreman; Telecom Systems Analyst; Silk Screen Operator; Telecom Systems Consultant; Senior Administrative Assistant; Telecom Systems Technician 1 and 2; Site Superintendent; Telecommunication Supervisor; Software Architect; Tinsmith; Special Assistant; Trades Tender; Special Assistant to the Executive Director; Training Coordinator; Staff Development Specialist I; Transportation Counsel; Staff Development Technician II; Transportation Industry Analyst III; State Police Captain; Transportation Industry Customer Service; State Police Lieutenant; Transportation Officer; State Police Major; Transportation Policy Analyst III and IV; State Police Master Sergeant; Urban Planner I through VI; Stationary Engineer; Utility Engineer I and II; Stationary Engineer Assistant Chief; Veteran Secretary; Stationary Engineer Chief; Veteran Technician; Stationary Fireman; Water Engineer I through IV; Statistical Research Specialist I through 3; Water Plant Operator; Statistical Research Supervisor; Web and Publications Manager; Statistical Research Technician; Steamfitter; Steward; Steward Secretary; Storekeeper I through III; Stores Clerk; Student Intern; Student Worker; Supervisor; Supervisor & Assistant Scientist; Supervisor & Associate Scientist; Switchboard Operator 1 through 3; Administrative Assistant to the Superintendent; Assistant Legal Advisor; Legal Assistant; Senior Human Resources Specialist; Principal Internal Auditor; Division Administrator; Division Supervisor; and Private Secretary I through III; Actuary I through 3; Agriculture Marketing Reporter; Apiary Inspector; App/Dry Goods Specialist I through III; Appraisal Specialist Trainer;

New matter indicated by italics - deletions by strikeout
Check Issuance Machine Operator; Check Issuance Machine Supervisor; Corrections Leisure Activity Specialist 2 through 4; Corrections Supply Supervisor I through III; Guard 1 through 3; Guard Supervisor; Information Tech/Com System Specialist 1 and 2; Police Officer I and II; Property & Supply Clerk I through III; Reproductive Services Supervisor 1; Reproductive Services Tech 1 through 3; Security Guard 1; Security Officer; Security Officer Chief; Security Officer Lieutenant; Security Officer Sgt; and Volunteer Services Coordinator I through III.

(2) In addition, any position titles with the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, the Attorney General, the Secretary of State, the Comptroller, the Treasurer, the Auditor General, the Supreme Court, the Court of Claims, and each legislative agency are eligible for the alternative retirement cancellation payment provided in this Section.

(c) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the System (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) as of the date of termination, with regular interest, multiplied by 2.

(d) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the System are terminated for all purposes, except for the purpose of determining State

New matter indicated by italics - deletions by strikeout
group life and health benefits for the person and his or her survivors as provided under the State Employees Group Insurance Act of 1971.

(e) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the System to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(f) Notwithstanding Section 14-111, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article other than as a temporary employee must repay to the System the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions within 60 days of resuming employment under this System. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable in accordance with Section 14-130.

(g) The Commission on Government Forecasting and Accountability shall determine and report to the Governor and the General Assembly, on or before January 1, 2008, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early termination of persons receiving the alternative retirement cancellation payment under this Section and (2) the net annual savings or cost to the State from the program of alternative retirement cancellation payments under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget, and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its report under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive alternative retirement
cancellation payments under this Section, (2) the earnings of current
department employees holding the positions vacated by persons who
elected to receive alternative retirement cancellation payments under this
Section, and (3) positions vacated by persons who elected to receive
alternative retirement cancellation payments under this Section that have
not yet been refilled.
(Source: P.A. 94-109, eff. 7-1-05.)

(40 ILCS 5/14-131) (from Ch. 108 1/2, par. 14-131)
Sec. 14-131. Contributions by State.
(a) The State shall make contributions to the System by
appropriations of amounts which, together with other employer
contributions from trust, federal, and other funds, employee contributions,
investment income, and other income, will be sufficient to meet the cost of
maintaining and administering the System on a 90% funded basis in
accordance with actuarial recommendations.
For the purposes of this Section and Section 14-135.08, references
to State contributions refer only to employer contributions and do not
include employee contributions that are picked up or otherwise paid by the
State or a department on behalf of the employee.
(b) The Board shall determine the total amount of State
contributions required for each fiscal year on the basis of the actuarial
tables and other assumptions adopted by the Board, using the formula in
subsection (e).

The Board shall also determine a State contribution rate for each
fiscal year, expressed as a percentage of payroll, based on the total
required State contribution for that fiscal year (less the amount received by
the System from appropriations under Section 8.12 of the State Finance
Act and Section 1 of the State Pension Funds Continuing Appropriation
Act, if any, for the fiscal year ending on the June 30 immediately
preceding the applicable November 15 certification deadline), the
estimated payroll (including all forms of compensation) for personal
services rendered by eligible employees, and the recommendations of the
actuary.
For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.

(e) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the

New matter indicated by italics - deletions by strikeout
System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is $203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is $344,164,400.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.
Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.
(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 62-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05.)

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

Sec. 15-155. Employer contributions.

(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).
(a-1) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section. Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $252,064,100.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the

New matter indicated by italics - deletions by strikeout
"required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article

New matter indicated by italics - deletions by strikeout
and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses

New matter indicated by italics - deletions by strikeout
of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings exceeds the amount of his or her earnings with the same employer for the previous academic year by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The employer contributions required under this subsection (g) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the participant begins receiving benefits under this Article.

The provisions of this subsection (g) do not apply to earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).
(a-1) Annually, on or before November 15, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouched under this subsection, the difference shall be paid from the Common School Fund under the

New matter indicated by italics - deletions by strikeout
continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required

New matter indicated by italics - deletions by strikeout
State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on
the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

New matter indicated by italics - deletions by strikeout
(1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.

(2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

New matter indicated by italics - deletions by strikeout
(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the amount of his or her salary with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The employer contributions required under this subsection (f) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the teacher begins receiving benefits under this Article.

The provisions of this subsection (f) do not apply to salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05.)

(40 ILCS 5/18-131) (from Ch. 108 1/2, par. 18-131)
Sec. 18-131. Financing; employer contributions.

(a) The State of Illinois shall make contributions to this System by appropriations of the amounts which, together with the contributions of participants, net earnings on investments, and other income, will meet the costs of maintaining and administering this System on a 90% funded basis in accordance with actuarial recommendations.

(b) The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the prescribed rate of interest, using the formula in subsection (c).

(c) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these
determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $29,189,400.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $35,236,800.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and...
each fiscal year thereafter, as calculated under this Section and certified under Section 18-140, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

Section 5-71. The State Pension Funds Continuing Appropriation Act is amended by adding Section 1.7 as follows:

(40 ILCS 15/1.7 new)

Sec. 1.7. Appropriations from the Pension Stabilization Fund.
(a) All of the moneys deposited from time to time into the Pension Stabilization Fund are hereby appropriated, on a continuing basis, to the State Comptroller for the purpose of making distributions to the designated retirement systems as provided in Section 25 of the Budget Stabilization Act.

(b) The appropriations made under this Section are in addition to, and do not affect, the amounts subject to appropriation under any other Section of this Act.

Section 5-72. The Regional Transportation Authority Act is amended by changing Section 4.13 as follows:

(70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

New matter indicated by italics - deletions by strikeout
Sec. 4.13. Annual Capital Improvement Plan.
(a) With respect to each calendar year, the Authority shall prepare as part of its Five Year Program an Annual Capital Improvement Plan (the "Plan") which shall describe its intended development and implementation of the Strategic Capital Improvement Program. The Plan shall include the following information:

(i) a list of projects for which approval is sought from the Governor, with a description of each project stating at a minimum the project cost, its category, its location and the entity responsible for its implementation;

(ii) a certification by the Authority that the Authority and the Service Boards have applied for all grants, loans and other moneys made available by the federal government or the State of Illinois during the preceding federal and State fiscal years for financing its capital development activities;

(iii) a certification that, as of September 30 of the preceding calendar year or any later date, the balance of all federal capital grant funds and all other funds to be used as matching funds therefor which were committed to or possessed by the Authority or a Service Board but which had not been obligated was less than $350,000,000, or a greater amount as authorized in writing by the Governor (for purposes of this subsection (a), "obligated" means committed to be paid by the Authority or a Service Board under a contract with a nongovernmental entity in connection with the performance of a project or committed under a force account plan approved by the federal government);

(iv) a certification that the Authority has adopted a balanced budget with respect to such calendar year under Section 4.01 of this Act;

(v) a schedule of all bonds or notes previously issued for Strategic Capital Improvement Projects and all debt service payments to be made with respect to all such bonds and the estimated additional debt service payments through June 30 of the

New matter indicated by italics - deletions by strikeout
following calendar year expected to result from bonds to be sold prior thereto;

(vi) a long-range summary of the Strategic Capital Improvement Program describing the projects to be funded through the Program with respect to project cost, category, location, and implementing entity, and presenting a financial plan including an estimated time schedule for obligating funds for the performance of approved projects, issuing bonds, expending bond proceeds and paying debt service throughout the duration of the Program; and

(vii) the source of funding for each project in the Plan. For any project for which full funding has not yet been secured and which is not subject to a federal full funding contract, the Authority must identify alternative, dedicated funding sources available to complete the project. The Governor may waive this requirement on a project by project basis.

(b) The Authority shall submit the Plan with respect to any calendar year to the Governor on or before January 15 of that year, or as soon as possible thereafter; provided, however, that the Plan shall be adopted on the affirmative votes of 9 of the then Directors. The Plan may be revised or amended at any time, but any revision in the projects approved shall require the Governor's approval.

(c) The Authority shall seek approval from the Governor only through the Plan or an amendment thereto. The Authority shall not request approval of the Plan from the Governor in any calendar year in which it is unable to make the certifications required under items (ii), (iii) and (iv) of subsection (a). In no event shall the Authority seek approval of the Plan from the Governor for projects in an aggregate amount exceeding the proceeds of authorization for bonds or notes for Strategic Capital Improvement Projects issued under Section 4.04 of this Act.

(d) The Governor may approve the Plan for which approval is requested. The Governor's approval is limited to the amount of the project cost stated in the Plan. The Governor shall not approve the Plan in a calendar year if the Authority is unable to make the certifications required under items (ii), (iii) and (iv) of subsection (a). In no event shall the
Governor approve the Plan for projects in an aggregate amount exceeding the proceeds of authorization for bonds or notes for Strategic Capital Improvement Projects issued under Section 4.04 of this Act.

(e) With respect to capital improvements, only those capital improvements which are in a Plan approved by the Governor shall be financed with the proceeds of bonds or notes issued for Strategic Capital Improvement Projects.

(f) Before the Authority or a Service Board obligates any funds for a project for which the Authority or Service Board intends to use the proceeds of bonds or notes for Strategic Capital Improvement Projects, but which project is not included in an approved Plan, the Authority must notify the Governor of the intended obligation. No project costs incurred prior to approval of the Plan including that project may be paid from the proceeds of bonds or notes for Strategic Capital Improvement Projects issued under Section 4.04 of this Act.

(Source: P.A. 91-37, eff. 7-1-99.)

Section 5-73. The School Code is amended by changing Section 3-12 as follows:

(105 ILCS 5/3-12) (from Ch. 122, par. 3-12)
Sec. 3-12. Institute fund.

(a) All certificate registration fees and a portion of renewal and duplicate fees shall be kept by the regional superintendent as described in Section 21-16 of this Code, together with a record of the names of the persons paying them. Such fees shall be deposited into the institute fund and shall be used by the regional superintendent to defray expenses associated with the work of the regional professional development review committees established pursuant to paragraph (2) of subsection (g) of Section 21-14 of this Code to advise the regional superintendent, upon his or her request, and to hear appeals relating to the renewal of teaching certificates, in accordance with Section 21-14 of this Code; to defray expenses connected with improving the technology necessary for the efficient processing of certificates; to defray expenses incidental to teachers' institutes, workshops or meetings of a professional nature that are designed to promote the professional growth of teachers or for the purpose

New matter indicated by italics - deletions by strikeout
of defraying the expense of any general or special meeting of teachers or school personnel of the region, which has been approved by the regional superintendent.

(b) *In addition to the use of moneys in the institute fund to defray expenses under subsection (a) of this Section, the State Superintendent of Education, as authorized under Section 2-3.105 of this Code, shall use moneys in the institute fund to defray all costs associated with the administration of teaching certificates within a city having a population exceeding 500,000.*

(c) The regional superintendent shall on or before January 1 of each year publish in a newspaper of general circulation published in the region or shall post in each school building under his jurisdiction an accounting of (1) the balance on hand in the Institute fund at the beginning of the previous year; (2) all receipts within the previous year deposited in the fund, with the sources from which they were derived; (3) the amount distributed from the fund and the purposes for which such distributions were made; and (4) the balance on hand in the fund.

(Source: P.A. 91-102, eff. 7-12-99.)

Section 5-75. The Riverboat Gambling Act is amended by changing Section 13 as follows:

(230 ILCS 10/13) (from Ch. 120, par. 2413)

Sec. 13. Wagering tax; rate; distribution.

(a) *Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.*

(a-1) From January 1, 1998 until July 1, 2002, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including $25,000,000;
- 20% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;

New matter indicated by italics - deletions by strikeout
25% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
30% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
35% of annual adjusted gross receipts in excess of $100,000,000.
(a-2) From July 1, 2002 until July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;
22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
50% of annual adjusted gross receipts in excess of $200,000,000.
(a-3) Beginning July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;

New matter indicated by italics - deletions by strikeout
27.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $37,500,000;
32.5% of annual adjusted gross receipts in excess of $37,500,000 but not exceeding $50,000,000;
37.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
45% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
50% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $250,000,000;
70% of annual adjusted gross receipts in excess of $250,000,000.

An amount equal to the amount of wagering taxes collected under this subsection (a-3) that are in addition to the amount of wagering taxes that would have been collected if the wagering tax rates under subsection (a-2) were in effect shall be paid into the Common School Fund.

The privilege tax imposed under this subsection (a-3) shall no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this subsection (a-3), the term "dormant license" means an owners license that is authorized by this Act under which no riverboat gambling operations are being conducted on June 20, 2003.

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including $25,000,000;

New matter indicated by italics - deletions by strikeout
22.5% of annual adjusted gross receipts in excess of $25,000,000 but not exceeding $50,000,000;
27.5% of annual adjusted gross receipts in excess of $50,000,000 but not exceeding $75,000,000;
32.5% of annual adjusted gross receipts in excess of $75,000,000 but not exceeding $100,000,000;
37.5% of annual adjusted gross receipts in excess of $100,000,000 but not exceeding $150,000,000;
45% of annual adjusted gross receipts in excess of $150,000,000 but not exceeding $200,000,000;
50% of annual adjusted gross receipts in excess of $200,000,000.

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner to the Board not later than 3:00 o'clock p.m. of the day after the day when the wagers were made.

(a-15) If the privilege tax imposed under subsection (a-3) is no longer imposed pursuant to item (i) of the last paragraph of subsection (a-3), then by June 15 of each year, each owners licensee, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the payment of all amounts otherwise due under this Section, pay to the Board a reconciliation payment in the amount, if any, by which the licensed owner's base amount for the licensed owner exceeds the amount of net privilege tax paid under this Section by the licensed owner to the Board in the then current State fiscal year. A licensed owner's net privilege tax obligation due for the balance of the State fiscal year shall be reduced up to the total of the amount paid by the licensed owner in its June 15 reconciliation payment. The obligation imposed by this subsection (a-15) is binding on any person, firm, corporation, or other entity that acquires an ownership interest in any such owners license. The obligation imposed under this subsection (a-15) terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the

New matter indicated by italics - deletions by strikeout
effective date of this amendatory Act of the 94th General Assembly that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming operations with slot machines or other electronic gaming devices. The Board must reduce the obligation imposed under this subsection (a-15) by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous threat to the health and safety of patrons. If an owners licensee pays an amount in excess of its liability under this Section, the Board shall apply the overpayment to future payments required under this Section.

For purposes of this subsection (a-15):

"Act of God" means an incident caused by the operation of an extraordinary force that cannot be foreseen, that cannot be avoided by the exercise of due care, and for which no person can be held liable.

"Base amount" means the following:

For a riverboat in Alton, $31,000,000.
For a riverboat in East Peoria, $43,000,000.
For the Empress riverboat in Joliet, $86,000,000.
For a riverboat in Metropolis, $45,000,000.
For the Harrah's riverboat in Joliet, $114,000,000.
For a riverboat in Aurora, $86,000,000.
For a riverboat in East St. Louis, $48,500,000.
For a riverboat in Elgin, $198,000,000.

"Dormant license" has the meaning ascribed to it in subsection (a-3).
"Net privilege tax" means all privilege taxes paid by a licensed owner to the Board under this Section, less all payments made from the State Gaming Fund pursuant to subsection (b) of this Section.

The changes made to this subsection (a-15) by this amendatory Act of the 94th General Assembly are intended to restate and clarify the intent of Public Act 94-673 with respect to the amount of the payments required to be made under this subsection by an owners licensee to the Board.

(b) Until January 1, 1998, 25% of the tax revenue deposited in the State Gaming Fund under this Section shall be paid, subject to appropriation by the General Assembly, to the unit of local government which is designated as the home dock of the riverboat. Beginning January 1, 1998, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated by a riverboat shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat. From the tax revenue deposited in the State Gaming Fund pursuant to riverboat gambling operations conducted by a licensed manager on behalf of the State, an amount equal to 5% of adjusted gross receipts generated pursuant to those riverboat gambling operations shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat upon which those riverboat gambling operations are conducted.

(c) Appropriations, as approved by the General Assembly, may be made from the State Gaming Fund to the Department of Revenue and the Department of State Police for the administration and enforcement of this Act, or to the Department of Human Services for the administration of programs to treat problem gambling.

(c-5) After the payments required under subsections (b) and (c) have been made, an amount equal to 15% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf
of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund into the Horse Racing Equity Fund.

(c-10) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid into the Horse Racing Equity Fund pursuant to subsection (c-5) in the prior calendar year.

(c-15) After the payments required under subsections (b), (c), and (c-5) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population of over 3,000,000 inhabitants pursuant to subsection (c-15) in the prior calendar year.

(c-25) After the payments required under subsections (b), (c), (c-5) and (c-15) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund to Chicago State University.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

New matter indicated by italics - deletions by strikeout
(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.

(Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673, eff. 8-23-05.)

Section 5-77. The Illinois Public Aid Code is amended by changing Section 5A-8 as follows:

(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)
Sec. 5A-8. Hospital Provider Fund.
(a) There is created in the State Treasury the Hospital Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law:

(1) For making payments to hospitals as required under Articles V, VI, and XIV of this Code and under the Children's Health Insurance Program Act.

(2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Article and Article V of this Code.

(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing the activities authorized by this Article.

New matter indicated by italics - deletions by strikeout
(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Hospital Provider Fund.

(7) For State fiscal years 2004 and 2005 for making transfers to the Health and Human Services Medicaid Trust Fund, including 20% of the moneys received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6. For State fiscal years 2006, 2007 and 2008 for making transfers to the Health and Human Services Medicaid Trust Fund of up to $130,000,000 per year of the moneys received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6. Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(7.5) For State fiscal years 2007 and 2008 for making transfers of the moneys received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6 to the designated funds not exceeding the following amounts in any State fiscal year:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Human Services</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Medicaid Trust Fund</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$80,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(8) For making refunds to hospital providers pursuant to Section 5A-10.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Moneys transferred from another fund in the State treasury.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank).

(Source: P.A. 93-659, eff. 2-3-04; 94-242, eff. 7-18-05.)

Section 5-78. The Illinois Affordable Housing Act is amended by changing Section 8 as follows:

(310 ILCS 65/8) (from Ch. 67 1/2, par. 1258)
Sec. 8. Uses of Trust Fund.

(a) Subject to annual appropriation to the Funding Agent and subject to the prior dedication, allocation, transfer and use of Trust Fund Moneys as provided in Sections 8(b), 8(c) and 9 of this Act, the Trust Fund may be used to make grants, mortgages, or other loans to acquire, construct, rehabilitate, develop, operate, insure, and retain affordable single-family and multi-family housing in this State for low-income and
very low-income households. The majority of monies appropriated to the Trust Fund in any given year are to be used for affordable housing for very low-income households. For the fiscal year beginning July 1, 2006 only, the Department of Human Services is authorized to receive appropriations and spend moneys from the Illinois Affordable Housing Trust Fund for the purpose of developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income, very low-income, and special needs households in the State of Illinois.

(b) For each fiscal year commencing with fiscal year 1994, the Program Administrator shall certify from time to time to the Funding Agent, the Comptroller and the State Treasurer amounts, up to an aggregate in any fiscal year of $10,000,000, of Trust Fund Moneys expected to be used or pledged by the Program Administrator during the fiscal year for the purposes and uses specified in Sections 8(c) and 9 of this Act. Subject to annual appropriation, upon receipt of such certification, the Funding Agent and the Comptroller shall dedicate and the State Treasurer shall transfer not less often than monthly to the Program Administrator or its designated payee, without requisition or further request therefor, all amounts accumulated in the Trust Fund within the State Treasury and not already transferred to the Loan Commitment Account prior to the Funding Agent's receipt of such certification, until the Program Administrator has received the aggregate amount certified by the Program Administrator, to be used solely for the purposes and uses authorized and provided in Sections 8(c) and 9 of this Act. Neither the Comptroller nor the Treasurer shall transfer, dedicate or allocate any of the Trust Fund Moneys transferred or certified for transfer by the Program Administrator as provided above to any other fund, nor shall the Governor authorize any such transfer, dedication or allocation, nor shall any of the Trust Fund Moneys so dedicated, allocated or transferred be used, temporarily or otherwise, for interfund borrowing, or be otherwise used or appropriated, except as expressly authorized and provided in Sections 8(c) and 9 of this Act for the purposes and subject to the priorities, limitations and conditions provided for therein until such obligations, uses and dedications as therein provided, have been satisfied.

New matter indicated by italics - deletions by strikeout
(c) Notwithstanding Section 5(b) of this Act, any Trust Fund Moneys transferred to the Program Administrator pursuant to Section 8(b) of this Act, or otherwise obtained, paid to or held by or for the Program Administrator, or pledged pursuant to resolution of the Program Administrator, for Affordable Housing Program Trust Fund Bonds or Notes under the Illinois Housing Development Act, and all proceeds, payments and receipts from investments or use of such moneys, including any residual or additional funds or moneys generated or obtained in connection with any of the foregoing, may be held, pledged, applied or dedicated by the Program Administrator as follows:

(1) as required by the terms of any pledge of or resolution of the Program Administrator authorized under Section 9 of this Act in connection with Affordable Housing Program Trust Fund Bonds or Notes issued pursuant to the Illinois Housing Development Act;

(2) to or for costs of issuance and administration and the payments of any principal, interest, premium or other amounts or expenses incurred or accrued in connection with Affordable Housing Program Trust Fund Bonds or Notes, including rate protection contracts and credit support arrangements pertaining thereto, and, provided such expenses, fees and charges are obligations, whether recourse or nonrecourse, and whether financed with or paid from the proceeds of Affordable Housing Program Trust Fund Bonds or Notes, of the developers, mortgagors or other users, the Program Administrator's expenses and servicing, administration and origination fees and charges in connection with any loans, mortgages, or developments funded or financed or expected to be funded or financed, in whole or in part, from the issuance of Affordable Housing Program Trust Fund Bonds or Notes;

(3) to or for costs of issuance and administration and the payments of principal, interest, premium, loan fees, and other amounts or other obligations of the Program Administrator, including rate protection contracts and credit support arrangements.
pertaining thereto, for loans, commercial paper or other notes or bonds issued by the Program Administrator pursuant to the Illinois Housing Development Act, provided that the proceeds of such loans, commercial paper or other notes or bonds are paid or expended in connection with, or refund or repay, loans, commercial paper or other notes or bonds issued or made in connection with bridge loans or loans for the construction, renovation, redevelopment, restructuring, reorganization of Affordable Housing and related expenses, including development costs, technical assistance, or other amounts to construct, preserve, improve, renovate, rehabilitate, refinance, or assist Affordable Housing, including financially troubled Affordable Housing, including financially troubled Affordable Housing, permanent or other financing for which has been funded or financed or is expected to be funded or financed in whole or in part by the Program Administrator through the issuance of or use of proceeds from Affordable Housing Program Trust Fund Bonds or Notes;

(4) to or for direct expenditures or reimbursement for development costs, technical assistance, or other amounts to construct, preserve, improve, renovate, rehabilitate, refinance, or assist Affordable Housing, including financially troubled Affordable Housing, permanent or other financing for which has been funded or financed or is expected to be funded or financed in whole or in part by the Program Administrator through the issuance of or use of proceeds from Affordable Housing Program Trust Fund Bonds or Notes; and

(5) for deposit into any residual, sinking, reserve or revolving fund or pool established by the Program Administrator, whether or not pledged to secure Affordable Housing Program Trust Fund Bonds or Notes, to support or be utilized for the issuance, redemption, or payment of the principal, interest, premium or other amounts payable on or with respect to any existing, additional or future Affordable Housing Program Trust

New matter indicated by italics - deletions by strikeout
Fund Bonds or Notes, or to or for any other expenditure authorized by this Section 8(c).

(d) All or a portion of the Trust Fund Moneys on deposit or to be deposited in the Trust Fund not already certified for transfer or transferred to the Program Administrator pursuant to Section 8(b) of this Act may be used to secure the repayment of Affordable Housing Program Trust Fund Bonds or Notes, or otherwise to supplement or support Affordable Housing funded or financed or intended to be funded or financed, in whole or in part, by Affordable Housing Program Trust Fund Bonds or Notes.

(e) Assisted housing may include housing for special needs populations such as the homeless, single-parent families, the elderly, or the physically and mentally disabled. The Trust Fund shall be used to implement a demonstration congregate housing project for any such special needs population.

(f) Grants from the Trust Fund may include, but are not limited to, rental assistance and security deposit subsidies for low and very low-income households.

(g) The Trust Fund may be used to pay actual and reasonable costs for Commission members to attend Commission meetings, and any litigation costs and expenses, including legal fees, incurred by the Program Administrator in any litigation related to this Act or its action as Program Administrator.

(h) The Trust Fund may be used to make grants for (1) the provision of technical assistance, (2) outreach, and (3) building an organization's capacity to develop affordable housing projects.

(i) Amounts on deposit in the Trust Fund may be used to reimburse the Program Administrator and the Funding Agent for costs incurred in the performance of their duties under this Act, excluding costs and fees of the Program Administrator associated with the Program Escrow to the extent withheld pursuant to paragraph (8) of subsection (b) of Section 5.

(Source: P.A. 88-93; 89-286, eff. 8-10-95.)

Section 5-80. The Illinois Vehicle Code is amended by changing Sections 18c-1603 and 18c-1604 as follows:

(625 ILCS 5/18c-1603) (from Ch. 95 1/2, par. 18c-1603)

New matter indicated by italics - deletions by strikeout
Sec. 18c-1603. Expenditures from the Transportation Regulatory Fund. (1) Authorization of Expenditures from the Fund. Monies deposited in the Transportation Regulatory Fund shall be expended only for the administration and enforcement of this Chapter and Chapter 18a.

(2) Allocation of Expenses to the Fund. (a) Expenses Allocated Entirely to the Transportation Regulatory Fund. All expenses of the Transportation Division shall be allocated to the Transportation Regulatory Fund, provided that they were:

(i) Incurred by and for staff employed within the Transportation Division and accountable, directly or through a program director or staff supervisor, to the Transportation Division manager;

(ii) Incurred exclusively in the administration and enforcement of this Chapter and Chapter 18a; and

(iii) Authorized by the Transportation Division manager.

(b) Expenses Partially Allocated to the Transportation Regulatory Fund. A portion of expenses for the following persons and activities may be allocated to the Transportation Regulatory Fund:

(i) The Executive Director, his deputies and personal assistants, and their clerical support;

(ii) The legislative liaison activities of the Office of Legislative Affairs, its constituent elements and successors;

(iii) The activities of the Bureau of Planning and Operations on the effective date of this amendatory Act of the 94th General Assembly Administratve Services Division on the effective date of this amendatory Act of 1987, exclusive of the Chief Clerk's office;

(iv) The payroll expenses of Commissioners' assistants;

(v) The internal auditor; and

(vi) The in-state travel expenses of the Commissioners to and from the offices of the Commission; and

(vii) The Public Affairs Group, its constituent elements, and its successors.

(c) Allocation Methodology for Expenses Other Than Administrative Services Division and Commissioners' Assistants. The portion of total expenses (other than

New matter indicated by italics - deletions by strikeout
commissioners' assistants' expenses) allocated to the Transportation Regulatory Fund under paragraph (b) of this subsection shall be the lesser of: (i) The portion of staff time spent exclusively on administration and enforcement of this Chapter and Chapter 18a, as shown by a time study updated at least once each 6 months; and (ii) The percentage of total authorized Commission staff for the fiscal year which is employed in Transportation Division (based on the average for the fiscal year).

(d) (Blank). Allocation Methodology for Expenses of Administration Services Division. The portion of expenses for Administrative Services Division allocated to the Transportation Regulatory Fund under paragraph (b) of this subsection shall not exceed:

(i) The portion allocable under paragraph (c) of this subsection, for staff payroll expenses; and

(ii) The portion used exclusively in the administration and enforcement of this Chapter and Chapter 18a, for other than staff payroll expenses.

(e) Allocation methodology for Commissioners' Assistants Expenses. Five percent of the payroll expenses of commissioners' assistants may be allocated to the Transportation Regulatory Fund.

(f) Expenses not allocable to the Transportation Regulatory Fund. No expenses shall be allocated to or paid from the Transportation Regulatory Fund except as expressly authorized in paragraphs (a) through (e) of this subsection. In particular, no expenses shall be allocated to the Fund which were incurred by or in relation to the following persons and activities:

(i) Commissioners' travel, except as otherwise provided in paragraphs (b) and (c) of this subsection;

(ii) Commissioners' assistants except as otherwise provided in paragraphs (b) and (e) of this subsection;

(iii) The Policy Analysis and Research Division, its constituent elements and successors;

(iv) The Chief Clerk's office, its constituent elements and successors;

New matter indicated by italics - deletions by strikeout
(v) The Hearing Examiners Division, its constituent elements and successors, and any hearing examiners or hearings conducted, in whole or in part, outside the Transportation Division;

(vi) (Blank); The Public Affairs Group, its constituent elements and successors;

(vii) The Office of General Counsel, its constituent elements and successors, including but not limited to the Office of Public Utility Counsel and any legal staff in the office of the executive director, but not including the personal assistant serving as staff counsel to the executive director as provided in Section 18c-1204(2) and the Office of Transportation Counsel; and

(viii) Any other expenses or portion thereof not expressly authorized in this subsection to be allocated to the Fund.

The constituent elements of the foregoing shall, for purposes of this Section be their constituent elements on the effective date of this amendatory Act of 1987.

(3) (Blank). Allocation of Expenses Within the Fund. (a) Monies deposited in the Transportation Regulatory Fund shall be expended only in the regulation of that class of persons as defined in subsection (2) of Section 18c-1601 of this Chapter from or in relation to which the monies were received:

(b) Expenses incurred exclusively in relation to one class shall be allocated to that class and no other.

(c) A portion of each expense incurred in relation to more than one class may be allocated to each of the involved classes based on time study or actual use, provided that the portion allocated to any class shall not exceed the maximum specified in paragraph (d) of this subsection.

(d) Total expenses allocated to any one class under paragraph (c) of this subsection shall not exceed the amount which bears the same percentage relationship to expenses allocated to that class under paragraph (b) of this subsection ((c) divided by (b)) as total expenses allocated to all classes under paragraph (b) bear to total expenses allocated to all classes under paragraph (c) ((c) divided by (b)).

New matter indicated by italics - deletions by strikeout
(4) **Blank**. Effective Date of Section. The Commission shall have 180 calendar days from the effective date of this amendatory Act of 1987 to comply fully with this Section.

(Source: P.A. 86-1005.)

(625 ILCS 5/18c-1604) (from Ch. 95 1/2, par. 18c-1604)

Sec. 18c-1604. Annual Report of Expenditures. The Commission shall, within 60 calendar days after the end of the lapse period for each fiscal year, submit to the Governor and the General Assembly a report of the following for such fiscal year:

1. All monies deposited in the Transportation Regulatory Fund, showing the total and subtotals by class as defined in subsection (2) of Section 18c-1601 of this Chapter;
2. All expenditures from the Transportation Regulatory Fund, showing the total and the sub-totals by class as defined in subsection (2) of Section 18c-1601 of this Chapter;
3. A listing and description by function of all staff positions actually funded, in whole or in part, at any time during the fiscal year, from the Transportation Regulatory Fund; and
4. The methods used to allocate expenses between the Transportation Regulatory Fund and other funds, and between classes within the Transportation Regulatory Fund.

(Source: P.A. 85-553.)

Section 5-85. The Pretrial Services Act is amended by changing Section 33 as follows:

(725 ILCS 185/33) (from Ch. 38, par. 333)

Sec. 33. The Supreme Court shall pay from funds appropriated to it for this purpose 100% of all approved costs for pretrial services, including pretrial services officers, necessary support personnel, travel costs reasonably related to the delivery of pretrial services, space costs, equipment, telecommunications, postage, commodities, printing and contractual services. Costs shall be reimbursed monthly, based on a plan and budget approved by the Supreme Court. No department may be reimbursed for costs which exceed or are not provided for in the approved plan and budget. For State fiscal years 2004, 2005, and 2006, and 2007

New matter indicated by italics - deletions by strikeout
only, the Mandatory Arbitration Fund may be used to reimburse approved costs for pretrial services.
(Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

Section 5-90. The Unified Code of Corrections is amended by changing Sections 3-14-6 and 5-9-1.8 as follows:
(730 ILCS 5/3-14-6)
Sec. 3-14-6. Transitional jobs; pilot program. Subject to appropriations or other funding, the Department may establish a pilot program at various in 2 locations in the State to place persons discharged from a Department facility on parole or mandatory supervised release in jobs or otherwise establish a connection between such persons and the workforce. One such location must be at Waukegan, in Lake County. By rule, the Department shall determine the locations in which the pilot program is to be implemented and the services to be provided. In determining locations for the pilot program, however, the Department shall give priority to areas of the State in which the concentration of released offenders is the highest. The Department may consult with the Department of Human Services in establishing the pilot program.
(Source: P.A. 93-208, eff. 7-18-03.)
(730 ILCS 5/5-9-1.8)
Sec. 5-9-1.8. Child pornography fines. Beginning July 1, 2006, One hundred percent of the fines in excess of $10,000 collected for violations of Section 11-20.1 of the Criminal Code of 1961 shall be deposited into the Child Abuse Prevention Fund that is created in the State Treasury. Moneys in the Fund resulting from the fines shall be for the use of the Department of Children and Family Services for grants to private entities giving treatment and counseling to victims of child sexual abuse.
Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Child Sexual Abuse Fund into the Child Abuse Prevention Fund. Upon completion of

New matter indicated by italics - deletions by strikeout
the transfer, the Child Sexual Abuse Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of the Fund pass to the Child Abuse Prevention Fund.
(Source: P.A. 87-1070; 88-45.)

Section 5-95. The Probation and Probation Officers Act is amended by changing Sections 15 and 15.1 as follows:

(730 ILCS 110/15) (from Ch. 38, par. 204-7)
(Text of Section before amendment by P.A. 94-696)

Sec. 15. (1) The Supreme Court of Illinois may establish a Division of Probation Services whose purpose shall be the development, establishment, promulgation, and enforcement of uniform standards for probation services in this State, and to otherwise carry out the intent of this Act. The Division may:

(a) establish qualifications for chief probation officers and other probation and court services personnel as to hiring, promotion, and training.

(b) make available, on a timely basis, lists of those applicants whose qualifications meet the regulations referred to herein, including on said lists all candidates found qualified.

(c) establish a means of verifying the conditions for reimbursement under this Act and develop criteria for approved costs for reimbursement.

(d) develop standards and approve employee compensation schedules for probation and court services departments.

(e) employ sufficient personnel in the Division to carry out the functions of the Division.

(f) establish a system of training and establish standards for personnel orientation and training.

(g) develop standards for a system of record keeping for cases and programs, gather statistics, establish a system of uniform forms, and develop research for planning of Probation Services.

(h) develop standards to assure adequate support personnel, office space, equipment and supplies, travel expenses, and other

New matter indicated by italics - deletions by strikeout
essential items necessary for Probation and Court Services Departments to carry out their duties.

(i) review and approve annual plans submitted by Probation and Court Services Departments.

(j) monitor and evaluate all programs operated by Probation and Court Services Departments, and may include in the program evaluation criteria such factors as the percentage of Probation sentences for felons convicted of Probationable offenses.

(k) seek the cooperation of local and State government and private agencies to improve the quality of probation and court services.

(l) where appropriate, establish programs and corresponding standards designed to generally improve the quality of probation and court services and reduce the rate of adult or juvenile offenders committed to the Department of Corrections.

(m) establish such other standards and regulations and do all acts necessary to carry out the intent and purposes of this Act.

The Division shall establish a model list of structured intermediate sanctions that may be imposed by a probation agency for violations of terms and conditions of a sentence of probation, conditional discharge, or supervision.

The State of Illinois shall provide for the costs of personnel, travel, equipment, telecommunications, postage, commodities, printing, space, contractual services and other related costs necessary to carry out the intent of this Act.

(2) (a) The chief judge of each circuit shall provide full-time probation services for all counties within the circuit, in a manner consistent with the annual probation plan, the standards, policies, and regulations established by the Supreme Court. A probation district of two or more counties within a circuit may be created for the purposes of providing full-time probation services. Every county or group of counties within a circuit shall maintain a probation department which shall be under the authority of the Chief Judge of the circuit or some other judge designated by the Chief Judge. The Chief Judge, through the Probation and

New matter indicated by italics - deletions by strikeout
Court Services Department shall submit annual plans to the Division for probation and related services.

(b) The Chief Judge of each circuit shall appoint the Chief Probation Officer and all other probation officers for his or her circuit from lists of qualified applicants supplied by the Supreme Court. Candidates for chief managing officer and other probation officer positions must apply with both the Chief Judge of the circuit and the Supreme Court.

(3) A Probation and Court Service Department shall apply to the Supreme Court for funds for basic services, and may apply for funds for new and expanded programs or Individualized Services and Programs. Costs shall be reimbursed monthly based on a plan and budget approved by the Supreme Court. No Department may be reimbursed for costs which exceed or are not provided for in the approved annual plan and budget. After the effective date of this amendatory Act of 1985, each county must provide basic services in accordance with the annual plan and standards created by the division. No department may receive funds for new or expanded programs or individualized services and programs unless they are in compliance with standards as enumerated in paragraph (h) of subsection (1) of this Section, the annual plan, and standards for basic services.

(4) The Division shall reimburse the county or counties for probation services as follows:

(a) 100% of the salary of all chief managing officers designated as such by the Chief Judge and the division.

(b) 100% of the salary for all probation officer and supervisor positions approved for reimbursement by the division after April 1, 1984, to meet workload standards and to implement intensive sanction and probation supervision programs and other basic services as defined in this Act.

(c) 100% of the salary for all secure detention personnel and non-secure group home personnel approved for reimbursement after December 1, 1990. For all such positions approved for reimbursement before December 1, 1990, the counties shall be
reimbursed $1,250 per month beginning July 1, 1995, and an additional $250 per month beginning each July 1st thereafter until the positions receive 100% salary reimbursement. Allocation of such positions will be based on comparative need considering capacity, staff/resident ratio, physical plant and program.

(d) $1,000 per month for salaries for the remaining probation officer positions engaged in basic services and new or expanded services. All such positions shall be approved by the division in accordance with this Act and division standards.

(e) 100% of the travel expenses in accordance with Division standards for all Probation positions approved under paragraph (b) of subsection 4 of this Section.

(f) If the amount of funds reimbursed to the county under paragraphs (a) through (e) of subsection 4 of this Section on an annual basis is less than the amount the county had received during the 12 month period immediately prior to the effective date of this amendatory Act of 1985, then the Division shall reimburse the amount of the difference to the county. The effect of paragraph (b) of subsection 7 of this Section shall be considered in implementing this supplemental reimbursement provision.

(5) The Division shall provide funds beginning on April 1, 1987 for the counties to provide Individualized Services and Programs as provided in Section 16 of this Act.

(6) A Probation and Court Services Department in order to be eligible for the reimbursement must submit to the Supreme Court an application containing such information and in such a form and by such dates as the Supreme Court may require. Departments to be eligible for funding must satisfy the following conditions:

(a) The Department shall have on file with the Supreme Court an annual Probation plan for continuing, improved, and new Probation and Court Services Programs approved by the Supreme Court or its designee. This plan shall indicate the manner in which Probation and Court Services will be delivered and improved, consistent with the minimum standards and regulations for
Probation and Court Services, as established by the Supreme Court. In counties with more than one Probation and Court Services Department eligible to receive funds, all Departments within that county must submit plans which are approved by the Supreme Court.

(b) The annual probation plan shall seek to generally improve the quality of probation services and to reduce the commitment of adult and juvenile offenders to the Department of Corrections and shall require, when appropriate, coordination with the Department of Corrections and the Department of Children and Family Services in the development and use of community resources, information systems, case review and permanency planning systems to avoid the duplication of services.

(c) The Department shall be in compliance with standards developed by the Supreme Court for basic, new and expanded services, training, personnel hiring and promotion.

(d) The Department shall in its annual plan indicate the manner in which it will support the rights of crime victims and in which manner it will implement Article I, Section 8.1 of the Illinois Constitution and in what manner it will coordinate crime victims' support services with other criminal justice agencies within its jurisdiction, including but not limited to, the State's Attorney, the Sheriff and any municipal police department.

(7) No statement shall be verified by the Supreme Court or its designee or vouchered by the Comptroller unless each of the following conditions have been met:

(a) The probation officer is a full-time employee appointed by the Chief Judge to provide probation services.

(b) The probation officer, in order to be eligible for State reimbursement, is receiving a salary of at least $17,000 per year.

(c) The probation officer is appointed or was reappointed in accordance with minimum qualifications or criteria established by the Supreme Court; however, all probation officers appointed prior to January 1, 1978, shall be exempted from the minimum
requirements established by the Supreme Court. Payments shall be made to counties employing these exempted probation officers as long as they are employed in the position held on the effective date of this amendatory Act of 1985. Promotions shall be governed by minimum qualifications established by the Supreme Court.

(d) The Department has an established compensation schedule approved by the Supreme Court. The compensation schedule shall include salary ranges with necessary increments to compensate each employee. The increments shall, within the salary ranges, be based on such factors as bona fide occupational qualifications, performance, and length of service. Each position in the Department shall be placed on the compensation schedule according to job duties and responsibilities of such position. The policy and procedures of the compensation schedule shall be made available to each employee.

(8) In order to obtain full reimbursement of all approved costs, each Department must continue to employ at least the same number of probation officers and probation managers as were authorized for employment for the fiscal year which includes January 1, 1985. This number shall be designated as the base amount of the Department. No positions approved by the Division under paragraph (b) of subsection 4 will be included in the base amount. In the event that the Department employs fewer Probation officers and Probation managers than the base amount for a period of 90 days, funding received by the Department under subsection 4 of this Section may be reduced on a monthly basis by the amount of the current salaries of any positions below the base amount.

(9) Before the 15th day of each month, the treasurer of any county which has a Probation and Court Services Department, or the treasurer of the most populous county, in the case of a Probation or Court Services Department funded by more than one county, shall submit an itemized statement of all approved costs incurred in the delivery of Basic Probation and Court Services under this Act to the Supreme Court. The treasurer may also submit an itemized statement of all approved costs incurred in the delivery of new and expanded Probation and Court Services as well as
Individualized Services and Programs. The Supreme Court or its designee shall verify compliance with this Section and shall examine and audit the monthly statement and, upon finding them to be correct, shall forward them to the Comptroller for payment to the county treasurer. In the case of payment to a treasurer of a county which is the most populous of counties sharing the salary and expenses of a Probation and Court Services Department, the treasurer shall divide the money between the counties in a manner that reflects each county's share of the cost incurred by the Department.

(10) The county treasurer must certify that funds received under this Section shall be used solely to maintain and improve Probation and Court Services. The county or circuit shall remain in compliance with all standards, policies and regulations established by the Supreme Court. If at any time the Supreme Court determines that a county or circuit is not in compliance, the Supreme Court shall immediately notify the Chief Judge, county board chairman and the Director of Court Services Chief Probation Officer. If after 90 days of written notice the noncompliance still exists, the Supreme Court shall be required to reduce the amount of monthly reimbursement by 10%. An additional 10% reduction of monthly reimbursement shall occur for each consecutive month of noncompliance. Except as provided in subsection 5 of Section 15, funding to counties shall commence on April 1, 1986. Funds received under this Act shall be used to provide for Probation Department expenses including those required under Section 13 of this Act. For State fiscal years 2004, 2005, and 2006, and 2007 only, the Mandatory Arbitration Fund may be used to provide for Probation Department expenses, including those required under Section 13 of this Act.

(11) The respective counties shall be responsible for capital and space costs, fringe benefits, clerical costs, equipment, telecommunications, postage, commodities and printing.

(12) For purposes of this Act only, probation officers shall be considered peace officers. In the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any probationer who is in violation of any of the conditions of his or her
probation, conditional discharge, or supervision, and it shall be the duty of
the officer making the arrest to take the probationer before the Court
having jurisdiction over the probationer for further order.
(Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839, eff. 7-30-
04; 94-91, eff. 7-1-05.)

(Text of Section after amendment by P.A. 94-696)
Sec. 15. (1) The Supreme Court of Illinois may establish a Division
of Probation Services whose purpose shall be the development,
establishment, promulgation, and enforcement of uniform standards for
probation services in this State, and to otherwise carry out the intent of this
Act. The Division may:

(a) establish qualifications for chief probation officers and
other probation and court services personnel as to hiring,
promotion, and training.

(b) make available, on a timely basis, lists of those
applicants whose qualifications meet the regulations referred to
herein, including on said lists all candidates found qualified.

(c) establish a means of verifying the conditions for
reimbursement under this Act and develop criteria for approved
costs for reimbursement.

(d) develop standards and approve employee compensation
schedules for probation and court services departments.

(e) employ sufficient personnel in the Division to carry out
the functions of the Division.

(f) establish a system of training and establish standards for
personnel orientation and training.

(g) develop standards for a system of record keeping for
cases and programs, gather statistics, establish a system of uniform
forms, and develop research for planning of Probation Services.

(h) develop standards to assure adequate support personnel,
office space, equipment and supplies, travel expenses, and other
essential items necessary for Probation and Court Services
Departments to carry out their duties.

New matter indicated by italics - deletions by strikeout
(i) review and approve annual plans submitted by Probation and Court Services Departments.

(j) monitor and evaluate all programs operated by Probation and Court Services Departments, and may include in the program evaluation criteria such factors as the percentage of Probation sentences for felons convicted of Probationable offenses.

(k) seek the cooperation of local and State government and private agencies to improve the quality of probation and court services.

(l) where appropriate, establish programs and corresponding standards designed to generally improve the quality of probation and court services and reduce the rate of adult or juvenile offenders committed to the Department of Corrections.

(m) establish such other standards and regulations and do all acts necessary to carry out the intent and purposes of this Act.

The Division shall establish a model list of structured intermediate sanctions that may be imposed by a probation agency for violations of terms and conditions of a sentence of probation, conditional discharge, or supervision.

The State of Illinois shall provide for the costs of personnel, travel, equipment, telecommunications, postage, commodities, printing, space, contractual services and other related costs necessary to carry out the intent of this Act.

(2) (a) The chief judge of each circuit shall provide full-time probation services for all counties within the circuit, in a manner consistent with the annual probation plan, the standards, policies, and regulations established by the Supreme Court. A probation district of two or more counties within a circuit may be created for the purposes of providing full-time probation services. Every county or group of counties within a circuit shall maintain a probation department which shall be under the authority of the Chief Judge of the circuit or some other judge designated by the Chief Judge. The Chief Judge, through the Probation and Court Services Department shall submit annual plans to the Division for probation and related services.

New matter indicated by italics - deletions by strikeout
(b) The Chief Judge of each circuit shall appoint the Chief Probation Officer and all other probation officers for his or her circuit from lists of qualified applicants supplied by the Supreme Court. Candidates for chief managing officer and other probation officer positions must apply with both the Chief Judge of the circuit and the Supreme Court.

(3) A Probation and Court Service Department shall apply to the Supreme Court for funds for basic services, and may apply for funds for new and expanded programs or Individualized Services and Programs. Costs shall be reimbursed monthly based on a plan and budget approved by the Supreme Court. No Department may be reimbursed for costs which exceed or are not provided for in the approved annual plan and budget. After the effective date of this amendatory Act of 1985, each county must provide basic services in accordance with the annual plan and standards created by the division. No department may receive funds for new or expanded programs or individualized services and programs unless they are in compliance with standards as enumerated in paragraph (h) of subsection (1) of this Section, the annual plan, and standards for basic services.

(4) The Division shall reimburse the county or counties for probation services as follows:

   (a) 100% of the salary of all chief managing officers designated as such by the Chief Judge and the division.

   (b) 100% of the salary for all probation officer and supervisor positions approved for reimbursement by the division after April 1, 1984, to meet workload standards and to implement intensive sanction and probation supervision programs and other basic services as defined in this Act.

   (c) 100% of the salary for all secure detention personnel and non-secure group home personnel approved for reimbursement after December 1, 1990. For all such positions approved for reimbursement before December 1, 1990, the counties shall be reimbursed $1,250 per month beginning July 1, 1995, and an additional $250 per month beginning each July 1st thereafter until

   New matter indicated by italics - deletions by strikeout
the positions receive 100% salary reimbursement. Allocation of such positions will be based on comparative need considering capacity, staff/resident ratio, physical plant and program.

(d) $1,000 per month for salaries for the remaining probation officer positions engaged in basic services and new or expanded services. All such positions shall be approved by the division in accordance with this Act and division standards.

(e) 100% of the travel expenses in accordance with Division standards for all Probation positions approved under paragraph (b) of subsection 4 of this Section.

(f) If the amount of funds reimbursed to the county under paragraphs (a) through (e) of subsection 4 of this Section on an annual basis is less than the amount the county had received during the 12 month period immediately prior to the effective date of this amendatory Act of 1985, then the Division shall reimburse the amount of the difference to the county. The effect of paragraph (b) of subsection 7 of this Section shall be considered in implementing this supplemental reimbursement provision.

(5) The Division shall provide funds beginning on April 1, 1987 for the counties to provide Individualized Services and Programs as provided in Section 16 of this Act.

(6) A Probation and Court Services Department in order to be eligible for the reimbursement must submit to the Supreme Court an application containing such information and in such a form and by such dates as the Supreme Court may require. Departments to be eligible for funding must satisfy the following conditions:

(a) The Department shall have on file with the Supreme Court an annual Probation plan for continuing, improved, and new Probation and Court Services Programs approved by the Supreme Court or its designee. This plan shall indicate the manner in which Probation and Court Services will be delivered and improved, consistent with the minimum standards and regulations for Probation and Court Services, as established by the Supreme Court. In counties with more than one Probation and Court
Services Department eligible to receive funds, all Departments within that county must submit plans which are approved by the Supreme Court.

(b) The annual probation plan shall seek to generally improve the quality of probation services and to reduce the commitment of adult offenders to the Department of Corrections and to reduce the commitment of juvenile offenders to the Department of Juvenile Justice and shall require, when appropriate, coordination with the Department of Corrections, the Department of Juvenile Justice, and the Department of Children and Family Services in the development and use of community resources, information systems, case review and permanency planning systems to avoid the duplication of services.

(c) The Department shall be in compliance with standards developed by the Supreme Court for basic, new and expanded services, training, personnel hiring and promotion.

(d) The Department shall in its annual plan indicate the manner in which it will support the rights of crime victims and in which manner it will implement Article I, Section 8.1 of the Illinois Constitution and in what manner it will coordinate crime victims' support services with other criminal justice agencies within its jurisdiction, including but not limited to, the State's Attorney, the Sheriff and any municipal police department.

(7) No statement shall be verified by the Supreme Court or its designee or vouchered by the Comptroller unless each of the following conditions have been met:

(a) The probation officer is a full-time employee appointed by the Chief Judge to provide probation services.

(b) The probation officer, in order to be eligible for State reimbursement, is receiving a salary of at least $17,000 per year.

(c) The probation officer is appointed or was reappointed in accordance with minimum qualifications or criteria established by the Supreme Court; however, all probation officers appointed prior to January 1, 1978, shall be exempted from the minimum
requirements established by the Supreme Court. Payments shall be made to counties employing these exempted probation officers as long as they are employed in the position held on the effective date of this amendatory Act of 1985. Promotions shall be governed by minimum qualifications established by the Supreme Court.

(d) The Department has an established compensation schedule approved by the Supreme Court. The compensation schedule shall include salary ranges with necessary increments to compensate each employee. The increments shall, within the salary ranges, be based on such factors as bona fide occupational qualifications, performance, and length of service. Each position in the Department shall be placed on the compensation schedule according to job duties and responsibilities of such position. The policy and procedures of the compensation schedule shall be made available to each employee.

(8) In order to obtain full reimbursement of all approved costs, each Department must continue to employ at least the same number of probation officers and probation managers as were authorized for employment for the fiscal year which includes January 1, 1985. This number shall be designated as the base amount of the Department. No positions approved by the Division under paragraph (b) of subsection 4 will be included in the base amount. In the event that the Department employs fewer Probation officers and Probation managers than the base amount for a period of 90 days, funding received by the Department under subsection 4 of this Section may be reduced on a monthly basis by the amount of the current salaries of any positions below the base amount.

(9) Before the 15th day of each month, the treasurer of any county which has a Probation and Court Services Department, or the treasurer of the most populous county, in the case of a Probation or Court Services Department funded by more than one county, shall submit an itemized statement of all approved costs incurred in the delivery of Basic Probation and Court Services under this Act to the Supreme Court. The treasurer may also submit an itemized statement of all approved costs incurred in the delivery of new and expanded Probation and Court Services as well as

New matter indicated by italics - deletions by strikeout
Individualized Services and Programs. The Supreme Court or its designee shall verify compliance with this Section and shall examine and audit the monthly statement and, upon finding them to be correct, shall forward them to the Comptroller for payment to the county treasurer. In the case of payment to a treasurer of a county which is the most populous of counties sharing the salary and expenses of a Probation and Court Services Department, the treasurer shall divide the money between the counties in a manner that reflects each county's share of the cost incurred by the Department.

(10) The county treasurer must certify that funds received under this Section shall be used solely to maintain and improve Probation and Court Services. The county or circuit shall remain in compliance with all standards, policies and regulations established by the Supreme Court. If at any time the Supreme Court determines that a county or circuit is not in compliance, the Supreme Court shall immediately notify the Chief Judge, county board chairman and the Director of Court Services Chief Probation Officer. If after 90 days of written notice the noncompliance still exists, the Supreme Court shall be required to reduce the amount of monthly reimbursement by 10%. An additional 10% reduction of monthly reimbursement shall occur for each consecutive month of noncompliance. Except as provided in subsection 5 of Section 15, funding to counties shall commence on April 1, 1986. Funds received under this Act shall be used to provide for Probation Department expenses including those required under Section 13 of this Act. For State fiscal years 2004, 2005, and 2006, and 2007 only, the Mandatory Arbitration Fund may be used to provide for Probation Department expenses, including those required under Section 13 of this Act.

(11) The respective counties shall be responsible for capital and space costs, fringe benefits, clerical costs, equipment, telecommunications, postage, commodities and printing.

(12) For purposes of this Act only, probation officers shall be considered peace officers. In the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any probationer who is in violation of any of the conditions of his or her

New matter indicated by italics - deletions by strikeout
probation, conditional discharge, or supervision, and it shall be the duty of
the officer making the arrest to take the probationer before the Court
having jurisdiction over the probationer for further order.
(Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; 93-839, eff. 7-30-
04; 94-91, eff. 7-1-05; 94-696, eff. 6-1-06.)
(730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)
Sec. 15.1. Probation and Court Services Fund.
(a) The county treasurer in each county shall establish a probation
and court services fund consisting of fees collected pursuant to subsection
(i) of Section 5-6-3 and subsection (i) of Section 5-6-3.1 of the Unified
Code of Corrections, subsection (10) of Section 5-615 and subsection (5)
of Section 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of
subsection (b) of Section 110-10 of the Code of Criminal Procedure of
1963. The county treasurer shall disburse monies from the fund only at the
direction of the chief judge of the circuit court in such circuit where the
county is located. The county treasurer of each county shall, on or before
January 10 of each year, submit an annual report to the Supreme Court.
(b) Monies in the probation and court services fund shall be
appropriated by the county board to be used within the county or
jurisdiction where collected in accordance with policies and guidelines
approved by the Supreme Court for the costs of operating the probation
and court services department or departments; however, except as
provided in subparagraph (g), monies in the probation and court services
fund shall not be used for the payment of salaries of probation and court
services personnel.
(c) Monies expended from the probation and court services fund
shall be used to supplement, not supplant, county appropriations for
probation and court services.
(d) Interest earned on monies deposited in a probation and court
services fund may be used by the county for its ordinary and contingent
expenditures.
(e) The county board may appropriate moneys from the probation
and court services fund, upon the direction of the chief judge, to support
programs that are part of the continuum of juvenile delinquency

New matter indicated by italics - deletions by strikeout
intervention programs which are or may be developed within the county. The grants from the probation and court services fund shall be for no more than one year and may be used for any expenses attributable to the program including administration and oversight of the program by the probation department.

(f) The county board may appropriate moneys from the probation and court services fund, upon the direction of the chief judge, to support practices endorsed or required under the Sex Offender Management Board Act, including but not limited to sex offender evaluation, treatment, and monitoring programs that are or may be developed within the county.

(g) For the State Fiscal Years 2005, and 2006, and 2007 only, the Administrative Office of the Illinois Courts may permit a county or circuit to use its probation and court services fund for the payment of salaries of probation officers and other court services personnel whose salaries are reimbursed under this Act if the State's FY2005, or FY2006, or FY2007 appropriation to the Supreme Court for reimbursement to counties for probation salaries and services is less than the amount appropriated to the Supreme Court for these purposes for State Fiscal Year 2004. The Administrative Office of the Illinois Courts shall take into account each county's or circuit's probation fee collections and expenditures when apportioning the total reimbursement for each county or circuit.

(Source: P.A. 93-616, eff. 1-1-04; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

Section 5-100. The Code of Civil Procedure is amended by changing Section 2-1009A as follows:

(735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

Sec. 2-1009A. Filing Fees. In each county authorized by the Supreme Court to utilize mandatory arbitration, the clerk of the circuit court shall charge and collect, in addition to any other fees, an arbitration fee of $8, except in counties with 3,000,000 or more inhabitants the fee shall be $10, at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper or other appearance. Arbitration fees received by the clerk of the
circuit court pursuant to this Section shall be remitted within one month after receipt to the State Treasurer for deposit into the Mandatory Arbitration Fund, a special fund in the State treasury for the purpose of funding mandatory arbitration programs and such other alternative dispute resolution programs as may be authorized by circuit court rule for operation in counties that have implemented mandatory arbitration, with a separate account being maintained for each county. Notwithstanding any other provision of this Section to the contrary, and for State fiscal years 2004, 2005, and 2006, and 2007 only, the Mandatory Arbitration Fund may be used for any other purpose authorized by the Supreme Court.

(Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

Section 5-110. The Workers' Compensation Act is amended by changing Section 4 as follows:

(820 ILCS 305/4) (from Ch. 48, par. 138.4)

Sec. 4. (a) Any employer, including but not limited to general contractors and their subcontractors, who shall come within the provisions of Section 3 of this Act, and any other employer who shall elect to provide and pay the compensation provided for in this Act shall:

(1) File with the Commission annually an application for approval as a self-insurer which shall include a current financial statement, and annually, thereafter, an application for renewal of self-insurance, which shall include a current financial statement. Said application and financial statement shall be signed and sworn to by the president or vice president and secretary or assistant secretary of the employer if it be a corporation, or by all of the partners, if it be a copartnership, or by the owner if it be neither a copartnership nor a corporation. All initial applications and all applications for renewal of self-insurance must be submitted at least 60 days prior to the requested effective date of self-insurance. An employer may elect to provide and pay compensation as provided for in this Act as a member of a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code. If an employer becomes a member of a group workers' compensation pool, it shall file an application for approval as a group worker's compensation pool with the Commission annually or at such other frequency as the Commission may require. All initial applications and all applications for renewal of membership as a group worker's compensation pool must be submitted at least 60 days prior to the requested effective date of membership as a group worker's compensation pool.

New matter indicated by italics - deletions by strikeout
compensation pool, the employer shall not be relieved of any obligations imposed by this Act.

If the sworn application and financial statement of any such employer does not satisfy the Commission of the financial ability of the employer who has filed it, the Commission shall require such employer to,

(2) Furnish security, indemnity or a bond guaranteeing the payment by the employer of the compensation provided for in this Act, provided that any such employer whose application and financial statement shall not have satisfied the commission of his or her financial ability and who shall have secured his liability in part by excess liability insurance shall be required to furnish to the Commission security, indemnity or bond guaranteeing his or her payment up to the effective limits of the excess coverage, or

(3) Insure his entire liability to pay such compensation in some insurance carrier authorized, licensed, or permitted to do such insurance business in this State. Every policy of an insurance carrier, insuring the payment of compensation under this Act shall cover all the employees and the entire compensation liability of the insured: Provided, however, that any employer may insure his or her compensation liability with 2 or more insurance carriers or may insure a part and qualify under subsection 1, 2, or 4 for the remainder of his or her liability to pay such compensation, subject to the following two provisions:

Firstly, the entire compensation liability of the employer to employees working at or from one location shall be insured in one such insurance carrier or shall be self-insured, and

Secondly, the employer shall submit evidence satisfactorily to the Commission that his or her entire liability for the compensation provided for in this Act will be secured. Any provisions in any policy, or in any endorsement attached thereto, attempting to limit or modify in any way, the liability of the insurance carriers issuing the

New matter indicated by italics - deletions by strikeout
same except as otherwise provided herein shall be wholly void.

Nothing herein contained shall apply to policies of excess liability carriage secured by employers who have been approved by the Commission as self-insurers, or

(4) Make some other provision, satisfactory to the Commission, for the securing of the payment of compensation provided for in this Act, and

(5) Upon becoming subject to this Act and thereafter as often as the Commission may in writing demand, file with the Commission in form prescribed by it evidence of his or her compliance with the provision of this Section.

(a-1) Regardless of its state of domicile or its principal place of business, an employer shall make payments to its insurance carrier or group self-insurance fund, where applicable, based upon the premium rates of the situs where the work or project is located in Illinois if:

(A) the employer is engaged primarily in the building and construction industry; and

(B) subdivision (a)(3) of this Section applies to the employer or the employer is a member of a group self-insurance plan as defined in subsection (1) of Section 4a.

The Illinois Workers' Compensation Commission shall impose a penalty upon an employer for violation of this subsection (a-1) if:

(i) the employer is given an opportunity at a hearing to present evidence of its compliance with this subsection (a-1); and

(ii) after the hearing, the Commission finds that the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois.

The penalty shall not exceed $1,000 for each day of work for which the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois, but the total penalty shall not exceed $50,000 for each project or each contract under which the work was performed.
Any penalty under this subsection (a-1) must be imposed not later than one year after the expiration of the applicable limitation period specified in subsection (d) of Section 6 of this Act. Penalties imposed under this subsection (a-1) shall be deposited into the Illinois Workers' Compensation Commission Operations Fund, a special fund that is created in the State treasury. Subject to appropriation, moneys in the Fund shall be used solely for the operations of the Illinois Workers' Compensation Commission and by the Department of Financial and Professional Regulation for the purposes authorized in subsection (c) of Section 25.5 of this Act.

(b) The sworn application and financial statement, or security, indemnity or bond, or amount of insurance, or other provisions, filed, furnished, carried, or made by the employer, as the case may be, shall be subject to the approval of the Commission.

Deposits under escrow agreements shall be cash, negotiable United States government bonds or negotiable general obligation bonds of the State of Illinois. Such cash or bonds shall be deposited in escrow with any State or National Bank or Trust Company having trust authority in the State of Illinois.

Upon the approval of the sworn application and financial statement, security, indemnity or bond or amount of insurance, filed, furnished or carried, as the case may be, the Commission shall send to the employer written notice of its approval thereof. The certificate of compliance by the employer with the provisions of subparagraphs (2) and (3) of paragraph (a) of this Section shall be delivered by the insurance carrier to the Illinois Workers' Compensation Commission within five days after the effective date of the policy so certified. The insurance so certified shall cover all compensation liability occurring during the time that the insurance is in effect and no further certificate need be filed in case such insurance is renewed, extended or otherwise continued by such carrier. The insurance so certified shall not be cancelled or in the event that such insurance is not renewed, extended or otherwise continued, such insurance shall not be terminated until at least 10 days after receipt by the Illinois Workers' Compensation Commission of notice of the cancellation.

New matter indicated by italics - deletions by strikeout
or termination of said insurance; provided, however, that if the employer has secured insurance from another insurance carrier, or has otherwise secured the payment of compensation in accordance with this Section, and such insurance or other security becomes effective prior to the expiration of the 10 days, cancellation or termination may, at the option of the insurance carrier indicated in such notice, be effective as of the effective date of such other insurance or security.

(c) Whenever the Commission shall find that any corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or other insurer effecting workers' compensation insurance in this State shall be insolvent, financially unsound, or unable to fully meet all payments and liabilities assumed or to be assumed for compensation insurance in this State, or shall practice a policy of delay or unfairness toward employees in the adjustment, settlement, or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer, shall from and after a date fixed in such order discontinue the writing of any such workers' compensation insurance in this State. Subject to such modification of the order as the Commission may later make on review of the order, as herein provided, it shall thereupon be unlawful for any such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer to effect any workers' compensation insurance in this State. A copy of the order shall be served upon the Director of Insurance by registered mail. Whenever the Commission finds that any service or adjustment company used or employed by a self-insured employer or by an insurance carrier to process, adjust, investigate, compromise or otherwise handle claims under this Act, has practiced or is practicing a policy of delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such service or adjustment company shall from and after a date fixed in such order be prohibited from processing, adjusting, investigating, compromising or otherwise handling claims under this Act.

New matter indicated by italics - deletions by strikeout
Whenever the Commission finds that any self-insured employer has practiced or is practicing delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may, after reasonable notice and hearing, order and direct that after a date fixed in the order such self-insured employer shall be disqualified to operate as a self-insurer and shall be required to insure his entire liability to pay compensation in some insurance carrier authorized, licensed and permitted to do such insurance business in this State, as provided in subparagraph 3 of paragraph (a) of this Section.

All orders made by the Commission under this Section shall be subject to review by the courts, said review to be taken in the same manner and within the same time as provided by Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which said review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking said review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law. The penalty hereinafter provided for in this paragraph shall not attach and shall not begin to run until the final determination of the order of the Commission.

(d) Whenever a panel of 3 Commissioners comprised of one member of the employing class, one member of the employee class, and one member not identified with either the employing or employee class, with due process and after a hearing, determines an employer has knowingly failed to provide coverage as required by paragraph (a) of this Section, the failure shall be deemed an immediate serious danger to public health, safety, and welfare sufficient to justify service by the Commission of a work-stop order on such employer, requiring the cessation of all business operations of such employer at the place of employment or job site. Any law enforcement agency in the State shall, at the request of the Commission, render any assistance necessary to carry out the provisions of this Section, including, but not limited to, preventing any employee of

New matter indicated by italics - deletions by strikeout
such employer from remaining at a place of employment or job site after a work-stop order has taken effect. Any work-stop order shall be lifted upon proof of insurance as required by this Act. Any orders under this Section are appealable under Section 19(f) to the Circuit Court.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who knowingly fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class 4 felony. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois, or may, in addition to other remedies provided in this Section, bring an action for an injunction to restrain the violation or to enjoin the operation of any such employer.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who negligently fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class A misdemeanor. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois.

The criminal penalties in this subsection (d) shall not apply where there exists a good faith dispute as to the existence of an employment relationship. Evidence of good faith shall include, but not be limited to, compliance with the definition of employee as used by the Internal Revenue Service.

Employers who are subject to and who knowingly fail to comply with this Section shall not be entitled to the benefits of this Act during the period of noncompliance, but shall be liable in an action under any other applicable law of this State. In the action, such employer shall not avail himself or herself of the defenses of assumption of risk or negligence or

New matter indicated by italics - deletions by strikeout
that the injury was due to a co-employee. In the action, proof of the injury
shall constitute prima facie evidence of negligence on the part of such
employer and the burden shall be on such employer to show freedom of
negligence resulting in the injury. The employer shall not join any other
defendant in any such civil action. Nothing in this amendatory Act of the
94th General Assembly shall affect the employee's rights under
subdivision (a)3 of Section 1 of this Act. Any employer or carrier who
makes payments under subdivision (a)3 of Section 1 of this Act shall have
a right of reimbursement from the proceeds of any recovery under this
Section.

An employee of an uninsured employer, or the employee's
dependents in case death ensued, may, instead of proceeding against the
employer in a civil action in court, file an application for adjustment of
claim with the Commission in accordance with the provisions of this Act
and the Commission shall hear and determine the application for
adjustment of claim in the manner in which other claims are heard and
determined before the Commission.

All proceedings under this subsection (d) shall be reported on an
annual basis to the Workers' Compensation Advisory Board.

Upon a finding by the Commission, after reasonable notice and
hearing, of the knowing and wilful failure or refusal of an employer to
comply with any of the provisions of paragraph (a) of this Section or the
failure or refusal of an employer, service or adjustment company, or an
insurance carrier to comply with any order of the Illinois Workers'
Compensation Commission pursuant to paragraph (c) of this Section
disqualifying him or her to operate as a self insurer and requiring him or
her to insure his or her liability, the Commission may assess a civil penalty
of up to $500 per day for each day of such failure or refusal after the
effective date of this amendatory Act of 1989. The minimum penalty under
this Section shall be the sum of $10,000. Each day of such failure or
refusal shall constitute a separate offense. The Commission may assess the
civil penalty personally and individually against the corporate officers and
directors of a corporate employer, the partners of an employer partnership,
and the members of an employer limited liability company, after a finding

New matter indicated by italics - deletions by strikeout
of a knowing and willful refusal or failure of each such named corporate officer, director, partner, or member to comply with this Section. The liability for the assessed penalty shall be against the named employer first, and if the named employer fails or refuses to pay the penalty to the Commission within 30 days after the final order of the Commission, then the named corporate officers, directors, partners, or members who have been found to have knowingly and willfully refused or failed to comply with this Section shall be liable for the unpaid penalty or any unpaid portion of the penalty. Upon investigation by the insurance non-compliance unit of the Commission, the Attorney General shall have the authority to prosecute all proceedings to enforce the civil and administrative provisions of this Section before the Commission. The Commission shall promulgate procedural rules for enforcing this Section.

Upon the failure or refusal of any employer, service or adjustment company or insurance carrier to comply with the provisions of this Section and with the orders of the Commission under this Section, or the order of the court on review after final adjudication, the Commission may bring a civil action to recover the amount of the penalty in Cook County or in Sangamon County in which litigation the Commission shall be represented by the Attorney General. The Commission shall send notice of its finding of non-compliance and assessment of the civil penalty to the Attorney General. It shall be the duty of the Attorney General within 30 days after receipt of the notice, to institute prosecutions and promptly prosecute all reported violations of this Section.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who, with the intent to avoid payment of compensation under this Act to an injured employee or the employee's dependents, knowingly transfers, sells, encumbers, assigns, or in any manner disposes of, conceals, secretes, or destroys any property belonging to the employer, officer, director, partner, or member is guilty of a Class 4 felony.

Penalties and fines collected pursuant to this paragraph (d) shall be deposited upon receipt into a special fund which shall be designated the
Injured Workers' Benefit Fund, of which the State Treasurer is ex-officio custodian, such special fund to be held and disbursed in accordance with this paragraph (d) for the purposes hereinafter stated in this paragraph (d), upon the final order of the Commission. The Injured Workers' Benefit Fund shall be deposited the same as are State funds and any interest accruing thereon shall be added thereto every 6 months. The Injured Workers' Benefit Fund is subject to audit the same as State funds and accounts and is protected by the general bond given by the State Treasurer. The Injured Workers' Benefit Fund is considered always appropriated for the purposes of disbursements as provided in this paragraph, and shall be paid out and disbursed as herein provided and shall not at any time be appropriated or diverted to any other use or purpose. Moneys in the Injured Workers' Benefit Fund shall be used only for payment of workers' compensation benefits for injured employees when the employer has failed to provide coverage as determined under this paragraph (d) and has failed to pay the benefits due to the injured employee. The Commission shall have the right to obtain reimbursement from the employer for compensation obligations paid by the Injured Workers' Benefit Fund. Any such amounts obtained shall be deposited by the Commission into the Injured Workers' Benefit Fund. If an injured employee or his or her personal representative receives payment from the Injured Workers' Benefit Fund, the State of Illinois has the same rights under paragraph (b) of Section 5 that the employer who failed to pay the benefits due to the injured employee would have had if the employer had paid those benefits, and any moneys recovered by the State as a result of the State's exercise of its rights under paragraph (b) of Section 5 shall be deposited into the Injured Workers' Benefit Fund. The custodian of the Injured Workers' Benefit Fund shall be joined with the employer as a party respondent in the application for adjustment of claim. After July 1, 2006, the Commission shall make disbursements from the Fund once each year to each eligible claimant. An eligible claimant is an injured worker who has within the previous fiscal year obtained a final award for benefits from the Commission against the employer and the Injured Workers' Benefit Fund and has notified the Commission within 90 days of receipt of such award.
Within a reasonable time after the end of each fiscal year, the Commission shall make a disbursement to each eligible claimant. At the time of disbursement, if there are insufficient moneys in the Fund to pay all claims, each eligible claimant shall receive a pro-rata share, as determined by the Commission, of the available moneys in the Fund for that year. Payment from the Injured Workers' Benefit Fund to an eligible claimant pursuant to this provision shall discharge the obligations of the Injured Workers' Benefit Fund regarding the award entered by the Commission.

(e) This Act shall not affect or disturb the continuance of any existing insurance, mutual aid, benefit, or relief association or department, whether maintained in whole or in part by the employer or whether maintained by the employees, the payment of benefits of such association or department being guaranteed by the employer or by some person, firm or corporation for him or her: Provided, the employer contributes to such association or department an amount not less than the full compensation herein provided, exclusive of the cost of the maintenance of such association or department and without any expense to the employee. This Act shall not prevent the organization and maintaining under the insurance laws of this State of any benefit or insurance company for the purpose of insuring against the compensation provided for in this Act, the expense of which is maintained by the employer. This Act shall not prevent the organization or maintaining under the insurance laws of this State of any voluntary mutual aid, benefit or relief association among employees for the payment of additional accident or sick benefits.

(f) No existing insurance, mutual aid, benefit or relief association or department shall, by reason of anything herein contained, be authorized to discontinue its operation without first discharging its obligations to any and all persons carrying insurance in the same or entitled to relief or benefits therein.

(g) Any contract, oral, written or implied, of employment providing for relief benefit, or insurance or any other device whereby the employee is required to pay any premium or premiums for insurance against the compensation provided for in this Act shall be null and void. Any employer withholding from the wages of any employee any amount for the

New matter indicated by italics - deletions by strikeout
purpose of paying any such premium shall be guilty of a Class B misdemeanor.

In the event the employer does not pay the compensation for which he or she is liable, then an insurance company, association or insurer which may have insured such employer against such liability shall become primarily liable to pay to the employee, his or her personal representative or beneficiary the compensation required by the provisions of this Act to be paid by such employer. The insurance carrier may be made a party to the proceedings in which the employer is a party and an award may be entered jointly against the employer and the insurance carrier.

(h) It shall be unlawful for any employer, insurance company or service or adjustment company to interfere with, restrain or coerce an employee in any manner whatsoever in the exercise of the rights or remedies granted to him or her by this Act or to discriminate, attempt to discriminate, or threaten to discriminate against an employee in any way because of his or her exercise of the rights or remedies granted to him or her by this Act.

It shall be unlawful for any employer, individually or through any insurance company or service or adjustment company, to discharge or to threaten to discharge, or to refuse to rehire or recall to active service in a suitable capacity an employee because of the exercise of his or her rights or remedies granted to him or her by this Act.

(i) If an employer elects to obtain a life insurance policy on his employees, he may also elect to apply such benefits in satisfaction of all or a portion of the death benefits payable under this Act, in which case, the employer's compensation premium shall be reduced accordingly.

(j) Within 45 days of receipt of an initial application or application to renew self-insurance privileges the Self-Insurers Advisory Board shall review and submit for approval by the Chairman of the Commission recommendations of disposition of all initial applications to self-insure and all applications to renew self-insurance privileges filed by private self-insurers pursuant to the provisions of this Section and Section 4a-9 of this Act. Each private self-insurer shall submit with its initial and renewal applications the application fee required by Section 4a-4 of this Act.

New matter indicated by italics - deletions by strikeout
The Chairman of the Commission shall promptly act upon all initial applications and applications for renewal in full accordance with the recommendations of the Board or, should the Chairman disagree with any recommendation of disposition of the Self-Insurer's Advisory Board, he shall within 30 days of receipt of such recommendation provide to the Board in writing the reasons supporting his decision. The Chairman shall also promptly notify the employer of his decision within 15 days of receipt of the recommendation of the Board.

If an employer is denied a renewal of self-insurance privileges pursuant to application it shall retain said privilege for 120 days after receipt of a notice of cancellation of the privilege from the Chairman of the Commission.

All orders made by the Chairman under this Section shall be subject to review by the courts, such review to be taken in the same manner and within the same time as provided by subsection (f) of Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which such review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking such review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law.

(Source: P.A. 93-721, eff. 1-1-05; 94-277, eff. 7-20-05.)

ARTICLE 10. STATE POLICE VEHICLES

Section 10-5. If and only if Senate Bill 1089 of the 94th General Assembly becomes law in the form in which it appears in the engrossed bill, the State Finance Act is amended by adding Section 5.664 as follows:

(30 ILCS 105/5.664 new)

_Sec. 5.664. The State Police Vehicle Maintenance Fund._

Section 10-10. If and only if Senate Bill 1089 of the 94th General Assembly becomes law in the form in which it appears in the engrossed bill, the State Property Control Act is amended by changing Section 7b and by adding Section 7c as follows:

New matter indicated by italics - deletions by strikeout
(30 ILCS 605/7b)

Sec. 7b. Maintenance and operation of State Police vehicles. All proceeds received by the Department of Central Management Services under this Act from the sale of vehicles operated by the Department of State Police, except for a $500 handling fee to be retained by the Department of Central Management Services for each vehicle sold, shall be deposited into the State Police Vehicle Maintenance Fund. However, in lieu of the $500 handling fee as provided by this paragraph, the Department of Central Management Services shall retain all proceeds from the sale of any vehicle for which $500 or a lesser amount is collected.

The State Police Vehicle Maintenance Fund is created as a special fund in the State treasury. All moneys in the State Police Vehicle Maintenance Fund, subject to appropriation, shall be used by the Department of State Police for the maintenance and operation of vehicles for that Department.

(Source: P.A. 89-54, eff. 6-30-95.)

(30 ILCS 605/7c new)

Sec. 7c. Acquisition of State Police vehicles. The State Police Vehicle Fund is created as a special fund in the State treasury. The Fund shall consist of fees received pursuant to Section 16-104c of the Illinois Vehicle Code. All moneys in the Fund, subject to appropriation, shall be used by the Department of State Police:

(1) for the acquisition of vehicles for that Department; or
(2) for debt service on bonds issued to finance the acquisition of vehicles for that Department.

ARTICLE 15. TRANSIT AUTHORITY PENSION FUNDING

Section 15-5. The Illinois Pension Code is amended by changing Section 22-101 and adding Section 22-103 as follows:

(40 ILCS 5/22-101) (from Ch. 108 1/2, par. 22-101)

Sec. 22-101. Metropolitan Transit Authority (CTA) Pension Fund.

(a) There shall be established and maintained by the Authority created by the "Metropolitan Transit Authority Act", approved April 12, 1945, as amended, a financially sound pension and retirement system adequate to provide for all payments when due under such established
system or as modified from time to time by ordinance of the Chicago Transit Board. For this purpose, both the Board must make contributions to the established system as required under this Section and may make any additional contributions provided for by Board ordinance or collective bargaining agreement. The participating employees shall make such periodic payments to the established system as may be determined by Board ordinance or collective bargaining agreement. The Board, in lieu of social security payments required to be paid by private corporations engaged in similar activity, shall make payments into such established system at least equal in amount to the amount so required to be paid by such private corporations.

Provisions shall be made by the Board for all Board members, officers and employees of the Authority appointed pursuant to the "Metropolitan Transit Authority Act" to become, subject to reasonable rules and regulations, members or beneficiaries of the pension or retirement system with uniform rights, privileges, obligations and status as to the class in which such officers and employees belong. The terms, conditions and provisions of any pension or retirement system or of any amendment or modification thereof affecting employees who are members of any labor organization may be established, amended or modified by agreement with such labor organization, but must be consistent with the requirements of this Section.

(b) Beginning January 1, 2009, the Authority shall make contributions to the retirement system in an amount which, together with the contributions of participants, interest earned on investments, and other income, will meet the cost of maintaining and administering the retirement plan in accordance with applicable actuarial recommendations and assumptions and the requirements of this Section. These contributions may be paid on a payroll or other periodic basis, but shall in any case be paid at least monthly.

For retirement system fiscal years 2009 through 2058, the minimum contribution to the retirement system to be made by the Authority for each fiscal year shall be an amount determined jointly by the Authority and the trustee of the retirement system to be sufficient to bring

New matter indicated by italics - deletions by strikeout
the total assets of the retirement system up to 90% of its total actuarial liabilities by the end of fiscal year 2058. In making these determinations, the required Authority contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2058 and shall be determined under the projected unit credit actuarial cost method. Beginning in retirement system fiscal year 2059, the minimum Authority contribution for each fiscal year shall be the amount needed to maintain the total assets of the retirement system at 90% of the total actuarial liabilities of the system.

For purposes of determining employer contributions and actuarial liabilities under this subsection, contributions and liabilities relating to health care benefits shall not be included. As used in this Section, "retirement system fiscal year" means the calendar year, or such other plan year as may be defined from time to time in the agreement known as the Retirement Plan for Chicago Transit Authority Employees, or its successor agreement.

(c) The Authority and the trustee shall jointly certify to the Governor, the General Assembly, and the Board of the Regional Transportation Authority on or before November 15 of 2008 and of each year thereafter the amount of the required Authority contributions to the retirement system for the next retirement system fiscal year under subsection (b). The certification shall include a copy of the actuarial recommendations upon which it is based. In addition, copies of the certification shall be sent to the Commission on Government Forecasting and Accountability, the Mayor of Chicago, the Chicago City Council, and the Cook County Board.

(d) The Authority shall take all actions lawfully available to it to separate the funding of health care benefits for retirees and their dependents and survivors from the funding for its retirement system. The Authority shall endeavor to achieve this separation as soon as possible, and in any event no later than January 1, 2009.

(e) This amendatory Act of the 94th General Assembly does not affect or impair the right of either the Authority or its employees to

New matter indicated by italics - deletions by strikeout
collectively bargain the amount or level of employee contributions to the retirement system.
(Source: Laws 1963, p. 161.)

(40 ILCS 5/22-103 new)
Sec. 22-103. Regional Transportation Authority and related pension plans.
(a) As used in this Section:
"Affected pension plan" means a defined-benefit pension plan supported in whole or in part by employer contributions and maintained by the Regional Transportation Authority, the Suburban Bus Division, or the Commuter Rail Division, or any combination thereof, under the general authority of the Regional Transportation Authority Act, including but not limited to any such plan that has been established under or is subject to a collective bargaining agreement or is limited to employees covered by a collective bargaining agreement. "Affected pension plan" does not include any pension fund or retirement system subject to Section 22-101 of this Section.
"Authority" means the Regional Transportation Authority created under the Regional Transportation Authority Act.
"Contributing employer" means an employer that is required to make contributions to an affected pension plan under the terms of that plan.
"Funding ratio" means the ratio of an affected pension plan's assets to the present value of its actuarial liabilities, as determined at its latest actuarial valuation in accordance with applicable actuarial assumptions and recommendations.
"Under-funded pension plan" or "under-funded" means an affected pension plan that, at the time of its last actuarial valuation, has a funding ratio of less than 90%.

(b) The contributing employers of each affected pension plan have a general duty to make the required employer contributions to the affected pension plan in a timely manner in accordance with the terms of the plan. A contributing employer must make contributions to the affected pension plan as required under this subsection and, if applicable, subsection (c); a

New matter indicated by italics - deletions by strikeout
contributing employer may make any additional contributions provided for by the board of the employer or collective bargaining agreement.

(c) In the case of an affected pension plan that is under-funded on January 1, 2009 or becomes under-funded at any time after that date, the contributing employers shall contribute to the affected pension plan, in addition to all amounts otherwise required, amounts sufficient to bring the funding ratio of the affected pension plan up to 90% in accordance with an amortization schedule adopted jointly by the contributing employers and the trustee of the affected pension plan. The amortization schedule may extend for any period up to a maximum of 50 years and shall provide for additional employer contributions in substantially equal annual amounts over the selected period. If the contributing employers and the trustee of the affected pension plan do not agree on an appropriate period for the amortization schedule within 6 months of the date of determination that the plan is under-funded, then the amortization schedule shall be based on a period of 50 years.

In the case of an affected pension plan that has more than one contributing employer, each contributing employer's share of the total additional employer contributions required under this subsection shall be determined: (i) in proportion to the amounts, if any, by which the respective contributing employers have failed to meet their contribution obligations under the terms of the affected pension plan; or (ii) if all of the contributing employers have met their contribution obligations under the terms of the affected pension plan, then in the same proportion as they are required to contribute under the terms of that plan. In the case of an affected pension plan that has only one contributing employer, that contributing employer is responsible for all of the additional employer contributions required under this subsection.

If an under-funded pension plan is determined to have achieved a funding ratio of at least 90% during the period when an amortization schedule is in force under this Section, the contributing employers and the trustee of the affected pension plan, acting jointly, may cancel the amortization schedule and the contributing employers may cease making

New matter indicated by italics - deletions by strikeout
additional contributions under this subsection for as long as the affected pension plan retains a funding ratio of at least 90%.

(d) Beginning January 1, 2009, if the Authority fails to pay to an affected pension fund within 30 days after it is due (i) any employer contribution that it is required to make as a contributing employer, (ii) any additional employer contribution that it is required to pay under subsection (c), or (iii) any payment that it is required to make under Section 4.02a or 4.02b of the Regional Transportation Authority Act, the trustee of the affected pension fund shall promptly so notify the Commission on Government Forecasting and Accountability, the Mayor of Chicago, the Governor, and the General Assembly.

(e) For purposes of determining employer contributions, assets, and actuarial liabilities under this subsection, contributions, assets, and liabilities relating to health care benefits shall not be included.

(f) This amendatory Act of the 94th General Assembly does not affect or impair the right of any contributing employer or its employees to collectively bargain the amount or level of employee contributions to an affected pension plan, to the extent that the plan includes employees subject to collective bargaining.

Section 15-10. The Regional Transportation Authority Act is amended by changing Section 4.02 and by adding Sections 4.02a and 4.02b as follows:

(70 ILCS 3615/4.02) (from Ch. 111 2/3, par. 704.02)
Sec. 4.02. Federal, State and Other Funds.
(a) The Authority shall have the power to apply for, receive and expend grants, loans or other funds from the State of Illinois or any department or agency thereof, from any unit of local government, from the federal government or any department or agency thereof, for use in connection with any of the powers or purposes of the Authority as set forth in this Act. The Authority shall have power to make such studies as may be necessary and to enter into contracts or agreements with the State of Illinois or any department or agency thereof, with any unit of local government, or with the federal government or any department or agency thereof, concerning such grants, loans or other funds, or any conditions

New matter indicated by italics - deletions by strikeout
relating thereto, including obligations to repay such funds. The Authority may make such covenants concerning such grants, loans and funds as it deems proper and necessary in carrying out its responsibilities, purposes and powers as provided in this Act.

(b) The Authority shall be the primary public body in the metropolitan region with authority to apply for and receive any grants, loans or other funds relating to public transportation programs from the State of Illinois or any department or agency thereof, or from the federal government or any department or agency thereof. Any unit of local government, Service Board or transportation agency may apply for and receive any such federal or state capital grants, loans or other funds, provided, however that a Service Board may not apply for or receive any grant or loan which is not identified in the Five-Year Program. Any Service Board, unit of local government or transportation agency shall notify the Authority prior to making any such application and shall file a copy thereof with the Authority. Nothing in this Section shall be construed to impose any limitation on the ability of the State of Illinois or any department or agency thereof, any unit of local government or Service Board or transportation agency to make any grants or to enter into any agreement or contract with the National Rail Passenger Corporation. Nor shall anything in this Section impose any limitation on the ability of any school district to apply for or receive any grant, loan or other funds for transportation of school children.

(c) The Authority shall provide to the Service Board any monies received relating to public transportation services under the jurisdiction of the Service Boards as follows:

(1) As soon as may be practicable after the Authority receives payment, under Section 4.03(m) or Section 4.03.1(d), of the proceeds of those taxes levied by the Authority, the Authority shall transfer to each Service Board the amount to which it is entitled under Section 4.01(d);

(2) The Authority by ordinance adopted by 9 of its then Directors shall establish a formula apportioning any federal funds for operating assistance purposes the Authority receives to each
Service Board. In establishing the formula, the Board shall consider, among other factors: ridership levels, the efficiency with which the service is provided, the degree of transit dependence of the area served and the cost of service. That portion of any federal funds for operating assistance received by the Authority shall be paid to each Service Board as soon as may be practicable upon their receipt provided the Authority has adopted a balanced budget as required by Section 4.01 and further provided that the Service Boards are in compliance with the requirements in Section 4.11.

(3) The Authority by ordinance adopted by 9 of its then Directors shall apportion to the Service Boards funds provided by the State of Illinois under Section 4.09 and shall make payment of said funds to each Service Board as soon as may be practicable upon their receipt provided the Authority has adopted a balanced budget as required by Section 4.01 and further provided the Service Board is in compliance with the requirements in Section 4.11.

(4) Beginning January 1, 2009, before making any payments, transfers, or expenditures under this subsection to a Service Board, the Authority must first comply with Section 4.02a or 4.02b of this Act, whichever may be applicable.

(Source: P.A. 83-885; 83-886.)

(70 ILCS 3615/4.02a new)

Sec. 4.02a. Chicago Transit Authority contributions to pension funds.

(a) The Authority shall continually review the Chicago Transit Authority's payment of the required contributions to its retirement system under Section 22-101 of the Illinois Pension Code.

(b) Beginning January 1, 2009, if at any time the Authority determines that the Chicago Transit Authority's payment of any portion of the required contributions to its retirement system under Section 22-101 of the Illinois Pension Code is more than one month overdue, it shall as soon as possible pay the amount of those overdue contributions to the trustee of the retirement system on behalf of the Chicago Transit Authority out of moneys otherwise payable to the Chicago Transit Authority under

New matter indicated by italics - deletions by strikeout
subsection (c) of Section 4.02 of this Act. The Authority shall thereafter have no liability to the Chicago Transit Authority for amounts paid to the trustee of the retirement system under this Section.

(3) Whenever the Authority acts or determines that it is required to act under subsection (b), it shall so notify the Chicago Transit Authority, the Mayor of Chicago, the Governor, and the General Assembly.

(70 ILCS 3615/4.02b new)

Sec. 4.02b. Other contributions to pension funds.

(a) The Authority shall continually review the payment of the required employer contributions to affected pension plans under Section 22-103 of the Illinois Pension Code.

(b) Beginning January 1, 2009, if at any time the Authority determines that the Commuter Rail Board's or Suburban Bus Board's payment of any portion of the required contributions to an affected pension plan under Section 22-103 of the Illinois Pension Code is more than one month overdue, it shall as soon as possible pay the amount of those overdue contributions to the trustee of the affected pension plan on behalf of that Service Board out of moneys otherwise payable to that Service Board under subsection (c) of Section 4.02 of this Act. The Authority shall thereafter have no liability to the Service Board for amounts paid to the trustee of the affected pension plan under this Section.

(c) Whenever the Authority acts or determines that it is required to act under subsection (b), it shall so notify the affected Service Board, the Mayor of Chicago, the Governor, and the General Assembly.

(d) Beginning January 1, 2009, if the Authority fails to pay to an affected pension fund within 30 days after it is due any employer contribution that it is required to make as a contributing employer under Section 22-103 of the Illinois Pension Code, it shall promptly so notify the Commission on Government Forecasting and Accountability, the Mayor of Chicago, the Governor, and the General Assembly, and it shall promptly pay the overdue amount out of the first money available to the Authority for its administrative expenses, as that term is defined in Section 4.01(c).

ARTICLE 99. NO ACCELERATION; EFFECTIVE DATE
Section 99-95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Approved June 6, 2006.
Effective June 6, 2006.

PUBLIC ACT 94-0840
(Senate Bill No. 2871)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Chicago Park District Working Cash Fund Act is amended by adding Section 4.1 as follows:

(70 ILCS 1510/4.1 new)

Sec. 4.1. Abolishment of working cash fund.
(a) The commissioners of the Chicago Park District may abolish its working cash fund by resolution and may transfer any balance remaining in the fund, including any interest that may have accrued, to the general corporate fund of the Chicago Park District at the end of the then current fiscal year. Any outstanding loans to other District funds shall be paid or become payable to the general corporate fund of the Chicago Park District at the close of the then current fiscal year.
(b) Any obligation incurred by the Chicago Park District pursuant to Section 2 shall be discharged as therein provided.

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

Passed in the General Assembly April 26, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Township Code is amended by changing Section 85-50 as follows:

(60 ILCS 1/85-50)
Sec. 85-50. Demolition, repair, or enclosure of buildings.
(a) The township board of any township may formally request the county board to commence specified proceedings with respect to property located within the township but outside the territory of any municipality as provided in Section 5-1121 of the Counties Code. If the county board declines the request as provided in Section 5-1121 of the Counties Code, the township may exercise its powers under this Section.

(b) The township board of each township may demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the township and may remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings.

The township board shall apply to the circuit court of the county in which the building is located (i) for an order authorizing action to be taken with respect to a building if the owner or owners of the building, including the lien holders of record, after at least 15 days' written notice by mail to do so, have failed to commence proceedings to put the building in a safe condition or to demolish it or (ii) for an order requiring the owner or owners of record to demolish, repair, or enclose the building or to remove garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from the building. It is not a defense to the cause of action that

New matter indicated by italics - deletions by strikeout
the building is boarded up or otherwise enclosed, although the court may order the defendant to have the building boarded up or otherwise enclosed. Where, upon diligent search, the identity or whereabouts of the owner or owners of the building, including the lien holders of record, is not ascertainable, notice mailed to the person or persons in whose name the real estate was last assessed and the posting of the notice upon the premises sought to be demolished or repaired is sufficient notice under this Section.

The hearing upon the application to the circuit court shall be expedited by the court and shall be given precedence over all other suits.

The cost of the demolition, repair, enclosure, or removal incurred by the township, by an intervenor, or by a lien holder of record, including court costs, attorney's fees, and other costs related to the enforcement of this Section, is recoverable from the owner or owners of the real estate or the previous owner or both if the property was transferred during the 15-day notice period and is a lien on the real estate if, within 180 days after the repair, demolition, enclosure, or removal, the township, the lien holder of record, or the intervenor who incurred the cost and expense shall file a notice of lien for the cost and expense incurred in the office of the recorder in the county in which the real estate is located or in the office of the registrar of titles of the county if the real estate affected is registered under the Registered Titles (Torrens) Act. The lien becomes effective at the time of filing.

The notice must consist of a sworn statement setting out (1) a description of the real estate sufficient for its identification, (2) the amount of money representing the cost and expense incurred, and (3) the date or dates when the cost and expense was incurred by the township, the lien holder of record, or the intervenor. Upon payment of the cost and expense by the owner of or persons interested in the property after the notice of lien has been filed, the lien shall be released by the township, the person in whose name the lien has been filed, or the assignee of the lien, and the release may be filed of record as in the case of filing notice of lien. Unless the lien is enforced under subsection (c), the lien may be enforced by foreclosure proceedings as in the case of mortgage foreclosures under

New matter indicated by italics - deletions by strikeout
Article XV of the Code of Civil Procedure or mechanics' lien foreclosures. An action to foreclose this lien may be commenced at any time after the date of filing of the notice of lien. The costs of foreclosure incurred by the township, including court costs, reasonable attorney's fees, advances to preserve the property, and other costs related to the enforcement of this subsection, plus statutory interest, are a lien on the real estate and arerecoverable by the township from the owner or owners of the real estate.

All liens arising under this subsection (b) shall be assignable. The assignee of the lien shall have the same power to enforce the lien as the assigning party, except that the lien may not be enforced under subsection (c).

(c) In any case where a township has obtained a lien under subsection (b), the township may enforce the lien under this subsection (c) in the same proceeding in which the lien is authorized.

A township desiring to enforce a lien under this subsection (c) shall petition the court to retain jurisdiction for foreclosure proceedings under this subsection. Notice of the petition shall be served, by certified or registered mail, on all persons who were served notice under subsection (b). The court shall conduct a hearing on the petition not less than 15 days after the notice is served. If the court determines that the requirements of this subsection (c) have been satisfied, it shall grant the petition and retain jurisdiction over the matter until the foreclosure proceeding is completed. The costs of foreclosure incurred by the township, including court costs, reasonable attorneys' fees, advances to preserve the property, and other costs related to the enforcement of this subsection, plus statutory interest, are a lien on the real estate and are recoverable by the township from the owner or owners of the real estate. If the court denies the petition, the township may enforce the lien in a separate action as provided in subsection (b).

All persons designated in Section 15-1501 of the Code of Civil Procedure as necessary parties in a mortgage foreclosure action shall be joined as parties before issuance of an order of foreclosure. Persons designated in Section 15-1501 of the Code of Civil Procedure as permissible parties may also be joined as parties in the action.
The provisions of Article XV of the Code of Civil Procedure applicable to mortgage foreclosures shall apply to the foreclosure of a lien under this subsection (c), except to the extent that those provisions are inconsistent with this subsection. For purposes of foreclosures of liens under this subsection, however, the redemption period described in subsection (c) of Section 15-1603 of the Code of Civil Procedure shall end 60 days after the date of entry of the order of foreclosure.

(d) In addition to any other remedy provided by law, the township board of any township may petition the circuit court to have property declared abandoned under this subsection (d) if:

(1) the property has been tax delinquent for 2 or more years or bills for water service for the property have been outstanding for 2 or more years;
(2) the property is unoccupied by persons legally in possession; and
(3) the property contains a dangerous or unsafe building.

All persons having an interest of record in the property, including tax purchasers and beneficial owners of any Illinois land trust having title to the property, shall be named as defendants in the petition and shall be served with process. In addition, service shall be had under Section 2-206 of the Code of Civil Procedure as in other cases affecting property.

The township, however, may proceed under this subsection in a proceeding brought under subsection (b). Notice of the petition shall be served by certified or registered mail on all persons who were served notice under subsection (b).

If the township proves that the conditions described in this subsection exist and the owner of record of the property does not enter an appearance in the action, or, if title to the property is held by an Illinois land trust, if neither the owner of record nor the owner of the beneficial interest of the trust enters an appearance, the court shall declare the property abandoned.

If that determination is made, notice shall be sent by certified or registered mail to all persons having an interest of record in the property, including tax purchasers and beneficial owners of any Illinois land trust

New matter indicated by italics - deletions by strikeout
having title to the property, stating that title to the property will be transferred to the township unless, within 30 days of the notice, the owner of record enters an appearance in the action, or unless any other person having an interest in the property files with the court a request to demolish the dangerous or unsafe building or to put the building in safe condition.

If the owner of record enters an appearance in the action within the 30-day period, the court shall vacate its order declaring the property abandoned. In that case, the township may amend its complaint in order to initiate proceedings under subsection (b).

If a request to demolish or repair the building is filed within the 30-day period, the court shall grant permission to the requesting party to demolish the building within 30 days or to restore the building to safe condition within 60 days after the request is granted. An extension of that period for up to 60 additional days may be given for good cause. If more than one person with an interest in the property files a timely request, preference shall be given to the person with the lien or other interest of the highest priority.

If the requesting party proves to the court that the building has been demolished or put in a safe condition within the period of time granted by the court, the court shall issue a quitclaim judicial deed for the property to the requesting party, conveying only the interest of the owner of record, upon proof of payment to the township of all costs incurred by the township in connection with the action, including but not limited to court costs, attorney's fees, administrative costs, the costs, if any, associated with building enclosure or removal, and receiver's certificates. The interest in the property so conveyed shall be subject to all liens and encumbrances on the property. In addition, if the interest is conveyed to a person holding a certificate of purchase for the property under the Property Tax Code, the conveyance shall be subject to the rights of redemption of all persons entitled to redeem under that Act, including the original owner of record.

If no person with an interest in the property files a timely request or if the requesting party fails to demolish the building or put the building in safe condition within the time specified by the court, the township may petition the court to issue a judicial deed for the property to the county. A
conveyance by judicial deed shall operate to extinguish all existing ownership interests in, liens on, and other interest in the property, including tax liens.

(e) This Section applies only to requests made by townships under subsection (a) before January 1, 2006 and proceedings to implement or enforce this Section with respect to matters related to or arising from those requests.

(Source: P.A. 92-347, eff. 8-15-01.)

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

Approved June 7, 2006.
Effective June 7, 2006.

PUBLIC ACT 94-0842
(House Bill No. 4729)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Military Code of Illinois is amended by changing Section 15 as follows:

(20 ILCS 1805/15) (from Ch. 129, par. 220.15)
Sec. 15. Assistant Adjutants General.

(a) The Commander-in-Chief shall appoint from the active officers of the Illinois National Guard, an Assistant Adjutant General for Army and an Assistant Adjutant General for Air each with a grade not to exceed Major of Brigadier General. Each of the Assistant Adjutants General shall be appointed for a term coinciding with the term provided for the Adjutant General in Section 14, and shall serve with the compensation and responsibilities as designated in this Act.

(b) The Commander-in-Chief may also appoint additional Assistant Adjutants General for Army and such additional Assistant Adjutants General for Air with the grades not to exceed those authorized

New matter indicated by italics - deletions by strikeout
for the positions in the Joint Force Headquarters of the Illinois National Guard.
(Source: P.A. 80-176.)

Approved June 8, 2006.

PUBLIC ACT 94-0843
(House Bill No. 5251)

AN ACT concerning certain individuals killed in the line of duty.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Line of Duty Compensation Act is amended by
changing Section 3 as follows:

(820 ILCS 315/3) (from Ch. 48, par. 283)

Sec. 3. Duty death benefit.

(a) If a claim therefor is made within one year of the date of death
of a law enforcement officer, civil defense worker, civil air patrol member,
paramedic, fireman, chaplain, State employee, or Armed Forces member
killed in the line of duty, compensation shall be paid to the person
designated by the law enforcement officer, civil defense worker, civil air
patrol member, paramedic, fireman, chaplain, State employee, or Armed
Forces member. However, if the Armed Forces member was killed in the
line of duty before October 18, 2004, the claim must be made within one

(b) The amount of compensation, except for an Armed Forces
member, shall be $10,000 if the death in the line of duty occurred prior to
January 1, 1974; $20,000 if such death occurred after December 31, 1973
and before July 1, 1983; $50,000 if such death occurred on or after July 1,
1983 and before January 1, 1996; $100,000 if the death occurred on or
after January 1, 1996 and before May 18, 2001; $118,000 if the death
occurred on or after May 18, 2001 and before July 1, 2002; and $259,038
if the death occurred on or after July 1, 2002 and before January 1, 2003.

New matter indicated by italics - deletions by strikeout
For an Armed Forces member killed in the line of duty (i) at any time before January 1, 2005, the compensation is $259,038 plus amounts equal to the increases for 2003 and 2004 determined under subsection (c) and (ii) on or after January 1, 2005, the compensation is the amount determined under item (i) plus the applicable increases for 2005 and thereafter determined under subsection (c).

(c) Except as provided in subsection (b), for deaths occurring on or after January 1, 2003, the death compensation rate for death in the line of duty occurring in a particular calendar year shall be the death compensation rate for death occurring in the previous calendar year (or in the case of deaths occurring in 2003, the rate in effect on December 31, 2002) increased by a percentage thereof equal to the percentage increase, if any, in the index known as the Consumer Price Index for All Urban Consumers: U.S. city average, unadjusted, for all items, as published by the United States Department of Labor, Bureau of Labor Statistics, for the 12 months ending with the month of June of that previous calendar year.

(d) If no beneficiary is designated or surviving at the death of the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, State employee, or Armed Forces member killed in the line of duty, the compensation shall be paid as follows:

(1) when there is a surviving spouse, the entire sum shall be paid to the spouse;
(2) when there is no surviving spouse, but a surviving descendant of the decedent, the entire sum shall be paid to the decedent's descendants per stirpes;
(3) when there is neither a surviving spouse nor a surviving descendant, the entire sum shall be paid to the parents of the decedent in equal parts, allowing to the surviving parent, if one is dead, the entire sum; and
(4) when there is no surviving spouse, descendant or parent of the decedent, but there are surviving brothers or sisters, or descendants of a brother or sister, who were receiving their principal support from the decedent at his death, the entire sum shall be paid, in equal parts, to the dependent brothers or sisters or
dependent descendant of a brother or sister. Dependency shall be
determined by the Court of Claims based upon the investigation
and report of the Attorney General.

(d-1) For purposes of subsection (d), in the case of a person killed
in the line of duty who was born out of wedlock and was not an adoptive
child at the time of the person's death, a person shall be deemed to be a
parent of the person killed in the line of duty only if that person would be
an eligible parent, as defined in Section 2-2 of the Probate Act of 1975, of
the person killed in the line of duty. This subsection (d-1) applies to any
pending claim if compensation was not paid to the claimant of the pending
claim before the effective date of this amendatory Act of the 94th General
Assembly.

(e) When there is no beneficiary designated or surviving at the
death of the law enforcement officer, civil defense worker, civil air patrol
member, paramedic, fireman, chaplain, State employee, or Armed Forces
member killed in the line of duty and no surviving spouse, descendant,
parent, dependent brother or sister, or dependent descendant of a brother or
sister, no compensation shall be payable under this Act.

(f) No part of such compensation may be paid to any other person
for any efforts in securing such compensation.

(g) This amendatory Act of the 93rd General Assembly applies to
claims made on or after October 18, 2004 with respect to an Armed Forces
member killed in the line of duty.

(Source: P.A. 92-3, eff. 5-18-01; 92-609, eff. 7-1-02; 93-1047, eff. 10-18-
04; 93-1073, eff. 1-18-05.)

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

Passed in the General Assembly March 27, 2006.
Approved June 8, 2006.
Effective June 8, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning certain individuals killed in the line of duty.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Illinois National Guardsman's Compensation Act is
amended, if and only if House Bill 5251 of the 94th General Assembly
becomes law, by changing Section 3 as follows:

(20 ILCS 1825/3) (from Ch. 129, par. 403)
Sec. 3. If a claim therefor is made within one year of the date of the
death of the guardsman, compensation shall be paid to the person
designated by such guardsman killed while on duty. The amount of
compensation shall be equal to the greater of (i) $100,000 or (ii) the
amount of compensation payable under Section 3 of the Line of Duty
Compensation Act when an individual to whom that Act applies is killed
in the line of duty. If no beneficiary is designated or surviving at the death
of the guardsman killed while on duty, the compensation shall be paid as
follows:

(a) When there is a surviving spouse, the entire sum shall
be paid to the spouse.

(b) When there is no surviving spouse, but a surviving
descendant of the decedent, the entire sum shall be paid to the
decedent's descendants per stirpes.

(c) When there is neither a surviving spouse nor a surviving
descendant, the entire sum shall be paid to the parents of the
decedent in equal parts, allowing to the surviving parent, if one is
dead, the entire sum.

(d) When there is no surviving spouse, descendant or parent
of the decedent, but there are surviving brothers or sisters, or
descendants of a brother or sister, who were receiving their
principal support from the decedent at his death, the entire sum
shall be paid, in equal parts, to the dependent brothers or sisters or
dependent descendant of a brother or sister. Dependency shall be

New matter indicated by italics - deletions by strikeout
determined by the Court of Claims based upon the investigation and report of the Attorney General.

When there is no beneficiary designated or surviving at the death of the guardsman killed while on duty and no surviving spouse, descendant, parent, dependent brother or sister, or dependent descendant of a brother or sister, no compensation shall be payable under this Act.

No part of such compensation may be paid to any other person for any efforts in securing such compensation.

*If compensation is payable under the Line of Duty Compensation Act because of the death of a guardsman, the provisions of that Act shall apply to the payment of that compensation.*

(Source: P.A. 93-1047, eff. 10-18-04.)

Section 10. The Line of Duty Compensation Act is amended, if and only if House Bill 5251 of the 94th General Assembly becomes law, by changing Section 3 as follows:

(820 ILCS 315/3) (from Ch. 48, par. 283)

Sec. 3. Duty death benefit.

(a) If a claim therefor is made within one year of the date of death of a law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, State employee, or Armed Forces member killed in the line of duty, compensation shall be paid to the person designated by the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, State employee, or Armed Forces member. However, if the Armed Forces member was killed in the line of duty before October 18, 2004, the claim must be made within one year of October 18, 2004.

(b) The amount of compensation, except for an Armed Forces member, shall be $10,000 if the death in the line of duty occurred prior to January 1, 1974; $20,000 if such death occurred after December 31, 1973 and before July 1, 1983; $50,000 if such death occurred on or after July 1, 1983 and before January 1, 1996; $100,000 if the death occurred on or after January 1, 1996 and before May 18, 2001; $118,000 if the death occurred on or after May 18, 2001 and before July 1, 2002; and $259,038 if the death occurred on or after July 1, 2002 and before January 1, 2003.

New matter indicated by italics - deletions by strikeout
For an Armed Forces member killed in the line of duty (i) at any time before January 1, 2005, the compensation is $259,038 plus amounts equal to the increases for 2003 and 2004 determined under subsection (c) and (ii) on or after January 1, 2005, the compensation is the amount determined under item (i) plus the applicable increases for 2005 and thereafter determined under subsection (c).

(c) Except as provided in subsection (b), for deaths occurring on or after January 1, 2003, the death compensation rate for death in the line of duty occurring in a particular calendar year shall be the death compensation rate for death occurring in the previous calendar year (or in the case of deaths occurring in 2003, the rate in effect on December 31, 2002) increased by a percentage thereof equal to the percentage increase, if any, in the index known as the Consumer Price Index for All Urban Consumers: U.S. city average, unadjusted, for all items, as published by the United States Department of Labor, Bureau of Labor Statistics, for the 12 months ending with the month of June of that previous calendar year.

(d) If no beneficiary is designated or if no designated beneficiary survives at the death of the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee, or Armed Forces member killed in the line of duty, the compensation shall be paid in accordance with a legally binding will left by the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee. If the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee did not leave a legally binding will, the compensation shall be paid as follows:

(1) when there is a surviving spouse, the entire sum shall be paid to the spouse;

(2) when there is no surviving spouse, but a surviving descendant of the decedent, the entire sum shall be paid to the decedent's descendants per stirpes;

(3) when there is neither a surviving spouse nor a surviving descendant, the entire sum shall be paid to the parents of the

New matter indicated by italics - deletions by strikeout
decedent in equal parts, allowing to the surviving parent, if one is
death, the entire sum; and

(4) when there is no surviving spouse, descendant or parent
of the decedent, but there are surviving brothers or sisters, or
descendants of a brother or sister, who were receiving their
principal support from the decedent at his death, the entire sum
shall be paid, in equal parts, to the dependent brothers or sisters or
dependent descendant of a brother or sister. Dependency shall be
determined by the Court of Claims based upon the investigation
and report of the Attorney General.

The changes made to this subsection (d) by this amendatory Act of the
94th General Assembly apply to any pending case as long as
compensation has not been paid to any party before the effective date of
this amendatory Act of the 94th General Assembly.

(d-1) For purposes of subsection (d), in the case of a person killed
in the line of duty who was born out of wedlock and was not an adoptive
child at the time of the person's death, a person shall be deemed to be a
parent of the person killed in the line of duty only if that person would be
an eligible parent, as defined in Section 2-2 of the Probate Act of 1975, of
the person killed in the line of duty. This subsection (d-1) applies to any
pending claim if compensation was not paid to the claimant of the pending
claim before the effective date of this amendatory Act of the 94th General
Assembly.

(d-2) If no beneficiary is designated or if no designated beneficiary
survives at the death of the Armed Forces member killed in the line of
duty, the compensation shall be paid in entirety according to the
designation made on the most recent version of the Armed Forces
member's Servicemembers' Group Life Insurance Election and Certificate
("SGLI").

If no SGLI form exists at the time of the Armed Forces member's
death, the compensation shall be paid in accordance with a legally
binding will left by the Armed Forces member.

If no SGLI form exists for the Armed Forces member and the
Armed Forces member did not leave a legally binding will, the

New matter indicated by italics - deletions by strikeout
compensation shall be paid to the persons and in the priority as set forth in paragraphs (1) through (4) of subsection (d) of this Section.

This subsection (d-2) applies to any pending case as long as compensation has not been paid to any party before the effective date of this amendatory Act of the 94th General Assembly.

(e) If there is no beneficiary designated or if no designated beneficiary survives or surviving at the death of the law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, State employee, or Armed Forces member killed in the line of duty and there is no other person or entity to whom compensation is payable under this Section surviving spouse, descendant, parent, dependent brother or sister, or dependent descendant of a brother or sister, no compensation shall be payable under this Act.

(f) No part of such compensation may be paid to any other person for any efforts in securing such compensation.

(g) This amendatory Act of the 93rd General Assembly applies to claims made on or after October 18, 2004 with respect to an Armed Forces member killed in the line of duty.

(Source: P.A. 92-3, eff. 5-18-01; 92-609, eff. 7-1-02; 93-1047, eff. 10-18-04; 93-1073, eff. 1-18-05; 94HB5251 enrolled.)

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

Approved June 8, 2006.
Effective June 8, 2006.

PUBLIC ACT 94-0845
(House Bill No. 4782)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by adding Section 11-1429 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 11-1429. Excessive idling.

(a) The purpose of this law is to protect public health and the environment by reducing emissions while conserving fuel and maintaining adequate rest and safety of all drivers of diesel vehicles.

(b) As used in this Section, "affected areas" means the counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair, and Monroe and the townships of Aux Sable and Goose Lake in Grundy County and the township of Oswego in Kendall County.

(c) A person that operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle, when it is not in motion, to idle for more than a total of 10 minutes within any 60 minute period, except under the following circumstances:

1. the motor vehicle has a Gross Vehicle Weight Rating of less than 8,000 pounds;
2. the motor vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official;
3. the motor vehicle idles when operating defrosters, heaters, air conditioners, or other equipment solely to prevent a safety or health emergency;
4. a police, fire, ambulance, public safety, other emergency or law enforcement motor vehicle, or any motor vehicle used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator;
5. the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is necessary for such activity;
6. a motor vehicle idles as part of a government inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection;
7. when idling of the motor vehicle is required to operate auxiliary equipment to accomplish the intended use of the vehicle (such as loading, unloading, mixing, or processing cargo);

New matter indicated by italics - deletions by strikeout
controlling cargo temperature; construction operations; lumbering operations; oil or gas well servicing; or farming operations), provided that this exemption does not apply when the vehicle is idling solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions;

(8) an armored motor vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded;

(9) a bus idles a maximum of 15 minutes in any 60 minute period to maintain passenger comfort while non-driver passengers are on board;

(10) if the motor vehicle has a sleeping berth, when the operator is occupying the vehicle during a rest or sleep period and idling of the vehicle is required to operate air conditioning or heating;

(11) when the motor vehicle idles due to mechanical difficulties over which the operator has no control;

(12) the motor vehicle is used as airport ground support equipment, including, but not limited to, motor vehicles operated on the air side of the airport terminal to service or supply aircraft;

(13) the motor vehicle is (i) a bus owned by a public transit authority and (ii) being operated on a designated bus route or on a street or highway between designated bus routes for the provision of public transportation;

(14) the motor vehicle is an implement of husbandry exempt from registration under subdivision A(2) of Section 3-402 of this Code;

(15) the motor vehicle is owned by an electric utility and is operated for electricity generation or hydraulic pressure to power equipment necessary in the restoration, repair, modification or installation of electric utility service; or

(16) the outdoor temperature is less than 32 degrees Fahrenheit or greater than 80 degrees Fahrenheit.

New matter indicated by italics - deletions by strikeout
(d) When the outdoor temperature is 32 degrees Fahrenheit or higher and 80 degrees Fahrenheit or lower, a person who operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle to idle for a period greater than 30 minutes in any 60 minute period while waiting to weigh, load, or unload cargo or freight, unless the vehicle is in a line of vehicles that regularly and periodically moves forward.

(e) This Section does not prohibit the operation of an auxiliary power unit or generator set as an alternative to idling the main engine of a motor vehicle operating on diesel fuel.

(f) This Section does not apply to the owner of a motor vehicle rented or leased to another entity or person operating the vehicle.

(g) Any person convicted of any violation of this Section is guilty of a petty offense and shall be fined $50 for the first conviction and $150 for a second or subsequent conviction within any 12 month period.

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved June 9, 2006.
Effective July 1, 2006.

PUBLIC ACT 94-0846
(Senate Bill No. 2243)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Police Training Act is amended by changing Section 2 as follows:

(50 ILCS 705/2) (from Ch. 85, par. 502)
Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:
"Board" means the Illinois Law Enforcement Training Standards Board.

New matter indicated by italics - deletions by strikeout
"Local governmental agency" means any local governmental unit or municipal corporation in this State. It does not include the State of Illinois or any office, officer, department, division, bureau, board, commission, or agency of the State, except that it does include a State-controlled university, college or public community college.

"Police training school" means any school located within the State of Illinois whether privately or publicly owned which offers a course in police or county corrections training and has been approved by the Board.

"Probationary police officer" means a recruit law enforcement officer required to successfully complete initial minimum basic training requirements at a police training school to be eligible for permanent full-time employment as a local law enforcement officer.

"Probationary part-time police officer" means a recruit part-time law enforcement officer required to successfully complete initial minimum part-time training requirements to be eligible for employment on a part-time basis as a local law enforcement officer.

"Permanent police officer" means a law enforcement officer who has completed his or her probationary period and is permanently employed on a full-time basis as a local law enforcement officer by a participating local governmental unit or as a security officer or campus policeman permanently employed by a participating State-controlled university, college, or public community college.

"Part-time police officer" means a law enforcement officer who has completed his or her probationary period and is employed on a part-time basis as a law enforcement officer by a participating unit of local government or as a campus policeman by a participating State-controlled university, college, or public community college.

"Law enforcement officer" means (i) any police officer of a local governmental agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this State or any political subdivision of this State or (ii) any member of a police force appointed and maintained as provided in Section 2 of the Railroad Police Act.

New matter indicated by italics - deletions by strikeout
"Recruit" means any full-time or part-time law enforcement officer or full-time county corrections officer who is enrolled in an approved training course.

"Probationary county corrections officer" means a recruit county corrections officer required to successfully complete initial minimum basic training requirements at a police training school to be eligible for permanent employment on a full-time basis as a county corrections officer.

"Permanent county corrections officer" means a county corrections officer who has completed his probationary period and is permanently employed on a full-time basis as a county corrections officer by a participating local governmental unit.

"County corrections officer" means any sworn officer of the sheriff who is primarily responsible for the control and custody of offenders, detainees or inmates.

"Probationary court security officer" means a recruit court security officer required to successfully complete initial minimum basic training requirements at a designated training school to be eligible for employment as a court security officer.

"Permanent court security officer" means a court security officer who has completed his or her probationary period and is employed as a court security officer by a participating local governmental unit.

"Court security officer" has the meaning ascribed to it in Section 3-6012.1 of the Counties Code.

(Source: P.A. 90-271, eff. 7-30-97; 91-357, eff. 7-29-99.)

Section 10. The Railroad Police Act is amended by changing Section 2 as follows:

(610 ILCS 80/2) (from Ch. 114, par. 98)

Sec. 2. Conductors of all railroad trains, and the captain or master of any boat carrying passengers within the jurisdiction of this state, is vested with police powers while on duty on their respective trains and boats, and may wear an appropriate badge indicative of such authority.

In the policing of its properties any registered rail carrier, as defined in Section 18c-7201 of the Illinois Vehicle Code, railroad may provide for the appointment and maintenance of such police force as it

New matter indicated by italics - deletions by strikeout
may find necessary and practicable to aid and supplement the police forces of any municipality in the protection of its property and the protection of the persons and property of its passengers and employees, or otherwise in furtherance of the purposes for which such railroad was organized. While engaged in the conduct of their employment, the members of such railroad police force have and may exercise like police powers as those conferred upon any peace officer employed by a law enforcement agency of this State or the police of cities.

Any registered rail carrier that appoints and maintains a police force shall comply with the following requirements:

(1) Establish an internal policy that includes procedures to ensure objective oversight in addressing allegations of abuse of authority or other misconduct on the part of its police officers.

(2) Adopt appropriate policies and guidelines for employee investigations by police officers. These policies and guidelines shall provide for initiating employee investigations only under the following conditions:

(A) There is reason to believe criminal misconduct has occurred.

(B) In response to an employee accident.

(C) There is reason to believe that the interview of an employee could result in workplace violence.

(D) There is a legitimate concern for the personal safety of one or more employees.

These policies and guidelines shall provide for the right of an employee to request a representative to be present during any interview concerning a non-criminal matter.

(3) File copies of the policies and guidelines adopted under paragraphs (1) and (2) with the Illinois Law Enforcement Training Standards Board, which shall make them available for public inspection.

(Source: Laws 1968, p. 198.)

Section 15. The Criminal Code of 1961 is amended by changing Section 2-13 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 2-13. "Peace officer". "Peace officer" means (i) any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or (ii) any person who, by statute, is granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State.

For purposes of Sections concerning unlawful use of weapons, for the purposes of assisting an Illinois peace officer in an arrest, or when the commission of a felony under Illinois law is directly observed by the person, then officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered "peace officers" under this Code, including, but not limited to all criminal investigators of:

(1) The United States Department of Justice, The Federal Bureau of Investigation, The Drug Enforcement Agency and The Department of Immigration and Naturalization;


(3) The United States Internal Revenue Service;

(4) The United States General Services Administration;

(5) The United States Postal Service; and

(6) all United States Marshals Marshalls or Deputy United States Marshals Marshalls whose duties involve the enforcement of federal criminal laws.

(Source: P.A. 88-677, eff. 12-15-94; revised 10-13-05.)

Section 20. The Code of Criminal Procedure of 1963 is amended by changing Section 107-4 as follows:

Sec. 107-4. Arrest by peace officer from other jurisdiction.

(a) As used in this Section:

New matter indicated by italics - deletions by strikeout
(1) "State" means any State of the United States and the District of Columbia.

(2) "Peace Officer" means any peace officer or member of any duly organized State, County, or Municipal peace unit, any police force of another State, or any police force whose members, by statute, are granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State.

(3) "Fresh pursuit" means the immediate pursuit of a person who is endeavoring to avoid arrest.

(4) "Law enforcement agency" means a municipal police department or county sheriff's office of this State.

(a-3) Any peace officer employed by a law enforcement agency of this State may conduct temporary questioning pursuant to Section 107-14 of this Code and may make arrests in any jurisdiction within this State if:
(1) the officer is engaged in the investigation of an offense that occurred in the officer's primary jurisdiction and the temporary questioning is conducted or the arrest is made pursuant to that investigation; or (2) the officer, while on duty as a peace officer, becomes personally aware of the immediate commission of a felony or misdemeanor violation of the laws of this State; or (3) the officer, while on duty as a peace officer, is requested by an appropriate State or local law enforcement official to render aid or assistance to the requesting law enforcement agency that is outside the officer's primary jurisdiction. While acting pursuant to this subsection, an officer has the same authority as within his or her own jurisdiction.

(a-7) The law enforcement agency of the county or municipality in which any arrest is made under this Section shall be immediately notified of the arrest.

(b) Any peace officer of another State who enters this State in fresh pursuit and continues within this State in fresh pursuit of a person in order to arrest him on the ground that he has committed an offense in the other State has the same authority to arrest and hold the person in custody as.
peace officers of this State have to arrest and hold a person in custody on
the ground that he has committed an offense in this State.

(c) If an arrest is made in this State by a peace officer of another
State in accordance with the provisions of this Section he shall without
unnecessary delay take the person arrested before the circuit court of the
county in which the arrest was made. Such court shall conduct a hearing
for the purpose of determining the lawfulness of the arrest. If the court
determines that the arrest was lawful it shall commit the person arrested, to
await for a reasonable time the issuance of an extradition warrant by the
Governor of this State, or admit him to bail for such purpose. If the court
determines that the arrest was unlawful it shall discharge the person
arrested.

(Source: P.A. 93-232, eff. 1-1-04.)

Approved June 9, 2006.

PUBLIC ACT 94-0847
(Senate Bill No. 2308)

AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by adding
Section 5-2.07 as follows:

(305 ILCS 5/5-2.07 new)

Sec. 5-2.07. Use of Medicaid spend-down. No later than July 1,
2007, subject to federal approval of a State Medicaid Plan amendment,
which shall be sought by the Department of Healthcare and Family
Services or its successor agency, persons described in item 2(a) of Section
5-2, who fail to qualify for basic maintenance under Article III of this
Code on the basis of need because of excess income or assets, or both,
may establish eligibility for medical assistance by paying the amount of
their monthly spend-down under this Article (as described in 42 CFR

New matter indicated by italics - deletions by strikeout
435.831) to the Department of Healthcare and Family Services or its successor agency or by having a third party pay that amount to the Department on their behalf.

Approved June 9, 2006.

PUBLIC ACT 94-0848
(Senate Bill No. 2878)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 13C-15, 13C-50, 13C-55, and 13C-60 as follows:
(625 ILCS 5/13C-15)
Sec. 13C-15. Inspections.
(a) Computer-Matched Inspections and Notification.
   (1) The provisions of this subsection (a) are operative until the implementation of the registration denial inspection and notification mechanisms required by subsection (b). Beginning with the implementation of the program required by this Chapter, every motor vehicle that is owned by a resident of an affected county, other than a vehicle that is exempt under paragraph (a)(6) or (a)(7) subsection (f) or (g), is subject to inspection under the program.

   The Agency shall send notice of the assigned inspection month, at least 15 days before the beginning of the assigned inspection month, to the owner of each vehicle subject to the program. An initial emission inspection sticker or initial inspection certificate, as the case may be, expires on the last day of the third month following the month assigned by the Agency for the first inspection of the vehicle. A renewal inspection sticker or certificate expires on the last day of the third month following the month assigned for

New matter indicated by italics - deletions by strikeout
inspection in the year in which the vehicle's next inspection is required.

The Agency or its agent may issue an interim emission inspection sticker or certificate for any vehicle subject to inspection that does not have a currently valid emission inspection sticker or certificate at the time the Agency is notified by the Secretary of State of its registration by a new owner, and for which an initial emission inspection sticker or certificate has already been issued. An interim emission inspection sticker or certificate expires no later than the last day of the sixth complete calendar month after the date the Agency issued the interim emission inspection sticker or certificate.

The owner of each vehicle subject to inspection shall obtain an emission inspection sticker or certificate for the vehicle in accordance with this paragraph (1) subsection. Before the expiration of the emission inspection sticker or certificate, the owner shall have the vehicle inspected and, upon demonstration of compliance, obtain a renewal emission inspection sticker or certificate. A renewal emission inspection sticker or certificate shall not be issued more than 5 months before the expiration date of the previous inspection sticker or certificate.

(2) (b) Except as provided in paragraph (a)(3) subsection (c), vehicles shall be inspected every 2 years on a schedule that begins either in the second, fourth, or later calendar year after the vehicle model year. The beginning test schedule shall be set by the Agency and shall be consistent with the State's requirements for emission reductions as determined by the applicable United States Environmental Protection Agency vehicle emissions estimation model and applicable guidance and rules.

(3) (c) A vehicle may be inspected at a time outside of its normal 2-year inspection schedule, if (i) the vehicle was acquired by a new owner and (ii) the vehicle was required to be in compliance with this Act at the time the vehicle was acquired by the new owner, but it was not then in compliance.
(4) (d) The owner of a vehicle subject to inspection shall have the vehicle inspected and shall obtain and display on the vehicle or carry within the vehicle, in a manner specified by the Agency, a valid unexpired emission inspection sticker or certificate in the manner specified by the Agency. A person who violates this paragraph (4) subsection (d) is guilty of a petty offense, except that a third or subsequent violation within one year of the first violation is a Class C misdemeanor. The fine imposed for a violation of this paragraph (4) subsection shall be not less than $50 if the violation occurred within 60 days following the date by which a new or renewal emission inspection sticker or certificate was required to be obtained for the vehicle, and not less than $300 if the violation occurred more than 60 days after that date.

(5) (e) For a $20 fee, to be paid into the Vehicle Inspection Fund, the Agency may inspect:

(A) (1) A vehicle registered in and subject to the emission inspections requirements of another state.

(B) (2) A vehicle presented for inspection on a voluntary basis.

Any fees collected under this paragraph (5) subsection shall not offset Motor Fuel Tax Funds normally appropriated for the program.

(6) (f) The following vehicles are not subject to inspection:

(A) (1) Vehicles not subject to registration under Article IV of Chapter 3 of this Code, other than vehicles owned by the federal government.

(B) (2) Motorcycles, motor driven cycles, and motorized pedalcycles.

(C) (3) Farm vehicles and implements of husbandry.

(D) (4) Implements of warfare owned by the State or federal government.

(E) (5) Antique vehicles, custom vehicles, street rods, and vehicles of model year 1967 or before.

New matter indicated by italics - deletions by strikeout
(F) (6) Vehicles operated exclusively for parade or ceremonial purposes by any veterans, fraternal, or civic organization, organized on a not-for-profit basis.

(G) (7) Vehicles for which the Secretary of State, under Section 3-117 of this Code, has issued a Junking Certificate.

(H) (8) Diesel powered vehicles and vehicles that are powered exclusively by electricity.

(I) (9) Vehicles operated exclusively in organized amateur or professional sporting activities, as defined in Section 3.310 of the Environmental Protection Act.

(J) (10) Vehicles registered in, subject to, and in compliance with the emission inspection requirements of another state.

(K) (11) Vehicles participating in an OBD continuous monitoring program operated in accordance with procedures adopted by the Agency.

(L) (12) Vehicles of model year 1995 or earlier that do not have an expired emissions test sticker or certificate on February 1, 2007.

The Agency may issue temporary or permanent exemption stickers or certificates for vehicles temporarily or permanently exempt from inspection under this paragraph (6) subsection (f). An exemption sticker or certificate does not need to be displayed.

(7) (g) According to criteria that the Agency may adopt, a motor vehicle may be exempted from the inspection requirements of this Section by the Agency on the basis of an Agency determination that the vehicle is located and primarily used outside of the affected counties or in other jurisdictions where vehicle emission inspections are not required. The Agency may issue an annual exemption sticker or certificate without inspection for any vehicle exempted from inspection under this paragraph (7) subsection.
(8) (h) Any owner or lessee of a fleet of 15 or more motor vehicles that are subject to inspection under this Section may apply to the Agency for a permit to establish and operate a private official inspection station in accordance with rules adopted by the Agency.

(9) (i) Pursuant to Title 40, Section 51.371 of the Code of Federal Regulations, the Agency may establish a program of on-road testing of in-use vehicles through the use of remote sensing devices. In any such program, the Agency shall evaluate the emission performance of 0.5% of the subject fleet or 20,000 vehicles, whichever is less. Under no circumstances shall on-road testing include any sort of roadblock or roadside pullover or cause any type of traffic delay. If, during the course of an on-road inspection, a vehicle is found to exceed the on-road emissions standards established for the model year and type of vehicle, the Agency shall send a notice to the vehicle owner. The notice shall document the occurrence and the results of the on-road exceedance. The notice of a second on-road exceedance shall indicate that the vehicle has been reassigned and is subject to an out-of-cycle follow-up inspection at an official inspection station. In no case shall the Agency send a notice of an on-road exceedance to the owner of a vehicle that was found to exceed the on-road emission standards established for the model year and type of vehicle, if the vehicle is registered outside of the affected counties.

(b) Registration Denial Inspection and Notification.

(1) No later than January 1, 2008, every motor vehicle that is owned by a resident of an affected county, other than a vehicle that is exempt under paragraph (b)(8) or (b)(9), is subject to inspection under the program.

The owner of a vehicle subject to inspection shall have the vehicle inspected and obtain proof of compliance from the Agency in order to obtain or renew a vehicle registration for a subject vehicle.
The Secretary of State shall notify the owner of a vehicle subject to inspection of the requirement to have the vehicle tested at least 30 days prior to the beginning of the month in which the vehicle's registration is due to expire. Notwithstanding the preceding, vehicles with permanent registration plates shall be notified at least 30 days prior to the month corresponding to the date the vehicle was originally registered. This notification shall clearly state the vehicle's test status, based upon the vehicle type, model year and registration address.

The owner of each vehicle subject to inspection shall have the vehicle inspected and, upon demonstration of compliance, obtain an emissions compliance certificate for the vehicle.

(2) Except as provided in paragraphs (b)(3), (b)(4), and (b)(5), vehicles shall be inspected every 2 years on a schedule that begins in the fourth calendar year after the vehicle model year. Even model year vehicles shall be inspected and comply in order to renew registrations expiring in even calendar years and odd model year vehicles shall be inspected and comply in order to renew registrations expiring in odd calendar years.

(3) A vehicle shall be inspected and comply at a time outside of its normal 2-year inspection schedule if (i) the vehicle was acquired by a new owner and (ii) the vehicle had not been issued a Compliance Certificate within one year of the date of application for the title or registration, or both, for the vehicle.

(4) Vehicles with 2-year registrations shall be inspected every 2 years at the time of registration issuance or renewal on a schedule that begins in the fourth year after the vehicle model year.

(5) Vehicles with permanent vehicle registration plates shall be inspected every 2 years on a schedule that begins in the fourth calendar year after the vehicle model year in the month corresponding to the date the vehicle was originally registered. Even model year vehicles shall be inspected and comply in even
calendar years, and odd model year vehicles shall be inspected and comply in odd calendar years.

(6) The Agency and the Secretary of State shall endeavor to ensure a smooth transition from test scheduling from the provisions of subsection (a) to subsection (b). Passing tests and waivers issued prior to the implementation of this subsection (b) may be utilized to establish compliance for a period of one year from the date of the emissions or waiver inspection.

(7) For a $20 fee, to be paid into the Vehicle Inspection Fund, the Agency may inspect:

(A) A vehicle registered in and subject to the emissions inspections requirements of another state.

(B) A vehicle presented for inspection on a voluntary basis.

Any fees collected under this paragraph (7) shall not offset Motor Fuel Tax Funds normally appropriated for the program.

(8) The following vehicles are not subject to inspection:

(A) Vehicles not subject to registration under Article IV of Chapter 3 of this Code, other than vehicles owned by the federal government.

(B) Motorcycles, motor driven cycles, and motorized pedalcycles.

(C) Farm vehicles and implements of husbandry.

(D) Implements of warfare owned by the State or federal government.

(E) Antique vehicles, custom vehicles, street rods, and vehicles of model year 1967 or before.

(F) Vehicles operated exclusively for parade or ceremonial purposes by any veterans, fraternal, or civic organization, organized on a not-for-profit basis.

(G) Vehicles for which the Secretary of State, under Section 3-117 of this Code, has issued a Junking Certificate.

New matter indicated by italics - deletions by strikeout
(H) Diesel powered vehicles and vehicles that are powered exclusively by electricity.

(I) Vehicles operated exclusively in organized amateur or professional sporting activities, as defined in Section 3.310 of the Environmental Protection Act.

(J) Vehicles registered in, subject to, and in compliance with the emission inspection requirements of another state.

(K) Vehicles participating in an OBD continuous monitoring program operated in accordance with procedures adopted by the Agency.

(L) Vehicles of model year 1995 or earlier that do not have an expired emissions test sticker or certificate on February 1, 2007.

The Agency may issue temporary or permanent exemption certificates for vehicles temporarily or permanently exempt from inspection under this paragraph (8). An exemption sticker or certificate does not need to be displayed.

(9) According to criteria that the Agency may adopt, a motor vehicle may be exempted from the inspection requirements of this Section by the Agency on the basis of an Agency determination that the vehicle is located and primarily used outside of the affected counties or in other jurisdictions where vehicle emissions inspections are not required. The Agency may issue an annual exemption certificate without inspection for any vehicle exempted from inspection under this paragraph (9).

(10) Any owner or lessee of a fleet of 15 or more motor vehicles that are subject to inspection under this Section may apply to the Agency for a permit to establish and operate a private official inspection station in accordance with rules adopted by the Agency.

(11) Pursuant to Title 40, Section 51.371 of the Code of Federal Regulations, the Agency may establish a program of on-road testing of in-use vehicles through the use of remote sensing

New matter indicated by italics - deletions by strikeout
devices. In any such program, the Agency shall evaluate the emission performance of 0.5% of the subject fleet or 20,000 vehicles, whichever is less. Under no circumstances shall on-road testing include any sort of roadblock or roadside pullover or cause any type of traffic delay. If, during the course of an on-road inspection, a vehicle is found to exceed the on-road emissions standards established for the model year and type of vehicle, the Agency shall send a notice to the vehicle owner. The notice shall document the occurrence and the results of the on-road exceedance. The notice of a second on-road exceedance shall indicate that the vehicle has been reassigned and is subject to an out-of-cycle follow-up inspection at an official inspection station. In no case shall the Agency send a notice of an on-road exceedance to the owner of a vehicle that was found to exceed the on-road emissions standards established for the model year and type of vehicle, if the vehicle is registered outside of the affected counties.

(Source: P.A. 94-526, eff. 1-1-06.)

(625 ILCS 5/13C-50)
Sec. 13C-50. Costs.

(a) Except as otherwise provided in paragraph (a)(5) or (b)(7) subsection (e) of Section 13C-15, no fee shall be charged to motor vehicle owners for obtaining inspections required under this Chapter. The Vehicle Inspection Fund, which is a fund created in the State treasury for the purpose of receiving moneys from the Motor Fuel Tax Fund and other sources, shall be used, subject to appropriation, for the payment of the costs of the program, including reimbursement of those agencies of the State that incur expenses in the administration or enforcement of the program. The Vehicle Inspection Fund shall continue in existence notwithstanding the repeal of Chapter 13B. Any money in the Vehicle Inspection Fund on February 1, 2007, shall be used for the purposes set forth in this Chapter.

(b) The Agency may acquire, own, maintain, operate, sell, lease and otherwise transfer real and personal property and interests in real and

New matter indicated by italics - deletions by strikeout
personal property for the purpose of creating or operating inspection stations and for any other purpose relating to the administration of this Chapter, and may use money from the Vehicle Inspection Fund for these purposes.

(Source: P.A. 94-526, eff. 1-1-06.)

(625 ILCS 5/13C-55)
Sec. 13C-55. Enforcement.
(a) Computer-Matched Enforcement.

(1) The provisions of this subsection (a) are operative until the implementation of the registration denial enforcement mechanism required by subsection (b). The Agency shall cooperate in the enforcement of this Chapter by (i) identifying probable violations through computer matching of vehicle registration records and inspection records; (ii) sending one notice to each suspected violator identified through such matching, stating that registration and inspection records indicate that the vehicle owner has not complied with this Chapter; (iii) directing the vehicle owner to notify the Agency or the Secretary of State if he or she has ceased to own the vehicle or has changed residence; and (iv) advising the vehicle owner of the consequences of violating this Chapter.

The Agency shall cooperate with the Secretary of State in the administration of this Chapter and the related provisions of Chapter 3, and shall provide the Secretary of State with such information as the Secretary of State may deem necessary for these purposes, including regular and timely access to vehicle inspection records.

The Secretary of State shall cooperate with the Agency in the administration of this Chapter and shall provide the Agency with such information as the Agency may deem necessary for the purposes of this Chapter, including regular and timely access to vehicle registration records. Section 2-123 of this Code does not apply to the provision of this information.

New matter indicated by italics - deletions by strikeout
(2) (b) The Secretary of State shall suspend either the driving privileges or the vehicle registration, or both, of any vehicle owner who has not complied with this Chapter, if (i) the vehicle owner has failed to satisfactorily respond to the one notice sent by the Agency under paragraph (a)(1) subsection (a), and (ii) the Secretary of State has mailed the vehicle owner a notice that the suspension will be imposed if the owner does not comply within a stated period, and the Secretary of State has not received satisfactory evidence of compliance within that period. The Secretary of State shall send this notice only after receiving a statement from the Agency that the vehicle owner has failed to comply with this Section. Notice shall be effective as specified in subsection (c) of Section 6-211 of this Code.

A suspension under this paragraph (a)(2) subsection shall not be terminated until satisfactory proof of compliance has been submitted to the Secretary of State. No driver's license or permit, or renewal of a license or permit, may be issued to a person whose driving privileges have been suspended under this Section until the suspension has been terminated. No vehicle registration or registration plate that has been suspended under this Section may be reinstated or renewed, or transferred by the owner to any other vehicle, until the suspension has been terminated.

(b) Registration Denial Enforcement.

(1) No later than January 1, 2008, and consistent with Title 40, Part 51, Section 51.361 of the Code of Federal Regulations, the Agency and the Secretary of State shall design, implement, maintain, and operate a registration denial enforcement mechanism to ensure compliance with the provisions of this Chapter, and cooperate with other State and local governmental entities to effectuate its provisions. Specifically, this enforcement mechanism shall contain, at a minimum, the following elements:

(A) An external, readily visible means of determining vehicle compliance with the registration requirement to facilitate enforcement of the program;

New matter indicated by italics - deletions by strikeout
(B) A biennial schedule of testing that clearly determines when a vehicle shall comply prior to registration;

(C) A testing certification mechanism (either paper-based or electronic) that shall be used for registration purposes and clearly states whether the certification is valid for purposes of registration, including:
   (i) Expiration date of the certificate;
   (ii) Unambiguous vehicle identification information; and
   (iii) Whether the vehicle passed or received a waiver;

(D) A commitment to routinely issue citations to motorists with expired or missing license plates, with either no registration or an expired registration, and with no license plate decals or expired decals, and provide for enforcement officials other than police to issue citations (e.g., parking meter attendants) to parked vehicles in noncompliance;

(E) A commitment to structure the penalty system to deter noncompliance with the registration requirement through the use of mandatory minimum fines (meaning civil, monetary penalties) constituting a meaningful deterrent and through a requirement that compliance be demonstrated before a case can be closed;

(F) Ensurance that evidence of testing is available and checked for validity at the time of a new registration of a used vehicle or registration renewal;

(G) Prevention of owners or lessors from avoiding testing through manipulation of the title or registration system; title transfers may re-start the clock on the inspection cycle only if proof of current compliance is required at title transfer;
(H) Prevention of the fraudulent initial classification or reclassification of a vehicle from subject to non-subject or exempt by requiring proof of address changes prior to registration record modification, and documentation from the testing program (or delegate) certifying based on a physical inspection that the vehicle is exempt;

(I) Limiting and tracking of the use of time extensions of the registration requirement to prevent repeated extensions;

(J) Providing for meaningful penalties for cases of registration fraud;

(K) Limiting and tracking exemptions to prevent abuse of the exemption policy for vehicles claimed to be out-of-state; and

(L) Encouraging enforcement of vehicle registration transfer requirements when vehicle owners move into the affected counties by coordinating with local and State enforcement agencies and structuring other activities (e.g., driver's license issuance) to effect registration transfers.

(2) The Agency shall cooperate in the enforcement of this Chapter by providing the owner or owners of complying vehicles with a Compliance Certificate stating that the vehicle meets all applicable requirements of this Chapter.

The Agency shall cooperate with the Secretary of State in the administration of this Chapter and the related provisions of Chapter 3, and shall provide the Secretary of State with such information as the Secretary of State may deem necessary for these purposes, including regular and timely access to vehicle inspection records.

The Secretary of State shall cooperate with the Agency in the administration of this Chapter and shall provide the Agency with such information as the Agency may deem necessary for the purposes of this Chapter, including regular and timely access to vehicle inspection records.
vehicle registration records. Section 2-123 of this Code does not apply to the provision of this information.

(3) Consistent with the requirements of Section 13C-15, the Secretary of State shall not renew any vehicle registration for a subject vehicle that has not complied with this Chapter. Additionally, the Secretary of State shall not allow the issuance of a new registration nor allow the transfer of a registration to a subject vehicle that has not complied with this Chapter.

(4) The Secretary of State shall suspend the registration of any vehicle which has permanent vehicle registration plates that has not complied with the requirements of this Chapter. A suspension under this paragraph (4) shall not be terminated until satisfactory proof of compliance has been submitted to the Secretary of State. No permanent vehicle registration plate that has been suspended under this Section may be reinstated or renewed, or transferred by the owner to any other vehicle, until the suspension has been terminated.

(Source: P.A. 94-526, eff. 1-1-06.)

(625 ILCS 5/13C-60)

Sec. 13C-60. Other offenses.

(a) Any person who knowingly displays an emission inspection or exemption certificate for sticker or exemption sticker on any vehicle other than the one for which the certificate sticker was lawfully issued in accordance with the provisions of this Chapter, or duplicates, alters, uses, possesses, issues, or distributes any emission inspection or exemption sticker, exemption sticker, inspection certificate, or facsimile thereof, except in accordance with the provisions of this Chapter and the rules and regulations adopted hereunder, is guilty of a Class C misdemeanor.

(b) A vehicle owner shall pay a monetary fine equivalent to the test fee plus the applicable waiver repair expenditure for the continued operation of a non-complying vehicle beyond 4 months past the expiration of the vehicle emission inspection certificate. Any fines collected under this Section shall be divided equally between the local jurisdiction issuing the citation and the Vehicle Inspection Fund.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by adding Section 13.6 as follows:

(415 ILCS 5/13.6 new)

Sec. 13.6. Release of radionuclides at nuclear power plants.

(a) The purpose of this Section is to require the detection and reporting of unpermitted releases of any radionuclides into groundwater, surface water, or soil at nuclear power plants, to the extent that federal law or regulation does not preempt such requirements.

(b) No owner or operator of a nuclear power plant shall violate any rule adopted under this Section.

(c) Within 24 hours after an unpermitted release of a radionuclide from a nuclear power plant, the owner or operator of the nuclear power plant where the release occurred shall report the release to the Agency and the Illinois Emergency Management Agency. For purposes of this Section, "unpermitted release of a radionuclide" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a radionuclide into groundwater, surface water, or soil that is not permitted under State or federal law or regulation.

(d) The Agency and the Illinois Emergency Management Agency shall inspect each nuclear power plant for compliance with the requirements of this Section and rules adopted pursuant to this Section no
less than once each calendar quarter. Nothing in this Section shall limit the Agency's authority to make inspections under Section 4 or any other provision of this Act.

(e) No later than one year after the effective date of this amendatory Act of the 94th General Assembly, the Agency, in consultation with the Illinois Emergency Management Agency, shall propose rules to the Board prescribing standards for detecting and reporting unpermitted releases of radionuclides. No later than one year after receipt of the Agency's proposal, the Board shall adopt rules prescribing standards for detecting and reporting unpermitted releases of radionuclides. Rules adopted under this subsection may also include standards for self-inspection by the owner or operator of the nuclear power plant in lieu of the inspections required under subsection (d) of this Section.

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

Passed in the General Assembly April 4, 2006.
Approved June 12, 2006.
Effective June 12, 2006.

PUBLIC ACT 94-0850
(Senate Bill No. 2601)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Power of Attorney Act is amended by changing Section 2-7.5 as follows:
(755 ILCS 45/2-7.5)
Sec. 2-7.5. Incapacitated principal.
(a) This Section shall apply only to an agent acting for a principal who is incapacitated. A principal shall be considered incapacitated if that individual is under a legal disability as defined in Section 11a-2 of the Probate Act of 1975. A principal shall also be considered incapacitated if:
(i) a physician licensed to practice medicine in all its branches has

New matter indicated by italics - deletions by strikeout
examined the principal and has determined that the principal lacks decision making capacity; and (ii) that physician has made a written record of this determination and has signed the written record within 90 days after the examination; and (iii) the written record has been delivered to the agent. The agent may rely conclusively on that written record.

(b) An agent shall provide a record of all receipts, disbursements, and significant actions taken under the authority of the agency when requested to do so: (i) by a representative of a provider agency, as defined in Section 2 of the Elder Abuse and Neglect Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act; (ii) by a representative of the Office of the State Long Term Care Ombudsman acting in the course of an investigation of a complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging; or (iii) by a representative of the Office of Inspector General for the Department of Human Services acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act.

(c) If the agent fails to provide his or her record of all receipts, disbursements, and significant actions within 21 days after a request under paragraph (b), the elder abuse provider agency or the State Long Term Care Ombudsman may petition the court for an order requiring the agent to produce his or her record of receipts, disbursements, and significant actions. If the court finds that the agent's failure to provide his or her record in a timely manner to the elder abuse provider agency or the State Long Term Care Ombudsman was without good cause, the court may assess reasonable costs and attorney's fees against the agent, and order such other relief as is appropriate.

(Source: P.A. 94-500, eff. 8-8-05.)

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

AN ACT concerning confidentiality.

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

Section 5. The Abuse of Adults with Disabilities Intervention Act is amended by adding Section 59 as follows:

(20 ILCS 2435/59 new)

Sec. 59. Subpoena; document production. The Office of Inspector General has the power to subpoena witnesses and compel the production of books, papers, and documents, including financial records and medical records, pertinent to an assessment authorized by this Act. Mental health records of victims shall be confidential as provided under the Mental Health and Developmental Disabilities Confidentiality Act. Financial records obtained during the course of an assessment are confidential and may be released only with the consent of the victim or the victim's guardian or in response to a court order, a grand jury subpoena, or a subpoena from a law enforcement authority.

Section 10. The Illinois Banking Act is amended by changing Section 48.1 as follows:

(205 ILCS 5/48.1) (from Ch. 17, par. 360)

Sec. 48.1. Customer financial records; confidentiality.

(a) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of:

(1) a document granting signature authority over a deposit or account;

(2) a statement, ledger card or other record on any deposit or account, which shows each transaction in or with respect to that account;

(3) a check, draft or money order drawn on a bank or issued and payable by a bank; or

(4) any other item containing information pertaining to any relationship established in the ordinary course of a bank's business

New matter indicated by italics - deletions by strikeout
between a bank and its customer, including financial statements or other financial information provided by the customer.

(b) This Section does not prohibit:

(1) The preparation, examination, handling or maintenance of any financial records by any officer, employee or agent of a bank having custody of the records, or the examination of the records by a certified public accountant engaged by the bank to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by a bank to, any officer, employee or agent of (i) the Commissioner of Banks and Real Estate, (ii) after May 31, 1997, a state regulatory authority authorized to examine a branch of a State bank located in another state, (iii) the Comptroller of the Currency, (iv) the Federal Reserve Board, or (v) the Federal Deposit Insurance Corporation for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to customers where the data cannot be identified to any particular customer or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a bank and other banks or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a bank and other banks or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the bank or assets or liabilities of the bank.

New matter indicated by italics - deletions by strikeout
(7) The furnishing of information to the appropriate law enforcement authorities where the bank reasonably believes it has been the victim of a crime.

(8) The furnishing of information under the Uniform Disposition of Unclaimed Property Act.


(10) The furnishing of information under the federal Currency and Foreign Transactions Reporting Act Title 31, United States Code, Section 1051 et seq.

(11) The furnishing of information under any other statute that by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant, or court order.

(12) The furnishing of information about the existence of an account of a person to a judgment creditor of that person who has made a written request for that information.

(13) The exchange in the regular course of business of information between commonly owned banks in connection with a transaction authorized under paragraph (23) of Section 5 and conducted at an affiliate facility.

(14) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any bank governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the bank a reasonable fee not to exceed its actual cost incurred. A bank providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the bank in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does

New matter indicated by italics - deletions by strikeout
not constitute gross negligence or willful misconduct. A bank shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(15) The exchange in the regular course of business of information between a bank and any commonly owned affiliate of the bank, subject to the provisions of the Financial Institutions Insurance Sales Law.

(16) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena ; if there is suspicion by the investigatory entity or ; the guardian, or (ii) if there is suspicion by the bank that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (16), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the bank to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. A bank or person furnishing information pursuant to this item (16) shall be entitled to the same rights and protections as a person furnishing information under the Elder Abuse and Neglect Act, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.
(17) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the customer, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the customer;

(B) maintaining or servicing a customer's account with the bank; or

(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a customer.

Nothing in this item (17), however, authorizes the sale of the financial records or information of a customer without the consent of the customer.

(18) The disclosure of financial records or information as necessary to protect against actual or potential fraud, unauthorized transactions, claims, or other liability.

(19) (a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b) (1) For purposes of this paragraph (19) of subsection (b) of Section 48.1, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (19) of subsection (b) of Section 48.1, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person’s affiliate, subsidiary, member, agent, or service provider.
(c) Except as otherwise provided by this Act, a bank may not disclose to any person, except to the customer or his duly authorized agent, any financial records or financial information obtained from financial records relating to that customer of that bank unless:

(1) the customer has authorized disclosure to the person;

(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant or court order which meets the requirements of subsection (d) of this Section; or

(3) the bank is attempting to collect an obligation owed to the bank and the bank complies with the provisions of Section 2I of the Consumer Fraud and Deceptive Business Practices Act.

(d) A bank shall disclose financial records under paragraph (2) of subsection (c) of this Section under a lawful subpoena, summons, warrant, or court order only after the bank mails a copy of the subpoena, summons, warrant, or court order to the person establishing the relationship with the bank, if living, and, otherwise his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the bank is specifically prohibited from notifying the person by order of court or by applicable State or federal law. A bank shall not mail a copy of a subpoena to any person pursuant to this subsection if the subpoena was issued by a grand jury under the Statewide Grand Jury Act.

(e) Any officer or employee of a bank who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(f) Any person who knowingly and willfully induces or attempts to induce any officer or employee of a bank to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) A bank shall be reimbursed for costs that are reasonably necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required or requested to be produced pursuant to a lawful

New matter indicated by italics - deletions by strikeout
subpoena, summons, warrant, or court order. The Commissioner shall determine the rates and conditions under which payment may be made.
(Source: P.A. 94-495, eff. 8-8-05.)

Section 15. The Illinois Savings and Loan Act of 1985 is amended by changing Section 3-8 as follows:

(205 ILCS 105/3-8) (from Ch. 17, par. 3303-8)
Sec. 3-8. Access to books and records; communication with members.

(a) Every member or holder of capital shall have the right to inspect the books and records of the association that pertain to his account. Otherwise, the right of inspection and examination of the books and records shall be limited as provided in this Act, and no other person shall have access to the books and records or shall be entitled to a list of the members.

(b) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (i) a document granting signature authority over a deposit or account; (ii) a statement, ledger card, or other record on any deposit or account that shows each transaction in or with respect to that account; (iii) a check, draft, or money order drawn on an association or issued and payable by an association; or (iv) any other item containing information pertaining to any relationship established in the ordinary course of an association's business between an association and its customer, including financial statements or other financial information provided by the member or holder of capital.

(c) This Section does not prohibit:

(1) The preparation, examination, handling, or maintenance of any financial records by any officer, employee, or agent of an association having custody of those records or the examination of those records by a certified public accountant engaged by the association to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by an association to, any officer, employee, or agent of the Commissioner of Banks and Real Estate
or federal depository institution regulator for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to members or holders of capital where the data cannot be identified to any particular member, holder of capital, or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between an association and other associations or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between an association and other associations or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the association or assets or liabilities of the association.

(7) The furnishing of information to the appropriate law enforcement authorities where the association reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", (Title 31, United States Code, Section 1051 et seq.).

(11) The furnishing of information pursuant to any other statute that by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant, or court order.

New matter indicated by italics - deletions by strikeout
(12) The exchange of information between an association and an affiliate of the association; as used in this item, "affiliate" includes any company, partnership, or organization that controls, is controlled by, or is under common control with an association.

(13) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any association governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the association a reasonable fee not to exceed its actual cost incurred. An association providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the association in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. An association shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(14) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena, if there is suspicion by the investigatory entity or; the guardian, or (ii) if there is suspicion by the association that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (14), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the association to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii)

New matter indicated by italics - deletions by strikeout
"financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. An association or person furnishing information pursuant to this item (14) shall be entitled to the same rights and protections as a person furnishing information under the Elder Abuse and Neglect Act, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(15) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member or holder of capital, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member or holder of capital;
(B) maintaining or servicing an account of a member or holder of capital with the association; or
(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member or holder of capital.

Nothing in this item (15), however, authorizes the sale of the financial records or information of a member or holder of capital without the consent of the member or holder of capital.

(16) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(17) (a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account

New matter indicated by italics - deletions by strikeout
history, product references, purchase information, and information related to the identity of the customer.

(b) (1) For purposes of this paragraph (17) of subsection (c) of Section 3-8, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (17) of subsection (c) of Section 3-8, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(d) An association may not disclose to any person, except to the member or holder of capital or his duly authorized agent, any financial records relating to that member or holder of capital of that association unless:

(1) The member or holder of capital has authorized disclosure to the person; or

(2) The financial records are disclosed in response to a lawful subpoena, summons, warrant, or court order that meets the requirements of subsection (e) of this Section.

(e) An association shall disclose financial records under subsection (d) of this Section pursuant to a lawful subpoena, summons, warrant, or court order only after the association mails a copy of the subpoena, summons, warrant, or court order to the person establishing the relationship with the association, if living, and, otherwise, his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the association is specifically prohibited from notifying that person by order of court.

(f) (1) Any officer or employee of an association who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.
(2) Any person who knowingly and willfully induces or attempts to induce any officer or employee of an association to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) However, if any member desires to communicate with the other members of the association with reference to any question pending or to be presented at a meeting of the members, the association shall give him upon request a statement of the approximate number of members entitled to vote at the meeting and an estimate of the cost of preparing and mailing the communication. The requesting member then shall submit the communication to the Commissioner who, if he finds it to be appropriate and truthful, shall direct that it be prepared and mailed to the members upon the requesting member's payment or adequate provision for payment of the expenses of preparation and mailing.

(h) An association shall be reimbursed for costs that are necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required to be reproduced pursuant to a lawful subpoena, warrant, or court order.

(Source: P.A. 93-271, eff. 7-22-03; 94-495, eff. 8-8-05.)

Section 20. The Savings Bank Act is amended by changing Section 4013 as follows:

(205 ILCS 205/4013) (from Ch. 17, par. 7304-13)
Sec. 4013. Access to books and records; communication with members and shareholders.

(a) Every member or shareholder shall have the right to inspect books and records of the savings bank that pertain to his accounts. Otherwise, the right of inspection and examination of the books and records shall be limited as provided in this Act, and no other person shall have access to the books and records nor shall be entitled to a list of the members or shareholders.

(b) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (1) a document granting signature authority over a deposit or account; (2) a statement, ledger card, or other record on any deposit or account that shows each transaction in or
with respect to that account; (3) a check, draft, or money order drawn on a savings bank or issued and payable by a savings bank; or (4) any other item containing information pertaining to any relationship established in the ordinary course of a savings bank's business between a savings bank and its customer, including financial statements or other financial information provided by the member or shareholder.

(c) This Section does not prohibit:

(1) The preparation examination, handling, or maintenance of any financial records by any officer, employee, or agent of a savings bank having custody of records or examination of records by a certified public accountant engaged by the savings bank to perform an independent audit.

(2) The examination of any financial records by, or the furnishing of financial records by a savings bank to, any officer, employee, or agent of the Commissioner of Banks and Real Estate or the federal depository institution regulator for use solely in the exercise of his duties as an officer, employee, or agent.

(3) The publication of data furnished from financial records relating to members or holders of capital where the data cannot be identified to any particular member, shareholder, or account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1986.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a savings bank and other savings banks or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a savings bank and other savings banks or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a purchase or sale involving the savings bank or assets or liabilities of the savings bank.

New matter indicated by italics - deletions by strikeout
(7) The furnishing of information to the appropriate law enforcement authorities where the savings bank reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", (Title 31, United States Code, Section 1051 et seq.).

(11) The furnishing of information pursuant to any other statute which by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant, or court order.

(12) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any savings bank governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the savings bank a reasonable fee not to exceed its actual cost incurred. A savings bank providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the savings bank in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. A savings bank shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(13) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional

New matter indicated by italics - deletions by strikeout
administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon *subpoena* if there is *suspicion* by the investigatory entity or; the guardian, or (ii) if there is *suspicion* by the savings bank that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (13), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who has or reasonably appears to the savings bank to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. A savings bank or person furnishing information pursuant to this item (13) shall be entitled to the same rights and protections as a person furnishing information under the Elder Abuse and Neglect Act, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(14) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member or holder of capital, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member or holder of capital;

(B) maintaining or servicing an account of a member or holder of capital with the savings bank; or

(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member or holder of capital.

New matter indicated by italics - deletions by strikeout
Nothing in this item (14), however, authorizes the sale of the financial records or information of a member or holder of capital without the consent of the member or holder of capital.

(15) The exchange in the regular course of business of information between a savings bank and any commonly owned affiliate of the savings bank, subject to the provisions of the Financial Institutions Insurance Sales Law.

(16) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(17) (a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b) (1) For purposes of this paragraph (17) of subsection (c) of Section 4013, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (17) of subsection (c) of Section 4013, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(d) A savings bank may not disclose to any person, except to the member or holder of capital or his duly authorized agent, any financial records relating to that member or shareholder of the savings bank unless:

(1) the member or shareholder has authorized disclosure to the person; or

New matter indicated by italics - deletions by strikeout
(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant, or court order that meets the requirements of subsection (e) of this Section.

(e) A savings bank shall disclose financial records under subsection (d) of this Section pursuant to a lawful subpoena, summons, warrant, or court order only after the savings bank mails a copy of the subpoena, summons, warrant, or court order to the person establishing the relationship with the savings bank, if living, and otherwise, his personal representative, if known, at his last known address by first class mail, postage prepaid, unless the savings bank is specifically prohibited from notifying the person by order of court.

(f) Any officer or employee of a savings bank who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(g) Any person who knowingly and willfully induces or attempts to induce any officer or employee of a savings bank to disclose financial records in violation of this Section is guilty of a business offense and, upon conviction, shall be fined not more than $1,000.

(h) If any member or shareholder desires to communicate with the other members or shareholders of the savings bank with reference to any question pending or to be presented at an annual or special meeting, the savings bank shall give that person, upon request, a statement of the approximate number of members or shareholders entitled to vote at the meeting and an estimate of the cost of preparing and mailing the communication. The requesting member shall submit the communication to the Commissioner who, upon finding it to be appropriate and truthful, shall direct that it be prepared and mailed to the members upon the requesting member's or shareholder's payment or adequate provision for payment of the expenses of preparation and mailing.

(i) A savings bank shall be reimbursed for costs that are necessary and that have been directly incurred in searching for, reproducing, or transporting books, papers, records, or other data of a customer required to be reproduced pursuant to a lawful subpoena, warrant, or court order.

New matter indicated by italics - deletions by strikeout
(j) Notwithstanding the provisions of this Section, a savings bank may sell or otherwise make use of lists of customers' names and addresses. All other information regarding a customer's account are subject to the disclosure provisions of this Section. At the request of any customer, that customer's name and address shall be deleted from any list that is to be sold or used in any other manner beyond identification of the customer's accounts.

(Source: P.A. 93-271, eff. 7-22-03; 94-495, eff. 8-8-05.)

Section 25. The Illinois Credit Union Act is amended by changing Section 10 as follows:

(205 ILCS 305/10) (from Ch. 17, par. 4411)
Sec. 10. Credit union records; member financial records.

(1) A credit union shall establish and maintain books, records, accounting systems and procedures which accurately reflect its operations and which enable the Department to readily ascertain the true financial condition of the credit union and whether it is complying with this Act.

(2) A photostatic or photographic reproduction of any credit union records shall be admissible as evidence of transactions with the credit union.

(3)(a) For the purpose of this Section, the term "financial records" means any original, any copy, or any summary of (1) a document granting signature authority over an account, (2) a statement, ledger card or other record on any account which shows each transaction in or with respect to that account, (3) a check, draft or money order drawn on a financial institution or other entity or issued and payable by or through a financial institution or other entity, or (4) any other item containing information pertaining to any relationship established in the ordinary course of business between a credit union and its member, including financial statements or other financial information provided by the member.

(b) This Section does not prohibit:

(1) The preparation, examination, handling or maintenance of any financial records by any officer, employee or agent of a credit union having custody of such records, or the examination of
such records by a certified public accountant engaged by the credit union to perform an independent audit.

(2) The examination of any financial records by or the furnishing of financial records by a credit union to any officer, employee or agent of the Department, the National Credit Union Administration, Federal Reserve board or any insurer of share accounts for use solely in the exercise of his duties as an officer, employee or agent.

(3) The publication of data furnished from financial records relating to members where the data cannot be identified to any particular customer of account.

(4) The making of reports or returns required under Chapter 61 of the Internal Revenue Code of 1954.

(5) Furnishing information concerning the dishonor of any negotiable instrument permitted to be disclosed under the Uniform Commercial Code.

(6) The exchange in the regular course of business of (i) credit information between a credit union and other credit unions or financial institutions or commercial enterprises, directly or through a consumer reporting agency or (ii) financial records or information derived from financial records between a credit union and other credit unions or financial institutions or commercial enterprises for the purpose of conducting due diligence pursuant to a merger or a purchase or sale of assets or liabilities of the credit union.

(7) The furnishing of information to the appropriate law enforcement authorities where the credit union reasonably believes it has been the victim of a crime.

(8) The furnishing of information pursuant to the Uniform Disposition of Unclaimed Property Act.


New matter indicated by italics - deletions by strikeout
(10) The furnishing of information pursuant to the federal "Currency and Foreign Transactions Reporting Act", Title 31, United States Code, Section 1051 et sequentia.

(11) The furnishing of information pursuant to any other statute which by its terms or by regulations promulgated thereunder requires the disclosure of financial records other than by subpoena, summons, warrant or court order.

(12) The furnishing of information in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Any credit union governed by this Act shall enter into an agreement for data exchanges with a State agency provided the State agency pays to the credit union a reasonable fee not to exceed its actual cost incurred. A credit union providing information in accordance with this item shall not be liable to any account holder or other person for any disclosure of information to a State agency, for encumbering or surrendering any assets held by the credit union in response to a lien or order to withhold and deliver issued by a State agency, or for any other action taken pursuant to this item, including individual or mechanical errors, provided the action does not constitute gross negligence or willful misconduct. A credit union shall have no obligation to hold, encumber, or surrender assets until it has been served with a subpoena, summons, warrant, court or administrative order, lien, or levy.

(13) The furnishing of information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena; if there is suspicion by the investigatory entity or; the guardian, or (ii) if there is suspicion by the credit union that a member who is an elderly or disabled person has been or may become the victim of financial exploitation. For the purposes of this item (13), the term: (i) "elderly person" means a person who is 60 or more years of age, (ii) "disabled person" means a person who

New matter indicated by italics - deletions by strikeout
has or reasonably appears to the credit union to have a physical or mental disability that impairs his or her ability to seek or obtain protection from or prevent financial exploitation, and (iii) "financial exploitation" means tortious or illegal use of the assets or resources of an elderly or disabled person, and includes, without limitation, misappropriation of the elderly or disabled person's assets or resources by undue influence, breach of fiduciary relationship, intimidation, fraud, deception, extortion, or the use of assets or resources in any manner contrary to law. A credit union or person furnishing information pursuant to this item (13) shall be entitled to the same rights and protections as a person furnishing information under the Elder Abuse and Neglect Act, the Illinois Domestic Violence Act of 1986, and the Abuse of Adults with Disabilities Intervention Act.

(14) The disclosure of financial records or information as necessary to effect, administer, or enforce a transaction requested or authorized by the member, or in connection with:

(A) servicing or processing a financial product or service requested or authorized by the member;

(B) maintaining or servicing a member's account with the credit union; or

(C) a proposed or actual securitization or secondary market sale (including sales of servicing rights) related to a transaction of a member.

Nothing in this item (14), however, authorizes the sale of the financial records or information of a member without the consent of the member.

(15) The disclosure of financial records or information as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.

(16)(a) The disclosure of financial records or information related to a private label credit program between a financial institution and a private label party in connection with that private label credit program. Such information is limited to outstanding

New matter indicated by italics - deletions by strikeout
balance, available credit, payment and performance and account history, product references, purchase information, and information related to the identity of the customer.

(b)(1) For purposes of this paragraph (16) of subsection (b) of Section 10, a "private label credit program" means a credit program involving a financial institution and a private label party that is used by a customer of the financial institution and the private label party primarily for payment for goods or services sold, manufactured, or distributed by a private label party.

(2) For purposes of this paragraph (16) of subsection (b) of Section 10, a "private label party" means, with respect to a private label credit program, any of the following: a retailer, a merchant, a manufacturer, a trade group, or any such person's affiliate, subsidiary, member, agent, or service provider.

(c) Except as otherwise provided by this Act, a credit union may not disclose to any person, except to the member or his duly authorized agent, any financial records relating to that member of the credit union unless:

(1) the member has authorized disclosure to the person;

(2) the financial records are disclosed in response to a lawful subpoena, summons, warrant or court order that meets the requirements of subparagraph (d) of this Section; or

(3) the credit union is attempting to collect an obligation owed to the credit union and the credit union complies with the provisions of Section 21 of the Consumer Fraud and Deceptive Business Practices Act.

(d) A credit union shall disclose financial records under subparagraph (c)(2) of this Section pursuant to a lawful subpoena, summons, warrant or court order only after the credit union mails a copy of the subpoena, summons, warrant or court order to the person establishing the relationship with the credit union, if living, and otherwise his personal representative, if known, at his last known address by first class mail, postage prepaid unless the credit union is specifically prohibited from notifying the person by order of court or by applicable

New matter indicated by italics - deletions by strikeout
State or federal law. In the case of a grand jury subpoena, a credit union shall not mail a copy of a subpoena to any person pursuant to this subsection if the subpoena was issued by a grand jury under the Statewide Grand Jury Act or notifying the person would constitute a violation of the federal Right to Financial Privacy Act of 1978.

(e)(1) Any officer or employee of a credit union who knowingly and willfully furnishes financial records in violation of this Section is guilty of a business offense and upon conviction thereof shall be fined not more than $1,000.

(2) Any person who knowingly and willfully induces or attempts to induce any officer or employee of a credit union to disclose financial records in violation of this Section is guilty of a business offense and upon conviction thereof shall be fined not more than $1,000.

(f) A credit union shall be reimbursed for costs which are reasonably necessary and which have been directly incurred in searching for, reproducing or transporting books, papers, records or other data of a member required or requested to be produced pursuant to a lawful subpoena, summons, warrant or court order. The Director may determine, by rule, the rates and conditions under which payment shall be made. Delivery of requested documents may be delayed until final reimbursement of all costs is received.

(Source: P.A. 94-495, eff. 8-8-05.)

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

Section 2. The Abuse of Adults with Disabilities Intervention Act is amended by changing Section 55 as follows:

(20 ILCS 2435/55) (from Ch. 23, par. 3395-55)

Sec. 55. Access to records. All records concerning reports of abuse, neglect, or exploitation of an adult with disabilities and all records generated as a result of the reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. A person making a report of alleged abuse, neglect, or exploitation functioning in his or her capacity as a licensed professional may be entitled to the finding of the investigative assessment and subsequent referrals as authorized by the Inspector General. Office of Inspector General (OIG) investigators shall inform the alleged victim or guardian that information regarding the finding and referrals may be released to the person who made the report if that person is a professional, and the alleged victim or guardian shall be afforded the opportunity to refuse to consent to the release of that information. Access to the records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, or exploitation as contained in the records, shall be allowed to the following persons and for the following purposes:

(a) Adults with Disabilities Abuse Project staff in the furtherance of their responsibilities under this Act;

(b) A law enforcement agency investigating alleged or suspected abuse, neglect, or exploitation of an adult with disabilities;

(c) An adult with disabilities reported to be abused, neglected, or exploited, or the guardian of an adult with disabilities unless the guardian is the alleged perpetrator of the abuse, neglect, or exploitation;

(d) A court, upon its finding that access to the records may be necessary for the determination of an issue before the court. However, the access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it;

(e) A grand jury, upon its determination that access to the records is necessary to the conduct of its official business;

New matter indicated by italics - deletions by strikeout
(f) Any person authorized by the Secretary, in writing, for audit or bona fide research purposes;

(g) A coroner or medical examiner who has reason to believe that abuse or neglect contributed to or resulted in the death of an adult with disabilities;

(h) The agency designated pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act and the Protection and Advocacy for Mentally Ill Persons Act.

(Source: P.A. 91-671, eff. 7-1-00.)

Section 5. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 6 as follows:

(210 ILCS 30/6) (from Ch. 111 1/2, par. 4166)

Sec. 6. All reports of suspected abuse or neglect made under this Act shall be made immediately by telephone to the Department's central register established under Section 14 on the single, State-wide, toll-free telephone number established under Section 13, or in person or by telephone through the nearest Department office. No long term care facility administrator, agent or employee, or any other person, shall screen reports or otherwise withhold any reports from the Department, and no long term care facility, department of State government, or other agency shall establish any rules, criteria, standards or guidelines to the contrary. Every long term care facility, department of State government and other agency whose employees are required to make or cause to be made reports under Section 4 shall notify its employees of the provisions of that Section and of this Section, and provide to the Department documentation that such notification has been given. The Department of Human Services shall train all of its mental health and developmental disabilities employees in the detection and reporting of suspected abuse and neglect of residents. Reports made to the central register through the State-wide, toll-free telephone number shall be transmitted to appropriate Department offices and municipal health departments that have responsibility for licensing long term care facilities under the Nursing Home Care Act. All reports received through offices of the Department shall be forwarded to the central register, in a manner and form described by the Department. The

New matter indicated by italics - deletions by strikeout
Department shall be capable of receiving reports of suspected abuse and neglect 24 hours a day, 7 days a week. Reports shall also be made in writing deposited in the U.S. mail, postage prepaid, within 24 hours after having reasonable cause to believe that the condition of the resident resulted from abuse or neglect. Such reports may in addition be made to the local law enforcement agency in the same manner. However, in the event a report is made to the local law enforcement agency, the reporter also shall immediately so inform the Department. The Department shall initiate an investigation of each report of resident abuse and neglect under this Act, whether oral or written, as provided for in Section 3-702 of the Nursing Home Care Act, except that reports of abuse which indicate that a resident's life or safety is in imminent danger shall be investigated within 24 hours of such report. The Department may delegate to law enforcement officials or other public agencies the duty to perform such investigation.

With respect to investigations of reports of suspected abuse or neglect of residents of mental health and developmental disabilities institutions under the jurisdiction of the Department of Human Services, the Department shall transmit copies of such reports to the Department of State Police, the Department of Human Services, and the Inspector General appointed under Section 6.2. If the Department receives a report of suspected abuse or neglect of a recipient of services as defined in Section 1-123 of the Mental Health and Developmental Disabilities Code, the Department shall transmit copies of such report to the Inspector General and the Directors of the Guardianship and Advocacy Commission and the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act. When requested by the Director of the Guardianship and Advocacy Commission, or the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act, or the Department of Financial and Professional Regulation, the Department, the Department of Human Services and the Department of State Police shall make available a copy of the final investigative report regarding investigations conducted by their respective agencies on incidents of suspected abuse or neglect of residents of mental health and developmental disabilities.
institutions or individuals receiving services at community agencies under the jurisdiction of the Department of Human Services. Such final investigative report shall not contain witness statements, investigation notes, draft summaries, results of lie detector tests, investigative files or other raw data which was used to compile the final investigative report. Specifically, the final investigative report of the Department of State Police shall mean the Director's final transmittal letter. The Department of Human Services shall also make available a copy of the results of disciplinary proceedings of employees involved in incidents of abuse or neglect to the Directors. All identifiable information in reports provided shall not be further disclosed except as provided by the Mental Health and Developmental Disabilities Confidentiality Act. Nothing in this Section is intended to limit or construe the power or authority granted to the agency designated by the Governor pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act, pursuant to any other State or federal statute.

With respect to investigations of reported resident abuse or neglect, the Department shall effect with appropriate law enforcement agencies formal agreements concerning methods and procedures for the conduct of investigations into the criminal histories of any administrator, staff assistant or employee of the nursing home or other person responsible for the residents care, as well as for other residents in the nursing home who may be in a position to abuse, neglect or exploit the patient. Pursuant to the formal agreements entered into with appropriate law enforcement agencies, the Department may request information with respect to whether the person or persons set forth in this paragraph have ever been charged with a crime and if so, the disposition of those charges. Unless the criminal histories of the subjects involved crimes of violence or resident abuse or neglect, the Department shall be entitled only to information limited in scope to charges and their dispositions. In cases where prior crimes of violence or resident abuse or neglect are involved, a more detailed report can be made available to authorized representatives of the Department, pursuant to the agreements entered into with appropriate law enforcement agencies. Any criminal charges and their disposition

New matter indicated by italics - deletions by strikeout
information obtained by the Department shall be confidential and may not be transmitted outside the Department, except as required herein, to authorized representatives or delegates of the Department, and may not be transmitted to anyone within the Department who is not duly authorized to handle resident abuse or neglect investigations.

The Department shall effect formal agreements with appropriate law enforcement agencies in the various counties and communities to encourage cooperation and coordination in the handling of resident abuse or neglect cases pursuant to this Act. The Department shall adopt and implement methods and procedures to promote statewide uniformity in the handling of reports of abuse and neglect under this Act, and those methods and procedures shall be adhered to by personnel of the Department involved in such investigations and reporting. The Department shall also make information required by this Act available to authorized personnel within the Department, as well as its authorized representatives.

The Department shall keep a continuing record of all reports made pursuant to this Act, including indications of the final determination of any investigation and the final disposition of all reports.

The Department shall report annually to the General Assembly on the incidence of abuse and neglect of long term care facility residents, with special attention to residents who are mentally disabled. The report shall include but not be limited to data on the number and source of reports of suspected abuse or neglect filed under this Act, the nature of any injuries to residents, the final determination of investigations, the type and number of cases where abuse or neglect is determined to exist, and the final disposition of cases.

(Source: P.A. 89-507, eff. 7-1-97.)

Section 10. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 11 as follows:

(740 ILCS 110/11) (from Ch. 91 1/2, par. 811)

Sec. 11. Disclosure of records and communications. Records and communications may be disclosed:

(i) in accordance with the provisions of the Abused and Neglected Child Reporting Act;

New matter indicated by italics - deletions by strikeout
(ii) when, and to the extent, a therapist, in his or her sole discretion, determines that disclosure is necessary to initiate or continue civil commitment proceedings under the laws of this State or to otherwise protect the recipient or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the recipient or by the recipient on himself or another;

(iii) when, and to the extent disclosure is, in the sole discretion of the therapist, necessary to the provision of emergency medical care to a recipient who is unable to assert or waive his or her rights hereunder;

(iv) when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient under Chapter V of the Mental Health and Developmental Disabilities Code or to transfer debts under the Uncollected State Claims Act; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed shall not be used for any other purposes nor shall it be redisclosed except in connection with collection activities;

(v) when requested by a family member, the Department of Human Services may assist in the location of the interment site of a deceased recipient who is interred in a cemetery established under Section 100-26 of the Mental Health and Developmental Disabilities Administrative Act;

(vi) in judicial proceedings under Article VIII of Chapter III and Article V of Chapter IV of the Mental Health and Developmental Disabilities Code and proceedings and investigations preliminary thereto, to the State's Attorney for the county or residence of a person who is the subject of such proceedings, or in which the person is found, or in which the facility is located, to the attorney representing the recipient in the judicial proceedings, to any person or agency providing mental health services that are the subject of the proceedings and to that

New matter indicated by italics - deletions by strikeout
person's or agency's attorney, to any court personnel, including but not limited to judges and circuit court clerks, and to a guardian ad litem if one has been appointed by the court, provided that the information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings or investigations;

(vii) when, and to the extent disclosure is necessary to comply with the requirements of the Census Bureau in taking the federal Decennial Census;

(viii) when, and to the extent, in the therapist's sole discretion, disclosure is necessary to warn or protect a specific individual against whom a recipient has made a specific threat of violence where there exists a therapist-recipient relationship or a special recipient-individual relationship;

(ix) in accordance with the Sex Offender Registration Act;

and

(x) in accordance with the Rights of Crime Victims and Witnesses Act;

(xi) in accordance with Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act; and

(xii) in accordance with Section 55 of the Abuse of Adults with Disabilities Intervention Act.

Any person, institution, or agency, under this Act, participating in good faith in the making of a report under the Abused and Neglected Child Reporting Act or in the disclosure of records and communications under this Section, shall have immunity from any liability, civil, criminal or otherwise, that might result by reason of such action. For the purpose of any proceeding, civil or criminal, arising out of a report or disclosure under this Section, the good faith of any person, institution, or agency so reporting or disclosing shall be presumed.

(Source: P.A. 90-423, eff. 8-15-97; 90-538, eff. 12-1-97; 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning regulation.

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

Section 5. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Sections 4 and 6.2 as follows:

(210 ILCS 30/4) (from Ch. 111 1/2, par. 4164)

Sec. 4. Any long term care facility administrator, agent or employee or any physician, hospital, surgeon, dentist, osteopath, chiropractor, podiatrist, accredited religious practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church, Christian Science practitioner, coroner, social worker, social services administrator, registered nurse, law enforcement officer, field personnel of the Illinois Department of Healthcare and Family Services Public Aid, field personnel of the Illinois Department of Public Health and County or Municipal Health Departments, personnel of the Department of Human Services (acting as the successor to the Department of Mental Health and Developmental Disabilities or the Department of Public Aid), personnel of the Guardianship and Advocacy Commission, personnel of the State Fire Marshal, local fire department inspectors or other personnel, or personnel of the Illinois Department on Aging, or its subsidiary Agencies on Aging, or employee of a facility licensed under the Assisted Living and Shared Housing Act, having reasonable cause to believe any resident with whom they have direct contact has been subjected to abuse or neglect shall immediately report or cause a report to be made to the Department. Persons required to make reports or cause reports to be made under this
Section include all employees of the State of Illinois who are involved in providing services to residents, including professionals providing medical or rehabilitation services and all other persons having direct contact with residents; and further include all employees of community service agencies who provide services to a resident of a public or private long term care facility outside of that facility. Any long term care surveyor of the Illinois Department of Public Health who has reasonable cause to believe in the course of a survey that a resident has been abused or neglected and initiates an investigation while on site at the facility shall be exempt from making a report under this Section but the results of any such investigation shall be forwarded to the central register in a manner and form described by the Department.

The requirement of this Act shall not relieve any long term care facility administrator, agent or employee of responsibility to report the abuse or neglect of a resident under Section 3-610 of the Nursing Home Care Act.

In addition to the above persons required to report suspected resident abuse and neglect, any other person may make a report to the Department, or to any law enforcement officer, if such person has reasonable cause to suspect a resident has been abused or neglected.

This Section also applies to residents whose death occurs from suspected abuse or neglect before being found or brought to a hospital.

A person required to make reports or cause reports to be made under this Section who fails to comply with the requirements of this Section is guilty of a Class A misdemeanor.

(Source: P.A. 91-656, eff. 1-1-01; revised 12-15-05.)

Sec. 6.2. Inspector General.

(a) The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary of Human Services and the Governor. The Inspector General shall function independently within the Department of Human Services with respect to the operations of the office, including the

New matter indicated by italics - deletions by strikeout
performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department of Human Services. The Inspector General shall investigate reports of suspected abuse or neglect (as those terms are defined in Section 3 of this Act) of patients or residents in any mental health or developmental disabilities facility operated by the Department of Human Services and shall have authority to investigate and take immediate action on reports of abuse or neglect of recipients, whether patients or residents, in any mental health or developmental disabilities facility or program that is licensed or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or that is funded by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) and is not licensed or certified by any agency of the State. At the specific, written request of an agency of the State other than the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), the Inspector General may cooperate in investigating reports of abuse and neglect of persons with mental illness or persons with developmental disabilities. The Inspector General shall have no supervision over or involvement in routine, programmatic, licensure, or certification operations of the Department of Human Services or any of its funded agencies.

The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations of abuse and neglect and initiating, conducting, and completing investigations. The promulgated rules shall clearly set forth that in instances where 2 or more State agencies could investigate an allegation of abuse or neglect, the Inspector General shall not conduct an investigation that is redundant to an investigation conducted by another State agency. The rules shall establish criteria for determining, based upon the nature of the allegation, the appropriate method of investigation, which may include, but need not be limited to, site visits, telephone contacts, or requests for written responses from agencies. The rules shall also clarify how the Office of the Inspector

New matter indicated by italics - deletions by strikeout
General shall interact with the licensing unit of the Department of Human Services in investigations of allegations of abuse or neglect. Any allegations or investigations of reports made pursuant to this Act shall remain confidential until a final report is completed. The resident or patient who allegedly was abused or neglected and his or her legal guardian shall be informed by the facility or agency of the report of alleged abuse or neglect. Final reports regarding unsubstantiated or unfounded allegations shall remain confidential, except that final reports may be disclosed pursuant to Section 6 of this Act.

For purposes of this Section, "required reporter" means a person who suspects, witnesses, or is informed of an allegation of abuse or neglect at a State-operated facility or a community agency and who is either: (i) a person employed at a State-operated facility or a community agency on or off site who is providing or monitoring services to an individual or individuals or is providing services to the State-operated facility or the community agency; or (ii) any person or contractual agent of the Department of Human Services involved in providing, monitoring, or administering mental health or developmental disability services, including, but not limited to, payroll personnel, contractors, subcontractors, and volunteers. A required reporter shall report the allegation of abuse or neglect, or cause a report to be made, to the Office of the Inspector General (OIG) Hotline no later than 4 hours after the initial discovery of the incident of alleged abuse or neglect. A required reporter as defined in this paragraph who willfully fails to comply with the reporting requirement is guilty of a Class A misdemeanor.

For purposes of this Section, "State-operated facility" means a mental health facility or a developmental disability facility as defined in Sections 1-114 and 1-107 of the Mental Health and Developmental Disabilities Code.

For purposes of this Section, "community agency" or "agency" means any community entity or program providing mental health or developmental disabilities services that is licensed, certified, or funded by the Department of Human Services and is not licensed or certified by any other human services agency of the State (for example, the Department of

New matter indicated by italics - deletions by strikeout
When the Office of the Inspector General has substantiated a case of abuse or neglect, the Inspector General shall include in the final report any mitigating or aggravating circumstances that were identified during the investigation. Upon determination that a report of neglect is substantiated, the Inspector General shall then determine whether such neglect rises to the level of egregious neglect.

(b) The Inspector General shall, within 24 hours after determining that a reported allegation of suspected abuse or neglect indicates that any possible criminal act has been committed or that special expertise is required in the investigation, immediately notify the Department of State Police or the appropriate law enforcement entity. The Department of State Police shall investigate any report from a State-operated facility indicating a possible murder, rape, or other felony. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(b-5) The Inspector General shall make a determination to accept or reject a preliminary report of the investigation of alleged abuse or neglect based on established investigative procedures. Notice of the Inspector General's determination must be given to the person who claims to be the victim of the abuse or neglect, to the person or persons alleged to have been responsible for abuse or neglect, and to the facility or agency. The facility or agency or the person or persons alleged to have been responsible for the abuse or neglect and the person who claims to be the victim of the abuse or neglect may request clarification or reconsideration based on additional information. For cases where the allegation of abuse or neglect is substantiated, the Inspector General shall require the facility or agency to submit a written response. The written response from a facility or agency shall address in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action.
(c) The Inspector General shall, within 10 calendar days after the transmittal date of a completed investigation where abuse or neglect is substantiated or administrative action is recommended, provide a complete report on the case to the Secretary of Human Services and to the agency in which the abuse or neglect is alleged to have happened. The complete report shall include a written response from the agency or facility operated by the State to the Inspector General that addresses in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action. The Secretary of Human Services shall accept or reject the response and establish how the Department will determine whether the facility or program followed the approved response. The Secretary may require Department personnel to visit the facility or agency for training, technical assistance, programmatic, licensure, or certification purposes. Administrative action, including sanctions, may be applied should the Secretary reject the response or should the facility or agency fail to follow the approved response. Within 30 days after the Secretary has approved a response, the facility or agency making the response shall provide an implementation report to the Inspector General on the status of the corrective action implemented. Within 60 days after the Secretary has approved the response, the facility or agency shall send notice of the completion of the corrective action or shall send an updated implementation report. The facility or agency shall continue sending updated implementation reports every 60 days until the facility or agency sends a notice of the completion of the corrective action. The Inspector General shall review any implementation plan that takes more than 120 days. The Inspector General shall monitor compliance through a random review of completed corrective actions. This monitoring may include, but need not be limited to, site visits, telephone contacts, or requests for written documentation from the facility or agency to determine whether the facility or agency is in compliance with the approved response. The facility or agency shall inform the resident or patient and the legal guardian whether the reported allegation was

New matter indicated by italics - deletions by strikeout
substantiated, unsubstantiated, or unfounded. There shall be an appeals process for any person or agency that is subject to any action based on a recommendation or recommendations.

(d) The Inspector General may recommend to the Departments of Public Health and Human Services sanctions to be imposed against mental health and developmental disabilities facilities under the jurisdiction of the Department of Human Services for the protection of residents, including appointment of on-site monitors or receivers, transfer or relocation of residents, and closure of units. The Inspector General may seek the assistance of the Attorney General or any of the several State's attorneys in imposing such sanctions. Whenever the Inspector General issues any recommendations to the Secretary of Human Services, the Secretary shall provide a written response.

(e) The Inspector General shall establish and conduct periodic training programs for Department of Human Services employees concerning the prevention and reporting of neglect and abuse.

(f) The Inspector General shall at all times be granted access to any mental health or developmental disabilities facility operated by the Department of Human Services, shall establish and conduct unannounced site visits to those facilities at least once annually, and shall be granted access, for the purpose of investigating a report of abuse or neglect, to the records of the Department of Human Services and to any facility or program funded by the Department of Human Services that is subject under the provisions of this Section to investigation by the Inspector General for a report of abuse or neglect.

(g) Nothing in this Section shall limit investigations by the Department of Human Services that may otherwise be required by law or that may be necessary in that Department's capacity as the central administrative authority responsible for the operation of State mental health and developmental disability facilities.

(g-5) After notice and an opportunity for a hearing that is separate and distinct from the Office of the Inspector General's appeals process as implemented under subsection (c) of this Section, the Inspector General shall report to the Department of Public Health's nurse aide registry under

New matter indicated by italics - deletions by strikeout
Section 3-206.01 of the Nursing Home Care Act the identity of individuals against whom there has been a substantiated finding of physical or sexual abuse or egregious neglect of a service recipient.

Nothing in this subsection shall diminish or impair the rights of a person who is a member of a collective bargaining unit pursuant to the Illinois Public Labor Relations Act or pursuant to any federal labor statute. An individual who is a member of a collective bargaining unit as described above shall not be reported to the Department of Public Health's nurse aide registry until the exhaustion of that individual's grievance and arbitration rights, or until 3 months after the initiation of the grievance process, whichever occurs first, provided that the Department of Human Services' hearing under subsection (c), that is separate and distinct from the Office of the Inspector General's appeals process, has concluded. Notwithstanding anything hereinafter or previously provided, if an action taken by an employer against an individual as a result of the circumstances that led to a finding of physical or sexual abuse or egregious neglect is later overturned under a grievance or arbitration procedure provided for in Section 8 of the Illinois Public Labor Relations Act or under a collective bargaining agreement, the report must be removed from the registry.

The Department of Human Services shall promulgate or amend rules as necessary or appropriate to establish procedures for reporting to the registry, including the definition of egregious neglect, procedures for notice to the individual and victim, appeal and hearing procedures, and petition for removal of the report from the registry. The portion of the rules pertaining to hearings shall provide that, at the hearing, both parties may present written and oral evidence. The Department shall be required to establish by a preponderance of the evidence that the Office of the Inspector General's finding of physical or sexual abuse or egregious neglect warrants reporting to the Department of Public Health's nurse aide registry under Section 3-206.01 of the Nursing Home Care Act.

Notice to the individual shall include a clear and concise statement of the grounds on which the report to the registry is based and notice of the opportunity for a hearing to contest the report. The Department of Human Services shall provide the notice by certified mail to the last known

New matter indicated by italics - deletions by strikeout
address of the individual. The notice shall give the individual an opportunity to contest the report in a hearing before the Department of Human Services or to submit a written response to the findings instead of requesting a hearing. If the individual does not request a hearing or if after notice and a hearing the Department of Human Services finds that the report is valid, the finding shall be included as part of the registry, as well as a brief statement from the reported individual if he or she chooses to make a statement. The Department of Public Health shall make available to the public information reported to the registry. In a case of inquiries concerning an individual listed in the registry, any information disclosed concerning a finding of abuse or neglect shall also include disclosure of the individual's brief statement in the registry relating to the reported finding or include a clear and accurate summary of the statement.

At any time after the report of the registry, an individual may petition the Department of Human Services for removal from the registry of the finding against him or her. Upon receipt of such a petition, the Department of Human Services shall conduct an investigation and hearing on the petition. Upon completion of the investigation and hearing, the Department of Human Services shall report the removal of the finding to the registry unless the Department of Human Services determines that removal is not in the public interest.

(Source: P.A. 93-636, eff. 12-31-03; 94-428, eff. 8-2-05.)

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

Passed in the General Assembly April 6, 2006.

PUBLIC ACT 94-0854
(House Bill No. 4172)

AN ACT concerning consumer fraud.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2XX as follows:

(815 ILCS 505/2XX new)

Sec. 2XX. Performing groups.

(a) As used in this Section:

"Performing group" means a vocal or instrumental group seeking to use the name of another group that has previously released a commercial sound recording under that name.

"Recording group" means a vocal or instrumental group at least one of whose members has previously released a commercial sound recording under that group's name and in which the member or members have a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group.

"Sound recording" means a work that results from the fixation on a material object of a series of musical, spoken, or other sounds regardless of the nature of the material object, such as a disc, tape, or other phonorecord, in which the sounds are embodied.

(b) It is an unlawful practice for a person to advertise or conduct a live musical performance or production in this State through the use of a false, deceptive, or misleading affiliation, connection, or association between the performing group and the recording group. This Section does not apply if:

(1) the performing group is the authorized registrant and owner of a Federal service mark for that group registered in the United States Patent and Trademark Office;

(2) at least one member of the performing group was a member of the recording group and has a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group;

(3) the live musical performance or production is identified in all advertising and promotion as a salute or tribute;

(4) the advertising does not relate to a live musical performance or production taking place in this State; or

New matter indicated by italics - deletions by strikeout
(5) the performance or production is expressly authorized
by the recording group.
Passed in the General Assembly March 27, 2006.
Approved June 14, 2006.

PUBLIC ACT 94-0855
(House Bill No. 4986)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The School Code is amended by changing Section 2-
3.80 as follows:
(105 ILCS 5/2-3.80) (from Ch. 122, par. 2-3.80)
Sec. 2-3.80. (a) The General Assembly recognizes that agriculture
is the most basic and singularly important industry in the State, that
agriculture is of central importance to the welfare and economic stability
of the State, and that the maintenance of this vital industry requires a
continued source of trained and qualified individuals for employment in
agriculture and agribusiness. The General Assembly hereby declares that it
is in the best interests of the people of the State of Illinois that a
comprehensive education program in agriculture be created and
maintained by the State's public school system in order to ensure an
adequate supply of trained and skilled individuals and to ensure
appropriate representation of racial and ethnic groups in all phases of the
industry. It is the intent of the General Assembly that a State program for
agricultural education shall be a part of the curriculum of the public school
system K through adult, and made readily available to all school districts
which may, at their option, include programs in education in agriculture as
a part of the curriculum of that district.

(b) The State Board of Education shall adopt such rules and
regulations as are necessary to implement the provisions of this Section.
The rules and regulations shall not create any new State mandates on

New matter indicated by italics - deletions by strikeout
school districts as a condition of receiving federal, State, and local funds by those entities. It is in the intent of the General Assembly that, although this Section does not create any new mandates, school districts are strongly advised to follow the guidelines set forth in this Section.

(c) The State Superintendent of Education shall assume responsibility for the administration of the State program adopted under this Section throughout the public school system as well as the articulation of the State program to the requirements and mandates of federally assisted education. There is currently within the State Board of Education an agricultural education unit to assist school districts in the establishment and maintenance of educational programs pursuant to the provisions of this Section. The staffing of the unit shall at all times be comprised of an appropriate number of full-time employees who shall serve as program consultants in agricultural education and shall be available to provide assistance to school districts. At least one consultant shall be responsible for the coordination of the State program, as Head Consultant. At least one consultant shall be responsible for the coordination of the activities of student and agricultural organizations and associations.

(d) A committee of 13 agriculturalists representative of the various and diverse areas of the agricultural industry in Illinois shall be established to at least develop a curriculum and overview the implementation of the Build Illinois through Quality Agricultural Education plans of the Illinois Leadership Council for Agricultural Education and to advise the State Board of Education on vocational agricultural education. The Committee shall be composed of the following: (6) agriculturalists representing the Illinois Leadership Council for Agricultural Education; (2) Secondary Agriculture Teachers; (1) "Ag In The Classroom" Teacher; (1) Community College Agriculture Teacher; (1) Adult Agriculture Education Teacher; (1) University Agriculture Teacher Educator; and (1) FFA Representative. All members of the Committee shall be appointed by the Governor by and with the advice and consent of the Senate. The terms of all members so appointed shall be for 3 years, except that of the members initially appointed, 5 shall be appointed to serve for terms of 1 year, 4 shall be appointed to serve for terms of 2 years and 4 shall be appointed to serve...
for terms of 3 years. All members of the Committee shall serve until their successors are appointed and qualified. Vacancies in terms shall be filled by appointment of the Governor with the advice and consent of the Senate for the extent of the unexpired term. The State Board of Education shall implement a Build Illinois through Quality Agricultural Education plan following receipt of these recommendations which shall be made available on or before March 31, 1987. Recommendations shall include, but not be limited to, the development of a curriculum and a strategy for the purpose of establishing a source of trained and qualified individuals in agriculture, a strategy for articulating the State program in agricultural education throughout the public school system, and a consumer education outreach strategy regarding the importance of agriculture in Illinois. The committee of agriculturalists shall serve without compensation.

(e) A school district that offers a secondary agricultural education program that is approved for State and federal funding must ensure that, at a minimum, all of the following are available to its secondary agricultural education students:

(1) An instructional sequence of courses approved by the State Board of Education.

(2) A State and nationally affiliated FFA (Future Farmers of America) chapter that is integral to instruction and is not treated solely as an extracurricular activity.

(3) A mechanism for ensuring the involvement of all secondary agricultural education students in formal, supervised, agricultural-experience activities and programs.

(f) Nothing in this Section may prevent those secondary agricultural education programs that are in operation before the effective date of this amendatory Act of the 94th General Assembly and that do not have an active State and nationally affiliated FFA chapter from continuing to operate or from continuing to receive funding from the State Board of Education.

(Source: P.A. 84-1452.)

Passed in the General Assembly March 27, 2006.
Approved June 15, 2006.

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 94-0856
(House Bill No. 4317)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 4-108 and by adding Section 4-108.5 as follows:

(40 ILCS 5/4-108) (from Ch. 108 1/2, par. 4-108)
Sec. 4-108. Creditable service.

(a) Creditable service is the time served as a firefighter of a municipality. In computing creditable service, furloughs and leaves of absence without pay exceeding 30 days in any one year shall not be counted, but leaves of absence for illness or accident regardless of length, and periods of disability for which a firefighter received no disability pension payments under this Article, shall be counted.

(b) Furloughs and leaves of absence of 30 days or less in any one year may be counted as creditable service, if the firefighter makes the contribution to the fund that would have been required had he or she not been on furlough or leave of absence. To qualify for this creditable service, the firefighter must pay the required contributions to the fund not more than 90 days subsequent to the termination of the furlough or leave of absence, to the extent that the municipality has not made such contribution on his or her behalf.

(c) Creditable service includes:

(1) Service in the military, naval or air forces of the United States entered upon when the person was an active firefighter, provided that, upon applying for a permanent pension, and in accordance with the rules of the board the firefighter pays into the fund the amount that would have been contributed had he or she been a regular contributor during such period of service, if and to the extent that the municipality which the firefighter served made

New matter indicated by italics - deletions by strikeout
no such contributions in his or her behalf. The total amount of such creditable service shall not exceed 5 years, except that any firefighter who on July 1, 1973 had more than 5 years of such creditable service shall receive the total amount thereof as of that date.

(2) Service prior to July 1, 1976 by a firefighter initially excluded from participation by reason of age who elected to participate and paid the required contributions for such service.

(3) Up to 8 years of service by a firefighter as an officer in a statewide firefighters' association when he is on a leave of absence from a municipality's payroll, provided that (i) the firefighter has at least 10 years of creditable service as an active firefighter, (ii) the firefighter contributes to the fund the amount that he would have contributed had he remained an active member of the fund, and (iii) the employee or statewide firefighter association contributes to the fund an amount equal to the employer's required contribution as determined by the board.

(4) Time spent as an on-call fireman for a municipality, calculated at the rate of one year of creditable service for each 5 years of time spent as an on-call fireman, provided that (i) the firefighter has at least 18 years of creditable service as an active firefighter, (ii) the firefighter spent at least 14 years as an on-call firefighter for the municipality, (iii) the firefighter applies for such creditable service within 30 days after the effective date of this amendatory Act of 1989, (iv) the firefighter contributes to the Fund an amount representing employee contributions for the number of years of creditable service granted under this subdivision (4), based on the salary and contribution rate in effect for the firefighter at the date of entry into the Fund, to be determined by the board, and (v) not more than 3 years of creditable service may be granted under this subdivision (4).

Except as provided in Section 4-108.5, creditable service shall not under any other circumstances include time spent as a volunteer firefighter, whether or not any

New matter indicated by italics - deletions by strikeout
compensation was received therefor. The change made in this Section by Public Act 83-0463 is intended to be a restatement and clarification of existing law, and does not imply that creditable service was previously allowed under this Article for time spent as a volunteer firefighter.

(5) Time served between July 1, 1976 and July 1, 1988 in the position of protective inspection officer or administrative assistant for fire services, for a municipality with a population under 10,000 that is located in a county with a population over 3,000,000 and that maintains a firefighters' pension fund under this Article, if the position included firefighting duties, notwithstanding that the person may not have held an appointment as a firefighter, provided that application is made to the pension fund within 30 days after the effective date of this amendatory Act of 1991, and the corresponding contributions are paid for the number of years of service granted, based upon the salary and contribution rate in effect for the firefighter at the date of entry into the pension fund, as determined by the Board.

(6) Service before becoming a participant by a firefighter initially excluded from participation by reason of age who becomes a participant under the amendment to Section 4-107 made by this amendatory Act of 1993 and pays the required contributions for such service.

(7) Up to 3 years of time during which the firefighter receives a disability pension under Section 4-110, 4-110.1, or 4-111, provided that (i) the firefighter returns to active service after the disability for a period at least equal to the period for which credit is to be established and (ii) the firefighter makes contributions to the fund based on the rates specified in Section 4-118.1 and the salary upon which the disability pension is based. These contributions may be paid at any time prior to the commencement of a retirement pension. The firefighter may, but need not, elect to have the contributions deducted from the disability pension or to pay them in installments on a schedule

New matter indicated by italics - deletions by strikeout
approved by the board. If not deducted from the disability pension, the contributions shall include interest at the rate of 6% per year, compounded annually, from the date for which service credit is being established to the date of payment. If contributions are paid under this subdivision (c)(7) in excess of those needed to establish the credit, the excess shall be refunded. This subdivision (c)(7) applies to persons receiving a disability pension under Section 4-110, 4-110.1, or 4-111 on the effective date of this amendatory Act of the 91st General Assembly, as well as persons who begin to receive such a disability pension after that date.

(Source: P.A. 91-466, eff. 8-6-99.)

(40 ILCS 5/4-108.5 new)

Sec. 4-108.5. Service for providing certain fire protection services.

(a) A firefighter for a participating municipality who was employed as an active firefighter providing fire protection for a village or incorporated town with a population of greater than 10,000 but less than 11,000 located in a county with a population of greater than 600,000 and less than 700,000, as estimated by the United States Census on July 1, 2004, may elect to establish creditable service for periods of that employment in which the firefighter provided fire protection services for the participating municipality if, by May 1, 2007, the firefighter (i) makes written application to the Board and (ii) pays into the pension fund the amount that the person would have contributed had deductions from salary been made for this purpose at the time the service was rendered, plus interest thereon at 6% per annum compounded annually from the time the service was rendered until the date of payment.

(b) Time spent providing fire protection on a part-time basis for a village or incorporated town with a population of greater than 10,000 but less than 11,000 located in a county with a population of greater than 600,000 and less than 700,000, as estimated by the United States Census on July 1, 2004, shall be calculated at the rate of one year of creditable service for each 5 years of time spent providing such fire protection, if the firefighter (i) has at least 5 years of creditable service as an active firefighter, (ii) has at least 5 years of such service with a qualifying village

New matter indicated by italics - deletions by strikeout
or incorporated town, (iii) applies for the creditable service within 30
days after the effective date of this amendatory Act of the 94th General
Assembly, and (iv) contributes to the Fund an amount representing
employee contributions for the number of years of creditable service
granted under this subsection (b) based on the salary and contribution
rate in effect for the firefighter at the date of entry into the fund, as
determined by the Board. The amount of creditable service granted under
this subsection (b) may not exceed 3 years.

Section 90. The State Mandates Act is amended by adding Section
8.30 as follows:

(30 ILCS 805/8.30 new)
Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of
this Act, no reimbursement by the State is required for the implementation
of any mandate created by this amendatory Act of the 94th General
Assembly.

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

Passed in the General Assembly March 27, 2006.
Approved June 15, 2006.

PUBLIC ACT 94-0857
(House Bill No. 4829)

AN ACT concerning human rights.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Illinois Human Rights Act is amended by changing
Sections 7A-102 and 7B-102 as follows:

(775 ILCS 5/7A-102) (from Ch. 68, par. 7A-102)
Sec. 7A-102. Procedures.
(A) Charge.
(1) Within 180 days after the date that a civil rights
violation allegedly has been committed, a charge in writing under

New matter indicated by italics - deletions by strikeout
oath or affirmation may be filed with the Department by an aggrieved party or issued by the Department itself under the signature of the Director.

(2) The charge shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged civil rights violation.

(A-1) Equal Employment Opportunity Commission Charges. A charge filed with the Equal Employment Opportunity Commission within 180 days after the date of the alleged civil rights violation shall be deemed filed with the Department on the date filed with the Equal Employment Opportunity Commission. Upon receipt of a charge filed with the Equal Employment Opportunity Commission, the Department shall notify the complainant that he or she may proceed with the Department. The complainant must notify the Department of his or her decision in writing within 35 days of receipt of the Department's notice to the complainant and the Department shall close the case if the complainant does not do so. If the complainant proceeds with the Department, the Department shall take no action until the Equal Employment Opportunity Commission makes a determination on the charge. Upon receipt of the Equal Employment Opportunity Commission's determination, the Department shall cause the charge to be filed under oath or affirmation and to be in such detail as provided for under subparagraph (2) of paragraph (A). At the Department's discretion, the Department shall either adopt the Equal Employment Opportunity Commission's determination or process the charge pursuant to this Act. Adoption of the Equal Employment Opportunity Commission's determination shall be deemed a determination by the Department for all purposes under this Act.

(B) Notice, and Response, and Review of Charge. The Department shall, within 10 days of the date on which the charge was filed, serve a copy of the charge on the respondent. This period shall not be construed to be jurisdictional. The charging party and the respondent may each file a position statement and other materials with the Department regarding the charge of alleged discrimination within 60 days of receipt of the notice of the charge. The position statements and other materials filed shall remain
confidential unless otherwise agreed to by the party providing the information and shall not be served on or made available to the other party during pendency of a charge with the Department. The Department shall require the respondent to file a verified response to the allegations contained in the charge within 60 days of receipt of the notice of the charge. The respondent shall serve a copy of its response on the complainant or his representative. All allegations contained in the charge not timely denied by the respondent shall be deemed admitted, unless the respondent states that it is without sufficient information to form a belief with respect to such allegation. The Department may issue a notice of default directed to any respondent who fails to file a verified response to a charge within 60 days of receipt of the notice of the charge, unless the respondent can demonstrate good cause as to why such notice should not issue. The term "good cause" shall be defined by rule promulgated by the Department. Within 30 days of receipt of the respondent's response, the complainant may file a reply to said response and shall serve a copy of said reply on the respondent or his representative. A party shall have the right to supplement his response or reply at any time that the investigation of the charge is pending. The Department shall, within 10 days of the date on which the charge was filed, and again no later than 335 days thereafter, send by certified or registered mail written notice to the complainant and to the respondent informing the complainant of the right to file a complaint with the Human Rights Commission under subparagraph (2) of paragraph (G), including in such notice the dates within which the complainant may exercise this right. In the notice the Department shall notify the complainant that the charge of civil rights violation will be dismissed with prejudice and with no right to further proceed if a written complaint is not timely filed with the Commission by the complainant pursuant to subparagraph (2) of paragraph (G) or by the Department pursuant to subparagraph (1) of paragraph (G).

(B-1) Mediation. The complainant and respondent may agree to voluntarily submit the charge to mediation without waiving any rights that are otherwise available to either party pursuant to this Act and without incurring any obligation to accept the result of the mediation process.

New matter indicated by italics - deletions by strikeout
Nothing occurring in mediation shall be disclosed by the Department or admissible in evidence in any subsequent proceeding unless the complainant and the respondent agree in writing that such disclosure be made.

(C) Investigation.

(1) After the respondent has been notified, the Department shall conduct a full investigation of the allegations set forth in the charge.

(2) The Director or his or her designated representatives shall have authority to request any member of the Commission to issue subpoenas to compel the attendance of a witness or the production for examination of any books, records or documents whatsoever.

(3) If any witness whose testimony is required for any investigation resides outside the State, or through illness or any other good cause as determined by the Director is unable to be interviewed by the investigator or appear at a fact finding conference, his or her testimony or deposition may be taken, within or without the State, in the same manner as is provided for in the taking of depositions in civil cases in circuit courts.

(4) Upon reasonable notice to the complainant and the respondent, the Department shall conduct a fact finding conference prior to 365 days after the date on which the charge was filed, unless the Director has determined whether there is substantial evidence that the alleged civil rights violation has been committed or the charge has been dismissed for lack of jurisdiction. If the parties agree in writing, the fact finding conference may be held at a time after the 365 day limit. Any party's failure to attend the conference without good cause shall result in dismissal or default. The term "good cause" shall be defined by rule promulgated by the Department. A notice of dismissal or default shall be issued by the Director and shall notify the relevant party that a request for review may be filed in writing with the Chief Legal Counsel of the department. New matter indicated by italics - deletions by strikeout
Department within 30 days of receipt of notice of dismissal or default.
(D) Report.

(1) Each charge shall be the subject of a report to the Director. The report shall be a confidential document subject to review by the Director, authorized Department employees, the parties, and, where indicated by this Act, members of the Commission or their designated hearing officers.

(2) Upon review of the report, the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed. The determination of substantial evidence is limited to determining the need for further consideration of the charge pursuant to this Act and includes, but is not limited to, findings of fact and conclusions, as well as the reasons for the determinations on all material issues. Substantial evidence is evidence which a reasonable mind accepts as sufficient to support a particular conclusion and which consists of more than a mere scintilla but may be somewhat less than a preponderance.

(a) If the Director determines that there is no substantial evidence, the charge shall be dismissed by order of the Director and the complainant notified that he or she may seek review of the dismissal order before the Chief Legal Counsel of the Department. The complainant shall have 30 days from receipt of notice to file a request for review by the Chief Legal Counsel of the Department.

(b) If the Director determines that there is substantial evidence, he or she shall designate a Department employee who is an attorney licensed to practice in Illinois to endeavor to eliminate the effect of the alleged civil rights violation and to prevent its repetition by means of conference and conciliation.

(E) Conciliation.

(1) When the Department determines that a formal conciliation conference is necessary, the complainant and the

New matter indicated by italics - deletions by strikeout
respondent shall be notified of the time and place of the conference by registered or certified mail at least 10 days prior thereto and either or both parties shall appear at the conference in person or by attorney.

(2) The place fixed for the conference shall be within 35 miles of the place where the civil rights violation is alleged to have been committed.

(3) Nothing occurring at the conference shall be disclosed by the Department unless the complainant and respondent agree in writing that such disclosure be made.

(F) Complaint.

(1) When there is a failure to settle or adjust any charge through conciliation, the Department shall prepare a written complaint, under oath or affirmation, stating the nature of the civil rights violation substantially as alleged in the charge previously filed and the relief sought on behalf of the aggrieved party.

(2) The complaint shall be filed with the Commission.

(G) Time Limit.

(1) When a charge of a civil rights violation has been properly filed, the Department, within 365 days thereof or within any extension of that period agreed to in writing by all parties, shall either issue and file a complaint in the manner and form set forth in this Section or shall order that no complaint be issued and dismiss the charge with prejudice without any further right to proceed except in cases in which the order was procured by fraud or duress. Any such order shall be duly served upon both the complainant and the respondent.

(2) Between 365 and 395 days after the charge is filed, or such longer period agreed to in writing by all parties, the aggrieved party may file a complaint with the Commission, if the Director has not sooner issued a report and determination pursuant to paragraphs (D)(1) and (D)(2) of this Section. The form of the complaint shall be in accordance with the provisions of paragraph (F). The aggrieved party shall notify the Department that a

New matter indicated by italics - deletions by strikeout
complaint has been filed and shall serve a copy of the complaint on the Department on the same date that the complaint is filed with the Commission.

(3) If an aggrieved party files a complaint with the Human Rights Commission pursuant to paragraph (2) of this subsection, or if the time period for filing a complaint has expired, the Department shall immediately cease its investigation and dismiss the charge of civil rights violation. Any final order entered by the Chief Legal Counsel under this Section is appealable in accordance with paragraph (A)(1) of Section 8-111. Failure to immediately cease an investigation and dismiss the charge of civil rights violation as provided in this paragraph (3) constitutes grounds for entry of an order by the circuit court permanently enjoining the investigation. The Department may also be liable for any costs and other damages incurred by the respondent as a result of the action of the Department.

(4) The Department shall stay any administrative proceedings under this Section after the filing of a civil action by or on behalf of the aggrieved party under any federal or State law seeking relief with respect to the alleged civil rights violation.

(H) This amendatory Act of 1995 applies to causes of action filed on or after January 1, 1996.

(I) This amendatory Act of 1996 applies to causes of action filed on or after January 1, 1996.

(Source: P.A. 94-146, eff. 7-8-05; 94-326, eff. 7-26-05; revised 8-19-05.)

(775 ILCS 5/7B-102) (from Ch. 68, par. 7B-102)
Sec. 7B-102. Procedures.

(A) Charge.

(1) Within one year after the date that a civil rights violation allegedly has been committed or terminated, a charge in writing under oath or affirmation may be filed with the Department by an aggrieved party or issued by the Department itself under the signature of the Director.

New matter indicated by italics - deletions by strikeout
(2) The charge shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged civil rights violation.

(B) Notice and Response to Charge.

(1) The Department shall serve notice upon the aggrieved party acknowledging such charge and advising the aggrieved party of the time limits and choice of forums provided under this Act. The Department shall, within 10 days of the date on which the charge was filed or the identification of an additional respondent under paragraph (2) of this subsection, serve on the respondent a copy of the charge along with a notice identifying the alleged civil rights violation and advising the respondent of the procedural rights and obligations of respondents under this Act and shall require the respondent to file a verified response to the allegations contained in the charge within 30 days. The respondent shall serve a copy of its response on the complainant or his representative. All allegations contained in the charge not timely denied by the respondent shall be deemed admitted, unless the respondent states that it is without sufficient information to form a belief with respect to such allegation. The Department may issue a notice of default directed to any respondent who fails to file a verified response to a charge within 30 days of the date on which the charge was filed, unless the respondent can demonstrate good cause as to why such notice should not issue. The term "good cause" shall be defined by rule promulgated by the Department. Within 10 days of the date he receives the respondent's response, the complainant may file his reply to said response. If he chooses to file a reply, the complainant shall serve a copy of said reply on the respondent or his representative. A party shall have the right to supplement his response or reply at any time that the investigation of the charge is pending.

(2) A person who is not named as a respondent in a charge, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon
written notice, under subsection (B), to such person, from the Department. Such notice, in addition to meeting the requirements of subsections (A) and (B), shall explain the basis for the Department's belief that a person to whom the notice is addressed is properly joined as a respondent.

(C) Investigation.

(1) The Department shall conduct a full investigation of the allegations set forth in the charge and complete such investigation within 100 days after the filing of the charge, unless it is impracticable to do so. The Department's failure to complete the investigation within 100 days after the proper filing of the charge does not deprive the Department of jurisdiction over the charge.

(2) If the Department is unable to complete the investigation within 100 days after the charge is filed, the Department shall notify the complainant and respondent in writing of the reasons for not doing so.

(3) The Director or his or her designated representative shall have authority to request any member of the Commission to issue subpoenas to compel the attendance of a witness or the production for examination of any books, records or documents whatsoever.

(4) If any witness whose testimony is required for any investigation resides outside the State, or through illness or any other good cause as determined by the Director is unable to be interviewed by the investigator or appear at a fact finding conference, his or her testimony or deposition may be taken, within or without the State, in the same manner as provided for in the taking of depositions in civil cases in circuit courts.

(5) Upon reasonable notice to the complainant and the respondent, the Department shall conduct a fact finding conference, unless prior to 100 days from the date on which the charge was filed, the Director has determined whether there is substantial evidence that the alleged civil rights violation has been committed. A party's failure to attend the conference without good

New matter indicated by italics - deletions by strikeout
cause may result in dismissal or default. A notice of dismissal or default shall be issued by the Director and shall notify the relevant party that a request for review may be filed in writing with the Chief Legal Counsel of the Department within 30 days of receipt of notice of dismissal or default.

(D) Report.

(1) Each investigated charge shall be the subject of a report to the Director. The report shall be a confidential document subject to review by the Director, authorized Department employees, the parties, and, where indicated by this Act, members of the Commission or their designated hearing officers.

The report shall contain:
(a) the names and dates of contacts with witnesses;
(b) a summary and the date of correspondence and other contacts with the aggrieved party and the respondent;
(c) a summary description of other pertinent records;
(d) a summary of witness statements; and
(e) answers to questionnaires.

A final report under this paragraph may be amended if additional evidence is later discovered.

(2) Upon review of the report and within 100 days of the filing of the charge, unless it is impracticable to do so, the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed or is about to be committed. If the Director is unable to make the determination within 100 days after the filing of the charge, the Director shall notify the complainant and respondent in writing of the reasons for not doing so. The Director's failure to make the determination within 100 days after the proper filing of the charge does not deprive the Department of jurisdiction over the charge.

(a) If the Director determines that there is no substantial evidence, the charge shall be dismissed and the aggrieved party notified that he or she may seek review of
the dismissal order before the Commission. The aggrieved party shall have 30 days from receipt of notice to file a request for review by the Chief Legal Counsel of the Department. The Director shall make public disclosure of each such dismissal.

(b) If the Director determines that there is substantial evidence, he or she shall immediately issue a complaint on behalf of the aggrieved party pursuant to subsection (F).

(E) Conciliation.

(1) During the period beginning with the filing of charge and ending with the filing of a complaint or a dismissal by the Department, the Department shall, to the extent feasible, engage in conciliation with respect to such charge.

When the Department determines that a formal conciliation conference is feasible, the aggrieved party and respondent shall be notified of the time and place of the conference by registered or certified mail at least 7 days prior thereto and either or both parties shall appear at the conference in person or by attorney.

(2) The place fixed for the conference shall be within 35 miles of the place where the civil rights violation is alleged to have been committed.

(3) Nothing occurring at the conference shall be made public or used as evidence in a subsequent proceeding for the purpose of proving a violation under this Act unless the complainant and respondent agree in writing that such disclosure be made.

(4) A conciliation agreement arising out of such conciliation shall be an agreement between the respondent and the complainant, and shall be subject to approval by the Department and Commission.

(5) A conciliation agreement may provide for binding arbitration of the dispute arising from the charge. Any such

New matter indicated by italics - deletions by strikeout
arbitration that results from a conciliation agreement may award appropriate relief, including monetary relief.

(6) Each conciliation agreement shall be made public unless the complainant and respondent otherwise agree and the Department determines that disclosure is not required to further the purpose of this Act.

(F) Complaint.

(1) When there is a failure to settle or adjust any charge through a conciliation conference and the charge is not dismissed, the Department shall prepare a written complaint, under oath or affirmation, stating the nature of the civil rights violation and the relief sought on behalf of the aggrieved party. Such complaint shall be based on the final investigation report and need not be limited to the facts or grounds alleged in the charge filed under subsection (A).

(2) The complaint shall be filed with the Commission.

(3) The Department may not issue a complaint under this Section regarding an alleged civil rights violation after the beginning of the trial of a civil action commenced by the aggrieved party under any State or federal law, seeking relief with respect to that alleged civil rights violation.

(G) Time Limit.

(1) When a charge of a civil rights violation has been properly filed, the Department, within 100 days thereof, unless it is impracticable to do so, shall either issue and file a complaint in the manner and form set forth in this Section or shall order that no complaint be issued. Any such order shall be duly served upon both the aggrieved party and the respondent. The Department's failure to either issue and file a complaint or order that no complaint be issued within 100 days after the proper filing of the charge does not deprive the Department of jurisdiction over the charge.

(2) The Director shall make available to the aggrieved party and the respondent, at any time, upon request following completion

New matter indicated by italics - deletions by strikeout
of the Department's investigation, information derived from an investigation and any final investigative report relating to that investigation.

(H) This amendatory Act of 1995 applies to causes of action filed on or after January 1, 1996.

(Source: P.A. 94-326, eff. 7-26-05.)

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

Approved June 15, 2006.

AN ACT concerning insurance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by changing Section 367f as follows:

(215 ILCS 5/367f) (from Ch. 73, par. 979f)
Sec. 367f. Firemen's continuance privilege. As used in this Section:
1. The terms "municipality", "deferred pensioner" and "creditable service" shall have the meaning ascribed to such terms by Sections 4-103, 4-105a and 4-108, respectively, of the Illinois Pension Code, as now or hereafter amended.
2. The terms "fireman" and "firemen" shall have the meaning ascribed to the term "firefighter" by Section 4-106 of the Illinois Pension Code, and include those persons under the coverage of Article 4 of that Code, as heretofore or hereafter amended.
3. The "retirement or disability period" of a fireman means the period:
   a. which begins on the day the fireman is removed from a municipality's fire department payroll because of the occurrence of

   New matter indicated by italics - deletions by strikeout
any of the following events, to wit: (i) the fireman retires as a deferred pensioner under Section 4-105a of the Illinois Pension Code, (ii) the fireman retires from active service as a fireman with an attained age and accumulated creditable service which together qualify the fireman for immediate receipt of retirement pension benefits under Section 4-109 of the Illinois Pension Code, or (iii) the fireman's disability is established under Section 4-112 of the Illinois Pension Code; and

b. which ends on the first to occur of any of the following events, to wit: (i) the fireman's reinstatement or reentry into active service on the municipality's fire department as provided for under Article 4 of the Illinois Pension Code, (ii) the fireman's exercise of any refund option available under Section 4-116 of the Illinois Pension Code, (iii) the fireman's loss pursuant to Section 4-138 of the Illinois Pension Code of any benefits provided for in Article 4 of that Code, or (iv) the fireman's death or -- if at the time of the fireman's death the fireman is survived by a spouse who, in that capacity, is entitled to receive a surviving spouse's monthly pension pursuant to Article 4 of the Illinois Pension Code -- then the death or remarriage of that spouse.

No policy of group accident and health insurance under which firemen employed by a municipality are insured for their individual benefit shall be issued or delivered in this State to any municipality unless such group policy provides for the election of continued group insurance coverage for the retirement or disability period of each fireman who is insured under the provisions of the group policy on the day immediately preceding the day on which the retirement or disability period of such fireman begins. So long as any required premiums for continued group insurance coverage are paid in accordance with the provisions of the group policy, an election made pursuant to this Section shall provide continued group insurance coverage for a fireman throughout the retirement or disability period of the fireman and, unless the fireman otherwise elects and subject to any other provisions of the group policy which relate either to the provision or to the termination of dependents' coverage and which

New matter indicated by italics - deletions by strikeout
are not inconsistent with this Section, for any dependents of the fireman who are insured under the group policy on the day immediately preceding the day on which the retirement or disability period of the fireman begins; provided, however, that when such continued group insurance coverage is in effect with respect to a fireman on the date of the fireman's death but the retirement or disability period of the fireman does not end with such fireman's death, then the deceased fireman's surviving spouse upon whose death or remarriage such retirement or disability period will end shall be entitled, without further election and upon payment of any required premiums in accordance with the provisions of the group policy, to maintain such continued group insurance coverage in effect until the end of such retirement or disability period. Continued group insurance coverage shall be provided in accordance with this Section at the same premium rate from time to time charged for equivalent coverage provided under the group policy with respect to covered firemen whose retirement or disability period has not begun, and no distinction or discrimination in the amount or rate of premiums or in any waiver of premium or other benefit provision shall be made between continued group insurance coverage elected pursuant to this Section and equivalent coverage provided to firemen under the group policy other than pursuant to the provisions of this Section; provided that no municipality shall be required by reason of any provision of this Section to pay any group insurance premium other than one that may be negotiated in a collective bargaining agreement. If a person electing continued coverage under this Section becomes eligible for medicare coverage, benefits under the group policy may continue as a supplement to the medicare coverage upon payment of any required premiums to maintain the benefits of the group policy as supplemental coverage.

Within 15 days of the beginning of the retirement or disability period of any fireman entitled to elect continued group insurance coverage under any group policy affected by this Section, the municipality last employing such fireman shall give written notice of such beginning by certified mail, return receipt requested to the insurance company issuing such policy. The notice shall include the fireman's name and last known

New matter indicated by italics - deletions by strikeout
place of residence and the beginning date of the fireman's retirement or disability period.

Within 15 days of the date of receipt of such notice from the municipality, the insurance company by certified mail, return receipt requested, shall give written notice to the fireman at the fireman's last known place of residence that coverage under the group policy may be continued for the retirement or disability period of the fireman as provided in this Section. Such notice shall set forth: (i) a statement of election to be filed by the fireman if the fireman wishes to continue such group insurance coverage, (ii) the amount of monthly premium, including a statement of the portion of such monthly premium attributable to any dependents' coverage which the fireman may elect, and (iii) instructions as to the return of the election form to the insurance company issuing such policy. Election shall be made, if at all, by returning the statement of election to the insurance company by certified mail, return receipt requested within 15 days after having received it.

If the fireman elects to continue coverage, it shall be the obligation of the fireman to pay the monthly premium directly to the municipality which shall forward it to the insurance company issuing the group insurance policy, or as otherwise directed by the insurance company; provided, however, that the fireman shall be entitled to designate on the statement of election required to be filed with the insurance company that the total monthly premium, or such portion thereof as is not contributed by a municipality, be deducted by a Firefighter's Pension Fund from any monthly pension payment otherwise payable to or on behalf of the fireman pursuant to Article 4 of the Illinois Pension Code, and be remitted by such Pension Fund to the insurance company. The portion, if any, of the monthly premium contributed by a municipality for such continued group insurance coverage shall be paid by the municipality directly to the insurance company issuing the group insurance policy, or as otherwise directed by the insurance company. Such continued group insurance coverage shall relate back to the beginning of the fireman's retirement or disability period.

New matter indicated by italics - deletions by strikeout
The amendment, renewal or extension of any group insurance policy affected by this Section shall be deemed to be the issuance of a new policy of insurance for purposes of this Section.

In the event that a municipality makes a program of accident, health, hospital or medical benefits available to its firemen through self-insurance, or by participation in a pool or reciprocal insurer, or by contract in a form other than a policy of group insurance with one or more medical service plans, health care service corporations, health maintenance organizations, or any other professional corporations or plans under which health care or reimbursement for the costs thereof is provided, whether the cost of such benefits is borne by the municipality or the firemen or both, such firemen and their surviving spouses shall have the same right to elect continued coverage under such program of benefits as they would have if such benefits were provided by a policy of group accident and health insurance. In such cases, the notice of right to elect continued coverage shall be sent by the municipality; the statement of election shall be sent to the municipality; and references to the required premium shall refer to that portion of the cost of such benefits which is not borne by the municipality, either voluntarily or pursuant to the provisions of a collective bargaining agreement. In the case of a municipality providing such benefits through self-insurance or participation in a pool or reciprocal insurer, the right to elect continued coverage which is provided by this paragraph shall be implemented and made available to the firemen of the municipality and qualifying surviving spouses not later than July 1, 1985.

The amendment, renewal or extension of any such contract in a form other than a policy of group insurance policy shall be deemed the formation of a new contract for the purposes of this Section.

This Section shall not limit the exercise of any conversion privileges available under Section 367e.

Pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, this Section specifically denies and limits the exercise by a home rule unit of any power which is inconsistent with this Section and all existing laws and ordinances which are inconsistent with

New matter indicated by italics - deletions by strikeout
this Section are hereby superseded. This Section does not preempt the concurrent exercise by home rule units of powers consistent herewith.

The Division of Insurance of the Department of Financial and Professional Regulation shall enforce the provisions of this Section, including provisions relating to municipality self-insured benefit plans.

(Source: P.A. 86-1444.)

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

Approved June 15, 2006.

PUBLIC ACT 94-0859
(Senate Bill No. 2740)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 4-118 as follows:

(40 ILCS 5/4-118) (from Ch. 108 1/2, par. 4-118)
Sec. 4-118. Financing.
(a) The city council or the board of trustees of the municipality shall annually levy a tax upon all the taxable property of the municipality at the rate on the dollar which will produce an amount which, when added to the deductions from the salaries or wages of firefighters and revenues available from other sources, will equal a sum sufficient to meet the annual actuarial requirements of the pension fund, as determined by an enrolled actuary employed by the Illinois Department of Insurance or by an enrolled actuary retained by the pension fund or municipality. For the purposes of this Section, the annual actuarial requirements of the pension fund are equal to (1) the normal cost of the pension fund, or 17.5% of the salaries and wages to be paid to firefighters for the year involved, whichever is greater, plus (2) the annual amount necessary to amortize the

New matter indicated by italics - deletions by strikeout
fund's unfunded accrued liabilities over a period of 40 years from July 1, 1993, as annually updated and determined by an enrolled actuary employed by the Illinois Department of Insurance or by an enrolled actuary retained by the pension fund or the municipality. The amount to be applied towards the amortization of the unfunded accrued liability in any year shall not be less than the annual amount required to amortize the unfunded accrued liability, including interest, as a level percentage of payroll over the number of years remaining in the 40 year amortization period.

(b) The tax shall be levied and collected in the same manner as the general taxes of the municipality, and shall be in addition to all other taxes now or hereafter authorized to be levied upon all property within the municipality, and in addition to the amount authorized to be levied for general purposes, under Section 8-3-1 of the Illinois Municipal Code or under Section 14 of the Fire Protection District Act. The tax shall be forwarded directly to the treasurer of the board within 30 business days of receipt by the county municipality (or, in the case of amounts added to the tax levy under subsection (f), used by the municipality to pay the employer contributions required under subsection (b-1) of Section 15-155 of this Code).

(c) The board shall make available to the membership and the general public for inspection and copying at reasonable times the most recent Actuarial Valuation Balance Sheet and Tax Levy Requirement issued to the fund by the Department of Insurance.

(d) The firefighters' pension fund shall consist of the following moneys which shall be set apart by the treasurer of the municipality: (1) all moneys derived from the taxes levied hereunder; (2) contributions by firefighters as provided under Section 4-118.1; (3) all rewards in money, fees, gifts, and emoluments that may be paid or given for or on account of extraordinary service by the fire department or any member thereof, except when allowed to be retained by competitive awards; and (4) any money, real estate or personal property received by the board.

(e) For the purposes of this Section, "enrolled actuary" means an actuary: (1) who is a member of the Society of Actuaries or the American Academy of Actuaries; and (2) who is enrolled under Subtitle C of Title III
New matter indicated by italics - deletions by strikeout
beneficiaries and (ii) for certain eligible retired community college employees and their dependent beneficiaries.
(Source: P.A. 89-25, eff. 6-21-95; 90-497, eff. 8-18-97.)

(5 ILCS 375/3) (from Ch. 127, par. 523)
Sec. 3. Definitions. Unless the context otherwise requires, the following words and phrases as used in this Act shall have the following meanings. The Department may define these and other words and phrases separately for the purpose of implementing specific programs providing benefits under this Act.

(a) "Administrative service organization" means any person, firm or corporation experienced in the handling of claims which is fully qualified, financially sound and capable of meeting the service requirements of a contract of administration executed with the Department.

(b) "Annuitant" means (1) an employee who retires, or has retired, on or after January 1, 1966 on an immediate annuity under the provisions of Articles 2, 14 (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity), 15 (including an employee who has retired under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code; (2) any person who was receiving group insurance coverage under this Act as of March 31, 1978 by reason of his status as an annuitant, even though the annuity in relation to which such coverage was provided is a proportional annuity based on less than the minimum period of service required for a retirement annuity in the system involved; (3) any person not otherwise covered by this Act who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code; (4) the spouse of any person who is receiving a retirement annuity under Article 18 of the Illinois Pension Code and who is covered under a group health insurance program sponsored by a governmental employer other than the State of Illinois and who has irrevocably elected to waive his or her coverage under this Act and to have his or her spouse

New matter indicated by italics - deletions by strikeout
considered as the "annuitant" under this Act and not as a "dependent"; or
(5) an employee who retires, or has retired, from a qualified position, as
determined according to rules promulgated by the Director, under a
qualified local government, or a qualified rehabilitation facility, or a
qualified domestic violence shelter or service, or a qualified child
advocacy center. (For definition of "retired employee", see (p) post).

(b-5) "New SERS annuitant" means a person who, on or after
January 1, 1998, becomes an annuitant, as defined in subsection (b), by
virtue of beginning to receive a retirement annuity under Article 14 of the
Illinois Pension Code (including an employee who has elected to receive an
alternative retirement cancellation payment under Section 14-108.5 of
that Code in lieu of an annuity), and is eligible to participate in the basic
program of group health benefits provided for annuitants under this Act.

(b-6) "New SURS annuitant" means a person who (1) on or after
January 1, 1998, becomes an annuitant, as defined in subsection (b), by
virtue of beginning to receive a retirement annuity under Article 15 of the
Illinois Pension Code, (2) has not made the election authorized under
Section 15-135.1 of the Illinois Pension Code, and (3) is eligible to
participate in the basic program of group health benefits provided for
annuitants under this Act.

(b-7) "New TRS State annuitant" means a person who, on or after
July 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue
of beginning to receive a retirement annuity under Article 16 of the Illinois
Pension Code based on service as a teacher as defined in paragraph (2),
(3), or (5) of Section 16-106 of that Code, and is eligible to participate in
the basic program of group health benefits provided for annuitants under
this Act.

(c) "Carrier" means (1) an insurance company, a corporation
organized under the Limited Health Service Organization Act or the
Voluntary Health Services Plan Act, a partnership, or other
nongovernmental organization, which is authorized to do group life or
group health insurance business in Illinois, or (2) the State of Illinois as a
self-insurer.
(d) "Compensation" means salary or wages payable on a regular payroll by the State Treasurer on a warrant of the State Comptroller out of any State, trust or federal fund, or by the Governor of the State through a disbursing officer of the State out of a trust or out of federal funds, or by any Department out of State, trust, federal or other funds held by the State Treasurer or the Department, to any person for personal services currently performed, and ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, or benefits payable under the Workers' Compensation or Occupational Diseases Act or benefits payable under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Compensation" also means salary or wages paid to an employee of any qualified local government, or qualified rehabilitation facility, or a qualified domestic violence shelter or service, or qualified child advocacy center.

(e) "Commission" means the State Employees Group Insurance Advisory Commission authorized by this Act. Commencing July 1, 1984, "Commission" as used in this Act means the Commission on Government Forecasting and Accountability as established by the Legislative Commission Reorganization Act of 1984.

(f) "Contributory", when referred to as contributory coverage, shall mean optional coverages or benefits elected by the member toward the cost of which such member makes contribution, or which are funded in whole or in part through the acceptance of a reduction in earnings or the foregoing of an increase in earnings by an employee, as distinguished from noncontributory coverage or benefits which are paid entirely by the State of Illinois without reduction of the member's salary.

(g) "Department" means any department, institution, board, commission, officer, court or any agency of the State government receiving appropriations and having power to certify payrolls to the Comptroller authorizing payments of salary and wages against such appropriations as are made by the General Assembly from any State fund,
or against trust funds held by the State Treasurer and includes boards of
trustees of the retirement systems created by Articles 2, 14, 15, 16 and 18
of the Illinois Pension Code. "Department" also includes the Illinois
Comprehensive Health Insurance Board, the Board of Examiners
established under the Illinois Public Accounting Act, and the Illinois
Finance Authority.

(h) "Dependent", when the term is used in the context of the health
and life plan, means a member's spouse and any unmarried child (1) from
birth to age 19 including an adopted child, a child who lives with the
member from the time of the filing of a petition for adoption until entry of
an order of adoption, a stepchild or recognized child who lives with the
member in a parent-child relationship, or a child who lives with the
member if such member is a court appointed guardian of the child, or (2)
age 19 to 23 enrolled as a full-time student in any accredited school,
financially dependent upon the member, and eligible to be claimed as a
dependent for income tax purposes, or (3) age 19 or over who is mentally
or physically handicapped. For the health plan only, the term "dependent"
also includes any person enrolled prior to the effective date of this Section
who is dependent upon the member to the extent that the member may
claim such person as a dependent for income tax deduction purposes; no
other such person may be enrolled. For the health plan only, the term
"dependent" also includes any person who has received after June 30, 2000
an organ transplant and who is financially dependent upon the member and
eligible to be claimed as a dependent for income tax purposes.

(i) "Director" means the Director of the Illinois Department of
Central Management Services.

(j) "Eligibility period" means the period of time a member has to
elect enrollment in programs or to select benefits without regard to age,
sex or health.

(k) "Employee" means and includes each officer or employee in the
service of a department who (1) receives his compensation for service
rendered to the department on a warrant issued pursuant to a payroll
certified by a department or on a warrant or check issued and drawn by a
department upon a trust, federal or other fund or on a warrant issued

New matter indicated by italics - deletions by strikeout
pursuant to a payroll certified by an elected or duly appointed officer of the State or who receives payment of the performance of personal services on a warrant issued pursuant to a payroll certified by a Department and drawn by the Comptroller upon the State Treasurer against appropriations made by the General Assembly from any fund or against trust funds held by the State Treasurer, and (2) is employed full-time or part-time in a position normally requiring actual performance of duty during not less than 1/2 of a normal work period, as established by the Director in cooperation with each department, except that persons elected by popular vote will be considered employees during the entire term for which they are elected regardless of hours devoted to the service of the State, and (3) except that "employee" does not include any person who is not eligible by reason of such person's employment to participate in one of the State retirement systems under Articles 2, 14, 15 (either the regular Article 15 system or the optional retirement program established under Section 15-158.2) or 18, or under paragraph (2), (3), or (5) of Section 16-106, of the Illinois Pension Code, but such term does include persons who are employed during the 6 month qualifying period under Article 14 of the Illinois Pension Code. Such term also includes any person who (1) after January 1, 1966, is receiving ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, (2) receives total permanent or total temporary disability under the Workers' Compensation Act or Occupational Disease Act as a result of injuries sustained or illness contracted in the course of employment with the State of Illinois, or (3) is not otherwise covered under this Act and has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code. However, a person who satisfies the criteria of the foregoing definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code

New matter indicated by italics - deletions by strikeout
is also an "employee" for the purposes of this Act. "Employee" also includes any person receiving or eligible for benefits under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Employee" also includes (i) each officer or employee in the service of a qualified local government, including persons appointed as trustees of sanitary districts regardless of hours devoted to the service of the sanitary district, (ii) each employee in the service of a qualified rehabilitation facility, (iii) each full-time employee in the service of a qualified domestic violence shelter or service, and (iv) each full-time employee in the service of a qualified child advocacy center, as determined according to rules promulgated by the Director.

(l) "Member" means an employee, annuitant, retired employee or survivor.

(m) "Optional coverages or benefits" means those coverages or benefits available to the member on his or her voluntary election, and at his or her own expense.

(n) "Program" means the group life insurance, health benefits and other employee benefits designed and contracted for by the Director under this Act.

(o) "Health plan" means a health benefits program offered by the State of Illinois for persons eligible for the plan.

(p) "Retired employee" means any person who would be an annuitant as that term is defined herein but for the fact that such person retired prior to January 1, 1966. Such term also includes any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant but for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code.

(q) "Survivor" means a person receiving an annuity as a survivor of an employee or of an annuitant. "Survivor" also includes: (1) the surviving dependent of a person who satisfies the definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the
Illinois Pension Code; (2) the surviving dependent of any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant except for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; and (3) the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-2) "SERS" means the State Employees' Retirement System of Illinois, created under Article 14 of the Illinois Pension Code.

(q-3) "SURS" means the State Universities Retirement System, created under Article 15 of the Illinois Pension Code.

(q-4) "TRS" means the Teachers' Retirement System of the State of Illinois, created under Article 16 of the Illinois Pension Code.

(q-5) "New SERS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 14 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SERS annuitant as defined in subsection (b-5). "New SERS survivor" includes the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-6) "New SURS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 15 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SURS annuitant as defined in subsection (b-6).

(q-7) "New TRS State survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 16 of the Illinois Pension Code and is based on the death of (i) an employee who is a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code and whose death occurs on or after July 1, 1998, or (ii) a new TRS State annuitant as defined in subsection (b-7).
(r) "Medical services" means the services provided within the scope of their licenses by practitioners in all categories licensed under the Medical Practice Act of 1987.

(s) "Unit of local government" means any county, municipality, township, school district (including a combination of school districts under the Intergovernmental Cooperation Act), special district or other unit, designated as a unit of local government by law, which exercises limited governmental powers or powers in respect to limited governmental subjects, any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 85-15 of the Township Code; any not-for-profit corporation or association, with a membership consisting primarily of municipalities, that operates its own utility system, and provides research, training, dissemination of information, or other acts to promote cooperation between and among municipalities that provide utility services and for the advancement of the goals and purposes of its membership; the Southern Illinois Collegiate Common Market, which is a consortium of higher education institutions in Southern Illinois; and the Illinois Association of Park Districts. "Qualified local government" means a unit of local government approved by the Director and participating in a program created under subsection (i) of Section 10 of this Act.

(t) "Qualified rehabilitation facility" means any not-for-profit organization that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services, approved by the Director and participating in a program created under subsection (j) of Section 10 of this Act.

(u) "Qualified domestic violence shelter or service" means any Illinois domestic violence shelter or service and its administrative offices funded by the Department of Human Services (as successor to the Illinois

New matter indicated by italics - deletions by strikeout
Department of Public Aid), approved by the Director and participating in a program created under subsection (k) of Section 10.

(v) "TRS benefit recipient" means a person who:

(1) is not a "member" as defined in this Section; and

(2) is receiving a monthly benefit or retirement annuity under Article 16 of the Illinois Pension Code; and

(3) either (i) has at least 8 years of creditable service under Article 16 of the Illinois Pension Code, or (ii) was enrolled in the health insurance program offered under that Article on January 1, 1996, or (iii) is the survivor of a benefit recipient who had at least 8 years of creditable service under Article 16 of the Illinois Pension Code or was enrolled in the health insurance program offered under that Article on the effective date of this amendatory Act of 1995, or (iv) is a recipient or survivor of a recipient of a disability benefit under Article 16 of the Illinois Pension Code.

(w) "TRS dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a TRS benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the TRS benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the TRS benefit recipient, eligible to be claimed as a dependent for income tax purposes, and either is under age 24 or was, on January 1, 1996, participating as a dependent beneficiary in the health insurance program offered under Article 16 of the Illinois Pension Code, or (iii) age 19 or over who is mentally or physically handicapped.

(x) "Military leave with pay and benefits" refers to individuals in basic training for reserves, special/advanced training, annual training, emergency call up, or activation by the President of the United States with approved pay and benefits.

(y) "Military leave without pay and benefits" refers to individuals who enlist for active duty in a regular component of the U.S. Armed Forces.
Forces or other duty not specified or authorized under military leave with pay and benefits.

(z) "Community college benefit recipient" means a person who:

(1) is not a "member" as defined in this Section; and

(2) is receiving a monthly survivor's annuity or retirement annuity under Article 15 of the Illinois Pension Code; and

(3) either (i) was a full-time employee of a community college district or an association of community college boards created under the Public Community College Act (other than an employee whose last employer under Article 15 of the Illinois Pension Code was a community college district subject to Article VII of the Public Community College Act) and was eligible to participate in a group health benefit plan as an employee during the time of employment with a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards, or (ii) is the survivor of a person described in item (i).

(aa) "Community college dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a community college benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the community college benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the community college benefit recipient, eligible to be claimed as a dependent for income tax purposes and under age 23, or (iii) age 19 or over and mentally or physically handicapped.

(bb) "Qualified child advocacy center" means any Illinois child advocacy center and its administrative offices funded by the Department of Children and Family Services, as defined by the Children's Advocacy Center Act (55 ILCS 80/), approved by the Director and participating in a program created under subsection (n) of Section 10.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 92-16, eff. 6-28-01; 92-186, eff. 1-1-02; 92-204, eff. 8-1-01; 92-651, eff. 7-11-02; 93-205, eff. 1-1-04; 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05.)

(5 ILCS 375/10) (from Ch. 127, par. 530)
Sec. 10. Payments by State; premiums.
(a) The State shall pay the cost of basic non-contributory group life insurance and, subject to member paid contributions set by the Department or required by this Section, the basic program of group health benefits on each eligible member, except a member, not otherwise covered by this Act, who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code, and part of each eligible member's and retired member's premiums for health insurance coverage for enrolled dependents as provided by Section 9. The State shall pay the cost of the basic program of group health benefits only after benefits are reduced by the amount of benefits covered by Medicare for all members and dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, except that such reduction in benefits shall apply only to those members and dependents who (1) first become eligible for such Medicare coverage on or after July 1, 1992; or (2) are Medicare-eligible members or dependents of a local government unit which began participation in the program on or after July 1, 1992; or (3) remain eligible for, but no longer receive Medicare coverage which they had been receiving on or after July 1, 1992. The Department may determine the aggregate level of the State's contribution on the basis of actual cost of medical services adjusted for age, sex or geographic or other demographic characteristics which affect the costs of such programs.

The cost of participation in the basic program of group health benefits for the dependent or survivor of a living or deceased retired employee who was formerly employed by the University of Illinois in the Cooperative Extension Service and would be an annuitant but for the fact that he or she was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the

New matter indicated by italics - deletions by strikeout
Illinois Pension Code shall not be greater than the cost of participation that would otherwise apply to that dependent or survivor if he or she were the dependent or survivor of an annuitant under the State Universities Retirement System.

(a-1) Beginning January 1, 1998, for each person who becomes a new SERS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SERS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant. In the case of a new SERS annuitant who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the annuitant shall be deemed to be receiving a retirement annuity based on the number of years of creditable service that the annuitant had established at the time of his or her termination of service under SERS.

(a-2) Beginning January 1, 1998, for each person who becomes a new SERS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Employees' Retirement System of Illinois on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SERS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor. In the case of a new SERS survivor who was the dependent of an annuitant who elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the deceased

New matter indicated by italics - deletions by strikeout
annuitant's creditable service shall be determined as of the date of termination of service rather than the date of death.

(a-3) Beginning January 1, 1998, for each person who becomes a new SERS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SERS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant.

(a-4) (Blank).

(a-5) Beginning January 1, 1998, for each person who becomes a new SERS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Universities Retirement System on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SERS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-6) Beginning July 1, 1998, for each person who becomes a new TRS State annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code upon which the annuitant's retirement annuity is based, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of a new TRS State annuitant's coverage under
the basic program of group health benefits shall be the responsibility of the annuitant.

(a-7) Beginning July 1, 1998, for each person who becomes a new TRS State survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code on the date of death, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of the deceased employee's or deceased annuitant's creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of the new TRS State survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-8) A new SERS annuitant, new SERS survivor, new SURS annuitant, new SURS survivor, new TRS State annuitant, or new TRS State survivor may waive or terminate coverage in the program of group health benefits. Any such annuitant or survivor who has waived or terminated coverage may enroll or re-enroll in the program of group health benefits only during the annual benefit choice period, as determined by the Director; except that in the event of termination of coverage due to nonpayment of premiums, the annuitant or survivor may not re-enroll in the program.

(a-9) No later than May 1 of each calendar year, the Director of Central Management Services shall certify in writing to the Executive Secretary of the State Employees' Retirement System of Illinois the amounts of the Medicare supplement health care premiums and the amounts of the health care premiums for all other retirees who are not Medicare eligible.

A separate calculation of the premiums based upon the actual cost of each health care plan shall be so certified.

New matter indicated by italics - deletions by strikeout
The Director of Central Management Services shall provide to the Executive Secretary of the State Employees' Retirement System of Illinois such information, statistics, and other data as he or she may require to review the premium amounts certified by the Director of Central Management Services.

(b) State employees who become eligible for this program on or after January 1, 1980 in positions normally requiring actual performance of duty not less than 1/2 of a normal work period but not equal to that of a normal work period, shall be given the option of participating in the available program. If the employee elects coverage, the State shall contribute on behalf of such employee to the cost of the employee's benefit and any applicable dependent supplement, that sum which bears the same percentage as that percentage of time the employee regularly works when compared to normal work period.

(c) The basic non-contributory coverage from the basic program of group health benefits shall be continued for each employee not in pay status or on active service by reason of (1) leave of absence due to illness or injury, (2) authorized educational leave of absence or sabbatical leave, or (3) military leave with pay and benefits. This coverage shall continue until expiration of authorized leave and return to active service, but not to exceed 24 months for leaves under item (1) or (2). This 24-month limitation and the requirement of returning to active service shall not apply to persons receiving ordinary or accidental disability benefits or retirement benefits through the appropriate State retirement system or benefits under the Workers' Compensation or Occupational Disease Act.

(d) The basic group life insurance coverage shall continue, with full State contribution, where such person is (1) absent from active service by reason of disability arising from any cause other than self-inflicted, (2) on authorized educational leave of absence or sabbatical leave, or (3) on military leave with pay and benefits.

(e) Where the person is in non-pay status for a period in excess of 30 days or on leave of absence, other than by reason of disability, educational or sabbatical leave, or military leave with pay and benefits, such person may continue coverage only by making personal payment
equal to the amount normally contributed by the State on such person's behalf. Such payments and coverage may be continued: (1) until such time as the person returns to a status eligible for coverage at State expense, but not to exceed 24 months, (2) until such person's employment or annuitant status with the State is terminated, or (3) for a maximum period of 4 years for members on military leave with pay and benefits and military leave without pay and benefits (exclusive of any additional service imposed pursuant to law).

(f) The Department shall establish by rule the extent to which other employee benefits will continue for persons in non-pay status or who are not in active service.

(g) The State shall not pay the cost of the basic non-contributory group life insurance, program of health benefits and other employee benefits for members who are survivors as defined by paragraphs (1) and (2) of subsection (q) of Section 3 of this Act. The costs of benefits for these survivors shall be paid by the survivors or by the University of Illinois Cooperative Extension Service, or any combination thereof. However, the State shall pay the amount of the reduction in the cost of participation, if any, resulting from the amendment to subsection (a) made by this amendatory Act of the 91st General Assembly.

(h) Those persons occupying positions with any department as a result of emergency appointments pursuant to Section 8b.8 of the Personnel Code who are not considered employees under this Act shall be given the option of participating in the programs of group life insurance, health benefits and other employee benefits. Such persons electing coverage may participate only by making payment equal to the amount normally contributed by the State for similarly situated employees. Such amounts shall be determined by the Director. Such payments and coverage may be continued until such time as the person becomes an employee pursuant to this Act or such person's appointment is terminated.

(i) Any unit of local government within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a unit of local government must agree to
enroll all of its employees, who may select coverage under either the State
group health benefits plan or a health maintenance organization that has
contracted with the State to be available as a health care provider for
employees as defined in this Act. A unit of local government must remit
the entire cost of providing coverage under the State group health benefits
plan or, for coverage under a health maintenance organization, an amount
determined by the Director based on an analysis of the sex, age,
geographic location, or other relevant demographic variables for its
employees, except that the unit of local government shall not be required
to enroll those of its employees who are covered spouses or dependents
under this plan or another group policy or plan providing health benefits as
long as (1) an appropriate official from the unit of local government attests
that each employee not enrolled is a covered spouse or dependent under
this plan or another group policy or plan, and (2) at least 85% of the
employees are enrolled and the unit of local government remits the entire
cost of providing coverage to those employees, except that a participating
school district must have enrolled at least 85% of its full-time employees
who have not waived coverage under the district's group health plan by
participating in a component of the district's cafeteria plan. A participating
school district is not required to enroll a full-time employee who has
waived coverage under the district's health plan, provided that an
appropriate official from the participating school district attests that the
full-time employee has waived coverage by participating in a component
of the district's cafeteria plan. For the purposes of this subsection,
"participating school district" includes a unit of local government whose
primary purpose is education as defined by the Department's rules.

Employees of a participating unit of local government who are not
enrolled due to coverage under another group health policy or plan may
enroll in the event of a qualifying change in status, special enrollment,
special circumstance as defined by the Director, or during the annual
Benefit Choice Period. A participating unit of local government may also
elect to cover its annuitants. Dependent coverage shall be offered on an
optional basis, with the costs paid by the unit of local government, its
employees, or some combination of the two as determined by the unit of

New matter indicated by italics - deletions by strikeout
local government. The unit of local government shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine monthly rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages, or contributed by the State for basic insurance coverages on behalf of its employees, adjusted for differences between State employees and employees of the local government in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the unit of local government and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the unit of local government.

In the case of coverage of local government employees under a health maintenance organization, the Director shall annually determine for each participating unit of local government the maximum monthly amount the unit may contribute toward that coverage, based on an analysis of (i) the age, sex, geographic location, and other relevant demographic variables of the unit's employees and (ii) the cost to cover those employees under the State group health benefits plan. The Director may similarly determine the maximum monthly amount each unit of local government may contribute toward coverage of its employees' dependents under a health maintenance organization.

Monthly payments by the unit of local government or its employees for group health benefits plan or health maintenance organization coverage shall be deposited in the Local Government Health Insurance Reserve Fund.

The Local Government Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. All expenditures from this Fund shall be used for payments for health care benefits for local

New matter indicated by italics - deletions by strikeout
government and rehabilitation facility employees, annuitants, and dependents, and to reimburse the Department or its administrative service organization for all expenses incurred in the administration of benefits. No other State funds may be used for these purposes.

A local government employer's participation or desire to participate in a program created under this subsection shall not limit that employer's duty to bargain with the representative of any collective bargaining unit of its employees.

(j) Any rehabilitation facility within the State of Illinois may apply to the Director to have its employees, annuitants, and their eligible dependents provided group health coverage under this Act on a non-insured basis. To participate, a rehabilitation facility must agree to enroll all of its employees and remit the entire cost of providing such coverage for its employees, except that the rehabilitation facility shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the rehabilitation facility attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 85% of the employees are enrolled and the rehabilitation facility remits the entire cost of providing coverage to those employees. Employees of a participating rehabilitation facility who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating rehabilitation facility may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the rehabilitation facility, its employees, or some combination of the 2 as determined by the rehabilitation facility. The rehabilitation facility shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine quarterly rates of payment, subject to the following constraints:

New matter indicated by italics - deletions by strikeout
(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the rehabilitation facility in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the rehabilitation facility and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the rehabilitation facility.

Monthly payments by the rehabilitation facility or its employees for group health benefits shall be deposited in the Local Government Health Insurance Reserve Fund.

(k) Any domestic violence shelter or service within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a domestic violence shelter or service must agree to enroll all of its employees and pay the entire cost of providing such coverage for its employees. A participating domestic violence shelter may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with employees, or some combination of the 2 as determined by the domestic violence shelter or service. The domestic violence shelter or service shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the domestic violence shelter or service in age, sex, geographic variables.

New matter indicated by italics - deletions by strikeout
location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the domestic violence shelter or service and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the domestic violence shelter or service.

Monthly payments by the domestic violence shelter or service or its employees for group health insurance shall be deposited in the Local Government Health Insurance Reserve Fund.

(l) A public community college or entity organized pursuant to the Public Community College Act may apply to the Director initially to have only annuitants not covered prior to July 1, 1992 by the district's health plan provided health coverage under this Act on a non-insured basis. The community college must execute a 2-year contract to participate in the Local Government Health Plan. Any annuitant may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

The Director shall annually determine monthly rates of payment subject to the following constraints: for those community colleges with annuitants only enrolled, first year rates shall be equal to the average cost to cover claims for a State member adjusted for demographics, Medicare participation, and other factors; and in the second year, a further adjustment of rates shall be made to reflect the actual first year's claims experience of the covered annuitants.

(l-5) The provisions of subsection (l) become inoperative on July 1, 1999.

(m) The Director shall adopt any rules deemed necessary for implementation of this amendatory Act of 1989 (Public Act 86-978).

(n) Any child advocacy center within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependants provided group health coverage under this Act on a non-insured basis. To participate, a child advocacy center must agree to enroll all of its employees and pay the entire cost of providing coverage for its employees.

New matter indicated by italics - deletions by strikeout
A participating child advocacy center may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the child advocacy center, its employees, or some combination of the 2 as determined by the child advocacy center. The child advocacy center shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the child advocacy center in age, sex, geographic location, or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the child advocacy center and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the child advocacy center.

Monthly payments by the child advocacy center or its employees for group health insurance shall be deposited into the Local Government Health Insurance Reserve Fund.

(Source: P.A. 92-16, eff. 6-28-01; 93-839, eff. 7-30-04.)

(5 ILCS 375/15) (from Ch. 127, par. 535)

Sec. 15. Administration; rules; audit; review.

(a) The Director shall administer this Act and shall prescribe such rules and regulations as are necessary to give full effect to the purposes of this Act.

(b) These rules may fix reasonable standards for the group life and group health programs and other benefit programs offered under this Act, and for the contractors providing them.

(c) These rules shall specify that covered and optional medical services of the program are services provided within the scope of their

New matter indicated by italics - deletions by strikeout
licenses by practitioners in all categories licensed under the Medical Practice Act of 1987 and shall provide that all eligible persons be fully informed of this specification.

(d) These rules shall establish eligibility requirements for members and dependents as may be necessary to supplement or clarify requirements contained in this Act.

(e) Each affected department of the State, the State Universities Retirement System, the Teachers' Retirement System, and each qualified local government, rehabilitation facility, or domestic violence shelter or service, or child advocacy center, shall keep such records, make such certifications, and furnish the Director such information as may be necessary for the administration of this Act, including information concerning number and total amounts of payroll of employees of the department who are paid from trust funds or federal funds.

(f) Each member, each community college benefit recipient to whom this Act applies, and each TRS benefit recipient to whom this Act applies shall furnish the Director, in such form as may be required, any information that may be necessary to enroll such member or benefit recipient and, if applicable, his or her dependents or dependent beneficiaries under the programs or plan, including such data as may be required to allow the Director to accumulate statistics on data normally considered in actuarial studies of employee groups. Information about community college benefit recipients and community college dependent beneficiaries shall be furnished through the State Universities Retirement System. Information about TRS benefit recipients and TRS dependent beneficiaries shall be furnished through the Teachers' Retirement System.

(g) There shall be audits and reports on the programs authorized and established by this Act prepared by the Director with the assistance of a qualified, independent accounting firm. The reports shall provide information on the experience, and administrative effectiveness and adequacy of the program including, when applicable, recommendations on up-grading of benefits and improvement of the program.

(h) Any final order, decision or other determination made, issued or executed by the Director under the provisions of this Act whereby any
contractor or person is aggrieved shall be subject to review in accordance with the provisions of the Administrative Review Law and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Director.  
(Source: P.A. 90-497, eff. 8-18-97; 91-390, eff. 7-30-99.)

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

Approved June 16, 2006.  
Effective June 16, 2006.

**PUBLIC ACT 94-0861**  
(House Bill No. 4370)

AN ACT concerning regulation.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Ambulatory Surgical Treatment Center Act is amended by adding Section 6.7 as follows:

(210 ILCS 5/6.7 new)  
Sec. 6.7. Registered nurse administration of limited levels of sedation or analgesia.  
(a) Nothing in this Act precludes a registered nurse from administering medications for the delivery of local or minimal sedation ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist.

(b) If the ASTC policy allows the registered nurse to deliver moderate sedation ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist, the following are required:

1. The registered nurse must be under the supervision of a physician licensed to practice medicine in all its branches, podiatrist, or dentist during the delivery or monitoring of moderate sedation and have no other responsibilities during the procedure.

New matter indicated by italics - deletions by strikeout
(2) The registered nurse must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(3) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must have training and experience in delivering and monitoring moderate sedation and possess clinical privileges at the ASTC to administer moderate sedation or analgesia.

(4) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must remain physically present and available on the premises during the delivery of moderate sedation for diagnosis, consultation, and treatment of emergency medical conditions.

(5) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(c) Local, minimal, and moderate sedation shall be defined by the Division of Professional Regulation of the Department of Financial and Professional Regulation. Registered nurses shall be limited to administering medications for moderate sedation at doses rapidly reversible pharmacologically as determined by rule by the Division of Professional Regulation of the Department of Financial and Professional Regulation.

Section 10. The Medical Practice Act of 1987 is amended by adding Section 54.6 as follows:

(225 ILCS 60/54.6 new)

Sec. 54.6. Registered nurse administration of limited levels of anesthesia. Nothing in this Act precludes a registered nurse from administering local anesthesia or minimal sedation or moderate sedation, as defined by rule, ordered by a physician licensed to practice medicine in all its branches. The Department shall define the levels of anesthesia by rule. The Department shall list the medications for moderate sedation that
are permitted under subsection (c) of Section 6.7 of the Ambulatory Surgical Treatment Act as rapidly reversible pharmacologically.

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

Approved June 16, 2006.
Effective June 16, 2006.

**PUBLIC ACT 94-0862**
(Parl. Bill No. 4527)

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-1101 as follows:

(55 ILCS 5/5-1101) (from Ch. 34, par. 5-1101)

Sec. 5-1101. Additional fees to finance court system. A county board may enact by ordinance or resolution the following fees:

(a) A $5 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of the Illinois Vehicle Code other than Section 11-501 or violations of similar provisions contained in county or municipal ordinances committed in the county, and up to a $30 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of Section 11-501 of the Illinois Vehicle Code or a violation of a similar provision contained in county or municipal ordinances committed in the county.

(b) In the case of a county having a population of 1,000,000 or less, a $5 fee to be collected in all civil cases by the clerk of the circuit court.

(c) A fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections, as follows:

(1) for a felony, $50;
(2) for a class A misdemeanor, $25;

New matter indicated by italics - deletions by strikeout
(3) for a class B or class C misdemeanor, $15;
(4) for a petty offense, $10;
(5) for a business offense, $10.

(d) A $100 fee for the second and subsequent violations of Section 11-501 of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county. The proceeds of this fee shall be placed in the county general fund and used to finance education programs related to driving under the influence of alcohol or drugs.

(d-5) A $10 fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections to be placed in the county general fund and used to finance the county mental health court, the county drug court, or both.

(e) In each county in which a teen court, peer court, peer jury, youth court, or other youth diversion program has been created, a county may adopt a mandatory fee of up to $5 to be assessed as provided in this subsection. Assessments collected by the clerk of the circuit court pursuant to this subsection must be deposited into an account specifically for the operation and administration of a teen court, peer court, peer jury, youth court, or other youth diversion program. The clerk of the circuit court shall collect the fees established in this subsection and must remit the fees to the teen court, peer court, peer jury, youth court, or other youth diversion program monthly, less 5%, which is to be retained as fee income to the office of the clerk of the circuit court. The fees are to be paid as follows:

(1) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision for violation of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county;

(2) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense.

(f) The proceeds of all fees enacted under this Section must, except as provided in subsections (d), (d-5), and (e), be placed in the county
general fund and used to finance the court system in the county, unless the fee is subject to disbursement by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(Source: P.A. 93-892, eff. 1-1-05; 93-992, eff. 1-1-05; revised 10-14-04.)

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

Approved June 16, 2006.

PUBLIC ACT 94-0863
(House Bill No. 4688)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by changing Section 17-29 as follows:

(720 ILCS 5/17-29)

Sec. 17-29. Businesses owned by minorities, females, and persons with disabilities; fraudulent contracts with governmental units.

(a) In this Section:

"Minority person" means a person who is: (1) African American (a person having origins in any of the black racial groups in Africa); (2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race); (3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or (4) Native American or Alaskan Native (a person having origins in any of the original peoples of North America).

"Female" means a person who is of the female gender.

"Person with a disability" means a person who is a person qualifying as being disabled.

New matter indicated by italics - deletions by strikeout
"Disabled" means a severe physical or mental disability that: (1) results from: amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders, including stroke and epilepsy, paraplegia, quadriplegia and other spinal cord conditions, sickle cell anemia, specific learning disabilities, or end stage renal failure disease; and (2) substantially limits one or more of the person's major life activities.

"Minority owned business" means a business concern that is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily business operations of which are controlled by one or more of the minority individuals who own it.

"Female owned business" means a business concern that is at least 51% owned by one or more females, or, in the case of a corporation, at least 51% of the stock in which is owned by one or more females; and the management and daily business operations of which are controlled by one or more of the females who own it.

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

"Governmental unit" means the State, a unit of local government, or school district.

(b) In addition to any other penalties imposed by law or by an ordinance or resolution of a unit of local government or school district, any individual or entity that knowingly obtains, or knowingly assists another to

New matter indicated by italics - deletions by strikeout
obtain, a contract with a governmental unit, or a subcontract or written commitment for a subcontract under a contract with a governmental unit, by falsely representing that the individual or entity, or the individual or entity assisted, is a minority owned business, female owned business, or business owned by a person with a disability is guilty of a Class 2 felony, regardless of whether the preference for awarding the contract to a minority owned business, female owned business, or business owned by a person with a disability was established by statute or by local ordinance or resolution.

(c) In addition to any other penalties authorized by law, the court shall order that an individual or entity convicted of a violation of this Section must pay to the governmental unit that awarded the contract a penalty equal to one and one-half times the amount of the contract obtained because of the false representation.

(Source: P.A. 94-126, eff. 1-1-06.)

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

Passed in the General Assembly March 27, 2006.
Approved June 16, 2006.
Effective June 16, 2006.

PUBLIC ACT 94-0864
(House Bill No. 5301)

AN ACT concerning aging.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Community Senior Services and Resources Act is amended by changing Section 25 as follows:
(320 ILCS 60/25)
Sec. 25. Community senior services and resource center grants.
(a) On and after January 1, 2005, the Department may award grants under this Act. It is the General Assembly's intent that grants awarded

New matter indicated by italics - deletions by strikeout
under this Act shall be made to the extent of the availability and level of appropriations made for this purpose by the General Assembly.

(b) A center must meet the following criteria to be eligible to receive a grant under this Section:

1. It must be a non-profit agency or a unit of local government.
2. It must be housed in a building or portion of a building that includes space for group activities offered to the community at large.
3. It must be open 5 or more days each week, 7 or more hours per day.
4. It must employ paid staff.
5. It must offer 5 or more home or community-based services to the community at large on a daily basis.
6. A majority of the participants in the center's programs must be seniors or family members of seniors.

(c) A center must apply for a grant in the manner prescribed by the Department. At a minimum, the application must do the following:

1. Describe the services offered by the center.
2. Identify the special needs of the center and how the grant will be used to alleviate identified funding problems.
3. Demonstrate that the center addresses the service needs of seniors in the community served by the center.
4. Describe other potential funding sources.
5. Describe additional funding opportunities, if any, to be leveraged with grant funds.
6. Provide proof of the center's involvement in the community's greater service delivery system.
7. Provide documentation that funds were requested from other sources, including, but not limited to, units of local government, local donors, local Area Agencies on Aging, or private or religious foundations.
8. Include letters of support for the awarding of the grant, from sources such as local government officials, community
leaders, other human service providers, the local Area Agency on Aging, private or religious foundations, or local membership-based organizations.

(d) The Department may award grants for the purposes of modifying the physical structure of a center or experimenting with innovative programming, which includes but is not limited to after-hours programming, to permit a center to appeal to a broader array of seniors. (Source: P.A. 93-246, eff. 7-22-03.)

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

Passed in the General Assembly March 27, 2006.
Approved June 16, 2006.
Effective June 16, 2006.

PUBLIC ACT 94-0865
(House Bill No. 5330)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-600 as follows:

(20 ILCS 2310/2310-600)
Sec. 2310-600. Advance directive information.
(a) The Department of Public Health shall prepare and publish the summary of advance directives law in Illinois that is required by the federal Patient Self-Determination Act. Publication may be limited to the World Wide Web.

(b) The Department of Public Health shall adopt, by rule, and publish Spanish language versions of the following:

(1) The statutory Living Will Declaration form.
(2) The Illinois Statutory Short Form Power of Attorney for Health Care.

New matter indicated by italics - deletions by strikeout
(3) The statutory Declaration of Mental Health Treatment Form.

(4) The summary of advance directives law in Illinois.

(5) Any statewide uniform Do Not Resuscitate forms. Publication may be limited to the World Wide Web.

(b-5) In consultation with a statewide professional organization representing physicians licensed to practice medicine in all its branches, statewide organizations representing nursing homes, and a statewide organization representing hospitals, the Department of Public Health shall develop and publish a uniform form for physician do-not-resuscitate orders that may be utilized in all settings. The form may be referred to as the Department of Public Health Uniform DNR Advance Directive Order form. This advance directive does not replace a physician's do-not-resuscitate (DNR) order.

(c) The Department of Public Health may contract with statewide professional organizations representing physicians licensed to practice medicine in all its branches to prepare and publish materials required by this Section. The Department of Public Health may consult with a statewide organization representing registered professional nurses on preparing materials required by this Section.

(Source: P.A. 91-789, eff. 1-1-01; 92-356, eff. 10-1-01.)

Section 10. The Nursing Home Care Act is amended by changing Section 2-104.2 as follows:

(210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)
Sec. 2-104.2. Do-Not-Resuscitate Orders. Every facility licensed under this Act shall establish a policy for the implementation of physician orders limiting resuscitation such as those commonly referred to as "Do-Not-Resuscitate" orders. This policy may only prescribe the format, method of documentation and duration of any physician orders limiting resuscitation. Any orders under this policy shall be honored by the facility. The Department of Public Health Uniform DNR Advance Directive Order form or a copy of that Advance Directive form shall be honored by the facility.

(Source: P.A. 92-356, eff. 10-1-01.)

New matter indicated by italics - deletions by strikeout
Section 15. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.57 as follows:

(210 ILCS 50/3.57)

Sec. 3.57. Physician do-not-resuscitate orders. The Department of Public Health Uniform DNR *Advance Directive Order form* or a copy of that *Advance Directive form* shall be honored under this Act.

(Source: P.A. 92-356, eff. 10-1-01.)

Section 20. The Hospital Licensing Act is amended by changing Section 6.19 as follows:

(210 ILCS 85/6.19)

Sec. 6.19. Do-not-resuscitate orders. Every facility licensed under this Act shall establish a policy for the implementation of physician orders limiting resuscitation, such as those orders commonly referred to as "do-not-resuscitate" orders. This policy may prescribe only the format, method of documentation, and duration of any physician orders limiting resuscitation. The policy may include forms to be used. Any orders issued under the policy shall be honored by the facility. The Department of Public Health Uniform DNR *Advance Directive Order form* or a copy of that *Advance Directive form* shall be honored under any policy established under this Section.

(Source: P.A. 92-356, eff. 10-1-01.)

Section 25. The Health Care Surrogate Act is amended by changing Section 65 as follows:

(755 ILCS 40/65)

Sec. 65. Do-not-resuscitate advance directive forms orders.

(a) An individual of sound mind and having reached the age of majority or having obtained the status of an emancipated person pursuant to the Emancipation of Mature Minors Act may execute a document (consistent with the Department of Public Health Uniform DNR *Advance Directive Order Form*) directing that resuscitating efforts shall not be implemented. Such a document may also be executed by an attending physician. Notwithstanding the existence of a DNR order, appropriate organ donation treatment may be applied or continued...
temporarily in the event of the patient's death, in accordance with subsection (g) of Section 20 of this Act, if the patient is an organ donor.

(b) Consent to a DNR Advance Directive order may be obtained from the individual, or from another person at the individual's direction, or from the individual's legal guardian, agent under a power of attorney for health care, or surrogate decision maker, and witnessed by 2 individuals 18 years of age or older.

(c) The DNR Advance Directive order may, but need not, be in the form adopted by the Department of Public Health pursuant to Section 2310-600 of the Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-600).

(d) A health care professional or health care provider may presume, in the absence of knowledge to the contrary, that a completed Department of Public Health Uniform DNR Advance Directive Order form or a copy of that Advance Directive form is a valid DNR Advance Directive order. A health care professional or health care provider, or an employee of a health care professional or health care provider, who in good faith complies with a do-not-resuscitate order made in accordance with this Act is not, as a result of that compliance, subject to any criminal or civil liability, except for willful and wanton misconduct, and may not be found to have committed an act of unprofessional conduct.

(e) Nothing in this Section or this Amendatory Act of the 94th General Assembly shall be construed to affect the ability of a physician to make a DNR order.

(Source: P.A. 92-356, eff. 10-1-01; 93-794, eff. 7-22-04; revised 11-5-04.)

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

Approved June 16, 2006.
Effective June 16, 2006.
PUBLIC ACT 94-0866  
(House Bill No. 5339)

AN ACT concerning insurance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Managed Care Reform and Patient Rights Act is amended by changing Section 30 as follows:

(215 ILCS 134/30)

Sec. 30. Prohibitions.

(a) No health care plan or its subcontractors may prohibit or discourage health care providers by contract or policy from discussing any health care services and health care providers, utilization review and quality assurance policies, terms and conditions of plans and plan policy with enrollees, prospective enrollees, providers, or the public.

(b) No health care plan by contract, written policy, or procedure may permit or allow an individual or entity to dispense a different drug in place of the drug or brand of drug ordered or prescribed without the express permission of the person ordering or prescribing the drug, except as provided under Section 3.14 of the Illinois Food, Drug and Cosmetic Act.

(c) No health care plan or its subcontractors may by contract, written policy, procedure, or otherwise mandate or require an enrollee to substitute his or her participating primary care physician under the plan during inpatient hospitalization, such as with a hospitalist physician licensed to practice medicine in all its branches, without the agreement of that enrollee's participating primary care physician. "Participating primary care physician" for health care plans and subcontractors that do not require coordination of care by a primary care physician means the participating physician treating the patient. All health care plans shall inform enrollees of any policies, recommendations, or guidelines concerning the substitution of the enrollee's primary care physician when hospitalization is necessary in the manner set forth in subsections (d) and (e) of Section 15.

New matter indicated by italics - deletions by strikeout
(d) Any violation of this Section shall be subject to the penalties under this Act.

(Source: P.A. 91-617, eff. 1-1-00; 92-770, eff. 1-1-03.)

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

Approved June 16, 2006.
Effective June 16, 2006

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Counties Code is amended by changing Section 5-1062.1 as follows:

(55 ILCS 5/5-1062.1) (from Ch. 34, par. 5-1062.1)

Sec. 5-1062.1. Stormwater management planning councils in Cook County.

(a) Stormwater management in Cook County shall be conducted as provided in Section 7h of the Metropolitan Water Reclamation District Act. As used in this Section, "District" means the Metropolitan Water Reclamation District of Greater Chicago.

The purpose of this Section is to create planning councils, organized by watershed, to contribute to the stormwater management process by advising the Metropolitan Water Reclamation District of Greater Chicago and representing the needs and interests of the members of the public and the local governments included within their respective watersheds.

(b) Stormwater management planning councils shall be formed for each of the following established watersheds of the Chicago Metropolitan Area: North Branch Chicago River, Lower Des Plaines Tributaries, Cal-Sag Channel, Little Calumet River, Poplar Creek, and Upper Salt Creek. In

New matter indicated by italics - deletions by strikeout
addition a stormwater management planning council shall be established for the combined sewer areas of Cook County. Additional stormwater management planning councils may be formed by the District for other watersheds within Cook County. Membership on the watershed councils shall consist of the chief elected official, or his or her designee, from each municipality and township within the watershed and the Cook County Board President, or his or her designee, if unincorporated area is included in the watershed. A municipality or township shall be a member of more than one watershed council if the corporate boundaries of that municipality or township extend into more than one watershed, or if the municipality or township is served in part by separate sewers and combined sewers. Subcommittees of the stormwater management planning councils may be established to assist the stormwater management planning councils in performing their duties. The councils may adopt bylaws to govern the functioning of the stormwater management councils and subcommittees.

(c) The principal duties of the watershed planning councils shall be to advise the District on the development and implementation of the countywide stormwater management plan with respect to matters relating to their respective watersheds and to advise and represent the concerns of the units of local government in the watershed area. The councils shall meet at least quarterly and shall hold at least one public hearing during the preparation of the plan.

(d) The District shall give careful consideration to the recommendations and concerns of the watershed planning councils throughout the planning process and shall coordinate the 6 watershed plans as developed and to coordinate the planning process with the adjoining counties to ensure that recommended stormwater projects will have no significant adverse impact on the levels or flows of stormwater in the inter-county watershed or on the capacity of existing and planned stormwater retention facilities. The District shall include cost benefit analysis in its deliberations and in evaluating priorities for projects from watershed to watershed. The District shall identify in an annual published report steps taken by the District to accommodate the concerns and recommendations of the watershed planning councils.

New matter indicated by italics - deletions by strikeout
(e) The stormwater management planning councils may recommend rules and regulations to the District governing the location, width, course, and release rates of all stormwater runoff channels, streams, and basins in their respective watersheds.

(f) The Northwest Municipal Conference, the South Suburban Mayors and Managers Association, the Southwest Conference of Mayors, and the West Central Municipal Conference shall be responsible for the coordination of the planning councils created under this Section.

(Source: P.A. 93-1049, eff. 11-17-04.)

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

Approved June 16, 2006.
Effective June 16, 2006.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Illinois Speech-Language Pathology and Audiology
Practice Act is amended by changing Section 8.5 as follows:

(225 ILCS 110/8.5)
(Section scheduled to be repealed on January 1, 2008)
Sec. 8.5. Qualifications for licenses as a speech-language
pathology assistant.

(a) A person is qualified to be licensed as a speech-language
pathology assistant if that person has applied in writing on forms
prescribed by the Department, has paid the required fees, and meets both
of the following criteria:

(1) Is of good moral character. In determining moral
class character, the Department may take into consideration any felony
conviction of the applicant, but such a conviction shall not operate
automatically as a complete bar to licensure.

(2) Has received an associate degree from a speech-
language pathology assistant program that has been approved by
the Department and that meets the minimum requirements set forth
in Section 8.6 or has received, prior to June 1, 2003, an associate
degree from a speech-language pathology assistant program
approved by the Illinois Community College Board.

(b) Until July 1, 2005, a person holding a bachelor's level degree in
communication disorders who was employed to assist a speech-language
pathologist on June 1, 2002 (the effective date of P.A. 92-510) shall be
eligible to receive a license as a speech-language pathology assistant from
the Department upon completion of forms prescribed by the Department
and the payment of the required fee.

(Source: P.A. 92-510, eff. 6-1-02; 93-1060, eff. 12-23-04.)

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

Approved June 16, 2006.
Effective June 16, 2006.
AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.17 and by adding Section 4.27 as follows:

(5 ILCS 80/4.17)

Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:
- The Boiler and Pressure Vessel Repairer Regulation Act.
- The Structural Pest Control Act.
- The Clinical Psychologist Licensing Act.
- The Environmental Health Practitioner Licensing Act.

(Source: P.A. 92-837, eff. 8-22-02.)

(5 ILCS 80/4.27 new)

Sec. 4.27. Act repealed on January 1, 2017. The following Act is repealed on January 1, 2017:
- The Clinical Psychologist Licensing Act.

Section 10. The Clinical Psychologist Licensing Act is amended by changing Sections 2, 3, 7, 13, 15, 15.4, 16, 16.1, 16.5, 17, 20, 21.4, 21.6, 25, 27, and 27.2 as follows:

(225 ILCS 15/2) (from Ch. 111, par. 5352)

(SECTION SCHEDULED TO BE REPEALED ON JANUARY 1, 2007)

Sec. 2. Definitions. As used in this Act:

(1) "Department" means the Department of Financial and Professional Regulation.

(2) "Secretary Director" means the Secretary Director of Financial and Professional Regulation.

New matter indicated by italics - deletions by strikeout
(3) "Board" means the Clinical Psychologists Licensing and Disciplinary Board appointed by the Secretary Director.

(4) "Person" means an individual, association, partnership or corporation.

(5) "Clinical psychology" means the independent evaluation, classification and treatment of mental, emotional, behavioral or nervous disorders or conditions, developmental disabilities, alcoholism and substance abuse, disorders of habit or conduct, the psychological aspects of physical illness. The practice of clinical psychology includes psychoeducational evaluation, therapy, remediation and consultation, the use of psychological and neuropsychological testing, assessment, psychotherapy, psychoanalysis, hypnosis, biofeedback, and behavioral modification when any of these are used for the purpose of preventing or eliminating psychopathology, or for the amelioration of psychological disorders of individuals or groups. "Clinical psychology" does not include the use of hypnosis by unlicensed persons pursuant to Section 3.

(6) A person represents himself to be a "clinical psychologist" within the meaning of this Act when he or she holds himself out to the public by any title or description of services incorporating the words "psychological", "psychologic", "psychologist", "psychology", or "clinical psychologist" or under such title or description offers to render or renders clinical psychological services as defined in paragraph (7) of this Section to individuals, corporations, or the public for remuneration.

(7) "Clinical psychological services" refers to any services under paragraph (5) of this Section if the words "psychological", "psychologic", "psychologist", "psychology" or "clinical psychologist" are used to describe such services by the person or organization offering to render or rendering them.

This Act shall not apply to persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of the State.

New matter indicated by italics - deletions by strikeout
Sec. 3. Necessity of license; corporations, partnerships, and associations; display of license.

(a) No individual, partnership, association or corporation shall, without a valid license as a clinical psychologist issued by the Department, in any manner hold himself or herself out to the public as a psychologist or clinical psychologist under the provisions of this Act or render or offer to render clinical psychological services as defined in paragraph 7 of Section 2 of this Act; or attach the title "clinical psychologist", "psychologist" or any other name or designation which would in any way imply that he or she is able to practice as a clinical psychologist; or offer to render or render, to individuals, corporations or the public, clinical psychological services as defined in paragraph 7 of Section 2 of this Act.

No person may engage in the practice of clinical psychology, as defined in paragraph (5) of Section 2 of this Act, without a license granted under this Act, except as otherwise provided in this Act.

(b) No association or partnership shall be granted a license unless every member, partner, and employee of the association or partnership who renders clinical psychological services holds a currently valid license issued under this Act. No license shall be issued by the Department to a corporation that (i) has a stated purpose that includes clinical psychology, or (ii) practices or holds itself out as available to practice clinical psychology, unless it is organized under the Professional Service Corporation Act.

(c) Individuals, corporations, partnerships and associations may employ practicum students, interns or postdoctoral candidates seeking to fulfill educational requirements or the professional experience requirements needed to qualify for a license as a clinical psychologist to assist in the rendering of services, provided that such employees function under the direct supervision, order, control and full professional responsibility of a licensed clinical psychologist in the corporation, partnership or association. Nothing in this paragraph shall prohibit a
corporation, partnership or association from contracting with a licensed health care professional to provide services.

(d) Nothing in this Act shall prevent the employment, by a clinical psychologist, individual, association, partnership or a corporation furnishing clinical psychological services for remuneration, of persons not licensed as clinical psychologists under the provisions of this Act to perform services in various capacities as needed, provided that such persons are not in any manner held out to the public as rendering clinical psychological services as defined in paragraph 7 of Section 2 of this Act. Nothing contained in this Act shall require any hospital, clinic, home health agency, hospice, or other entity that provides health care services to employ or to contract with a clinical psychologist licensed under this Act to perform any of the activities under paragraph (5) of Section 2 of this Act.

(e) Nothing in this Act shall be construed to limit the services and use of official title on the part of a person, not licensed under the provisions of this Act, in the employ of a State, county or municipal agency or other political subdivision insofar that such services are a part of the duties in his or her salaried position, and insofar that such services are performed solely on behalf of his or her employer.

Nothing contained in this Section shall be construed as permitting such person to offer their services as psychologists to any other persons and to accept remuneration for such psychological services other than as specifically excepted herein, unless they have been licensed under the provisions of this Act.

(f) Duly recognized members of any bonafide religious denomination shall not be restricted from functioning in their ministerial capacity provided they do not represent themselves as being clinical psychologists or providing clinical psychological services.

(g) Nothing in this Act shall prohibit individuals not licensed under the provisions of this Act who work in self-help groups or programs or not-for-profit organizations from providing services in those groups, programs, or organizations, provided that such persons are not in any
manner held out to the public as rendering clinical psychological services as defined in paragraph 7 of Section 2 of this Act.

(h) Nothing in this Act shall be construed to prevent a person from practicing hypnosis without a license issued under this Act provided that the person (1) does not otherwise engage in the practice of clinical psychology including, but not limited to, the independent evaluation, classification, and treatment of mental, emotional, behavioral, or nervous disorders or conditions, developmental disabilities, alcoholism and substance abuse, disorders of habit or conduct, the psychological aspects of physical illness, (2) does not otherwise engage in the practice of medicine including, but not limited to, the diagnosis or treatment of physical or mental ailments or conditions, and (3) does not hold himself or herself out to the public by a title or description stating or implying that the individual is a clinical psychologist or is licensed to practice clinical psychology.

(i) Every licensee under this Act shall prominently display the license at the licensee's principal office, place of business, or place of employment and, whenever requested by any representative of the Department, must exhibit the license.

(Source: P.A. 89-702, eff. 7-1-97; 90-473, eff. 1-1-98.)

(225 ILCS 15/7) (from Ch. 111, par. 5357)

(Section scheduled to be repealed on January 1, 2007)

Sec. 7. Board. The Secretary Director shall appoint a Board that shall serve in an advisory capacity to the Secretary Director.

The Board shall consist of 7 persons, 4 of whom are licensed clinical psychologists, and actively engaged in the practice of clinical psychology, 2 of whom are licensed clinical psychologists and are full time faculty members of accredited colleges or universities who are engaged in training clinical psychologists, and one of whom is a public member who is not a licensed health care provider. In appointing members of the Board, the Secretary Director shall give due consideration to the adequate representation of the various fields of health care psychology such as clinical psychology, school psychology and counseling psychology. In appointing members of the Board, the Secretary Director

New matter indicated by italics - deletions by strikeout
shall give due consideration to recommendations by members of the profession of clinical psychology and by the State-wide organizations representing the interests of clinical psychologists and organizations representing the interests of academic programs as well as recommendations by approved doctoral level psychology programs in the State of Illinois. The members shall be appointed for a term of 4 years. No member shall be eligible to serve for more than 2 full terms. Any appointment to fill a vacancy shall be for the unexpired portion of the term. A member appointed to fill a vacancy for an unexpired term for a duration of 2 years or more may be reappointed for a maximum of one term and a member appointed to fill a vacancy for an unexpired term for a duration of less than 2 years may be reappointed for a maximum of 2 terms. The Secretary Director may remove any member for cause at any time prior to the expiration of his or her term.

The Board shall annually elect one of its members as chairperson and vice chairperson.

The members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

The Secretary Director shall give due consideration to all recommendations of the Board. In the event the Secretary Director disagrees with or takes action contrary to the recommendation of the Board, he or she shall provide the Board with a written and specific explanation of his or her actions.

A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

Members of the Board shall have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board.

The Secretary Director may terminate the appointment of any member for cause which in the opinion of the Secretary Director reasonably justifies such termination.

(Source: P.A. 93-745, eff. 7-15-04.)
Sec. 13. License renewal; restoration. The expiration date and renewal period for each license issued under this Act shall be set by rule. Every holder of a license under this Act may renew such license during the 90-day period immediately preceding the expiration date thereof upon payment of the required renewal fees.

A clinical psychologist who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have his or her license restored, including evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

If the clinical psychologist has not maintained an active practice in another jurisdiction satisfactory to the Department, the Board shall determine, by an evaluation program established by rule, his or her fitness to resume active status and may require the clinical psychologist to complete a period of supervised professional experience and may require successful completion of an examination.

However, any clinical psychologist whose license expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license renewed or restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training or education he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training or education has been so terminated.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/15) (from Ch. 111, par. 5365)
(Section scheduled to be repealed on January 1, 2007)
Sec. 15. Disciplinary action; grounds. The Department may refuse to issue, refuse to renew, suspend, or revoke any license, or may place on probation, censure, reprimand, or take other disciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed $10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following reasons:

1. Conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession.

2. Gross negligence in the rendering of clinical psychological services.

3. Using fraud or making any misrepresentation in applying for a license or in passing the examination provided for in this Act.

4. Aiding or abetting or conspiring to aid or abet a person, not a clinical psychologist licensed under this Act, in representing himself or herself as so licensed or in applying for a license under this Act.

5. Violation of any provision of this Act or the rules promulgated thereunder.

6. Professional connection or association with any person, firm, association, partnership or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.

7. Unethical, unauthorized or unprofessional conduct as defined by rule. In establishing those rules, the Department shall consider, though is not bound by, the ethical standards for psychologists promulgated by recognized national psychology associations.

8. Aiding or assisting another person in violating any provisions of this Act or the rules promulgated thereunder.

9. Failing to provide, within 60 days, information in response to a written request made by the Department.

10. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a clinical
psychologist's inability to practice with reasonable judgment, skill or safety.

(11) Discipline by another state, territory, the District of Columbia or foreign country, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(12) Directly or indirectly giving or receiving from any person, firm, corporation, association or partnership any fee, commission, rebate or other form of compensation for any professional service not actually or personally rendered.

(13) A finding by the Board that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(14) Willfully making or filing false records or reports, including but not limited to, false records or reports filed with State agencies or departments.

(15) Physical illness, including but not limited to, deterioration through the aging process, mental illness or disability that results in the inability to practice the profession with reasonable judgment, skill and safety.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(18) Violation of the Health Care Worker Self-Referral Act.

(19) Making a material misstatement in furnishing information to the Department, any other State or federal agency, or any other entity.

(20) Failing to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to an act or conduct similar to an act or conduct that would constitute grounds for action as set forth in this Section.

New matter indicated by italics - deletions by strikeout
(21) Failing to report to the Department any adverse final action taken against a licensee or applicant by another licensing jurisdiction, including any other state or territory of the United States or any foreign state or country, or any peer review body, health care institution, professional society or association related to the profession, governmental agency, law enforcement agency, or court for an act or conduct similar to an act or conduct that would constitute grounds for disciplinary action as set forth in this Section.

The entry of an order by any circuit court establishing that any person holding a license under this Act is subject to involuntary admission or judicial admission as provided for in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension of that license. That person may have his or her license restored only upon the determination by a circuit court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient and upon the Board's recommendation to the Department that the license be restored. Where the circumstances so indicate, the Board may recommend to the Department that it require an examination prior to restoring any license so automatically suspended.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

In enforcing this Section, the Board upon a showing of a possible violation may compel any person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order the examining physician or clinical psychologist to present testimony concerning this mental or physical

New matter indicated by italics - deletions by strikeout
examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or clinical psychologist. The person to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds a person unable to practice because of the reasons set forth in this Section, the Board may require that person to submit to care, counseling or treatment by physicians or clinical psychologists approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions or restrictions, shall be referred to the Secretary Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

In instances in which the Secretary Director immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Board within 15 days after the suspension and completed without appreciable delay. The Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

New matter indicated by italics - deletions by strikeout
Sec. 15.4. Rehearing. Whenever the Secretary Director is satisfied that substantial justice has not been done in a hearing for revocation, suspension, refusal to issue or renewal of a license or to place on probation, censure or reprimand a person licensed under the provisions of this Act, he or she may order a rehearing by the same or another hearing officer or Board.

Sec. 16. Investigations; notice; hearing. Licenses may be refused, revoked, or suspended in the manner provided by this Act and not otherwise. The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts that if proven would constitute grounds for refusal to issue, suspend or revoke under this Act investigate the actions of any person applying for, holding or claiming to hold a license. The Department shall, before refusing to issue, renew, suspend or revoke any license or take other disciplinary action pursuant to Section 15 of this Act, and at least 30 days prior to the date set for the hearing, notify in writing the applicant for or the holder of such license of any charges made, shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto, and direct the applicant or licensee to file a written answer to the Board under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary Director may deem proper. Written notice may be served by delivery of the same personally to the accused person, or by mailing the same by certified mail to his or her last known place of residence or to the place of business last theretofore specified by the

New matter indicated by italics - deletions by strikeout
accused person in his or her last notification to the Department. In case the
person fails to file an answer after receiving notice, his or her license or
certificate may, in the discretion of the Department, be suspended,
revoked, or placed on probationary status, or the Department may take
whatever disciplinary action deemed proper, including limiting the scope,
nature, or extent of the person's practice or the imposition of a fine,
without a hearing, if the act or acts charged constitute sufficient grounds
for such action under this Act. At the time and place fixed in the notice,
the Board shall proceed to hearing of the charges and both the accused
person and the complainant shall be accorded ample opportunity to
present, in person or by counsel, any statements, testimony, evidence and
arguments as may be pertinent to the charges or to their defense. The
Board may continue such hearing from time to time. If the Board shall not
be sitting at the time and place fixed in the notice or at the time and place
to which the hearing shall have been continued, the Department shall
continue such hearing for a period not to exceed 30 days.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/16.1)

(Section scheduled to be repealed on January 1, 2007)

Sec. 16.1. Appointment of hearing officer. Notwithstanding any
other provision of this Act, the Secretary Director shall have the authority
to appoint any attorney duly licensed to practice law in the State of Illinois
to serve as the hearing officer in any action for refusal to issue, renew or
discipline a license. The hearing officer shall have full authority to conduct
the hearing. The hearing officer shall report his or her findings of fact,
conclusions of law, and recommendations to the Board and the Secretary
Director. The Board shall have 60 days after receipt of the report to review
the report of the hearing officer and to present its findings of fact,
conclusions of law and recommendations to the Secretary Director. If the
Board fails to present its report within the 60 day period, the Secretary
Director may issue an order in contravention

New matter indicated by italics - deletions by strikeout
of the Board's report. The Secretary Director shall promptly provide a written explanation to the Board on any such disagreement. 
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/16.5)
(Section scheduled to be repealed on January 1, 2007)
Sec. 16.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice clinical psychology without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $10,000 $5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

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

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.
(Source: P.A. 89-474, eff. 6-18-96.)

(225 ILCS 15/17) (from Ch. 111, par. 5367)
(Section scheduled to be repealed on January 1, 2007)
Sec. 17. Subpoenas; depositions; oaths. The Department shall have power to subpoena and bring before it any person and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in courts in this State.

The Secretary Director, the designated hearing officer and any member of the Board shall each have power to administer oaths to witnesses at any hearings which the Department is authorized to conduct and any other oaths authorized in any Act administered by the Department.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/20) (from Ch. 111, par. 5370)
Sec. 20. Report; motion for rehearing. The Board shall present to the Secretary Director its written report of its findings and recommendations. A copy of such report shall be served upon the applicant or licensee, either personally or by certified mail. Within 20 days after such service, the applicant or licensee may present to the Department a motion in writing for a rehearing, that shall specify the particular grounds for the rehearing. If no motion for a rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the Secretary Director may enter an order in accordance with recommendations of the Board, except as provided in Section 16.1 of this Act. If the applicant or licensee requests and pays for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which a motion may be filed shall commence upon the delivery of the transcript.

(Section scheduled to be repealed on January 1, 2007)

Sec. 21.4. Order or certified copy; prima facie proof. An order or certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, is prima facie proof that:

1. the signature is the genuine signature of the Secretary Director;
2. the Secretary Director is duly appointed and qualified; and
3. the Board and the members thereof are qualified to act.

(Section scheduled to be repealed on January 1, 2007)

Sec. 21.6. Summary suspension of license. The Secretary Director may summarily suspend the license of a clinical psychologist without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 16 of this Act, if the Secretary Director finds that evidence in the possession of the Secretary Director indicates that the
continuation of practice by the clinical psychologist would constitute an imminent danger to the public. In the event that the Secretary Director summarily suspends the license of an individual without a hearing, a hearing must be held within 30 days after the suspension has occurred.
(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/25) (from Ch. 111, par. 5375)
(Section scheduled to be repealed on January 1, 2007)

Sec. 25. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.
(Source: P.A. 92-146, eff. 1-1-02.)

(225 ILCS 15/27) (from Ch. 111, par. 5377)
(Section scheduled to be repealed on January 1, 2007)

Sec. 27. Injunctions. It is hereby declared to be a public nuisance for any person to render or offer to render clinical psychological services as defined in Section 2 of this Act or to represent himself as a clinical psychologist or that the services he or she renders are clinical

New matter indicated by italics - deletions by strikeout
psychological services as defined in Section 2 of this Act, without having in effect a currently valid license as defined in this Act. The Secretary Director, Attorney General, or the State's Attorney of the county in which such nuisance has occurred may file a complaint in the circuit court in the name of the People of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified complaint in such cause, the court, if satisfied that such unlawful act has been performed and may continue to be performed, shall enter a temporary restraining order or preliminary injunction without notice or bond enjoining the defendant from performing such unlawful act.

If it is established that the defendant contrary to this Act has been rendering or offering to render clinical psychological services as defined in Section 2 of this Act or is engaging in or about to engage in representing himself as a clinical psychologist or that the services he or she renders are clinical psychological services as defined in Section 2 of this Act, without having been issued a license or after his or her license has been suspended or revoked or after his or her license has not been renewed, the court, may enter a judgment perpetually enjoining such person from further engaging in the unlawful act. In case of violation of any injunction entered under this Section, the court, may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies provided in this Act.

(Source: P.A. 89-702, eff. 7-1-97.)

(225 ILCS 15/27.2)

(Section scheduled to be repealed on January 1, 2007)

Sec. 27.2. Cease and desist order. If any person violates the provisions of this Act, the Secretary Director, in the name of the People of the State of Illinois, through the Attorney General or the State's Attorney of the county in which the violation is alleged to have occurred, may petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition, the court with appropriate jurisdiction may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the

New matter indicated by italics - deletions by strikeout
injunction, the court may punish the offender for contempt of court. Proceedings under this Section are in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

Whenever, in the opinion of the Department, a person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall allow at least 7 days from the date of the rule to file an answer satisfactory to the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued.

(Source: P.A. 89-702, eff. 7-1-97.)

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

Approved June 16, 2006.
Effective June 16, 2006.

PUBLIC ACT 94-0871
(Senate Bill No. 2511)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 is amended by changing Sections 1-4, 1-7 and 2-4 as follows:

(225 ILCS 410/1-4) (from Ch. 111, par. 1701-4)
(Section scheduled to be repealed on January 1, 2016)
Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:
"Board" means the Barber, Cosmetology, Esthetics, and Nail Technology Board.
"Department" means the Department of Professional Regulation.
"Director" means the Director of Professional Regulation.

New matter indicated by italics - deletions by strikeout
"Licensed barber" means an individual licensed by the Department to practice barbering as defined in this Act and whose license is in good standing.

"Licensed barber clinic teacher" means an individual licensed by the Department to practice barbering, as defined in this Act, and to provide clinical instruction in the practice of barbering in an approved school of barbering.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means any individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering as defined in this Act and to provide instruction in the theory and practice of barbering to students in an approved barber school.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, and nail technology to students in an approved cosmetology, esthetics, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide clinical instruction in the practice of cosmetology, esthetics, and nail technology in an approved school of cosmetology, esthetics, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in an approved cosmetology or esthetics school.

New matter indicated by italics - deletions by strikeout
"Licensed esthetics clinic teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide clinical instruction in the practice of esthetics in an approved school of cosmetology or an approved school of esthetics.

"Licensed nail technology teacher" means an individual licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in an approved nail technology school or cosmetology school.

"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

"Enrollment" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

Sec. 1-7. Licensure required; renewal.

(a) It is unlawful for any person to practice, or to hold himself or herself out to be a cosmetologist, esthetician, nail technician, or barber without a license as a cosmetologist, esthetician, nail technician, or barber issued by the Department of Professional Regulation pursuant to the provisions of this Act and of the Civil Administrative Code of Illinois. It is

New matter indicated by italics - deletions by strikeout
also unlawful for any person, firm, partnership, or corporation to own, operate, or conduct a cosmetology, esthetics, nail technology, or barber school without a license issued by the Department or to own or operate a cosmetology, esthetics, or nail technology salon or barber shop without a certificate of registration issued by the Department. It is further unlawful for any person to teach in any cosmetology, esthetics, nail technology, or barber college or school approved by the Department or hold himself or herself out as a cosmetology, esthetics, nail technology, or barber teacher without a license as a teacher, issued by the Department or as a barber clinic teacher or cosmetology, esthetics, or nail technology clinic teacher without a license as a clinic teacher issued by the Department.

(b) Notwithstanding any other provision of this Act, a person licensed as a cosmetologist may hold himself or herself out as an esthetician and may engage in the practice of esthetics, as defined in this Act, without being licensed as an esthetician. A person licensed as a cosmetology teacher may teach esthetics or hold himself or herself out as an esthetics teacher without being licensed as an esthetics teacher. A person licensed as a cosmetologist may hold himself or herself out as a nail technician and may engage in the practice of nail technology, as defined in this Act, without being licensed as a nail technician. A person licensed as a cosmetology teacher may teach nail technology and hold himself or herself out as a nail technology teacher without being licensed as a nail technology teacher.

(c) A person licensed as a barber teacher may hold himself or herself out as a barber and may practice barbering without a license as a barber. A person licensed as a cosmetology teacher may hold himself or herself out as a cosmetologist, esthetician, and nail technologist and may practice cosmetology, esthetics, and nail technology without a license as a cosmetologist, esthetician, or nail technologist. A person licensed as an esthetics teacher may hold himself or herself out as an esthetician without being licensed as an esthetician and may practice esthetics. A person licensed as a nail technician teacher may practice nail technology and may hold himself or herself out as a nail technologist without being licensed as a nail technologist.

New matter indicated by italics - deletions by strikeout
(d) The holder of a license issued under this Act may renew that license during the month preceding the expiration date of the license by paying the required fee.

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/2-4) (from Ch. 111, par. 1702-4)

(Sec. 2-4. Licensure as a barber teacher; qualifications.

(1) A person is qualified to receive a license as a barber teacher if that person files an application on forms provided by the Department, pays the required fee, and:

a. Is at least 18 years of age;

b. Has graduated from high school or its equivalent;

c. Has a current license as a barber;

d. Has graduated from a barber school approved by the Department having either:

   (1) completed a total of 500 hours in barber teacher training extending over a period of not less than 3 months nor more than 2 years and has had 3 years of practical experience as a licensed barber; or

   (2) completed a total of 1,000 hours of barber teacher training extending over a period of not less than 6 months nor more than 2 years; and

   e. Has passed an examination authorized by the Department to determine fitness to receive a license as a barber teacher; and

   f. Has met any other requirements set forth in this Act.

An applicant who is issued a license as a Barber Teacher is not required to maintain a barber license in order to practice barbering as defined in this Act.

(2) A person is qualified to receive a license as a barber clinic teacher if he or she has applied in writing on forms provided by the Department, has paid the required fees, and:

(A) is at least 18 years of age;

(B) has graduated from high school or its equivalent;

(C) has a current license as a barber;

New matter indicated by italics - deletions by strikeout
(D) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of barbering or (ii) within 5 years preceding the required examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed barber and has completed an instructor's institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination;

(E) has passed an examination authorized by the Department to determine eligibility to receive a license as a barber teacher; and

(F) has met any other requirements of this Act.

The Department shall not issue any new barber clinic teacher licenses after January 1, 2009. Any person issued a license as a barber clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(Source: P.A. 89-387, eff. 1-1-96.)

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

Approved June 16, 2006.
Effective June 16, 2006.

PUBLIC ACT 94-0872
(Senate Bill No. 2617)

AN ACT concerning criminal law.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Criminal Code of 1961 is amended by changing Sections 16H-10 and 17-1 as follows:

(720 ILCS 5/16H-10)

Sec. 16H-10. Definitions. In this Article unless the context otherwise requires:
(a) "Financial crime" means an offense described in this Article.
(b) "Financial institution" means any bank, savings bank, savings and loan association, credit union, trust company, currency exchange, or a depository of money, or medium of savings and collective investment.
(Source: P.A. 93-440, eff. 8-5-03.)

(720 ILCS 5/17-1) (from Ch. 38, par. 17-1)

Sec. 17-1. Deceptive practices.
(A) Definitions.

As used in this Section:
(i) A "Financial institution" means any bank, savings and loan association, credit union, or other depository of money, or medium of savings and collective investment.
(ii) An "account holder" is any person; having a checking account or savings account in a financial institution.
(iii) To act with the "intent to defraud" means to act wilfully, and with the specific intent to deceive or cheat, for the purpose of causing financial loss to another, or to bring some financial gain to oneself. It is not necessary to establish that any person was actually defrauded or deceived.

(B) General Deception.

A person commits a deceptive practice when, with intent to defraud, the person does any of the following:
(a) He or she causes another, by deception or threat, to execute a document disposing of property or a document by which a pecuniary obligation is incurred.
(b) Being an officer, manager or other person participating in the direction of a financial institution, he or she knowingly

New matter indicated by italics - deletions by strikeout
receives or permits the receipt of a deposit or other investment, knowing that the institution is insolvent. 

(c) He or she knowingly makes or directs another to make a false or deceptive statement addressed to the public for the purpose of promoting the sale of property or services. 

(d) With intent to obtain control over property or to pay for property, labor or services of another, or in satisfaction of an obligation for payment of tax under the Retailers' Occupation Tax Act or any other tax due to the State of Illinois, he or she issues or delivers a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository. Failure to have sufficient funds or credit with the depository when the check or other order is issued or delivered, or when such check or other order is presented for payment and dishonored on each of 2 occasions at least 7 days apart, is prima facie evidence that the offender knows that it will not be paid by the depository, and that he or she has the intent to defraud. In this paragraph (d), "property" includes rental property (real or personal).

(e) He or she issues or delivers a check or other order upon a real or fictitious depository in an amount exceeding $150 in payment of an amount owed on any credit transaction for property, labor or services, or in payment of the entire amount owed on any credit transaction for property, labor or services, knowing that it will not be paid by the depository, and thereafter fails to provide funds or credit with the depository in the face amount of the check or order within 7 seven days of receiving actual notice from the depository or payee of the dishonor of the check or order.

Sentence. A person convicted of a deceptive practice under paragraph paragraphs (a), (b), (c), (d), or through (e) of this subsection (B), except as otherwise provided by this Section, is guilty of a Class A misdemeanor.
A person convicted of a deceptive practice in violation of paragraph (d) a second or subsequent time shall be guilty of a Class 4 felony.

A person convicted of deceptive practices in violation of paragraph (d), when the value of the property so obtained, in a single transaction, or in separate transactions within a 90 day period, exceeds $150, shall be guilty of a Class 4 felony. In the case of a prosecution for separate transactions totaling more than $150 within a 90 day period, such separate transactions shall be alleged in a single charge and provided in a single prosecution.

(C) Deception on a Bank or Other Financial Institution.

(1) False Statements.

†) Any person who, with the intent to defraud, makes or causes to be made; any false statement in writing in order to obtain an account with a bank or other financial institution, or to obtain credit from a bank or other financial institution, or to obtain services from a currency exchange, knowing such writing to be false, and with the intent that it be relied upon, is guilty of a Class A misdemeanor.

For purposes of this subsection (C), a false statement shall mean any false statement representing identity, address, or employment, or the identity, address or employment of any person, firm or corporation.

(2) Possession of Stolen or Fraudulently Obtained Checks.

‡) Any person who possesses, with the intent to obtain access to funds of another person held in a real or fictitious deposit account at a financial institution, makes a false statement or a misrepresentation to the financial institution, or possesses, transfers, negotiates, or presents for payment a check, draft, or other item purported to direct the financial institution to withdraw or pay funds out of the account holder's deposit account with knowledge that such possession, transfer, negotiation, or presentment is not authorized by the account holder or the issuing financial institution is guilty of a Class A misdemeanor. A person shall be deemed to have been authorized to possess, transfer, negotiate, or present for payment such item if the person was otherwise entitled by law to withdraw or recover funds from the account in question and followed the

New matter indicated by italics - deletions by strikeout
requisite procedures under the law. In the event that the account holder, upon discovery of the withdrawal or payment, claims that the withdrawal or payment was not authorized, the financial institution may require the account holder to submit an affidavit to that effect on a form satisfactory to the financial institution before the financial institution may be required to credit the account in an amount equal to the amount or amounts that were withdrawn or paid without authorization.

Any person who, within any 12 month period, violates this Section with respect to 3 or more checks or orders for the payment of money at the same time or consecutively, each the property of a different account holder or financial institution, is guilty of a Class 4 felony.

(3) Possession of Implements of Check Fraud.

Any person who possesses, with the intent to defraud; and without the authority of the account holder or financial institution, any check imprinter, signature imprinter, or "certified" stamp is guilty of a Class A misdemeanor.

A person who within any 12 month period violates this subsection (C) as to possession of 3 or more such devices at the same time or consecutively, is guilty of a Class 4 felony.

(4) Possession of Identification Card.

Any person who, with the intent to defraud, possesses any check guarantee card or key card or identification card for cash dispensing machines without the authority of the account holder or financial institution; is guilty of a Class A misdemeanor.

A person who, within any 12 month period, violates this Section at the same time or consecutively with respect to 3 or more cards, each the property of different account holders, is guilty of a Class 4 felony.

A person convicted under this Section, when the value of property so obtained, in a single transaction, or in separate transactions within any 90 day period, exceeds $150 shall be guilty of a Class 4 felony.

(Source: P.A. 92-633, eff. 1-1-03; 92-646, eff. 1-1-03; revised 10-3-02.)

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

AN ACT concerning business.

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

Section 5. The Motor Fuel and Petroleum Standards Act is amended by changing Section 4 as follows:

(a) All motor fuel and petroleum sold or offered for sale in the State of Illinois shall conform to the standards of this Act. The standards set forth in the Annual Book of ASTM American Society for Testing and Materials Section 5, Volumes 05.01, 05.02, 05.03, 05.04 and 05.05 and supplements thereto, and revisions thereof are adopted unless modified or rejected by a regulation adopted by the Department. In addition, any advertised or labeled declarations regarding the quality of a motor fuel which are more stringent than ASTM standards shall be met.

(a-5) The quality of gasoline-oxygenate blends sold or offered for sale in this State shall meet the standards set forth in Section 2.1.1.1 or Section 2.1.1.2 of the Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation as provided under the National Institute of Standards and Technology Handbook 130, and any of its subsequent supplements or revisions, except as specifically modified, amended, or rejected by regulation issued by the Director.

(b) Minimum Automotive Gasoline Octane Requirements.

All leaded and unleaded gasoline sold in this State shall meet or exceed the following minimum octane numbers:

Regular Grade 87
Premium or Super Grade 90

New matter indicated by italics - deletions by strikeout
An octane number is determined by adding the research octane number to the motor octane number and dividing by 2. \((\text{RON} + \text{MON})/2\). In addition, the motor octane number shall not be less than 82.0. All gasoline products sold at retail shall have an octane number displayed.

(c) Each seller of a motor fuel shall notify the purchaser of the type and quantity of motor fuel purchased. For gasoline, the type shall indicate the octane number. This information shall appear on the bill of lading, manifest, or delivery ticket for the fuel. This subsection does not apply to sales at retail.

(d) All gasoline products shall meet the most recently adopted ASTM standards for spark-ignition motor fuel, and those standards adopted under the provisions of the federal Clean Air Act by the U. S. Environmental Protection Agency shall be the standards of this State in those areas in which the federal Clean Air Act fuel standards apply.

(Source: P.A. 88-582, eff. 1-1-95.)

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

Approved June 16, 2006.
Effective June 16, 2006.
publication shall be made shall be not smaller than the body type used in the classified advertising in the newspaper in which such publication is made. The minimum reasonable rate shall be 20 cents per column line for each insertion. The maximum rate for each insertion shall not exceed the newspaper's annually published rate for comparable local advertising space.

(Source: P.A. 80-504.)

Approved June 16, 2006.

PUBLIC ACT 94-0875
(Senate Bill No. 2829)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 2-3.12, 2-3.25d, 2-3.25f, 2-3.25g, 2-3.59, 2-3.63, 2-3.64, 10-17, 10-21.9, 27-1, 29-5, and 34-18.5 as follows:

(105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

Sec. 2-3.12. School building code.

(a) To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.

The document known as "Efficient and Adequate Standards for the Construction of Schools" applies only to temporary school facilities, new school buildings, and additions to existing schools whose construction contracts are awarded after July 1, 1965. On or before July 1, 1967, each school board shall have its school district buildings that were constructed prior to January 1, 1955, surveyed by an architect or engineer licensed in the State of Illinois as to minimum standards necessary to conserve the

New matter indicated by italics - deletions by strikeout
health and safety of the pupils enrolled in the school buildings of the district. Buildings constructed between January 1, 1955 and July 1, 1965, not owned by the State of Illinois, shall be surveyed by an architect or engineer licensed in the State of Illinois beginning 10 years after acceptance of the completed building by the school board. Buildings constructed between January 1, 1955 and July 1, 1955 and previously exempt under the provisions of Section 35-27 shall be surveyed prior to July 1, 1977 by an architect or engineer licensed in the State of Illinois. The architect or engineer, using the document known as "Building Specifications for Health and Safety in Public Schools" as a guide, shall make a report of the findings of the survey to the school board, giving priority in that report to fire safety problems and recommendations thereon if any such problems exist. The school board of each district so surveyed and receiving a report of needed recommendations to be made to improve standards of safety and health of the pupils enrolled has until July 1, 1970, or in case of buildings not owned by the State of Illinois and completed between January 1, 1955 and July 1, 1965 or in the case of buildings previously exempt under the provisions of Section 35-27 has a period of 3 years after the survey is commenced, to effectuate those recommendations, giving first attention to the recommendations in the survey report having priority status, and is authorized to levy the tax provided for in Section 17-2.11, according to the provisions of that Section, to make such improvements. School boards unable to effectuate those recommendations prior to July 1, 1970, on July 1, 1980 in the case of buildings previously exempt under the provisions of Section 35-27, may petition the State Superintendent of Education upon the recommendation of the Regional Superintendent for an extension of time. The extension of time may be granted by the State Superintendent of Education for a period of one year, but may be extended from year to year provided substantial progress, in the opinion of the State Superintendent of Education, is being made toward compliance. For routine inspections, the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority shall notify the Regional Superintendent, the district superintendent, and the principal of the school in advance to schedule a
mutually agreed upon time for the fire safety check. However, no more than 2 routine inspections may be made in a calendar year.

(b) Within 2 years after September 23, the effective date of this amendatory Act of 1983, and every 10 years thereafter, or at such other times as the State Board of Education deems necessary or the regional superintendent so orders, each school board subject to the provisions of this Section shall again survey its school buildings and effectuate any recommendations in accordance with the procedures set forth herein.

(1) An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board.

(2) The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent.

(3) The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education.

(4) The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval.

(5) Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report. The report shall meet all of the following requirements:

(A) Items in the report shall be prioritized.

(B) Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students.

(C) Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students.

New matter indicated by italics - deletions by strikeout
(D) Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied.

(6) The school board of each district so surveyed and receiving a report of needed recommendations to be made to maintain standards of safety and health of the pupils enrolled shall effectuate the correction of urgent items as soon as achievable to ensure the safety of the students, but in no case more than one year after the date of the State Superintendent of Education's approval of the recommendation.

(7) Required items shall be corrected in a timely manner, but in no case more than 5 years from the date of the State Superintendent of Education's approval of the recommendation.

(8) Once each year the school board shall submit a report of progress on completion of any recommendations to effectuate compliance with the code. For each year that the school board does not effectuate any or all approved recommendations, it shall petition the Regional Superintendent and the State Superintendent of Education detailing what work was completed in the previous year and a work plan for completion of the remaining work. If in the judgement of the Regional Superintendent and the State Superintendent of Education substantial progress has been made and just cause has been shown by the school board, the petition for a one year extension of time may be approved.

(c) As soon as practicable, but not later than 2 years after January 1, 1993 the effective date of this amendatory Act of 1992, the State Board of Education shall combine the document known as "Efficient and Adequate Standards for the Construction of Schools" with the document known as "Building Specifications for Health and Safety in Public Schools" together with any modifications or additions that may be deemed necessary. The combined document shall be known as the "Health/Life Safety Code for Public Schools" and shall be the governing code for all facilities that house public school students or are otherwise used for public

New matter indicated by italics - deletions by strikeout
school purposes, whether such facilities are permanent or temporary and whether they are owned, leased, rented, or otherwise used by the district. Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

(d) The 10 year survey cycle specified in this Section shall continue to apply based upon the standards contained in the "Health/Life Safety Code for Public Schools", which shall specify building standards for buildings that are constructed prior to January 1, 1993 and for buildings that are constructed after that date.

(e) The "Health/Life Safety Code for Public Schools" shall be the governing code for public schools; however, the provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act, provided that the provisions of the "Health/Life Safety Code for Public Schools", or such predecessor document authorized by this Section as may be applicable are used, and provided that those inspections are coordinated with the Regional Superintendent having jurisdiction over the public school facility.

(f) Nothing in this Section shall be construed to prohibit the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority from conducting a fire safety check in a public school.

(g) The Regional Superintendent shall address any violations that are not corrected in a timely manner pursuant to subsection (b) of Section 3-14.21 of this Code.

(h) Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.
(i) The State Board of Education is authorized to adopt any rules that are necessary relating to the administration and enforcement of the provisions of this Section.

(j) The code authorized by this Section shall apply only to those school districts having a population of less than 500,000 inhabitants.

(k) In this Section, a "qualified fire official" means an individual that meets the requirements of rules adopted by the State Fire Marshal in cooperation with the State Board of Education to administer this Section. These rules shall be based on recommendations made by the task force established under Section 2-3.137 of this Code.

(Source: P.A. 94-225, eff. 7-14-05.)

(105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

Sec. 2-3.25d. Academic early warning and watch status.

(a) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those schools that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Schools on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Schools on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual

New matter indicated by italics - deletions by strikeout
calculation shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that is initially placed on initial academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education.

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education. In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district

New matter indicated by italics - deletions by strikeout
A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those school districts that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Districts on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code. Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early watch status.

New matter indicated by italics - deletions by strikeout
warning or academic watch status and for improving student performance in the district.

All District Improvement Plans for a district that is initially placed on academic early warning status must be approved by the school board.

The revised District Improvement Plan for a district that remains on academic early warning status after a third annual calculation must be approved by the school board.

The revised District Improvement Plan for a district that remains on academic early warning status after a fourth annual calculation must be approved by the school board and the State Superintendent of Education.

The revised District Improvement Plan for a district that remains on academic watch status after a fifth annual calculation must be approved by the school board and the State Superintendent of Education. In addition, the district must develop a district restructuring plan that must be approved by the school board and the State Superintendent of Education.

A district on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved district restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(c) All revised School and District Improvement Plans shall be developed in collaboration with parents, staff in the affected school or school district, and outside experts. All revised School and District Improvement Plans shall be developed, submitted, and monitored approved pursuant to rules adopted by the State Board of Education. The revised Improvement Plan shall address measurable outcomes for improving student performance so that such performance meets adequate yearly progress criteria as specified by the State Board of Education. All school districts required to revise a School Improvement Plan in accordance with this Section shall establish a peer review process for the evaluation of School Improvement Plans.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

New matter indicated by italics - deletions by strikeout
(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program.

(Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666, eff. 8-23-05.)

(105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)

Sec. 2-3.25f. State interventions.

(a) A school or school district must submit the required revised Improvement Plan pursuant to rules adopted by the State Board of Education. The State Board of Education shall provide technical assistance to assist with the development and implementation of School and District Improvement Plans the improvement plan.

Schools or school districts that fail to make reasonable efforts to implement an approved Improvement Plan may suffer loss of State funds by school district, attendance center, or program as the State Board of Education deems appropriate.

(b) In addition, if after 3 years following its placement on academic watch status a school district or school remains on academic watch status, the State Board of Education shall take one of the following actions for the district or school:

(1) The State Board of Education may authorize the State Superintendent of Education to direct the regional superintendent of schools to remove school board members pursuant to Section 3-14.28 of this Code. Prior to such direction the State Board of Education shall permit members of the local board of education to present written and oral comments to the State Board of Education.

New matter indicated by italics - deletions by strikeout
The State Board of Education may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement. The State Superintendent of Education shall designate one member of the Independent Authority to serve as chairman. The Independent Authority shall serve for a period of time specified by the State Board of Education upon the recommendation of the State Superintendent of Education.

(2) The State Board of Education may (A) change the recognition status of the school district or school to nonrecognized, or (B) authorize the State Superintendent of Education to direct the reassignment of pupils or direct the reassignment or replacement of school district personnel who are relevant to the failure to meet adequate yearly progress criteria. If a school district is nonrecognized in its entirety, it shall automatically be dissolved on July 1 following that nonrecognition and its territory realigned with another school district or districts by the regional board of school trustees in accordance with the procedures set forth in Section 7-11 of the School Code. The effective date of the nonrecognition of a school shall be July 1 following the nonrecognition.

(c) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(Source: P.A. 93-470, eff. 8-8-03.)

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)
Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:
"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.

"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools

New matter indicated by italics - deletions by strikeout
on behalf of schools and programs operated by the regional office of education.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110).

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public
hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from staff educators directly involved in its implementation, parents, and students. The time period for such testimony shall be separate from the time period established by the eligible applicant for public comment on other matters. If the applicant is a school district or joint agreement requesting a waiver or modification of Section 27-6 of this Code, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held. If the applicant is a school district or joint agreement, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held. If the applicant is a school district, the public hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. If the applicant is a joint agreement or regional superintendent, the public hearing must be preceded by at least one published notice (setting forth the time, date, place, and general subject matter of the hearing) occurring at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from staff educators. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days

New matter indicated by italics - deletions by strikeout
after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Following receipt of the request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each March 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly

New matter indicated by italics - deletions by strikeout
disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) On or before February 1, 1998, and each year thereafter, the State Board of Education shall submit a cumulative report summarizing all types of waivers of mandates and modifications of mandates granted by the State Board or the General Assembly. The report shall identify the topic of the waiver along with the number and percentage of eligible applicants for which the waiver has been granted. The report shall also include any recommendations from the State Board regarding the repeal or modification of waived mandates.

(Source: P.A. 93-470, eff. 8-8-03; 93-557, eff. 8-20-03; 93-707, eff. 7-9-04; 94-198, eff. 1-1-06; 94-432, eff. 8-2-05; revised 8-19-05.)

(105 ILCS 5/2-3.59) (from Ch. 122, par. 2-3.59)

Sec. 2-3.59. Staff development programs. School districts, cooperatives or joint agreements with a governing board or board of control, administrative agents for educational service centers, and regional superintendents acting on behalf of such entities shall conduct staff development programs and may contract with not-for-profit organizations to conduct summer staff development program institutes which specify outcome goals, including the improvement of specific instructional competencies, and which conform to locally developed plans. The State Board of Education shall approve all staff development plans developed under this Section. Following approval of such plans, the State Board of Education shall provide State funds, appropriated for this purpose, to aid

New matter indicated by italics - deletions by strikeout
in conducting and contracting with not-for-profit organizations to conduct such programs:
(Source: P.A. 84-1220; 84-1283; 84-1438.)

(105 ILCS 5/2-3.63) (from Ch. 122, par. 2-3.63)

Sec. 2-3.63. Local learning objectives and assessment. Each The State Board of Education shall require each school district may to set student learning objectives which meet or exceed goals established by the State and to also establish local goals for excellence in education. If established, such objectives and goals shall be disseminated to the public along with information on the degree to which they are being achieved, and if not, what appropriate actions are being taken. As part of its local assessment system each district shall identify the grade levels used to document progress to parents, the community, and the State in all the fundamental learning areas described in Section 27-1. There shall be at least 2 grade levels in each fundamental learning area before high school and at least one grade level during high school. The grades identified for each learning area shall be defined in the district's school improvement plan by June 30, 1993, and may be changed only upon approval by the State Superintendent of Education. The State Board of Education shall establish a process for approving local objectives mentioned in this Section; for approving local plans for improvement; for approving public reporting procedures; and for recognition and commendation of top-achieving districts. To the extent that a local plan for improvement or school improvement plan required by the State Board of Education includes developing either individual school plans for improvement or individual school improvement plans, a school in a district operating under Article 34 of the School Code may submit the school improvement plan required under Section 34-2.4 and this plan shall address and meet improvement plan requirements set forth both by the State Board of Education and by Section 32-2.4.
(Source: P.A. 87-934; 88-686, eff. 1-24-95.)

(105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

Sec. 2-3.64. State goals and assessment.
(a) Beginning in the 1998-1999 school year, the State Board of Education shall establish standards and periodically, in collaboration with local school districts, conduct studies of student performance in the learning areas of fine arts and physical development/health.

Beginning with the 1998-1999 school year until the 2004-2005 school year, the State Board of Education shall annually test: (i) all pupils enrolled in the 3rd, 5th, and 8th grades in English language arts (reading, writing, and English grammar) and mathematics; and (ii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences and the social sciences (history, geography, civics, economics, and government). Unless the testing required to be implemented no later than the 2005-2006 school year under this subsection (a) is implemented for the 2004-2005 school year, for the 2004-2005 school year, the State Board of Education shall test: (i) all pupils enrolled in the 3rd, 5th, and 8th grades in English language arts (reading and English grammar) and mathematics and (ii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences. The maximum time allowed for all actual testing required under this paragraph shall not exceed 25 hours, as allocated among the required tests by the State Board of Education, across all grades tested.

Beginning no later than the 2005-2006 school year, the State Board of Education shall annually test: (i) all pupils enrolled in the 3rd, 4th, 5th, 6th, 7th, and 8th grades in reading and mathematics and (ii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences. In addition, the State Board of Education shall test (1) all pupils enrolled in the 5th and 8th grades in writing during the 2006-2007 school year; (2) all pupils enrolled in the 5th, 6th, and 8th grades in writing during the 2007-2008 school year; and (3) all pupils enrolled in the 3rd, 5th, 6th, and 8th grades in writing during the 2008-2009 school year and each school year thereafter. After the addition of grades and change in subjects as delineated in this paragraph and including whatever other tests that may be approved from time to time no later than the 2005-2006 school year, the maximum time allowed for all State testing in grades 3 through 8 shall not exceed 38 hours across those grades.

New matter indicated by italics - deletions by strikeout
Beginning with the 2004-2005 school year, the State Board of Education shall not test pupils under this subsection (a) in physical development and health, fine arts, and the social sciences (history, geography, civics, economics, and government). The State Board of Education shall not test pupils under this subsection (a) in writing during the 2005-2006 school year.

The State Board of Education shall establish the academic standards that are to be applicable to pupils who are subject to State tests under this Section beginning with the 1998-1999 school year. However, the State Board of Education shall not establish any such standards in final form without first providing opportunities for public participation and local input in the development of the final academic standards. Those opportunities shall include a well-publicized period of public comment, public hearings throughout the State, and opportunities to file written comments. Beginning with the 1998-99 school year and thereafter, the State tests will identify pupils in the 3rd grade or 5th grade who do not meet the State standards.

If, by performance on the State tests or local assessments or by teacher judgment, a student's performance is determined to be 2 or more grades below current placement, the student shall be provided a remediation program developed by the district in consultation with a parent or guardian. Such remediation programs may include, but shall not be limited to, increased or concentrated instructional time, a remedial summer school program of not less than 90 hours, improved instructional approaches, tutorial sessions, retention in grade, and modifications to instructional materials. Each pupil for whom a remediation program is developed under this subsection shall be required to enroll in and attend whatever program the district determines is appropriate for the pupil. Districts may combine students in remediation programs where appropriate and may cooperate with other districts in the design and delivery of those programs. The parent or guardian of a student required to attend a remediation program under this Section shall be given written notice of that requirement by the school district a reasonable time prior to commencement of the remediation program that the student is to attend.

New matter indicated by italics - deletions by strikeout
The State shall be responsible for providing school districts with the new and additional funding, under Section 2-3.51.5 or by other or additional means, that is required to enable the districts to operate remediation programs for the pupils who are required to enroll in and attend those programs under this Section. Every individualized educational program as described in Article 14 shall identify if the State test or components thereof are appropriate for that student. The State Board of Education shall develop rules and regulations governing the administration of alternative tests prescribed within each student's individualized educational program which are appropriate to the disability of each student.

All pupils who are in a State approved transitional bilingual education program or transitional program of instruction shall participate in the State tests. The time allotted to take the State tests, however, may be extended as determined by the State Board of Education by rule. Any student who has been enrolled in a State approved bilingual education program less than 3 cumulative academic years may take an accommodated Limited English Proficient student academic content assessment, as determined by the State Board of Education, if the student's lack of English as determined by an English language proficiency test would keep the student from understanding the regular State test. If the school district determines, on a case-by-case individual basis, that a Limited English Proficient student academic content assessment would likely yield more accurate and reliable information on what the student knows and can do, the school district may make a determination to assess the student using a Limited English Proficient student academic content assessment for a period that does not exceed 2 additional consecutive years, provided that the student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what the student knows and can do on the regular State test.

Reasonable accommodations as prescribed by the State Board of Education shall be provided for individual students in the testing procedure. All test procedures prescribed by the State Board of Education shall require: (i) that each test used for State and local student testing under this Section identify by name the pupil taking the test; (ii) that the

New matter indicated by italics - deletions by strikeout
name of the pupil taking the test be placed on the test at the time the test is taken; (iii) that the results or scores of each test taken under this Section by a pupil of the school district be reported to that district and identify by name the pupil who received the reported results or scores; and (iv) that the results or scores of each test taken under this Section be made available to the parents of the pupil. In addition, in each school year the highest scores attained by a student on the Prairie State Achievement Examination administered under subsection (c) of this Section and any Prairie State Achievement Awards received by the student shall become part of the student's permanent record and shall be entered on the student's transcript pursuant to regulations that the State Board of Education shall promulgate for that purpose in accordance with Section 3 and subsection (e) of Section 2 of the Illinois School Student Records Act. Beginning with the 1998-1999 school year and in every school year thereafter, scores received by students on the State assessment tests administered in grades 3 through 8 shall be placed into students' temporary records.

The State Board of Education shall establish a period of time, to be referred to as the State test window, in each school year for which State testing shall occur to meet the objectives of this Section. However, if the schools of a district are closed and classes are not scheduled during any week that is established by the State Board of Education as the State test window, the school district may (at the discretion of the State Board of Education) move its State test window one week earlier or one week later than the established State test window, so long as the school district gives the State Board of Education written notice of its intention to deviate from the established schedule by December 1 of the school year in which falls the State test window established by the State Board of Education for the testing.

(a-5) All tests administered pursuant to this Section shall be academically based. For the purposes of this Section "academically based tests" shall mean tests consisting of questions and answers that are measurable and quantifiable to measure the knowledge, skill, and ability of students in the subject matters covered by tests. The scoring of academically based tests shall be reliable, valid, unbiased and shall meet
the guidelines for test development and use prescribed by the American Psychological Association, the National Council of Measurement and Evaluation, and the American Educational Research Association. Academically based tests shall not include assessments or evaluations of attitudes, values, or beliefs, or testing of personality, self-esteem, or self-concept. Nothing in this amendatory Act is intended, nor shall it be construed, to nullify, supersede, or contradict the legislative intent on academic testing expressed during the passage of HB 1005/P.A. 90-296. Nothing in this Section is intended, nor shall it be construed, to nullify, supersede, or contradict the legislative intent on academic testing expressed in the preamble of this amendatory Act of the 93rd General Assembly.

The State Board of Education shall monitor the use of short answer questions in the math and reading assessments or in other assessments in order to demonstrate that the use of short answer questions results in a statistically significant improvement in student achievement as measured on the State assessments for math and reading or on other State assessments and is justifiable in terms of cost and student performance.

(b) It shall be the policy of the State to encourage school districts to continuously test pupil proficiency in the fundamental learning areas in order to: (i) provide timely information on individual students' performance relative to State standards that is adequate to guide instructional strategies; (ii) improve future instruction; and (iii) complement the information provided by the State testing system described in this Section. Each district's school improvement plan must address specific activities the district intends to implement to assist pupils who by teacher judgment and test results as prescribed in subsection (a) of this Section demonstrate that they are not meeting State standards or local objectives. Such activities may include, but shall not be limited to, summer school, extended school day, special homework, tutorial sessions, modified instructional materials, other modifications in the instructional program, reduced class size or retention in grade. To assist school districts in testing pupil proficiency in reading in the primary grades, the State Board shall make optional reading inventories for diagnostic purposes.
available to each school district that requests such assistance. Districts that administer the reading inventories may develop remediation programs for students who perform in the bottom half of the student population. Those remediation programs may be funded by moneys provided under the School Safety and Educational Improvement Block Grant Program established under Section 2-3.51.5. Nothing in this Section shall prevent school districts from implementing testing and remediation policies for grades not required under this Section.

(c) Beginning with the 2000-2001 school year, each school district that operates a high school program for students in grades 9 through 12 shall annually administer the Prairie State Achievement Examination established under this subsection to its students as set forth below. The Prairie State Achievement Examination shall be developed by the State Board of Education to measure student performance in the academic areas of reading, writing, mathematics, science, and social sciences. Beginning with the 2004-2005 school year, however, the State Board of Education shall not test a student in the social sciences (history, geography, civics, economics, and government) as part of the Prairie State Achievement Examination unless the student is retaking the Prairie State Achievement Examination in the fall of 2004. In addition, the State Board of Education shall not test a student in writing as part of the Prairie State Achievement Examination during the 2005-2006 school year. The State Board of Education shall establish the academic standards that are to apply in measuring student performance on the Prairie State Achievement Examination including the minimum examination score in each area that will qualify a student to receive a Prairie State Achievement Award from the State in recognition of the student's excellent performance. Each school district that is subject to the requirements of this subsection (c) shall afford all students 2 opportunities to take the Prairie State Achievement Examination beginning as late as practical during the second semester of grade 11, but in no event before March 1. The State Board of Education shall annually notify districts of the weeks during which these test administrations shall be required to occur. Every individualized educational program as described in Article 14 shall identify if the Prairie
State Achievement Examination or components thereof are appropriate for that student. Each student, exclusive of a student whose individualized educational program developed under Article 14 identifies the Prairie State Achievement Examination as inappropriate for the student, shall be required to take the examination in grade 11. For each academic area the State Board of Education shall establish the score that qualifies for the Prairie State Achievement Award on that portion of the examination. Any student who fails to earn a qualifying score for a Prairie State Achievement Award in any one or more of the academic areas on the initial test administration or who wishes to improve his or her score on any portion of the examination shall be permitted to retake such portion or portions of the examination during grade 12. Districts shall inform their students of the timelines and procedures applicable to their participation in every yearly administration of the Prairie State Achievement Examination. Students receiving special education services whose individualized educational programs identify the Prairie State Achievement Examination as inappropriate for them nevertheless shall have the option of taking the examination, which shall be administered to those students in accordance with standards adopted by the State Board of Education to accommodate the respective disabilities of those students. A student who successfully completes all other applicable high school graduation requirements but fails to receive a score on the Prairie State Achievement Examination that qualifies the student for receipt of a Prairie State Achievement Award shall nevertheless qualify for the receipt of a regular high school diploma. In no case, however, shall a student receive a regular high school diploma without taking the Prairie State Achievement Examination, unless the student is exempted from taking the Prairie State Achievement Examination under this subsection (c) because (i) the student's individualized educational program developed under Article 14 of this Code identifies the Prairie State Achievement Examination as inappropriate for the student, (ii) the student is exempt due to the student's lack of English language proficiency under subsection (a) of this Section, or (iii) the student is enrolled in a program of Adult and Continuing Education as defined in the Adult Education Act.

New matter indicated by italics - deletions by strikeout
(d) Beginning with the 2002-2003 school year, all schools in this State that are part of the sample drawn by the National Center for Education Statistics, in collaboration with their school districts and the State Board of Education, shall administer the biennial State academic assessments of 4th and 8th grade reading and mathematics under the National Assessment of Educational Progress carried out under Section m11(b)(2) of the National Education Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of Education pays the costs of administering the assessments.

(e) Beginning no later than the 2005-2006 school year, subject to available federal funds to this State for the purpose of student assessment, the State Board of Education shall provide additional tests and assessment resources that may be used by school districts for local diagnostic purposes. These tests and resources shall include without limitation additional high school writing, physical development and health, and fine arts assessments. The State Board of Education shall annually distribute a listing of these additional tests and resources, using funds available from appropriations made for student assessment purposes.

(f) For the assessment and accountability purposes of this Section, "all pupils" includes those pupils enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law, a school operated by a regional office of education under Section 13A-3 of this Code, or a public school administered by a local public agency or the Department of Human Services.

New matter indicated by italics - deletions by strikeout
School Boards using either a cash basis or accrual system of accounting shall maintain records showing the assets, liabilities and fund balances in such minimum forms as may be prescribed by the State Board of Education. Such boards shall make available to the public a statement of the affairs of the district prior to December 1 annually by submitting the statement of affairs in such form as may be prescribed by the State Board of Education for posting on the State Board of Education's Internet website, by having copies of the statement of affairs available in the main administrative office of the district, and by publishing in a newspaper of general circulation published in the school district an annual statement of affairs summary containing at a minimum all of the following information:

(1) A summary statement of operations for all funds of the district, as excerpted from the statement of affairs filed with the State Board of Education. The summary statement must include a listing of all moneys received by the district, indicating the total amounts, in the aggregate, each fund of the district received, with a general statement concerning the source of receipts.

(2) Except as provided in subdivision (3) of this subsection (a), a listing of all moneys paid out by the district where the total amount paid during the fiscal year exceeds $2,500 in the aggregate per person, giving the name of each person to whom moneys were paid and the total paid to each person.

(3) A listing of all personnel, by name, with an annual fiscal year gross payment in the categories set forth in subdivisions 1 and 2 of subsection (c) of this Section.

In this Section, "newspaper of general circulation" means a newspaper of general circulation published in the school district, or, if no newspaper is published in the school district, a newspaper published in the county where the school district is located or, if no newspaper is published in the county, a newspaper published in the educational service region where the regional superintendent of schools has supervision and control of the school district. The submission to the State Board of Education shall include an assurance that the statement of affairs has been made available.

New matter indicated by italics - deletions by strikeout
in the main administrative office of the school district and that the required notice has been published in accordance with this Section.

After December 15 annually, upon 10 days prior written notice to the school district, the State Board of Education may discontinue the processing of payments to the State Comptroller's office on behalf of any school district that is not in compliance with the requirements imposed by this Section. The State Board of Education shall resume the processing of payments to the State Comptroller's Office on behalf of the school district once the district is in compliance with the requirements imposed by this Section.

The State Board of Education must post, on or before January 15, all statements of affairs timely received from school districts, in a newspaper of general circulation published in the respective school districts and if no newspaper is published in the district then in a newspaper published in the county in which the school district is located and if no newspaper is published in the county then in a newspaper published in the educational service region in which the regional superintendent has supervision and control of such school district in such form as may be prescribed by the State Board of Education. Not later than December 15 annually the clerk shall file with the regional superintendent a certified statement that the publication has been made together with a copy of the newspaper containing it. After December 15 annually the regional superintendent of schools shall withhold from each treasurer any public moneys due to be distributed to the treasurer until the duties required under this Section have been complied with.

(b) When any school district is the administrative district for several school districts operating under a joint agreement as authorized by this Code Act, no receipts or disbursements accruing, received or paid out by that school district as such an administrative district shall be included in the statement of affairs of the district required by this Section. However, that district shall have prepared and made available to the public, in accordance with subsection (a) of this Section published, in the same manner and subject to the same requirements as are provided in this Section for the statement of affairs of that district, a statement showing the

New matter indicated by italics - deletions by strikeout
School districts on a cash basis shall have prepared and made available to the public, in accordance with subsection (a) of this Section, publish a statement showing the cash receipts and disbursements by funds in the form prescribed by the State Board of Education.

School districts using the accrual system of accounting shall have prepared and made available to the public, in accordance with subsection (a) of this Section, publish a statement of revenue and expenses and a statement of financial position in the form prescribed by the State Board of Education.

In Class II county school units such statement shall be prepared and made available to the public, in accordance with subsection (a) of this Section, published by the township treasurer of the unit within which such districts are located, except with respect to the school board of any school district that no longer is subject to the jurisdiction and authority of a township treasurer or trustees of schools of a township because the district has withdrawn from the jurisdiction and authority of the township treasurer and trustees of schools of the township or because those offices have been abolished as provided in subsection (b) or (c) of Section 5-1, and as to each such school district the statement required by this Section shall be prepared and made available to the public, in accordance with subsection (a) of this Section, published by the school board of such district in the same manner as required for school boards of school districts situated in Class I county school units.

(c) The statement of affairs required pursuant to this Section shall contain in Class I and Class II counties the statement of school districts on either a cash or accrual basis shall show such other information as may be required by the State Board of Education, including:

New matter indicated by italics - deletions by strikeout
1. Annual fiscal year gross payment for certificated personnel to be shown by name, listing each employee in one of the following categories:
   (a) Under $25,000
   (b) $25,000 to $39,999
   (c) $40,000 to $59,999
   (d) $60,000 to $89,999
   (e) $90,000 and over

2. Annual fiscal year payment for non-certificated personnel to be shown by name, listing each employee in one of the following categories:
   (a) Under $25,000
   (b) $25,000 to $39,999
   (c) $40,000 to $59,999
   (d) $60,000 and over

3. In addition to wages and salaries all other moneys in the aggregate paid to recipients of $1,000 or more, giving the name of the person, firm or corporation and the total amount received by each.

4. Approximate size of school district in square miles.

5. Number of school attendance centers.

6. Numbers of employees as follows:
   (a) Full-time certificated employees;
   (b) Part-time certificated employees;
   (c) Full-time non-certificated employees;
   (d) Part-time non-certificated employees.

7. Numbers of pupils as follows:
   (a) Enrolled by grades;
   (b) Total enrolled;
   (c) Average daily attendance.

8. Assessed valuation as follows:
   (a) Total of the district;
   (b) Per pupil in average daily attendance.

9. Tax rate for each district fund.

10. District financial obligation at the close of the fiscal year as follows:
    (a) Teachers' orders outstanding;

New matter indicated by italics - deletions by strikeout
(b) Anticipation warrants outstanding for each fund.
11. Total bonded debt at the close of the fiscal year.
12. Percent of bonding power obligated currently.
13. Value of capital assets of the district including:
   (a) Land;
   (b) Buildings;
   (c) Equipment.
14. Total amount of investments each fund.
15. Change in net cash position from the previous report period for
    each district fund.

In addition to the above report, a report of expenditures in the
aggregate paid on behalf of recipients of $500 or more, giving the name of
the person, firm or corporation and the total amount received by each shall
be available in the school district office for public inspection. This listing
shall include all wages, salaries and expenditures over $500 expended
from any revolving fund maintained by the district. Any resident of the
school district may receive a copy of this report, upon request, by paying a
reasonable charge to defray the costs of preparing such copy.

This Section does not apply to cities having a population exceeding
500,000.
(Source: P.A. 86-96; 86-1441; 87-191; 87-473; 87-895.)
(105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)
Sec. 10-21.9. Criminal history records checks and checks of the
Statewide Sex Offender Database.

(a) Certified and noncertified applicants for employment with a
school district, except school bus driver applicants, are required as a
condition of employment to authorize a fingerprint-based criminal history
records check to determine if such applicants have been convicted of any
of the enumerated criminal or drug offenses in subsection (c) of this
Section or have been convicted, within 7 years of the application for
employment with the school district, of any other felony under the laws of
this State or of any offense committed or attempted in any other state or
against the laws of the United States that, if committed or attempted in this
State, would have been punishable as a felony under the laws of this State.

New matter indicated by italics - deletions by strikeout
Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department. The regional superintendent submitting the requisite information to the Department of State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Department of State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Department shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.
(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender and Child Murderer Community Notification Law, for each applicant.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database as a sex offender. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database as a sex offender, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses.
in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database, the applicant has not been identified in the Database as a sex offender. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute teacher in more than one such district may rely on the certificate issued by any the regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee applicant; or may initiate its own criminal history records check of the applicant through the Department of State Police and its own check of the Statewide Sex Offender Database as provided in subsection (a). Any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

(c) No school board shall knowingly employ a person who has been convicted for committing attempted first degree murder or for committing or attempting to commit first degree murder or a Class X felony or any one or more of the following offenses: (i) those defined in Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the Criminal Code of 1961; (ii) those defined in the Cannabis Control Act except those defined in Sections 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the Illinois Controlled Substances Act; (iv) those defined in the Methamphetamine Control and Community Protection Act; and (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. Further, no school board shall knowingly employ a person who

New matter indicated by italics - deletions by strikeout
has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

(d) No school board shall knowingly employ a person for whom a criminal history records check and a Statewide Sex Offender Database check has not been initiated.

(e) Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any certificate issued pursuant to Article 21 or Section 34-8.1 or 34-83 of the School Code, the appropriate regional superintendent of schools or the State Superintendent of Education shall initiate the certificate suspension and revocation proceedings authorized by law.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Department of State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

(105 ILCS 5/27-1) (from Ch. 122, par. 27-1)

Sec. 27-1. Areas of education taught - discrimination on account of sex. The State of Illinois, having the responsibility of defining

New matter indicated by italics - deletions by strikeout
requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development and entry into the world of work. Such areas include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities, to fulfilling the primary purpose of schooling.

The State Board of Education shall establish goals and learning standards consistent with the above purposes and define the knowledge and skills which the State expects students to master and apply as a consequence of their education.

Each school district shall establish learning objectives consistent with the State Board of Education's goals and learning standards for the areas referred to in this Section primary purpose of schooling, shall develop appropriate testing and assessment systems for determining the degree to which students are achieving the objectives, and shall develop reporting systems to apprise the community and State of the assessment results.

Each school district shall submit upon request its objectives and assessment results, plans for improvement, and reporting systems to the State Board of Education, which shall promulgate rules and regulations for the approval of the objectives and systems. Each school district shall make available to all students academic and vocational courses for the attainment of learning objectives.

No student shall be refused admission into or be excluded from any course of instruction offered in the common schools by reason of that person's sex. No student shall, solely by reason of that person's sex, be denied equal access to physical education and interscholastic athletic programs or comparable programs supported from school district funds. This Section is violated when a high school subject to this Act participates in the post-season basketball tournament of any organization or association that does not conduct post-season high school basketball

New matter indicated by italics - deletions by strikeout
tournaments for both boys and girls, which tournaments are identically structured. Conducting identically structured tournaments includes having the same number of girls' teams as boys' teams playing, in their respective tournaments, at any common location chosen for the final series of games in a tournament; provided, that nothing in this paragraph shall be deemed to prohibit the selection for the final series of games in the girls' tournaments of a common location that is different than the common location selected for the final series of games in the boys' tournaments. Except as specifically stated in this Section, equal access to programs supported by school district funds and comparable programs will be defined in rules promulgated by the State Board of Education in consultation with the Illinois High School Association.

(Source: P.A. 87-934; 87-1215; 88-45.)

(105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

Sec. 29-5. Reimbursement by State for transportation. Any school district, maintaining a school, transporting resident pupils to another school district's vocational program, offered through a joint agreement approved by the State Board of Education, as provided in Section 10-22.22 or transporting its resident pupils to a school which meets the standards for recognition as established by the State Board of Education which provides transportation meeting the standards of safety, comfort, convenience, efficiency and operation prescribed by the State Board of Education for resident pupils in kindergarten or any of grades 1 through 12 who: (a) reside at least 1 1/2 miles as measured by the customary route of travel, from the school attended; or (b) reside in areas where conditions are such that walking constitutes a hazard to the safety of the child when determined under Section 29-3; and (c) are transported to the school attended from pick-up points at the beginning of the school day and back again at the close of the school day or transported to and from their assigned attendance centers during the school day, shall be reimbursed by the State as hereinafter provided in this Section.

The State will pay the cost of transporting eligible pupils less the assessed valuation in a dual school district maintaining secondary grades 9 to 12 inclusive times a qualifying rate of .05%; in elementary school

New matter indicated by italics - deletions by strikeout
districts maintaining grades K to 8 times a qualifying rate of .06%; in unit districts maintaining grades K to 12 times a qualifying rate of .07%. To be eligible to receive reimbursement in excess of 4/5 of the cost to transport eligible pupils, a school district shall have a Transportation Fund tax rate of at least .12%. If a school district does not have a .12% Transportation Fund tax rate, the amount of its claim in excess of 4/5 of the cost of transporting pupils shall be reduced by the sum arrived at by subtracting the Transportation Fund tax rate from .12% and multiplying that amount by the districts equalized or assessed valuation, provided, that in no case shall said reduction result in reimbursement of less than 4/5 of the cost to transport eligible pupils.

The minimum amount to be received by a district is $16 times the number of eligible pupils transported.

Any such district transporting resident pupils during the school day to an area vocational school or another school district's vocational program more than 1 1/2 miles from the school attended, as provided in Sections 10-22.20a and 10-22.22, shall be reimbursed by the State for 4/5 of the cost of transporting eligible pupils.

School day means that period of time which the pupil is required to be in attendance for instructional purposes.

If a pupil is at a location within the school district other than his residence for child care purposes at the time for transportation to school, that location may be considered for purposes of determining the 1 1/2 miles from the school attended.

Claims for reimbursement that include children who attend any school other than a public school shall show the number of such children transported.

Claims for reimbursement under this Section shall not be paid for the transportation of pupils for whom transportation costs are claimed for payment under other Sections of this Act.

The allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall be limited to the sum of the cost of physical examinations required for employment as a school bus driver; the salaries of full or part-time drivers and school bus

New matter indicated by italics - deletions by strikeout
maintenance personnel; employee benefits excluding Illinois municipal retirement payments, social security payments, unemployment insurance payments and workers' compensation insurance premiums; expenditures to independent carriers who operate school buses; payments to other school districts for pupil transportation services; pre-approved contractual expenditures for computerized bus scheduling; the cost of gasoline, oil, tires, and other supplies necessary for the operation of school buses; the cost of converting buses' gasoline engines to more fuel efficient engines or to engines which use alternative energy sources; the cost of travel to meetings and workshops conducted by the regional superintendent or the State Superintendent of Education pursuant to the standards established by the Secretary of State under Section 6-106 of the Illinois Vehicle Code to improve the driving skills of school bus drivers; the cost of maintenance of school buses including parts and materials used; expenditures for leasing transportation vehicles, except interest and service charges; the cost of insurance and licenses for transportation vehicles; expenditures for the rental of transportation equipment; plus a depreciation allowance of 20% for 5 years for school buses and vehicles approved for transporting pupils to and from school and a depreciation allowance of 10% for 10 years for other transportation equipment so used. Each school year, if a school district has made expenditures to the Regional Transportation Authority or any of its service boards, a mass transit district, or an urban transportation district under an intergovernmental agreement with the district to provide for the transportation of pupils and if the public transit carrier received direct payment for services or passes from a school district within its service area during the 2000-2001 school year, then the allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall also include the expenditures that the district has made to the public transit carrier. In addition to the above allowable costs school districts shall also claim all transportation supervisory salary costs, including Illinois municipal retirement payments, and all transportation related building and building maintenance costs without limitation.

Special education allowable costs shall also include expenditures for the salaries of attendants or aides for that portion of the time they assist
special education pupils while in transit and expenditures for parents and public carriers for transporting special education pupils when pre-approved by the State Superintendent of Education.

Indirect costs shall be included in the reimbursement claim for districts which own and operate their own school buses. Such indirect costs shall include administrative costs, or any costs attributable to transporting pupils from their attendance centers to another school building for instructional purposes. No school district which owns and operates its own school buses may claim reimbursement for indirect costs which exceed 5% of the total allowable direct costs for pupil transportation.

The State Board of Education shall prescribe uniform regulations for determining the above standards and shall prescribe forms of cost accounting and standards of determining reasonable depreciation. Such depreciation shall include the cost of equipping school buses with the safety features required by law or by the rules, regulations and standards promulgated by the State Board of Education, and the Department of Transportation for the safety and construction of school buses provided, however, any equipment cost reimbursed by the Department of Transportation for equipping school buses with such safety equipment shall be deducted from the allowable cost in the computation of reimbursement under this Section in the same percentage as the cost of the equipment is depreciated.

On or before August 15 July 10, annually, the chief school administrator for the district shall certify to the regional superintendent of schools upon forms prescribed by the State Superintendent of Education the district's claim for reimbursement for the school year ending on June 30 next preceding. The regional superintendent of schools shall check all transportation claims to ascertain compliance with the prescribed standards and upon his approval shall certify not later than July 25 to the State Superintendent of Education the regional report of claims for reimbursements. The State Superintendent of Education shall check and approve the claims and prepare the vouchers showing the amounts due for district reimbursement claims. Each Beginning with the 1977 fiscal year,
the State Superintendent of Education shall prepare and transmit the first 3 vouchers to the Comptroller on the 30th day of September, December and March, respectively, and the final voucher, no later than June 20.

If the amount appropriated for transportation reimbursement is insufficient to fund total claims for any fiscal year, the State Board of Education shall reduce each school district's allowable costs and flat grant amount proportionately to make total adjusted claims equal the total amount appropriated.

For purposes of calculating claims for reimbursement under this Section for any school year beginning July 1, 1998, or thereafter, the equalized assessed valuation for a school district used to compute reimbursement shall be computed in the same manner as it is computed under paragraph (2) of subsection (G) of Section 18-8.05.

All reimbursements received from the State shall be deposited into the district's transportation fund or into the fund from which the allowable expenditures were made.

Notwithstanding any other provision of law, any school district receiving a payment under this Section or under Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may classify all or a portion of the funds that it receives in a particular fiscal year or from general State aid pursuant to Section 18-8.05 of this Code as funds received in connection with any funding program for which it is entitled to receive funds from the State in that fiscal year (including, without limitation, any funding program referenced in this Section), regardless of the source or timing of the receipt. The district may not classify more funds as funds received in connection with the funding program than the district is entitled to receive in that fiscal year for that program. Any classification by a district must be made by a resolution of its board of education. The resolution must identify the amount of any payments or general State aid to be classified under this paragraph and must specify the funding program to which the funds are to be treated as received in connection therewith. This resolution is controlling as to the classification of funds referenced therein. A certified copy of the resolution must be sent to the State Superintendent of Education. The resolution shall still take effect even though a copy of the

New matter indicated by italics - deletions by strikeout
resolution has not been sent to the State Superintendent of Education in a timely manner. No classification under this paragraph by a district shall affect the total amount or timing of money the district is entitled to receive under this Code. No classification under this paragraph by a district shall in any way relieve the district from or affect any requirements that otherwise would apply with respect to that funding program, including any accounting of funds by source, reporting expenditures by original source and purpose, reporting requirements, or requirements of providing services.

Any school district with a population of not more than 500,000 must deposit all funds received under this Article into the transportation fund and use those funds for the provision of transportation services.

(Source: P.A. 92-568, eff. 6-26-02; 93-166, eff. 7-10-03; 93-663, eff. 2-17-04; 93-1022, eff. 8-24-04.)

(105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

Sec. 34-18.5. Criminal history records checks and checks of the Statewide Sex Offender Database.

(a) Certified and noncertified applicants for employment with the school district are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, or a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the
check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department. The regional superintendent submitting the requisite information to the Department of State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Department of State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Department shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse the school district and regional superintendent for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender and Child Murderer Community Notification Law, for each applicant.

(b) Any information concerning the record of convictions obtained by the president of the board of education or the regional superintendent shall be confidential and may only be transmitted to the general superintendent of the school district or his designee, the appropriate
regional superintendent if the check was requested by the board of education for the school district, the presidents of the appropriate board of education or school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database as a sex offender. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database as a sex offender, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of

New matter indicated by italics - deletions by strikeout
the Statewide Sex Offender Database, the applicant has not been identified in the Database as a sex offender. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one such district may rely on the certificate issued by any the regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee applicant, or may initiate its own criminal history records check of the applicant through the Department of State Police and its own check of the Statewide Sex Offender Database as provided in subsection (a). Any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

(c) The board of education shall not knowingly employ a person who has been convicted for committing attempted first degree murder or for committing or attempting to commit first degree murder or a Class X felony or any one or more of the following offenses: (i) those defined in Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the Criminal Code of 1961; (ii) those defined in the Cannabis Control Act, except those defined in Sections 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the Illinois Controlled Substances Act; (iv) those defined in the Methamphetamine Control and Community Protection Act; and (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. Further, the board of education shall not knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.
(d) The board of education shall not knowingly employ a person for whom a criminal history records check and a Statewide Sex Offender Database check has not been initiated.

(e) Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any certificate issued pursuant to Article 21 or Section 34-8.1 or 34-83 of the School Code, the board of education or the State Superintendent of Education shall initiate the certificate suspension and revocation proceedings authorized by law.

(f) After March 19, 1990, the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Department of State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

(105 ILCS 5/2-3.11b rep.)
(105 ILCS 5/2-3.25e rep.)

Section 10. The School Code is amended by repealing Sections 2-3.11b and 2-3.25e.

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

New matter indicated by italics - deletions by strikeout
Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved June 16, 2006.
Effective July 1, 2006.

PUBLIC ACT 94-0876
(House Bill No. 0542)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Income Tax Act is amended by changing Sections 509 and 510 and by adding Section 507EE as follows:
(35 ILCS 5/507EE new)
Sec. 507EE. The Heartsaver AED Fund checkoff. For taxable years ending on or after December 31, 2005, the Department must print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Heartsaver AED Fund, as authorized by this amendatory Act of the 94th General Assembly, he or she may do so by stating the amount of the contribution (not less than $1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section does not apply to any amended return.
(35 ILCS 5/509) (from Ch. 120, par. 5-509)
Sec. 509. Tax checkoff explanations. All individual income tax return forms shall contain appropriate explanations and spaces to enable the taxpayers to designate contributions to the following funds: the Child Abuse Prevention Fund, the Illinois Wildlife Preservation Fund (as required by the Illinois Non-Game Wildlife Protection Act),

New matter indicated by italics - deletions by strikeout
Alzheimer's Disease Research Fund (as required by the Alzheimer's Disease Research Act), the Assistance to the Homeless Fund (as required by this Act), the Penny Severns Breast and Cervical Cancer Research Fund, the National World War II Memorial Fund, the Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS) Research Fund, the Multiple Sclerosis Assistance Fund, the Leukemia Treatment and Education Fund, the World War II Illinois Veterans Memorial Fund, the Korean War Veterans National Museum and Library Fund, the Illinois Military Family Relief Fund, the Illinois Veterans' Homes Fund, the Heart saver AED Fund, and the Asthma and Lung Research Fund.

Each form shall contain a statement that the contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly.

If, on October 1 of any year, the total contributions to any one of the funds made under this Section do not equal $100,000 or more, the explanations and spaces for designating contributions to the fund shall be removed from the individual income tax return forms for the following and all subsequent years and all subsequent contributions to the fund shall be refunded to the taxpayer.

(Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651, eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36, eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

(35 ILCS 5/510) (from Ch. 120, par. 5-510)

Sec. 510. Determination of amounts contributed. The Department shall determine the total amount contributed to each of the following: the Child Abuse Prevention Fund, the Illinois Wildlife Preservation Fund, the Assistance to the Homeless Fund, the Alzheimer's Disease Research Fund, the Penny Severns Breast and Cervical Cancer Research Fund, the National World War II Memorial Fund, the Prostate Cancer Research Fund, the Illinois Military Family Relief Fund, the Lou Gehrig's Disease (ALS) Research Fund, the Multiple Sclerosis Assistance Fund, the Leukemia Treatment and Education Fund, the World War II Illinois Veterans Memorial Fund, the Korean War Veterans National Museum and

New matter indicated by italics - deletions by strikeout
Library Fund, the Illinois Veterans' Homes Fund, the *Heartsaver AED Fund*, and the Asthma and Lung Research Fund; and shall notify the State Comptroller and the State Treasurer of the amounts to be transferred from the General Revenue Fund to each fund, and upon receipt of such notification the State Treasurer and Comptroller shall transfer the amounts.

(Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651, eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36, eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

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

Approved June 19, 2006.
Effective June 19, 2006.

**PUBLIC ACT 94-0877**
(House Bill No. 4134)

AN ACT concerning civil liabilities.

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

Section 5. The Crime Victims Compensation Act is amended by changing Section 2 as follows:

(740 ILCS 45/2) (from Ch. 70, par. 72)

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

(a) "Applicant" means any person who applies for compensation under this Act or any person the Court of Claims finds is entitled to compensation, including the guardian of a minor or of a person under legal disability. It includes any person who was a dependent of a deceased victim of a crime of violence for his or her support at the time of the death of that victim.

(b) "Court of Claims" means the Court of Claims created by the Court of Claims Act.

New matter indicated by italics - deletions by strikeout
(c) "Crime of violence" means and includes any offense defined in Sections 9-1, 9-2, 9-3, 10-1, 10-2, 11-1, 11-19.2, 11-20.1, 12-1, 12-2, 12-3, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-30, 20-1 or 20-1.1 of the Criminal Code of 1961, and driving under the influence of intoxicating liquor or narcotic drugs as defined in Section 11-501 of the Illinois Vehicle Code, if none of the said offenses occurred during a civil riot, insurrection or rebellion. "Crime of violence" does not include any other offense or accident involving a motor vehicle except those vehicle offenses specifically provided for in this paragraph. "Crime of violence" does include all of the offenses specifically provided for in this paragraph that occur within this State but are subject to federal jurisdiction and crimes involving terrorism as defined in 18 U.S.C. 2331.

(d) "Victim" means (1) a person killed or injured in this State as a result of a crime of violence perpetrated or attempted against him or her, (2) the parent of a person child killed or injured in this State as a result of a crime of violence perpetrated or attempted against the person child, (3) a person killed or injured in this State while attempting to assist a person against whom a crime of violence is being perpetrated or attempted, if that attempt of assistance would be expected of a reasonable man under the circumstances, (4) a person killed or injured in this State while assisting a law enforcement official apprehend a person who has perpetrated a crime of violence or prevent the perpetration of any such crime if that assistance was in response to the express request of the law enforcement official, (5) a person who personally witnessed a violent crime, (5.1) solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime, any other person under the age of 18 who is the brother, sister, half brother, half sister, child, or stepchild of a person killed or injured in this State as a result of a crime of violence, or (6) an Illinois resident who is a victim of a "crime of violence" as defined in this Act except, if the crime occurred outside this State, the resident has the same rights under this Act as if the crime had occurred in this State upon a showing that the state, territory, country, or political subdivision of a country in which the crime

New matter indicated by italics - deletions by strikeout
occurred does not have a compensation of victims of crimes law for which that Illinois resident is eligible.

(e) "Dependent" means a relative of a deceased victim who was wholly or partially dependent upon the victim's income at the time of his or her death and shall include the child of a victim born after his or her death.

(f) "Relative" means a spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, brother-in-law, sister, sister-in-law, half brother, half sister, spouse's parent, nephew, niece, uncle or aunt.

(g) "Child" means an unmarried son or daughter who is under 18 years of age and includes a stepchild, an adopted child or a child born out of wedlock.

(h) "Pecuniary loss" means, in the case of injury, appropriate medical expenses and hospital expenses including expenses of medical examinations, rehabilitation, medically required nursing care expenses, appropriate psychiatric care or psychiatric counseling expenses, expenses for care or counseling by a licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor and expenses for treatment by Christian Science practitioners and nursing care appropriate thereto; transportation expenses to and from medical and treatment facilities; prosthetic appliances, eyeglasses, and hearing aids necessary or damaged as a result of the crime; replacement costs for clothing and bedding used as evidence; costs associated with temporary lodging or relocation necessary as a result of the crime, including, but not limited to, the first month's rent and security deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the violent crime; locks or windows necessary or damaged as a result of the crime; the purchase, lease, or rental of equipment necessary to create usability of and accessibility to the victim's real and personal property, or the real and personal property which is used by the victim, necessary as a result of the crime; the costs of appropriate crime scene clean-up; replacement services loss, to a maximum of $1000 per month; dependents replacement services loss, to a maximum of $1000 per month; loss of tuition paid to attend grammar school or high school when the victim had

New matter indicated by italics - deletions by strikeout
been enrolled as a full-time student prior to the injury, or college or graduate school when the victim had been enrolled as a full-time day or night student prior to the injury when the victim becomes unable to continue attendance at school as a result of the crime of violence perpetrated against him or her; loss of earnings, loss of future earnings because of disability resulting from the injury, and, in addition, in the case of death, expenses for funeral, burial, and travel and transport for survivors of homicide victims to secure bodies of deceased victims and to transport bodies for burial all of which may not exceed a maximum of $5,000 and loss of support of the dependents of the victim. Loss of future earnings shall be reduced by any income from substitute work actually performed by the victim or by income he or she would have earned in available appropriate substitute work he or she was capable of performing but unreasonably failed to undertake. Loss of earnings, loss of future earnings and loss of support shall be determined on the basis of the victim's average net monthly earnings for the 6 months immediately preceding the date of the injury or on $1000 per month, whichever is less. If a divorced or legally separated applicant is claiming loss of support for a minor child of the deceased, the amount of support for each child shall be based either on the amount of support pursuant to the judgment prior to the date of the deceased victim's injury or death, or, if the subject of pending litigation filed by or on behalf of the divorced or legally separated applicant prior to the injury or death, on the result of that litigation. Real and personal property includes, but is not limited to, vehicles, houses, apartments, town houses, or condominiums. Pecuniary loss does not include pain and suffering or property loss or damage.

(i) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the permanently injured person would have performed, not for income, but for the benefit of himself or herself or his or her family, if he or she had not been permanently injured.

(j) "Dependents replacement services loss" means loss reasonably incurred by dependents or private legal guardians of minor dependents after a victim's death in obtaining ordinary and necessary services in lieu
of those the victim would have performed, not for income, but for their benefit, if he or she had not been fatally injured.

(k) "Survivor" means immediate family including a parent, step-father, step-mother, child, brother, sister, or spouse.

(Source: P.A. 94-229, eff. 1-1-06; 94-399, eff. 1-1-06; 94-400, eff. 1-1-06; revised 8-19-05.)

Approved June 19, 2006.

PUBLIC ACT 94-0878
(House Bill No. 4649)

AN ACT concerning criminal law.

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

Section 5. The Code of Criminal Procedure of 1963 is amended by adding Section 110-5.1 as follows:

(725 ILCS 5/110-5.1 new)

Sec. 110-5.1. Bail; certain persons charged with violent crimes against family or household members.

(a) Subject to subsection (c), a person who is charged with a violent crime shall appear before the court for the setting of bail if the alleged victim was a family or household member at the time of the alleged offense, and if any of the following applies:

(1) the person charged, at the time of the alleged offense, was subject to the terms of an order of protection issued under Section 112A-14 of this Code or Section 214 of the Illinois Domestic Violence Act of 1986 or previously was convicted of a violation of an order of protection under Section 12-30 of the Criminal Code of 1961 or a violent crime if the victim was a family or household member at the time of the offense or a violation of a substantially similar municipal ordinance or law of this or any

New matter indicated by italics - deletions by strikeout
other state or the United States if the victim was a family or household member at the time of the offense;

(2) the arresting officer indicates in a police report or other document accompanying the complaint any of the following:

   (A) that the arresting officer observed on the alleged victim objective manifestations of physical harm that the arresting officer reasonably believes are a result of the alleged offense;
   
   (B) that the arresting officer reasonably believes that the person had on the person's person at the time of the alleged offense a deadly weapon;
   
   (C) that the arresting officer reasonably believes that the person presents a credible threat of serious physical harm to the alleged victim or to any other person if released on bail before trial.

(b) To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court, before setting bail for a person who appears before the court pursuant to subsection (a):

   (1) whether the person has a history of domestic violence or a history of other violent acts;
   
   (2) the mental health of the person;
   
   (3) whether the person has a history of violating the orders of any court or governmental entity;
   
   (4) whether the person is potentially a threat to any other person;
   
   (5) whether the person has access to deadly weapons or a history of using deadly weapons;
   
   (6) whether the person has a history of abusing alcohol or any controlled substance;
   
   (7) the severity of the alleged violence that is the basis of the alleged offense, including, but not limited to, the duration of the alleged violent incident, and whether the alleged violent incident involved serious physical injury, sexual assault,

New matter indicated by italics - deletions by strikeout
strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;
(8) whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;
(9) whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including, but not limited to, stalking, surveillance, or isolation of the alleged victim;
(10) whether the person has expressed suicidal or homicidal ideations;
(11) any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint.
(c) Upon the court's own motion or the motion of a party and upon any terms that the court may direct, a court may permit a person who is required to appear before it by subsection (a) to appear by video conferencing equipment. If, in the opinion of the court, the appearance in person or by video conferencing equipment of a person who is charged with a misdemeanor and who is required to appear before the court by subsection (a) is not practicable, the court may waive the appearance and release the person on bail on one or both of the following types of bail in an amount set by the court:
(1) a bail bond secured by a deposit of 10% of the amount of the bond in cash;
(2) a surety bond, a bond secured by real estate or securities as allowed by law, or the deposit of cash, at the option of the person.
Subsection (a) does not create a right in a person to appear before the court for the setting of bail or prohibit a court from requiring any person charged with a violent crime who is not described in subsection (a) from appearing before the court for the setting of bail.
(d) As used in this Section:
(1) "Violent crime" has the meaning ascribed to it in Section 3 of the Rights of Crime Victims and Witnesses Act.
(2) "Family or household member" has the meaning ascribed to it in Section 112A-3 of this Code.

Approved June 19, 2006.
Effective January 1, 200

PUBLIC ACT 94-0879
(House Bill No. 4853)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Procurement Code is amended by adding Section 50-14.5 as follows:
(30 ILCS 500/50-14.5 new)
Sec. 50-14.5. Lead Poisoning Prevention Act violations. Owners of residential buildings who have committed a willful or knowing violation of the Lead Poisoning Prevention Act are prohibited from doing business with the State of Illinois or any State agency until the violation is mitigated.

Section 10. The Lead Poisoning Prevention Act is amended by changing Sections 2, 3, 4, 5, 6, 7.1, 8, and 12 and by adding Sections 6.01, 6.3, 9.2, 9.3, 9.4, and 12.1 as follows:
(410 ILCS 45/2) (from Ch. 111 1/2, par. 1302)
Sec. 2. Definitions. As used in this Act:
"Abatement" means the removal or encapsulation of all leadbearing substances in a residential building or dwelling unit.
"Child care facility" means any structure used by a child care provider licensed by the Department of Children and Family Services or public school structure frequented by children through 6 years of age.
"Delegate agency" means a unit of local government or health department approved by the Department to carry out the provisions of this Act.

New matter indicated by italics - deletions by strikeout
"Department" means the Department of Public Health of the State of Illinois.

"Dwelling" means any structure all or part of which is designed or used for human habitation.

"High risk area" means an area in the State determined by the Department to be high risk for lead exposure for children through 6 years of age. The Department shall consider, but not be limited to, the following factors to determine a high risk area: age and condition (using Department of Housing and Urban Development definitions of "slum" and "blighted") of housing, proximity to highway traffic or heavy local traffic or both, percentage of housing determined as rental or vacant, proximity to industry using lead, established incidence of elevated blood lead levels in children, percentage of population living below 200% of federal poverty guidelines, and number of children residing in the area who are 6 years of age or younger.

"Exposed surface" means any interior or exterior surface of a dwelling or residential building.

"Lead abatement contractor" means any person or entity licensed by the Department to perform lead abatement and mitigation.

"Lead abatement worker" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and mitigation.

"Lead bearing substance" means any item containing or coated with lead such that the lead content is more than six-hundredths of one percent (0.06%) lead by total weight; or any dust on surfaces or in furniture or other nonpermanent elements of the dwelling; or any paint or other surface coating material containing more than five-tenths of one percent (0.5%) lead by total weight (calculated as lead metal) in the total non-volatile content of liquid paint; or lead bearing substances containing greater than one milligram per square centimeter or any lower standard for lead content in residential paint as may be established by federal law or regulation; or more than 1 milligram per square centimeter in the dried film of paint or previously applied substance; or item or dust on item object containing lead in excess of the amount specified in the rules and

New matter indicated by italics - deletions by strikeout
regulations authorized by this Act or a lower standard for lead content as may be established by federal law or regulation. "Lead bearing substance" does not include firearm ammunition or components as defined by the Firearm Owners Identification Card Act.

"Lead hazard" means a lead bearing substance that poses an immediate health hazard to humans.

"Lead poisoning" means the condition of having blood lead levels in excess of those considered safe under State and federal rules and regulations.

"Low risk area" means an area in the State determined by the Department to be low risk for lead exposure for children through 6 years of age. The Department shall consider the factors named in "high risk area" to determine low risk areas.

"Mitigation" means the remediation, in a manner described in Section 9, of a lead hazard so that the lead bearing substance does not pose an immediate health hazard to humans.

"Owner" means any person, who alone, jointly, or severally with others:

(a) Has legal title to any dwelling or residential building, with or without accompanying actual possession of the dwelling or residential building, or

(b) Has charge, care or control of the dwelling or residential building as owner or agent of the owner, or as executor, administrator, trustee, or guardian of the estate of the owner.

"Person" means any one or more natural persons, legal entities, governmental bodies, or any combination.

"Residential building" means any room, group of rooms, or other interior areas of a structure designed or used for human habitation; common areas accessible by inhabitants; and the surrounding property or structures.

"Risk assessment" means a questionnaire to be developed by the Department for use by physicians and other health care providers to determine risk factors for children through 6 years of age residing in areas designated as low risk for lead exposure.

New matter indicated by italics - deletions by strikeout
Sec. 3. Lead bearing substance use. No person shall use or apply lead bearing substances:
   (a) In or upon any exposed surface of a dwelling or dwelling unit;
   (b) In or around the exposed surfaces of a child care facility or other structure frequented by children;
   (c) In or upon any fixtures or other objects used, installed, or located in or upon any exposed surface of a dwelling or residential building, or child care facility, or intended to be so used, installed, or located and that, in the ordinary course of use, are accessible to or and chewable by children;
   (d) In or upon any items, including, but not limited to, clothing, accessories, jewelry, decorative objects, edible items, candy, food, dietary supplements, toys, furniture, or other articles used by or intended to be and chewable by children;
   (e) Within or upon a residential building or dwelling, child care facility, school, playground, park, or recreational area, or other areas regularly frequented by children.

Sec. 4. Sale of items containing lead bearing substance. No person shall sell, have, offer for sale, or transfer toys, or furniture, clothing, accessories, jewelry, decorative objects, edible items, candy, food, dietary supplements, or other articles used by or intended to be chewable by children that contains a lead bearing substance.

Sec. 5. Sale of objects containing lead bearing substance. No person shall sell or transfer or offer for sale or transfer any fixtures or other objects intended to be used, installed, or located in or upon any surface of a dwelling or residential building, or child care facility, that contains a lead bearing substance and that, in the ordinary course of use, are accessible to or and chewable by children.
Sec. 6. Warning statement. No person, firm, or corporation shall have, offer for sale, sell, or give away any lead bearing substance that may be used by the general public unless it bears the warning statement as prescribed by federal regulation. If no regulation is prescribed the warning statement shall be as follows when the lead bearing substance is a lead-based paint or surface coating: "WARNING--CONTAINS LEAD. DRIED FILM OF THIS SUBSTANCE MAY BE HARMFUL IF EATEN OR CHEWED. See Other Cautions on (Side or Back) Panel. Do not apply on toys, or other children's articles, furniture, or interior, or exterior exposed surfaces of any residential building or facility that may be occupied or used by children. KEEP OUT OF THE REACH OF CHILDREN.". If no regulation is prescribed the warning statement shall be as follows when the lead bearing substance contains lead-based paint or a form of lead other than lead-based paint: "WARNING CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. MAY GENERATE DUST CONTAINING LEAD. KEEP OUT OF THE REACH OF CHILDREN.".

(a) The generic term of a product, such as "paint" may be substituted for the word "substance" in the above labeling.

(b) The placement, conspicuousness, and contrast of the above labeling shall be in accordance with 16 C.F.R. 1500.121 Section 191.101 of the regulations promulgated under the provisions of the Federal Hazardous Substances Act.

Sec. 6.01. Warning statement where supplies sold.

(a) Any retailer, store, or commercial establishment that offers paint or other supplies intended for the removal of paint shall display, in a prominent and easily visible location, a poster containing, at a minimum, the following:

1) a statement that dry sanding and dry scraping of paint in dwellings built before 1978 is dangerous;

New matter indicated by italics - deletions by strikeout
(2) a statement that the improper removal of old paint is a significant source of lead dust and the primary cause of lead poisoning; and

(3) contact information where consumers can obtain more information.

(b) The Department shall provide sample posters and brochures that commercial establishments may use. The Department shall make these posters and brochures available in hard copy and via download from the Department’s Internet website.

(c) A commercial establishment shall be deemed to be in compliance with this Section if the commercial establishment displays lead poisoning prevention posters or provides brochures to its customers that meet the minimum requirements of this Section but come from a source other than the Department.

(410 ILCS 45/6.3 new)

Sec. 6.3. Information provided by the Department of Healthcare and Family Services.

(a) The Director of Healthcare and Family Services shall provide, upon request of the Director of Public Health, an electronic record of all children less than 7 years of age who receive Medicaid, Kidcare, or other health care benefits from the Department of Healthcare and Family Services. The records shall include a history of claims filed for each child and the health care provider who rendered the services. On at least an annual basis, the Director of Public Health shall match the records provided by the Department of Healthcare and Family Services with the records of children receiving lead tests, as reported to the Department under Section 7 of this Act.

(b) The Director shall prepare a report documenting the frequency of lead testing and elevated blood and lead levels among children receiving benefits from the Department of Healthcare and Family Services. On at least an annual basis, the Director shall prepare and deliver a report to each health care provider who has rendered services to children receiving benefits from the Department of Healthcare and Family Services. The report shall contain the aggregate number of children

New matter indicated by italics - deletions by strikeout
receiving benefits from the Department of Healthcare and Family Services to whom the provider has provided services, the number and percentage of children tested for lead poisoning, and the number and percentage of children having an elevated lead level. The Department of Public Health may exclude health care providers who provide specialized or emergency medical care and who are unlikely to be the primary medical care provider for a child. Upon the request of a provider, the Department of Public Health may generate a list of individual patients treated by that provider according to the claims records and the patients’ lead test results.

(410 ILCS 45/7.1) (from Ch. 111 1/2, par. 1307.1)

Sec. 7.1. Child care facilities must require lead blood level screening for admission. By January 1, 1993, each day care center, day care home, preschool, nursery school, kindergarten, or other child care facility, licensed or approved by the State, including such programs operated by a public school district, shall include a requirement that each parent or legal guardian of a child between the ages of 6 months through 6 years provide a statement from a physician or health care provider that the child has been risk assessed, as provided in Section 6.2, if the child resides in an area defined as low risk by the Department, or screened for lead poisoning as provided for in Section 6.2, if the child resides in an area defined as high risk. This statement shall be provided prior to admission and subsequently in conjunction with required physical examinations.

Nothing in this Section shall be construed to require any child to undergo a lead blood level screening or test whose parent or guardian objects on the grounds that the screening or test conflicts with his or her religious beliefs.

Child care facilities that participate in the Illinois Child Care Assistance Program (CCAP) shall annually send or deliver to the parents or guardians of children enrolled in the facility's care an informational pamphlet regarding awareness of lead paint poisoning. Pamphlets shall be produced and made available by the Department and shall be downloadable from the Department's Internet website. The Department of

New matter indicated by italics - deletions by strikeout
Human Services and the Department of Public Health shall assist in the distribution of the pamphlet.
(Source: P.A. 89-381, eff. 8-18-95.)
(410 ILCS 45/8) (from Ch. 111 1/2, par. 1308)
Sec. 8. Inspection of buildings occupied by a person screening positive. A representative of the Department, or delegate agency, may, after notification that an occupant of the dwelling unit in question is found to have a blood lead value of the value set forth in Section 7, upon presentation of the appropriate credentials to the owner, occupant, or his representative, inspect dwelling or dwelling units, at reasonable times, for the purposes of ascertaining that all surfaces accessible to children are intact and in good repair, and for purposes of ascertaining the existence of lead bearing substances. Such representative of the Department, or delegate agency, may remove samples or objects necessary for laboratory analysis, in the determination of the presence of lead-bearing substances in the designated dwelling or dwelling unit.

If a building is occupied by a child of less than 3 years of age screening positive, the Department, in addition to all other requirements of this Section, must inspect the dwelling unit and common place area of the child screening positive.

Following the inspection, the Department or its delegate agency shall:

(1) Prepare an inspection report which shall:
(A) State the address of the dwelling unit.
(B) Describe the scope of the inspection, the inspection procedures used, and the method of ascertaining the existence of a lead bearing substance in the dwelling unit.
(C) State whether any lead bearing substances were found in the dwelling unit.
(D) Describe the nature, extent, and location of any lead bearing substance that is found.
(E) State either that a lead hazard does exist or that a lead hazard does not exist. If a lead hazard does exist, the report shall describe the source, nature and location of the lead hazard. The
existence of intact lead paint does not alone constitute a lead hazard for the purposes of this Section.

(F) Give the name of the person who conducted the inspection and the person to contact for further information regarding the inspection and the requirements of this Act.

(2) Mail or otherwise provide a copy of the inspection report to the property owner and to the occupants of the dwelling unit. If a lead bearing substance is found, at the time of providing a copy of the inspection report, the Department or its delegate agency shall attach an informational brochure.

(Source: P.A. 87-175; 87-1144.)

(410 ILCS 45/9.2 new)

Sec. 9.2. Multiple mitigation notices. When mitigation notices are issued for 2 or more dwelling units in a building within a 5-year time period, the Department may inspect common areas in the building and shall inspect units where (i) children under the age of 6 reside, at the request of a parent or guardian of the child or (ii) a pregnant woman resides, at the pregnant woman's request. All lead hazards must be mitigated in a reasonable time frame, as determined by rules adopted by the Department. In determining the time frame for completion of mitigation of hazards identified under this Section, the Department shall consider, in addition to the considerations in subsection (6) of Section 9 of this Act, the owner's financial ability to complete the mitigation.

(410 ILCS 45/9.3 new)

Sec. 9.3. Financial assistance for mitigation. Whenever a mitigation notice is issued pursuant to Section 9 or Section 9.2 of this Act, the Department shall make the owner aware of any financial assistance programs that may be available for lead mitigation through the federal, State, or local government or a not-for-profit organization.

(410 ILCS 45/9.4 new)

Sec. 9.4. Owner's obligation to post notice. The owner of a dwelling unit or residential building who has received a mitigation notice under Section 9 of this Act shall post notices in common areas of the building specifying the identified lead hazards. The posted notices, drafted

New matter indicated by italics - deletions by strikeout
by the Department and sent to the property owner with the notification of lead hazards, shall indicate the following:

1. that a unit or units in the building have been found to have lead hazards;
2. that other units in the building may have lead hazards;
3. that the Department recommends that children 6 years of age or younger receive a blood lead screening;
4. where to seek further information; and
5. whether mitigation notices have been issued for 2 or more dwelling units within a 5-year period of time.

Once the owner has complied with a mitigation notice or mitigation order issued by the Department, the owner may remove the notices posted pursuant to this Section.

(410 ILCS 45/12) (from Ch. 111 1/2, par. 1312)


(a) Violation of any Section of this Act other than Section 6.01 or Section 7 shall be punishable as a Class A misdemeanor. A violation of Section 6.01 shall cause the Department to issue a written warning for a first offense and shall be a petty offense for a second or subsequent offense if the violation occurs at the same location within 12 months after the first offense.

(b) In cases where a person is found to have mislabeled, possessed, offered for sale or transfer, sold or transferred, or given away lead-bearing substances, a representative of the Department shall confiscate the lead-bearing substances and retain the substances until they are shown to be in compliance with this Act.

(c) In addition to any other penalty provided under this Act, the court in an action brought under subsection (e) may impose upon any person who violates or does not comply with a notice of deficiency and a mitigation order issued under subsection (7) of Section 9 of this Act or who fails to comply with subsection (3) or subsection (5) of Section 9 of this Act a civil penalty not exceeding $2,500 for each violation, plus $250 for each day that the violation continues.

New matter indicated by italics - deletions by strikeout
Any civil penalties collected in a court proceeding shall be deposited into a delegated county lead poisoning screening, prevention, and abatement fund or, if no delegated county or lead poisoning screening, prevention, and abatement fund exists, into the Lead Poisoning Screening, Prevention, and Abatement Fund established under Section 7.2.

(d) Whenever the Department finds that an emergency exists that requires immediate action to protect the health of children under this Act, it may, without administrative procedure or notice, cause an action to be brought by the Attorney General or the State's Attorney of the county in which a violation has occurred for a temporary restraining order or a preliminary injunction to require such action as is required to meet the emergency and protect the health of children.

(e) The State's Attorney of the county in which a violation occurs or the Attorney General may bring an action for the enforcement of this Act and the rules adopted and orders issued under this Act, in the name of the People of the State of Illinois, and may, in addition to other remedies provided in this Act, bring an action for a temporary restraining order or preliminary injunction as described in subsection (d) or an injunction to restrain any actual or threatened violation or to impose or collect a civil penalty for any violation.

(Source: P.A. 92-447, eff. 8-21-01.)

(410 ILCS 45/12.1 new)

Sec. 12.1. Attorney General and State's Attorney report to General Assembly. The Attorney General and State's Attorney offices shall report to the General Assembly annually the number of lead poisoning cases that have been referred by the Department for enforcement due to violations of this Act or for failure to comply with a notice of deficiency and mitigation order issued pursuant to subsection (7) of Section 9 of this Act.

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

Passed in the General Assembly April 4, 2006.
Approved June 20, 2006.
Effective June 20, 2006.
AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Children and Family Services Act is amended by changing Section 7 as follows:

(20 ILCS 505/7) (from Ch. 23, par. 5007)
Sec. 7. Placement of children; considerations.
(a) In placing any child under this Act, the Department shall place such child, as far as possible, in the care and custody of some individual holding the same religious belief as the parents of the child, or with some child care facility which is operated by persons of like religious faith as the parents of such child.

(b) In placing a child under this Act, the Department may place a child with a relative if the Department determines has reason to believe that the relative will be able to adequately provide for the child's safety and welfare based on the factors set forth in the Department's Rules governing relative placements, and that the placement is consistent with the child's best interests, taking into consideration the factors set out in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

When the Department first assumes custody of a child, in placing that child under this Act, the Department shall make reasonable efforts to identify and locate a relative who is ready, willing, and able to care for the child. At a minimum, these efforts shall be renewed each time the child requires a placement change and it is appropriate for the child to be cared for in a home environment. The Department must document its efforts to identify and locate such a relative placement and maintain the documentation in the child's case file.

If the Department determines that a placement with any identified relative is not in the child's best interests or that the relative does not meet the requirements to be a relative caregiver, as set forth in Department

New matter indicated by italics - deletions by strikeout
Rules or by statute, the Department must document the basis for that decision and maintain the documentation in the child’s case file.

If, pursuant to the Department's Rules, any person files an administrative appeal of the Department's decision not to place a child with a relative, it is the Department's burden to prove that the decision is consistent with the child's best interests.

When the Department determines that the child requires placement in an environment, other than a home environment, the Department shall continue to make reasonable efforts to identify and locate relatives to serve as visitation resources for the child and potential future placement resources, except when the Department determines that those efforts would be futile or inconsistent with the child's best interests.

If the Department determines that efforts to identify and locate relatives would be futile or inconsistent with the child's best interests, the Department shall document the basis of its determination and maintain the documentation in the child's case file.

If the Department determines that an individual or a group of relatives are inappropriate to serve as visitation resources or possible placement resources, the Department shall document the basis of its determination and maintain the documentation in the child's case file.

When the Department determines that an individual or a group of relatives are appropriate to serve as visitation resources or possible future placement resources, the Department shall document the basis of its determination, maintain the documentation in the child's case file, create a visitation or transition plan, or both, and incorporate the visitation or transition plan, or both, into the child's case plan. For the purpose of this subsection, any determination as to the child's best interests shall include consideration of the factors set out in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

The Department may not place a child with a relative, with the exception of certain circumstances which may be waived as defined by the Department in rules, if the results of a check of the Law Enforcement Agencies Agency Data System (LEADS) identifies a prior criminal
conviction of the relative or any adult member of the relative's household for any of the following offenses under the Criminal Code of 1961:

(1) murder;
(1.1) solicitation of murder;
(1.2) solicitation of murder for hire;
(1.3) intentional homicide of an unborn child;
(1.4) voluntary manslaughter of an unborn child;
(1.5) involuntary manslaughter;
(1.6) reckless homicide;
(1.7) concealment of a homicidal death;
(1.8) involuntary manslaughter of an unborn child;
(1.9) reckless homicide of an unborn child;
(1.10) drug-induced homicide;
(2) a sex offense under Article 11, except offenses described in Sections 11-7, 11-8, 11-12, and 11-13;
(3) kidnapping;
(3.1) aggravated unlawful restraint;
(3.2) forcible detention;
(3.3) aiding and abetting child abduction;
(4) aggravated kidnapping;
(5) child abduction;
(6) aggravated battery of a child;
(7) criminal sexual assault;
(8) aggravated criminal sexual assault;
(8.1) predatory criminal sexual assault of a child;
(9) criminal sexual abuse;
(10) aggravated sexual abuse;
(11) heinous battery;
(12) aggravated battery with a firearm;
(13) tampering with food, drugs, or cosmetics;
(14) drug-induced infliction of great bodily harm;
(15) aggravated stalking;
(16) home invasion;
(17) vehicular invasion;

New matter indicated by italics - deletions by strikeout
(18) criminal transmission of HIV;
(19) criminal abuse or neglect of an elderly or disabled person;
(20) child abandonment;
(21) endangering the life or health of a child;
(22) ritual mutilation;
(23) ritualized abuse of a child;
(24) an offense in any other state the elements of which are similar and bear a substantial relationship to any of the foregoing offenses.

For the purpose of this subsection, "relative" shall include any person, 21 years of age or over, other than the parent, who (i) is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, second cousin, godparent, great-uncle, or great-aunt; or (ii) is the spouse of such a relative; or (iii) is the child's step-father, step-mother, or adult step-brother or step-sister; "relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For children who have been in the guardianship of the Department, have been adopted, and are subsequently returned to the temporary custody or guardianship of the Department, a "relative" may also include any person who would have qualified as a relative under this paragraph prior to the adoption, but only if the Department determines, and documents, that it would be in the child's best interests to consider this person a relative, based upon the factors for determining best interests set forth in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987. A relative with whom a child is placed pursuant to this subsection may, but is not required to, apply for licensure as a foster family home pursuant to the Child Care Act of 1969; provided, however, that as of July 1, 1995, foster care payments shall be made only to licensed foster family homes pursuant to the terms of Section 5 of this Act.

(c) In placing a child under this Act, the Department shall ensure that the child's health, safety, and best interests are met in making a family
foster care placement. In rejecting placement of a child with an identified relative, the Department shall ensure that the child's health, safety, and best interests are met. In evaluating the best interests of the child, the Department shall take into consideration the factors set forth in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall consider the individual needs of the child and the capacity of the prospective foster or adoptive parents to meet the needs of the child. When a child must be placed outside his or her home and cannot be immediately returned to his or her parents or guardian, a comprehensive, individualized assessment shall be performed of that child at which time the needs of the child shall be determined. Only if race, color, or national origin is identified as a legitimate factor in advancing the child's best interests shall it be considered. Race, color, or national origin shall not be routinely considered in making a placement decision. The Department shall make special efforts for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children for whom foster and adoptive homes are needed. "Special efforts" shall include contacting and working with community organizations and religious organizations and may include contracting with those organizations, utilizing local media and other local resources, and conducting outreach activities.

(c-1) At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of Section 5, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

(d) The Department may accept gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

(e) The Department in placing children in adoptive or foster care homes may not, in any policy or practice relating to the placement of children for adoption or foster care, discriminate against any child or prospective adoptive or foster parent on the basis of race.

(Source: P.A. 92-192, eff. 1-1-02; 92-328, eff. 1-1-02; 92-334, eff. 8-10-01; 92-651, eff. 7-11-02; revised 2-17-03.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by adding Sections 10-16.5 and 10-16.7 as follows:
(105 ILCS 5/10-16.5 new)
Sec. 10-16.5. Oath of office. Each school board member, before taking his or her seat on the board, shall take an oath of office in substantially the following form:
I, (name of member or successful candidate), do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of (name of school district), in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.
I further swear (or affirm) that:
I shall respect taxpayer interests by serving as a faithful protector of the school district’s assets;
I shall encourage and respect the free expression of opinion by my fellow board members and others who seek a hearing before the board, while respecting the privacy of students and employees;
I shall recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public board meeting; and

New matter indicated by italics - deletions by strikeout
I shall abide by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

(105 ILCS 5/10-16.7 new)

Sec. 10-16.7. School board duties with respect to superintendent. In addition to all other powers and duties enumerated in this Article, the school board shall make all employment decisions pertaining to the superintendent. The school board shall direct, through policy, the superintendent in his or her charge of the administration of the school district, including without limitation considering the recommendations of the superintendent concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of employees, and the selection of textbooks, instructional material, and courses of study. The school board shall evaluate the superintendent in his or her administration of school board policies and his or her stewardship of the assets of the district.

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

Approved June 20, 2006.
Effective June 20, 2006.

PUBLIC ACT 94-0882
(House Bill No. 4425)

AN ACT concerning business.

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

Section 5. The Motor Vehicle Franchise Act is amended by changing Section 6 as follows:

(815 ILCS 710/6) (from Ch. 121 1/2, par. 756)

Sec. 6. Warranty agreements; claims; approval; payment; written disapproval.

New matter indicated by italics - deletions by strikeout
(a) Every manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division shall properly fulfill any warranty agreement and adequately and fairly compensate each of its motor vehicle dealers for labor and parts.

(b) In no event shall such compensation fail to include reasonable compensation for diagnostic work, as well as repair service, labor, and parts. Time allowances for the diagnosis and performance of warranty work and service shall be reasonable and adequate for the work to be performed. In the determination of what constitutes reasonable compensation under this Section, the principal factor to be given consideration shall be the prevailing wage rates being paid by the dealer in the relevant market area in which the motor vehicle dealer is doing business, and in no event shall such compensation of a motor vehicle dealer for warranty service be less than the rates charged by such dealer for like service to retail customers for nonwarranty service and repairs. The franchiser shall reimburse the franchisee for any parts provided in satisfaction of a warranty at the prevailing retail price charged by that dealer for the same parts when not provided in satisfaction of a warranty; provided that such motor vehicle franchisee's prevailing retail price is not unreasonable when compared with that of the holders of motor vehicle franchises from the same motor vehicle franchiser for identical merchandise in the geographic area in which the motor vehicle franchisee is engaged in business. All claims, either original or resubmitted, made by motor vehicle dealers hereunder and under Section 5 for such labor and parts shall be either approved or disapproved within 30 days following their submission. All approved claims shall be paid within 30 days following their approval. The motor vehicle dealer who submits a claim which is disapproved shall be notified in writing of the disapproval within the same period, and each such notice shall state the specific grounds upon which the disapproval is based. The motor vehicle dealer shall be permitted to correct and resubmit such disapproved claims within 30 days of receipt of disapproval. Any claims not specifically disapproved in writing within 30 days from their submission shall be deemed approved and payment shall follow within 30 days. The manufacturer or franchiser

New matter indicated by italics - deletions by strikeout
shall have the right to require reasonable documentation for claims and to audit such claims within a one year period from the date the claim was paid or credit issued by the manufacturer or franchiser, and to charge back any false or unsubstantiated claims. The audit and charge back provisions of this Section also apply to all other incentive and reimbursement programs for a period of 18 months after the date of the transactions that are subject to audit by the franchiser. However, the manufacturer retains the right to charge back any fraudulent claim if the manufacturer establishes in a court of competent jurisdiction in this State that the claim is fraudulent.

(c) The motor vehicle franchiser shall not, by agreement, by restrictions upon reimbursement, or otherwise, restrict the nature and extent of services to be rendered or parts to be provided so that such restriction prevents the motor vehicle franchisee from satisfying the warranty by rendering services in a good and workmanlike manner and providing parts which are required in accordance with generally accepted standards. Any such restriction shall constitute a prohibited practice.

(d) For the purposes of this Section, the "prevailing retail price charged by that dealer for the same parts" means the price paid by the motor vehicle franchisee for parts, including all shipping and other charges, multiplied by the sum of 1.0 and the franchisee's average percentage markup over the price paid by the motor vehicle franchisee for parts purchased by the motor vehicle franchisee from the motor vehicle franchiser and sold at retail. The motor vehicle franchisee may establish average percentage markup under this Section by submitting to the motor vehicle franchiser 100 sequential customer paid service repair orders or 90 days of customer paid service repair orders, whichever is less, covering repairs made no more than 180 days before the submission, and declaring what the average percentage markup is. The average percentage markup so declared shall go into effect 30 days following the declaration, subject to audit of the submitted repair orders by the motor vehicle franchiser and adjustment of the average percentage markup based on that audit. Any audit must be conducted within 30 days following the declaration. Only retail sales not involving warranty repairs, parts covered by subsection (e)
of this Section, or parts supplied for routine vehicle maintenance, shall be considered in calculating average percentage markup. No motor vehicle franchiser shall require a motor vehicle franchisee to establish average percentage markup by a methodology, or by requiring information, that is unduly burdensome or time consuming to provide, including, but not limited to, part by part or transaction by transaction calculations. A motor vehicle franchisee shall not request a change in the average percentage markup more than twice in one calendar year.

(e) If a motor vehicle franchiser supplies a part or parts for use in a repair rendered under a warranty other than by sale of that part or parts to the motor vehicle franchisee, the motor vehicle franchisee shall be entitled to compensation equivalent to the motor vehicle franchiser's average percentage markup on the part or parts, as if the part or parts had been sold to the motor vehicle franchisee by the motor vehicle franchiser. The requirements of this subsection (e) shall not apply to entire engine assemblies and entire transmission assemblies. In the case of those assemblies, the motor vehicle franchiser shall reimburse the motor vehicle franchisee in the amount of 30% of what the motor vehicle franchisee would have paid the motor vehicle franchiser for the assembly if the assembly had not been supplied by the franchiser other than by the sale of that assembly to the motor vehicle franchisee.

(f) The obligations imposed on motor vehicle franchisers by this Section shall apply to any parent, subsidiary, affiliate, or agent of the motor vehicle franchiser, any person under common ownership or control, any employee of the motor vehicle franchiser, and any person holding 1% or more of the shares of any class of securities or other ownership interest in the motor vehicle franchiser, if a warranty or service or repair plan is issued by that person instead of or in addition to one issued by the motor vehicle franchiser.

(g) (1) Any motor vehicle franchiser and at least a majority of its Illinois franchisees of the same line make may agree in an express written contract citing this Section upon a uniform warranty reimbursement policy used by contracting franchisees to perform warranty repairs. The policy shall only involve either reimbursement for parts used in warranty repairs

New matter indicated by italics - deletions by strikeout
or the use of a Uniform Time Standards Manual, or both. Reimbursement for parts under the agreement shall be used instead of the franchisees' "prevailing retail price charged by that dealer for the same parts" as defined in this Section to calculate compensation due from the franchiser for parts used in warranty repairs. This Section does not authorize a franchiser and its Illinois franchisees to establish a uniform hourly labor reimbursement.

Each franchiser shall only have one such agreement with each line make. Any such agreement shall:

(A) Establish a uniform parts reimbursement rate. The uniform parts reimbursement rate shall be greater than the franchiser's nationally established parts reimbursement rate in effect at the time the first such agreement becomes effective; however, any subsequent agreement shall result in a uniform reimbursement rate that is greater or equal to the rate set forth in the immediately prior agreement.

(B) Apply to all warranty repair orders written during the period that the agreement is effective.

(C) Be available, during the period it is effective, to any motor vehicle franchisee of the same line make at any time and on the same terms.

(D) Be for a term not to exceed 3 years so long as any party to the agreement may terminate the agreement upon the annual anniversary of the agreement and with 30 days' prior written notice; however, the agreement shall remain in effect for the term of the agreement regardless of the number of dealers of the same line make that may terminate the agreement.

(2) A franchiser that enters into an agreement with its franchisees pursuant to paragraph (1) of this subsection (g) may seek to recover its costs from only those franchisees that are receiving their "prevailing retail price charged by that dealer" under subsections (a) through (f) of this Section, subject to the following requirements:

(A) "costs" means the difference between the uniform reimbursement rate set forth in an agreement entered into pursuant
to paragraph (1) of this subsection (g) and the "prevailing retail price charged by that dealer" received by those franchisees of the same line make. "Costs" do not include the following: legal fees or expenses; administrative expenses; a profit mark-up; or any other item;

(B) the costs shall be recovered only by increasing the invoice price on new vehicles received by those franchisees; and

(C) price increases imposed for the purpose of recovering costs imposed by this Section may vary from time to time and from model to model, but shall apply uniformly to all franchisees of the same line make in the State of Illinois that have requested reimbursement for warranty repairs at their "prevailing retail price charged by that dealer", except that a franchiser may make an exception for vehicles that are titled in the name of a consumer in another state.

(3) If a franchiser contracts with its Illinois dealers pursuant to paragraph (1) of this subsection (g), the franchiser shall certify under oath to the Motor Vehicle Review Board that a majority of the franchisees of that line make did agree to such an agreement and file a sample copy of the agreement. On an annual basis, each franchiser shall certify under oath to the Motor Vehicle Review Board that the reimbursement costs it recovers under paragraph (2) of this subsection (g) do not exceed the amounts authorized by paragraph (2) of this subsection (g). The franchiser shall maintain for a period of 3 years a file that contains the information upon which its certification is based.

(3.1) A franchiser subject to subdivision (g)(2) of this Section, upon request of a dealer subject to that subdivision, shall disclose to the dealer, in writing or in person if requested by the dealer, the method by which the franchiser calculated the amount of the costs to be reimbursed by the dealer. The franchiser shall also provide aggregate data showing (i) the total costs the franchiser incurred and (ii) the total number of new vehicles invoiced to each dealer that received the "prevailing retail price charged by that dealer" during the relevant period of time. In responding to a dealer's request under this subdivision (g)(3.1), a franchiser may not...
disclose any confidential or competitive information regarding any other dealer. Any dealer who receives information from a franchiser under this subdivision (g)(3.1) may not disclose that information to any third party unless the disclosure occurs in the course of a lawful proceeding before, or upon the order of, the Motor Vehicle Review Board or a court of competent jurisdiction.

(4) If a franchiser and its franchisees do not enter into an agreement pursuant to paragraph (1) of this subsection (g), and for any matter that is not the subject of an agreement, this subsection (g) shall have no effect whatsoever.

(5) For purposes of this subsection (g), a Uniform Time Standard Manual is a document created by a franchiser that establishes the time allowances for the diagnosis and performance of warranty work and service. The allowances shall be reasonable and adequate for the work and service to be performed. Each franchiser shall have a reasonable and fair process that allows a franchisee to request a modification or adjustment of a standard or standards included in such a manual.

(6) A franchiser may not take any adverse action against a franchisee for not having executed an agreement contemplated by this subsection (g) or for receiving the "prevailing retail price charged by that dealer". Nothing in this subsection shall be construed to prevent a franchiser from making a determination of a franchisee's "prevailing retail price charged by that dealer", as provided by this Section.

(Source: P.A. 91-485, eff. 1-1-00; 92-498, eff. 12-12-01; 92-651, eff. 7-11-02.)

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

Approved June 20, 2006.
Effective June 20, 2006.
PUBLIC ACT 94-0883
(House Bill No. 4519)

AN ACT concerning property.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Mortgage Escrow Account Act is amended by changing Section 15 as follows:

(765 ILCS 910/15)
Sec. 15. Notice of tax payments.
(a) When any mortgage lender pays the property tax from an escrow account, the mortgage lender must give the borrower written notice of the following, within 45 business days after the tax payment:
   (1) the date the taxes were paid;
   (2) the amount of taxes paid; and
   (3) the permanent index number, mortgage account number, address of the property, or other property description that is used for assessment and taxation purposes under the Property Tax Code.

(b) The notice required in subsection (a) may be included on or with other documents, notices, or statements provided to the borrower. If more than one borrower is obligated on the loan, only one borrower who is primarily liable on the loan need be given notice. Notice may be delivered, mailed, or transmitted by any usual means of communication.

(c) Notwithstanding the requirements in subsection (a), a mortgage lender that provides notice at least annually to a borrower in the manner provided in subsection (b) of a means of communication for the borrower to access the information set forth in subsection (a) by telephone, facsimile, e-mail, Internet access, or other means of communication, is deemed to be in compliance with subsection (a).

(Source: P.A. 94-50, eff. 1-1-06.)

Approved June 20, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Highway Code is amended by changing Section 6-130 as follows:

(605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

Sec. 6-130. Notwithstanding any other provision of this Act to the contrary, no township road district may continue in existence if the roads forming a part of the district do not exceed a total of 4 miles in length. For purposes of this Section, the roads forming a part of a township road district include those roads maintained by the district, regardless of whether or not those roads are owned by the township. On the first Tuesday in April of 1975, or of any subsequent year next succeeding the reduction of a township road system to a total mileage of 4 miles or less, each such township road district shall, by operation of law, be abolished. The roads comprising that district at that time shall thereafter be administered by the township board of trustees by contracting with the county, a municipality or a private contractor. The township board of trustees shall assume all taxing authority of a township road district abolished under this Section.

(Source: P.A. 92-800, eff. 8-16-02.)

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

Passed in the General Assembly March 27, 2006.
Approved June 20, 2006.
Effective June 20, 2006.

AN ACT concerning collection practices.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Fair Patient Billing Act.

Section 5. Purpose; findings.
(a) The purpose of this Act is to advance the prompt and accurate payment of health care services through fair and reasonable billing and collection practices of hospitals.
(b) The General Assembly finds that:
   (1) Medical debts are the cause of an increasing number of bankruptcies in Illinois and are typically associated with severe financial hardship incurred by bankrupt persons and their families.
   (2) Patients, hospitals, and government bodies alike will benefit from clearly articulated standards regarding fair billing and collection practices for all Illinois hospitals.
   (3) Hospitals should employ responsible standards when collecting debt from their patients.
   (4) Patients should be provided sufficient billing information from hospitals to determine the accuracy of the bills for which they may be financially responsible.
   (5) Patients should be given a fair and reasonable opportunity to discuss and assess the accuracy of their bill.
   (6) Patients should be provided information regarding the hospital's policies regarding financial assistance options the hospital may offer to qualified patients.
   (7) Hospitals should offer patients the opportunity to enter into a reasonable payment plan for their hospital care.
   (8) Patients have an obligation to pay for the hospital services they receive.

Section 10. Definitions. As used in this Act:
"Collection action" means any referral of a bill to a collection agency or law firm to collect payment for services from a patient or a patient's guarantor for hospital services.

New matter indicated by italics - deletions by strikeout
"Health care plan" means a health insurance company, health maintenance organization, preferred provider arrangement, or third party administrator authorized in this State to issue policies or subscriber contracts or administer those policies and contracts that reimburse for inpatient and outpatient services provided in a hospital. Health care plan, however, does not include any government-funded program such as Medicare or Medicaid, workers' compensation, and accident liability insurers.

"Insured patient" means a patient who is insured by a health care plan.

"Patient" means the individual receiving services from the hospital and any individual who is the guarantor of the payment for such services.

"Reasonable payment plan" means a plan to pay a hospital bill that is offered to the patient or the patient's legal representative and takes into account the patient's available income and assets, the amount owed, and any prior payments.

"Uninsured patient" means a patient who is not insured by a health care plan and is not a beneficiary under a government-funded program, workers' compensation, or accident liability insurance.

Section 15. Patient notification.

(a) Each hospital shall post a sign with the following notice:

"You may be eligible for financial assistance under the terms and conditions the hospital offers to qualified patients. For more information contact [hospital financial assistance representative]."

(b) The sign under subsection (a) shall be posted conspicuously in the admission and registration areas of the hospital.

(c) The sign shall be in English, and in any other language that is the primary language of at least 5% of the patients served by the hospital annually.

(d) Each hospital that has a website must post a notice in a prominent place on its website that financial assistance is available at the hospital, a description of the financial assistance application process, and a copy of the financial assistance application.

New matter indicated by italics - deletions by strikeout
(e) Each hospital must make available information regarding financial assistance from the hospital in the form of either a brochure, an application for financial assistance, or other written material in the hospital admission or registration area.

Section 20. Bill information. If a hospital bills a patient for health care services, the hospital shall provide with its bill the following information:

(1) the date or dates that health care services were provided to the patient;
(2) a brief description of the hospital services;
(3) the amount owed for hospital services;
(4) hospital contact information for addressing billing inquiries;
(5) a statement regarding how an uninsured patient may apply for consideration under the hospital's financial assistance policy on or with each hospital bill sent to an uninsured patient; and
(6) notice that the patient may obtain an itemized bill upon request.

If a hospital bills a patient, then the hospital must provide an itemized statement of charges for the inpatient and outpatient services rendered by the hospital upon receiving a request from the patient.

Section 25. Bill inquiries.

(a) A hospital must implement a process for patients to inquire about or dispute a bill. Such process must include a telephone number for billing inquiries and disputes and may include any of the following options:

(1) a toll-free telephone number that the patient may call;
(2) an address to which he or she may write;
(3) a department or identified individual within the hospital he or she may call or write, with appropriate contact information; or
(4) a website or e-mail address.
(b) All hospital bills and collection notices must provide a telephone number allowing the patient to inquire about or dispute a bill.

(c) The hospital must return calls made by patients as promptly as possible, but no later than 2 business days after the call is made. If the hospital's billing inquiry process involves correspondence from the patient, the hospital must respond within 10 business days of receipt of the patient correspondence. For purposes of this Section, "business day" means a day on which the hospital's billing office is open for regular business.

Section 30. Pursuing collection action.

(a) Hospitals and their agents may pursue collection action against an uninsured patient only if the following conditions are met:

(1) The hospital has given the uninsured patient the opportunity to:
   (A) assess the accuracy of the bill;
   (B) apply for financial assistance under the hospital's financial assistance policy; and
   (C) avail themselves of a reasonable payment plan.

(2) If the uninsured patient has indicated an inability to pay the full amount of the debt in one payment, the hospital has offered the patient a reasonable payment plan. The hospital may require the uninsured patient to provide reasonable verification of his or her inability to pay the full amount of the debt in one payment.

(3) To the extent the hospital provides financial assistance and the circumstances of the uninsured patient suggest the potential for eligibility for charity care, the uninsured patient has been given at least 60 days following the date of discharge or receipt of outpatient care to submit an application for financial assistance.

(4) If the uninsured patient has agreed to a reasonable payment plan with the hospital, and the patient has failed to make payments in accordance with that reasonable payment plan.

(5) If the uninsured patient informs the hospital that he or she has applied for health care coverage under Medicaid, Kidcare, or other government-sponsored health care program (and there is a
reasonable basis to believe that the patient will qualify for such program) but the patient's application is denied.

(b) A hospital may not refer a bill, or portion thereof, to a collection agency or attorney for collection action against the insured patient, without first offering the patient the opportunity to request a reasonable payment plan for the amount personally owed by the patient. Such an opportunity shall be made available for the 30 days following the date of the initial bill. If the insured patient requests a reasonable payment plan, but fails to agree to a plan within 30 days of the request, the hospital may proceed with collection action against the patient.

(c) No collection agency, law firm, or individual may initiate legal action for non-payment of a hospital bill against a patient without the written approval of an authorized hospital employee who reasonably believes that the conditions for pursuing collection action under this Section have been met.

(d) Nothing in this Section prohibits a hospital from engaging an outside third party agency, firm, or individual to manage the process of implementing the hospital's financial assistance and reasonable payment plan programs and policies so long as such agency, firm, or individual is contractually bound to comply with the terms of this Act.

Section 35. Collection limitations. The hospital shall not pursue legal action for non-payment of a hospital bill against uninsured patients who have clearly demonstrated that they have neither sufficient income nor assets to meet their financial obligations provided the patient has complied with Section 45 of this Act.

Section 40. Hospital agents. The hospital must ensure that any external collection agency, law firm, or individual engaged by the hospital to obtain payment of outstanding bills for hospital services agrees in writing to comply with the collections provisions of this Act.

Section 45. Patient responsibilities.

(a) To receive the protection and benefits of this Act, a patient responsible for paying a hospital bill must act reasonably and cooperate in good faith with the hospital by providing the hospital with all of the reasonably requested financial and other relevant information and

New matter indicated by italics - deletions by strikeout
documentation needed to determine the patient's eligibility under the hospital's financial assistance policy and reasonable payment plan options to qualified patients within 30 days of a request for such information.

(b) To receive the protection and benefits of this Act, a patient responsible for paying a hospital bill shall communicate to the hospital any material change in the patient's financial situation that may affect the patient's ability to abide by the provisions of an agreed upon reasonable payment plan or qualification for financial assistance within 30 days of the change.

Section 50. Notification concerning out-of-network providers. During the admission or as soon as practicable thereafter, the hospital must provide an insured patient with written notice that:

(1) the patient may receive separate bills for services provided by health care professionals affiliated with the hospital;

(2) if applicable, some hospital staff members may not be participating providers in the same insurance plans and networks as the hospital;

(3) if applicable, the patient may have a greater financial responsibility for services provided by health care professionals at the hospital who are not under contract with the patient's health care plan; and

(4) questions about coverage or benefit levels should be directed to the patient's health care plan and the patient's certificate of coverage.

Section 55. Enforcement.

(a) The Attorney General is responsible for administering and ensuring compliance with this Act, including the development of any rules necessary for the implementation and enforcement of this Act.

(b) The Attorney General shall develop and implement a process for receiving and handling complaints from individuals or hospitals regarding possible violations of this Act.

(c) The Attorney General may conduct any investigation deemed necessary regarding possible violations of this Act by any hospital including, without limitation, the issuance of subpoenas to: (i) require the
hospital to file a statement or report or answer interrogatories in writing as to all information relevant to the alleged violations; (ii) examine under oath any person who possesses knowledge or information directly related to the alleged violations; and (iii) examine any record, book, document, account, or paper necessary to investigate the alleged violation.

(d) If the Attorney General determines that there is a reason to believe that any hospital has violated the Act, the Attorney General may bring an action in the name of the People of the State against the hospital to obtain temporary, preliminary, or permanent injunctive relief for any act, policy, or practice by the hospital that violates this Act. Before bringing such an action, the Attorney General may permit the hospital to submit a Correction Plan for the Attorney General's approval.

(e) This Section applies if:

(i) a court orders a party to make payments to the Attorney General and the payments are to be used for the operations of the Office of the Attorney General; or

(ii) a party agrees in a Correction Plan under this Act, to make payments to the Attorney General for the operations of the Office of the Attorney General.

(f) Moneys paid under any of the conditions described in (e) shall be deposited into the Attorney General court ordered and Voluntary Compliance Payment Projects Fund. Moneys in the Fund shall be used, subject to appropriation, for the performance of any function pertaining to the exercise of the duties to the Attorney General including, but not limited to, enforcement of any law of this State and conducting public education programs; however, any moneys in the Fund that are required by the court to be used for a particular purpose shall be used for that purpose.

(g) The Attorney General may seek the assessment of one or more of the following civil monetary penalties in any action filed under this Act where the hospital knowingly violates the Act:

(1) For violations, involving a pattern or practice, of not providing the information to patients under Sections 15, 20, 25, and 50, the civil monetary penalty shall not exceed $500 per violation.

New matter indicated by italics - deletions by strikeout
(2) For violations involving the failure to engage in or refrain from certain activities under Sections 30, 35 and 40, the civil monetary penalty shall not exceed $1000 per violation.

(h) In the event a court grants a final order of relief against any hospital for a violation of this Act, the Attorney General may, after all appeal rights have been exhausted, refer the hospital to the Illinois Department of Public Health for possible adverse licensure action under the Hospital Licensing Act.

Section 60. Limitations. Nothing in this Act shall be used by any private or public payer as a basis for reducing the third-party payer's rates, policies, or usual and customary charges for any health care service. Nothing in this Act shall be construed as imposing an obligation on a hospital to provide any particular service or treatment to an uninsured patient. Nothing in this Act shall be construed as imposing an obligation on a hospital to file a lawsuit to collect payment on a patient's bill. This Act establishes new and additional legal obligations for all hospitals in the State of Illinois. Nothing in this Act shall be construed as relieving or reducing any hospital of any other obligation under the Illinois Constitution or under any other statute or the common law including, without limitation, obligations of hospitals to furnish financial assistance or community benefits. No provision of this Act shall derogate from the common law or statutory authority of the Attorney General, nor shall any provision be construed as a limitation on the common law or statutory authority of the Attorney General to investigate hospitals or initiate enforcement actions against them including, without limitation, the authority to investigate at any time charitable trusts for the purpose of determining and ascertaining whether they are being administered in accordance with Illinois law and with the terms purposes thereof.

Section 70. Application.

(a) This Act applies to all hospitals licensed under the Hospital Licensing Act or the University of Illinois Hospital Act. This Act does not apply to a hospital that does not charge for its services.
(b) The obligations of hospitals under this Act shall take effect for services provided on or after the first day of the month that begins 180 days after the effective date of this Act.

Section 75. Home rule. A home rule unit may not regulate hospitals in a manner inconsistent with the provisions of this Act. This Section is a limitation under subsection (i) of Section 6 of the Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 80. Administrative Procedure Act. The Illinois Administrative Procedure Act applies to all rules promulgated by the Attorney General under the Act.

Section 999. Effective date. This Act takes effect January 1, 2007.
Passed in the General Assembly March 27, 2006.
Approved June 20, 2006.

PUBLIC ACT 94-0886
(House Bill No. 5267)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Condominium Property Act is amended by changing Section 27 as follows:

(765 ILCS 605/27) (from Ch. 30, par. 327)
Sec. 27. (a) If there is any unit owner other than the developer, the condominium instruments shall be amended only as follows:
(i) upon the affirmative vote of 2/3 of those voting or upon the majority specified by the condominium instruments, provided that in no event shall the condominium instruments require more than a three-quarters vote of unit owners; and
(ii) together with the approval of any mortgagees required under the provisions of the condominium instruments.

New matter indicated by italics - deletions by strikeout
Except in cases where this Act provides different methods of amendment or with respect to property whose declaration is recorded on or after July 1, 1984, no condominium instrument shall require more than a three-quarters vote of unit owners to amend the bylaws. Except to the extent authorized by other provisions of this Act, no amendment to the condominium instrument shall change the boundaries of any unit or the undivided interest in the common elements, the number of votes in the unit owners' association, or the liability for common expenses appertaining to a unit.

(b) (1) If there is an omission or error in the declaration, bylaws or other condominium instrument, the association may correct the error or omission by an amendment to the declaration, bylaws, or other condominium instrument in such respects as may be required to conform to this Act, and any other applicable statute or to the declaration by vote of two-thirds of the members of the Board of Managers or by a majority vote of the unit owners at a meeting called for this purpose, unless the Act or the condominium instruments specifically provide for greater percentages or different procedures.

(2) If through a scrivener's error, a unit has not been designated as owning an appropriate undivided share of the common elements or does not bear an appropriate share of the common expenses or that all the common expenses or all of the common elements in the condominium have not been distributed in the declaration, so that the sum total of the shares of common elements which have been distributed or the sum total of the shares of the common expenses fail to equal 100%, or if it appears that more than 100% of the common elements or common expenses have been distributed, the error may be corrected by operation of law by filing an amendment to the declaration approved by vote of two-thirds of the members of the Board of Managers or a majority vote of the unit owners at a meeting called for this purpose which proportionately adjusts all percentage interests so that the total is equal to 100% unless the condominium instruments specifically provide for a different procedure or different percentage vote by the owners of the units and the owners of mortgages thereon affected by modification being made in the undivided

New matter indicated by italics - deletions by strikeout
interest in the common elements, the number of votes in the unit owners association or the liability for common expenses appertaining to the unit.

(3) If an omission or error or a scrivener's error in the declaration, bylaws or other condominium instrument is corrected by vote of two-thirds of the members of the Board of Managers pursuant to the authority established in subsections (b)(1) or (b)(2) of Section 27 of this Act, the Board upon written petition by unit owners with 20 percent of the votes of the association filed within 30 days of the Board action shall call a meeting of the unit owners within 30 days of the filing of the petition to consider the Board action. Unless a majority of the votes of the unit owners of the association are cast at the meeting to reject the action, it is ratified whether or not a quorum is present.

(4) The procedures for amendments set forth in this subsection (b) cannot be used if such an amendment would materially or adversely affect property rights of the unit owners unless the affected unit owners consent in writing. This Section does not restrict the powers of the association to otherwise amend the declaration, bylaws, or other condominium instruments, but authorizes a simple process of amendment requiring a lesser vote for the purpose of correcting defects, errors, or omissions when the property rights of the unit owners are not materially or adversely affected.

(5) If there is an omission or error in the declaration, bylaws, or other condominium instruments, which may not be corrected by an amendment procedure set forth in paragraphs (1) and (2) of subsection (b) of Section 27 in the declaration then the Circuit Court in the County in which the condominium is located shall have jurisdiction to hear a petition of one or more of the unit owners thereon or of the association, to correct the error or omission, and the action may be a class action. The court may require that one or more methods of correcting the error or omission be submitted to the unit owners to determine the most acceptable correction. All unit owners in the association must be joined as parties to the action. Service of process on owners may be by publication, but the plaintiff shall furnish all unit owners not personally served with process with copies of

New matter indicated by italics - deletions by strikeout
the petition and final judgment of the court by certified mail return receipt requested, at their last known address.

(6) Nothing contained in this Section shall be construed to invalidate any provision of a condominium instrument authorizing the developer to amend a condominium instrument prior to the latest date on which the initial membership meeting of the unit owners must be held, whether or not it has actually been held, to bring the instrument into compliance with the legal requirements of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration, the United States Veterans Administration or their respective successors and assigns.

(Source: P.A. 84-545.)

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

Passed in the General Assembly March 27, 2006.
Approved June 20, 2006.
Effective June 20, 2006.

AN ACT concerning State government.

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

Section 5. The Disabled Persons Rehabilitation Act is amended by changing Section 13 as follows:

Sec. 13. The Department shall have all powers reasonable and necessary for the administration of institutions for persons with one or more disabilities under subsection (f) of Section 3 of this Act, including, but not limited to, the authority to do the following:

(a) Appoint and remove the superintendents of the institutions operated by the Department, obtain all other employees subject to the

New matter indicated by italics - deletions by strikeout
provisions of the Personnel Code, and conduct staff training programs for the development and improvement of services.

(b) Provide supervision, housing accommodations, board or the payment of boarding costs, tuition, and treatment free of charge, except as otherwise specified in this Act, for residents of this State who are cared for in any institution, or for persons receiving services under any program under the jurisdiction of the Department. Residents of other states may be admitted upon payment of the costs of board, tuition, and treatment as determined by the Department; provided, that no resident of another state shall be received or retained to the exclusion of any resident of this State. The Department shall accept any donation for the board, tuition, and treatment of any person receiving service or care.

(c) Cooperate with the State Board of Education and the Department of Children and Family Services in a program to provide for the placement, supervision, and foster care of children with handicaps who must leave their home community in order to attend schools offering programs in special education.

(d) Assess and collect (i) student activity fees and (ii) charges to school districts for transportation of students required under the School Code and provided by the Department. The Department shall direct the expenditure of all money that has been or may be received by any officer of the several State institutions under the direction and supervision of the Department as profit on sales from commissary stores, student activity fees, or charges for student transportation. The money shall be deposited into a locally held fund and expended under the direction of the Department for the special comfort, pleasure, and amusement of residents and employees and the transportation of residents, provided that amounts expended for comfort, pleasure, and amusement of employees shall not exceed the amount of profits derived from sales made to employees by the commissaries, as determined by the Department.

Funds deposited with State institutions under the direction and supervision of the Department by or for residents of those State institutions shall be deposited into interest-bearing accounts, and money received as interest and income on those funds shall be deposited into a...
"needy student fund" to be held and administered by the institution. Money in the "needy student fund" shall be expended for the special comfort, pleasure, and amusement of the residents of the particular institution where the money is paid or received.

Any money belonging to residents separated by death, discharge, or unauthorized absence from institutions described under this Section, in custody of officers of the institutions, may, if unclaimed by the resident or the legal representatives of the resident for a period of 2 years, be expended at the direction of the Department for the purposes and in the manner specified in this subsection (d). Articles of personal property, with the exception of clothing left in the custody of those officers, shall, if unclaimed for the period of 2 years, be sold and the money disposed of in the same manner.

Clothing left at the institution by residents at the time of separation may be used as determined by the institution if unclaimed by the resident or legal representatives of the resident within 30 days after notification.

(e) Keep, for each institution under the jurisdiction of the Department, a register of the number of officers, employees, and residents present each day in the year, in a form that will permit a calculation of the average number present each month.

(f) (Blank).

(g) (Blank).

(h) (Blank).

(i) Accept and hold in behalf of the State, if for the public interest, a grant, gift, or legacy of money or property to the State of Illinois, to the Department, or to any institution or program of the Department made in trust for the maintenance or support of a resident of an institution of the Department, or for any other legitimate purpose connected with any such institution or program. The Department shall cause each gift, grant, or legacy to be kept as a distinct fund, and shall invest the gift, grant, or legacy in the manner provided by the laws of this State as those laws now exist or shall hereafter be enacted relating to securities in which the deposits in savings banks may be invested. The Department may, however, in its discretion, deposit in a proper trust company or savings bank, during
the continuance of the trust, any fund so left in trust for the life of a person and shall adopt rules and regulations governing the deposit, transfer, or withdrawal of the fund. The Department shall, on the expiration of any trust as provided in any instrument creating the trust, dispose of the fund thereby created in the manner provided in the instrument. The Department shall include in its required reports a statement showing what funds are so held by it and the condition of the funds. Monies found on residents at the time of their admission, or accruing to them during their period of institutional care, and monies deposited with the superintendents by relatives, guardians, or friends of residents for the special comfort and pleasure of a resident, shall remain in the possession of the superintendents, who shall act as trustees for disbursement to, in behalf of, or for the benefit of the resident. All types of retirement and pension benefits from private and public sources may be paid directly to the superintendent of the institution where the person is a resident, for deposit to the resident's trust fund account.

(j) Appoint, subject to the Personnel Code, persons to be members of a police and security force. Members of the police and security force shall be peace officers and as such have all powers possessed by policemen in cities and sheriffs, including the power to make arrests on view or warrants of violations of State statutes or city or county ordinances. These powers may, however, be exercised only in counties of more than 500,000 population when required for the protection of Department properties, interests, and personnel, or specifically requested by appropriate State or local law enforcement officials. Members of the police and security force may not serve and execute civil processes.

(k) Maintain, and deposit receipts from the sale of tickets to athletic, musical, and other events, fees for participation in school sponsored tournaments and events, and revenue from student activities relating to charges for art and woodworking projects, charges for automobile repairs, and other revenue generated from student projects into, locally held accounts not to exceed $20,000 $10,000 per account facility for the purposes of (i) providing immediate payment to officials, judges, and athletic referees for their services rendered and for other

New matter indicated by italics - deletions by strikeout
related expenses at school sponsored contests, tournaments, or events, and
(ii) providing payment for expenses related to student revenue producing
activities such as art and woodworking projects, automotive repair work,
and other student activities or projects that generate revenue and incur
expenses, and (iii) providing students who are enrolled in an independent
living program with cash so that they may fulfill course objectives by
purchasing commodities and other required supplies.

(l) Advance money from its appropriations to be maintained in
locally held accounts at the schools to establish (i) a "Student
Compensation Account" to pay students for work performed under the
student work program, and (ii) a "Student Activity Travel Account" to pay
transportation, meals, and lodging costs of students, coaches, and activity
sponsors while traveling off campus for sporting events, lessons, and other
activities directly associated with the representation of the school. Funds
in the "Student Compensation Account" shall not exceed $20,000, and
funds in the "Student Activity Travel Account" shall not exceed $200,000.

(m) Promulgate rules of conduct applicable to the residents of
institutions for persons with one or more disabilities. The rules shall
include specific standards to be used by the Department to determine (i)
whether financial restitution shall be required in the event of losses or
damages resulting from a resident's action and (ii) the ability of the
resident and the resident's parents to pay restitution.

(Blank).

(Source: P.A. 89-507, eff. 7-1-97; 90-372, eff. 7-1-98.)

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

Approved June 20, 2006.
Effective June 20, 2006.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 4 as follows:

(325 ILCS 5/4) (from Ch. 23, par. 2054)

Sec. 4. Persons required to report; privileged communications; transmitting false report. Any physician, resident, intern, hospital, hospital administrator and personnel engaged in examination, care and treatment of persons, surgeon, dentist, dentist hygienist, osteopath, chiropractor, podiatrist, physician assistant, substance abuse treatment personnel, funeral home director or employee, coroner, medical examiner, emergency medical technician, acupuncturist, crisis line or hotline personnel, school personnel (including administrators and both certified and non-certified school employees), educational advocate assigned to a child pursuant to the School Code, truant officers, social worker, social services administrator, domestic violence program personnel, registered nurse, licensed practical nurse, genetic counselor, respiratory care practitioner, advanced practice nurse, home health aide, director or staff assistant of a nursery school or a child day care center, recreational program or facility personnel, law enforcement officer, licensed professional counselor, licensed clinical professional counselor, registered psychologist and assistants working under the direct supervision of a psychologist, psychiatrist, or field personnel of the Illinois Department of Healthcare and Family Services (Public Aid, Public Health, Human Services (acting as successor to the Department of Mental Health and Developmental Disabilities, Rehabilitation Services, or Public Aid), Corrections, Human Rights, or Children and Family Services, supervisor and administrator of general assistance under the Illinois Public Aid Code, probation officer, or any other foster parent, homemaker or child care worker having reasonable cause to believe a child known to them in their professional or official capacity may be an abused child or a neglected child shall immediately report or cause a report to be made to the Department.

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional

New matter indicated by italics - deletions by strikeout
capacity may be an abused child as defined in item (c) of the definition of "abused child" in Section 3 of this Act shall immediately report or cause a report to be made to the Department.

If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse.

Whenever such person is required to report under this Act in his capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, or as a member of the clergy, he shall make report immediately to the Department in accordance with the provisions of this Act and may also notify the person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent that such report has been made. Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required by this Act.

A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

New matter indicated by italics - deletions by strikeout
In addition to the above persons required to report suspected cases of abused or neglected children, any other person may make a report if such person has reasonable cause to believe a child may be an abused child or a neglected child.

Any person who enters into employment on and after July 1, 1986 and is mandated by virtue of that employment to report under this Act, shall sign a statement on a form prescribed by the Department, to the effect that the employee has knowledge and understanding of the reporting requirements of this Act. The statement shall be signed prior to commencement of the employment. The signed statement shall be retained by the employer. The cost of printing, distribution, and filing of the statement shall be borne by the employer.

The Department shall provide copies of this Act, upon request, to all employers employing persons who shall be required under the provisions of this Section to report under this Act.

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the "Criminal Code of 1961". Any person who violates this provision a second or subsequent time shall be guilty of a Class 3 felony.

Any person who knowingly and willfully violates any provision of this Section other than a second or subsequent violation of transmitting a false report as described in the preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan or scheme having as its object the prevention of discovery of an abused or neglected child by lawful authorities for the purpose of protecting or insulating any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense (regardless of whether the second or subsequent offense involves any of the same facts or persons as the first or other prior offense).

A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment
or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.

A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

(Source: P.A. 92-16, eff. 6-28-01; 92-801, eff. 8-16-02; 93-137, eff. 7-10-03; 93-356, eff. 7-24-03; 93-431, eff. 8-5-03; 93-1041, eff. 9-29-04; revised 12-15-05.)

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

Passed in the General Assembly March 27, 2006.
Approved June 20, 2006.
Effective June 20, 2006.

PUBLIC ACT 94-0889
(House Bill No. 5376)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Business Corporation Act of 1983 is amended by changing Sections 6.15, 8.75, 11.70, and 12.56 as follows:

(805 ILCS 5/6.15) (from Ch. 32, par. 6.15)
Sec. 6.15. Issuance of fractional shares or scrip. A corporation may, but shall not be obliged to, issue a certificate for a fractional share, and, by action of its board of directors, may in lieu thereof, pay cash equal to the fair value of said fractional share, or issue scrip in registered or bearer form which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip aggregating a full share. A certificate for a fractional share shall, but scrip shall not unless otherwise provided therein, entitle the holder to exercise fractional voting rights, to receive dividends thereon and to participate in any of the assets of the corporation in the event of liquidation. The board of directors may cause

New matter indicated by italics - deletions by strikeout
such scrip to be issued subject to the condition that it shall become void if not exchanged for certificates representing full shares before a specified date, or subject to the condition that the shares for which such scrip is exchangeable may be sold by the corporation or by an agent on behalf of the holder thereof and the proceeds thereof distributed to the holders of such scrip or subject to any other conditions which the board of directors may deem advisable.

For purposes of this Section, "fair value", with respect to the cashout of a fractional share, means the proportionate interest of the fractional share in the corporation, without any discount for minority status or, absent extraordinary circumstance, lack of marketability.

(Source: P.A. 83-1025.)

(805 ILCS 5/8.75) (from Ch. 32, par. 8.75)

Sec. 8.75. Indemnification of officers, directors, employees and agents; insurance.

(a) A corporation may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the corporation) by reason of the fact that he or she is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the
corporation or, with respect to any criminal action or proceeding, that the person had reasonable cause to believe that his or her conduct was unlawful.

(b) A corporation may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that such person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation, provided that no indemnification shall be made with respect to any claim, issue, or matter as to which such person has been adjudged to have been liable to the corporation, unless, and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability, but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

(c) To the extent that a present or former director, officer or employee of a corporation has been successful, on the merits or otherwise, in the defense of any action, suit or proceeding referred to in subsections (a) and (b), or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection therewith, if the person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation.

(d) Any indemnification under subsections (a) and (b) (unless ordered by a court) shall be made by the corporation only as authorized in the specific case, upon a determination that indemnification of the present or former director, officer, employee or agent is proper in the

New matter indicated by italics - deletions by strikeout
circumstances because he or she has met the applicable standard of conduct set forth in subsections (a) or (b). Such determination shall be made with respect to a person who is a director or officer at the time of the determination: (1) by the majority vote of the directors who are not parties to such action, suit or proceeding, even though less than a quorum, (2) by a committee of the directors who are not parties to such action, suit, or proceeding, even though less than a quorum, designated by a majority vote of the directors, even though less than a quorum, (3) if there are no such directors, or if the directors so direct, by independent legal counsel in a written opinion, or (4) by the shareholders.

(e) Expenses (including attorney's fees) incurred by an officer or director in defending a civil or criminal action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of the director or officer to repay such amount if it shall ultimately be determined that such person is not entitled to be indemnified by the corporation as authorized in this Section. Such expenses (including attorney's fees) incurred by former directors and officers or other employees and agents may be so paid on such terms and conditions, if any, as the corporation deems appropriate.

(f) The indemnification and advancement of expenses provided by or granted under the other subsections of this Section shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any by-law, agreement, vote of shareholders or disinterested directors, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office.

(g) A corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the corporation would have

New matter indicated by italics - deletions by strikeout
the power to indemnify such person against such liability under the provisions of this Section.

(h) If a corporation indemnifies or advances expenses to a director or officer under subsection (b) of this Section, the corporation shall report the indemnification or advance in writing to the shareholders with or before the notice of the next shareholders meeting.

(i) For purposes of this Section, references to "the corporation" shall include, in addition to the surviving corporation, any merging corporation (including any corporation having merged with a merging corporation) absorbed in a merger which, if its separate existence had continued, would have had the power and authority to indemnify its directors, officers, and employees or agents, so that any person who was a director, officer, employee or agent of such merging corporation, or was serving at the request of such merging corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall stand in the same position under the provisions of this Section with respect to the surviving corporation as such person would have with respect to such merging corporation if its separate existence had continued.

(j) For purposes of this Section, references to "other enterprises" shall include employee benefit plans; references to "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and references to "serving at the request of the corporation" shall include any service as a director, officer, employee or agent of the corporation which imposes duties on, or involves services by such director, officer, employee, or agent with respect to an employee benefit plan, its participants, or beneficiaries. A person who acted in good faith and in a manner he or she reasonably believed to be in the best interests of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interest of the corporation" as referred to in this Section.

(k) The indemnification and advancement of expenses provided by or granted under this Section shall, unless otherwise provided when authorized or ratified, continue as to a person who has ceased to be a

New matter indicated by italics - deletions by strikeout
director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of that person.

(1) The changes to this Section made by this amendatory Act of the 92nd General Assembly apply only to actions commenced on or after the effective date of this amendatory Act of the 92nd General Assembly.

(Source: P.A. 91-464, eff. 1-1-00; 92-33, eff. 7-1-01.)

(805 ILCS 5/11.70) (from Ch. 32, par. 11.70)

Sec. 11.70. Procedure to Dissent.

(a) If the corporate action giving rise to the right to dissent is to be approved at a meeting of shareholders, the notice of meeting shall inform the shareholders of their right to dissent and the procedure to dissent. If, prior to the meeting, the corporation furnishes to the shareholders material information with respect to the transaction that will objectively enable a shareholder to vote on the transaction and to determine whether or not to exercise dissenters' rights, a shareholder may assert dissenters' rights only if the shareholder delivers to the corporation before the vote is taken a written demand for payment for his or her shares if the proposed action is consummated, and the shareholder does not vote in favor of the proposed action.

(b) If the corporate action giving rise to the right to dissent is not to be approved at a meeting of shareholders, the notice to shareholders describing the action taken under Section 11.30 or Section 7.10 shall inform the shareholders of their right to dissent and the procedure to dissent. If, prior to or concurrently with the notice, the corporation furnishes to the shareholders material information with respect to the transaction that will objectively enable a shareholder to determine whether or not to exercise dissenters' rights, a shareholder may assert dissenters' rights only if he or she delivers to the corporation within 30 days from the date of mailing the notice a written demand for payment for his or her shares.

(c) Within 10 days after the date on which the corporate action giving rise to the right to dissent is effective or 30 days after the shareholder delivers to the corporation the written demand for payment, whichever is later, the corporation shall send each shareholder who has
delivered a written demand for payment a statement setting forth the opinion of the corporation as to the estimated fair value of the shares, the corporation's latest balance sheet as of the end of a fiscal year ending not earlier than 16 months before the delivery of the statement, together with the statement of income for that year and the latest available interim financial statements, and either a commitment to pay for the shares of the dissenting shareholder at the estimated fair value thereof upon transmittal to the corporation of the certificate or certificates, or other evidence of ownership, with respect to the shares, or instructions to the dissenting shareholder to sell his or her shares within 10 days after delivery of the corporation's statement to the shareholder. The corporation may instruct the shareholder to sell only if there is a public market for the shares at which the shares may be readily sold. If the shareholder does not sell within that 10 day period after being so instructed by the corporation, for purposes of this Section the shareholder shall be deemed to have sold his or her shares at the average closing price of the shares, if listed on a national exchange, or the average of the bid and asked price with respect to the shares quoted by a principal market maker, if not listed on a national exchange, during that 10 day period.

(d) A shareholder who makes written demand for payment under this Section retains all other rights of a shareholder until those rights are cancelled or modified by the consummation of the proposed corporate action. Upon consummation of that action, the corporation shall pay to each dissenter who transmits to the corporation the certificate or other evidence of ownership of the shares the amount the corporation estimates to be the fair value of the shares, plus accrued interest, accompanied by a written explanation of how the interest was calculated.

(e) If the shareholder does not agree with the opinion of the corporation as to the estimated fair value of the shares or the amount of interest due, the shareholder, within 30 days from the delivery of the corporation's statement of value, shall notify the corporation in writing of the shareholder's estimated fair value and amount of interest due and demand payment for the difference between the shareholder's estimate of fair value and interest due and the amount of the payment by the

New matter indicated by italics - deletions by strikeout
corporation or the proceeds of sale by the shareholder, whichever is applicable because of the procedure for which the corporation opted pursuant to subsection (c).

(f) If, within 60 days from delivery to the corporation of the shareholder notification of estimate of fair value of the shares and interest due, the corporation and the dissenting shareholder have not agreed in writing upon the fair value of the shares and interest due, the corporation shall either pay the difference in value demanded by the shareholder, with interest, or file a petition in the circuit court of the county in which either the registered office or the principal office of the corporation is located, requesting the court to determine the fair value of the shares and interest due. The corporation shall make all dissenters, whether or not residents of this State, whose demands remain unsettled parties to the proceeding as an action against their shares and all parties shall be served with a copy of the petition. Nonresidents may be served by registered or certified mail or by publication as provided by law. Failure of the corporation to commence an action pursuant to this Section shall not limit or affect the right of the dissenting shareholders to otherwise commence an action as permitted by law.

(g) The jurisdiction of the court in which the proceeding is commenced under subsection (f) by a corporation is plenary and exclusive. The court may appoint one or more persons as appraisers to receive evidence and recommend decision on the question of fair value. The appraisers have the power described in the order appointing them, or in any amendment to it.

(h) Each dissenter made a party to the proceeding is entitled to judgment for the amount, if any, by which the court finds that the fair value of his or her shares, plus interest, exceeds the amount paid by the corporation or the proceeds of sale by the shareholder, whichever amount is applicable.

(i) The court, in a proceeding commenced under subsection (f), shall determine all costs of the proceeding, including the reasonable compensation and expenses of the appraisers, if any, appointed by the court under subsection (g), but shall exclude the fees and expenses of
counsel and experts for the respective parties. If the fair value of the shares as determined by the court materially exceeds the amount which the corporation estimated to be the fair value of the shares or if no estimate was made in accordance with subsection (c), then all or any part of the costs may be assessed against the corporation. If the amount which any dissenter estimated to be the fair value of the shares materially exceeds the fair value of the shares as determined by the court, then all or any part of the costs may be assessed against that dissenter. The court may also assess the fees and expenses of counsel and experts for the respective parties, in amounts the court finds equitable, as follows:

(1) Against the corporation and in favor of any or all dissenters if the court finds that the corporation did not substantially comply with the requirements of subsections (a), (b), (c), (d), or (f).

(2) Against either the corporation or a dissenter and in favor of any other party if the court finds that the party against whom the fees and expenses are assessed acted arbitrarily, vexatiously, or not in good faith with respect to the rights provided by this Section.

If the court finds that the services of counsel for any dissenter were of substantial benefit to other dissenters similarly situated and that the fees for those services should not be assessed against the corporation, the court may award to that counsel reasonable fees to be paid out of the amounts awarded to the dissenters who are benefited. Except as otherwise provided in this Section, the practice, procedure, judgment and costs shall be governed by the Code of Civil Procedure.

(j) As used in this Section:

(1) "Fair value", with respect to a dissenter's shares, means the proportionate interest of the shareholder in the corporation, without discount for minority status or, absent extraordinary circumstance, lack of marketability, value of the shares immediately before the consummation of the corporate action to which the dissenter objects excluding any appreciation or depreciation in anticipation of the corporate action, unless exclusion would be inequitable.

New matter indicated by italics - deletions by strikeout
(2) "Interest" means interest from the effective date of the corporate action until the date of payment, at the average rate currently paid by the corporation on its principal bank loans or, if none, at a rate that is fair and equitable under all the circumstances. (Source: P.A. 86-1156.)

(805 ILCS 5/12.56)
Sec. 12.56. Shareholder remedies: non-public corporations.
(a) In an action by a shareholder in a corporation that has no shares listed on a national securities exchange or regularly traded in a market maintained by one or more members of a national or affiliated securities association, the Circuit Court may order one or more of the remedies listed in subsection (b) if it is established that:

(1) The directors are deadlocked, whether because of even division in the number of directors or because of greater than majority voting requirements in the articles of incorporation or the by-laws or otherwise, in the management of the corporate affairs; the shareholders are unable to break the deadlock; and either irreparable injury to the corporation is thereby caused or threatened or the business of the corporation can no longer be conducted to the general advantage of the shareholders; or

(2) The shareholders are deadlocked in voting power and have failed, for a period that includes at least 2 consecutive annual meeting dates, to elect successors to directors whose terms have expired and either irreparable injury to the corporation is thereby caused or threatened or the business of the corporation can no longer be conducted to the general advantage of the shareholders; or

(3) The directors or those in control of the corporation have acted, are acting, or will act in a manner that is illegal, oppressive, or fraudulent with respect to the petitioning shareholder whether in his or her capacity as a shareholder, director, or officer; or

(4) The corporation assets are being misapplied or wasted.

(b) The relief which the court may order in an action under subsection (a) includes but is not limited to the following:

New matter indicated by italics - deletions by strikeout
(1) The performance, prohibition, alteration, or setting aside of any action of the corporation or of its shareholders, directors, or officers of or any other party to the proceedings;
(2) The cancellation or alteration of any provision in the corporation's articles of incorporation or by-laws;
(3) The removal from office of any director or officer;
(4) The appointment of any individual as a director or officer;
(5) An accounting with respect to any matter in dispute;
(6) The appointment of a custodian to manage the business and affairs of the corporation to serve for the term and under the conditions prescribed by the court;
(7) The appointment of a provisional director to serve for the term and under the conditions prescribed by the court;
(8) The submission of the dispute to mediation or other forms of non-binding alternative dispute resolution;
(9) The payment of dividends;
(10) The award of damages to any aggrieved party;
(11) The purchase by the corporation or one or more other shareholders of all, but not less than all, of the shares of the petitioning shareholder for their fair value and on the terms determined under subsection (e); or
(12) The dissolution of the corporation if the court determines that no remedy specified in subdivisions (1) through (11) or other alternative remedy is sufficient to resolve the matters in dispute. In determining whether to dissolve the corporation, the court shall consider among other relevant evidence the financial condition of the corporation but may not refuse to dissolve the corporation solely because it has accumulated earnings or current operating profits.

(c) The remedies set forth in subsection (b) shall not be exclusive of other legal and equitable remedies which the court may impose.

(d) In determining the appropriate relief to order pursuant to this Section, the court may take into consideration the reasonable expectations

New matter indicated by italics - deletions by strikeout
of the corporation's shareholders as they existed at the time the corporation was formed and developed during the course of the shareholders' relationship with the corporation and with each other.

(e) If the court orders a share purchase, it shall:

(i) Determine the fair value of the shares, with or without the assistance of appraisers, taking into account any impact on the value of the shares resulting from the actions giving rise to a petition under this Section;

(ii) Consider any financial or legal constraints on the ability of the corporation or the purchasing shareholder to purchase the shares;

(iii) Specify the terms of the purchase, including, if appropriate, terms for installment payments, interest at the rate and from the date determined by the court to be equitable, subordination of the purchase obligation to the rights of the corporation's other creditors, security for a deferred purchase price, and a covenant not to compete or other restriction on the seller;

(iv) Require the seller to deliver all of his or her shares to the purchaser upon receipt of the purchase price or the first installment of the purchase price; and

(v) Retain jurisdiction to enforce the purchase order by, among other remedies, ordering the corporation to be dissolved if the purchase is not completed in accordance with the terms of the purchase order.

For purposes of this subsection (e), "fair value", with respect to a petitioning shareholder's shares, means the proportionate interest of the shareholder in the corporation, without any discount for minority status or, absent extraordinary circumstances, lack of marketability.

The purchase ordered pursuant to this subsection (e) shall be consummated within 20 days after the date the order becomes final unless before that time the corporation files with the court a notice of its intention to dissolve and articles of dissolution are properly filed with the Secretary of State within 50 days after filing the notice with the court.

New matter indicated by italics - deletions by strikeout
After the purchase order is entered and before the purchase price is fully paid, any party may petition the court to modify the terms of the purchase and the court may do so if it finds that such changes are equitable.

Unless the purchase order is modified by the court, the selling shareholder shall have no further rights as a shareholder from the date the seller delivers all of his or her shares to the purchaser or such other date specified by the court.

If the court orders shares to be purchased by one or more other shareholders, in allocating the shares to be purchased by the other shareholders, unless equity requires otherwise, the court shall attempt to preserve the existing distribution of voting rights and other designations, preferences, qualifications, limitations, restrictions and special or relative rights among the holders of the class or classes and may direct that holders of a specific class or classes shall not participate in the purchase.

(f) When the relief requested by the petition includes the purchase of the petitioner's shares, then at any time within 90 days after the filing of the petition under this Section, or at such time determined by the court to be equitable, the corporation or one or more shareholders may elect to purchase all, but not less than all, of the shares owned by the petitioning shareholder for their fair value. An election pursuant to this Section shall state in writing the amount which the electing party will pay for the shares.

(1) The election shall be irrevocable unless the court determines that it is equitable to set aside or modify the election.

(2) If the election to purchase is filed by one or more shareholders, the corporation shall, within 10 days thereafter, give written notice to all shareholders. The notice must state: (i) the name and number of shares owned by the petitioner; (ii) the name and number of shares owned by each electing shareholder; and (iii) the amount which each electing party will pay for the shares and must advise the recipients of their right to join in the election to purchase shares. Shareholders who wish to participate must file notice of their intention to join in a purchase no later than 30 days after the date of the notice to them or at such time as the court in its
discretion may allow. All shareholders who have filed an election or notice of their intention to participate in the election to purchase thereby become parties to the proceeding and shall participate in the purchase in proportion to their ownership of shares as of the date the first election was filed, unless they otherwise agree or the court otherwise directs.

(3) The court in its discretion may allow the corporation and all non-petitioning shareholders to file an election to purchase the petitioning shareholder's shares at a higher price. If the court does so, it shall allow other shareholders an opportunity to join in the purchase at the higher price in accordance with their proportionate ownership interest.

(4) After an election has been filed by the corporation or one or more shareholders, the proceeding filed under this Section may not be discontinued or settled, nor may the petitioning shareholder sell or otherwise dispose of his or her shares, unless the court determines that it would be equitable to the corporation and the shareholders, other than the petitioner, to permit the continuance, settlement, sale, or other disposition. In considering whether equity exists to approve any settlement, the court may take into consideration the reasonable expectations of the shareholders as set forth in subsection (d), including any existing agreement among the shareholders.

(5) If, within 30 days of the filing of the latest election allowed by the court, the parties reach agreement as to the fair value and terms of purchase of the petitioner's shares, the court shall enter an order directing the purchase of petitioner's shares upon the terms and conditions agreed to by the parties.

(6) If the parties are unable to reach an agreement as provided for in paragraph (5) of this subsection (f), the court, upon application of any party, shall stay the proceeding under subsection (a) and shall determine the fair value of the petitioner's shares pursuant to subsection (e) as of the day before the date on which

New matter indicated by italics - deletions by strikeout
the petition under subsection (a) was filed or as of such other date as the court deems appropriate under the circumstances.

(g) In any proceeding under this Section, the court shall allow reasonable compensation to the custodian, provisional director, appraiser, or other such person appointed by the court for services rendered and reimbursement or direct payment of reasonable costs and expenses, which amounts shall be paid by the corporation.

(Source: P.A. 94-394, eff. 8-1-05.)
Approved June 20, 2006.

PUBLIC ACT 94-0890
(House Bill No. 5429)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Public Community College Act is amended by adding Section 2-23 as follows:
(110 ILCS 805/2-23 new)
Sec. 2-23. Mobile response workforce training pilot program.
(a) From appropriations made for the purposes of this Section, the State Board shall implement and administer a mobile response workforce training pilot program at 3 community colleges to address the fact that businesses are struggling to recruit a qualified workforce because of the frequent emergence of new technologies in the workplace and subsequent skill set requirements. The program shall meet all of the following requirements:

(1) The program must be a collaborative model that integrates mobile workforce training with job creation and economic development.

(2) The program must provide participating businesses with on-site training activities and resources across all functions,

New matter indicated by italics - deletions by strikeout
including without limitation recruiting, assessing and training potential employees, developing and producing training materials, providing training facilities, and delivering customized services, with the long-term objective of maintaining business and industry in this State and attracting new businesses and industries to this State.

(3) The program must be operated for a period of 3 years. The program is encouraged to use the highly successful Alabama Industrial Development Training program as a model for guidance and direction.

(b) The State Board is authorized to administer the mobile response workforce training pilot program in conjunction with current programs and grants and in cooperation with other State agencies.

(c) The State Board shall by rule establish the criteria to be used in selecting the community colleges that are to participate in the mobile response workforce training pilot program, standards for implementation of the program, and goals to be accomplished during the 3 years of the program.

(d) On or before January 1, 2009, the State Board shall file with the Governor and the General Assembly a report on the progress of the mobile response workforce training pilot program.

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

Approved June 20, 2006.
Effective June 20, 2006.
Section 5. Upon the payment of the sum of $38,166.67 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Kankakee County, Illinois:

Parcel No. 3LR0082

Parcel 1: A part of the Southwest Quarter of Section 4, Township 31 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Commencing at the southwest corner of said Southwest Quarter; thence North 89 degrees 41 minutes 00 seconds East, 1,553.30 feet; thence North 08 degrees 19 minutes 00 seconds East, 30.00 feet; thence North 81 degrees 41 minutes 00 seconds West, 32.00 feet; thence North 08 degrees 20 minutes 00 seconds East, 26.02 feet to the Point of Beginning; thence North 08 degrees 20 minutes 00 seconds East, 165.51 feet on a line parallel with the east right of way line of the Illinois Central Railroad; thence North 81 degrees 40 minutes 00 seconds West, 1.00 feet; thence North 08 degrees 20 minutes 00 seconds East, 1,948.54 feet on a line parallel with said railroad; thence South 81 degrees 40 minutes 00 seconds East, 41.17 feet to the east right of way line of SBI 49; thence South 08 degrees 19 minutes 00 seconds West, 2,107.85 feet; thence South 89 degrees 19 minutes 00 seconds West, 41.25 feet parallel with and 60.0 feet north of the centerline of St. George Road to the Point of Beginning, containing 2.006 acres, more or less.

Parcel 2: A part of the Southwest Quarter of Section 4, Township 31 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Commencing at the southwest corner of said Southwest Quarter; thence North 89 degrees 41 minutes 00 seconds East, 1,553.30 feet; thence North 08 degrees 19 minutes 00 seconds East, 30.00 feet; thence North 81 degrees 41 minutes 00 seconds West, 32.00 feet; thence North 08 degrees 20 minutes 00 seconds East, 26.02 feet; thence South 89 degrees 19 minutes 00 seconds West, 31.36 feet to the Point of Beginning; thence South
89 degrees 19 minutes 00 seconds West, 20.23 feet parallel with
and 60.00 feet north of the centerline of St. George Road to the
east right of way line of the Illinois Central Railroad; thence North
08 degrees 20 minutes 00 seconds East, 173.27 feet along said
right of way line; thence South 81 degrees 40 minutes 00 seconds
East, 20.00 feet; thence South 08 degrees 20 minutes 00 seconds
West, 170.23 feet to the Point of Beginning, containing 0.079 acre,
more or less.
Parcel 3: A part of the Northwest Quarter of Section 9, Township
31 North, Range 12 East of the Third Principal Meridian,
Kankakee County, Illinois, described as follows: Commencing at
the northwest corner of said Northwest Quarter; thence North 89
degrees 41 minutes 00 seconds East, 1,553.30 feet; thence South
08 degrees 19 minutes 00 seconds West, 24.60 feet; thence South
89 degrees 12 minutes 00 seconds West, 30.54 feet; thence South
08 degrees 19 minutes 00 seconds West, 322.59 feet to the Point of
Beginning; thence South 81 degrees 41 minutes 00 seconds East,
40.00 feet to the east right of way line of SBI 49; thence South 08
degrees 19 minutes 00 seconds West, 39.29 feet along said right of
way line; thence South 05 degrees 50 minutes 00 seconds West,
390.65 feet along said right of way line; thence South 00 degrees
47 minutes 00 seconds West, 390.65 feet along said right of way
line; thence South 01 degrees 41 minutes 00 seconds East, 171.16
feet along said right of way line; thence South 88 degrees 19
minutes 00 seconds West, 90.00 feet; thence North 01 degree 41
minutes 00 seconds West, 171.16 feet; thence North 00 degrees 44
minutes 00 seconds West, 121.22 feet; thence North 08 degrees 17
minutes 00 seconds East, 673.64 feet; thence North 08 degrees 19
minutes 00 seconds East, 39.13 feet to the Point of Beginning,
containing 1.549 acres, more or less.
Section 10. Upon the payment of the sum of $2,500 to the State of
Illinois, and subject to the conditions set forth in Section 900 of this Act,
the easement for highway purposes acquired by the People of the State of
Illinois is released over and through the following described land in Monroe County, Illinois:

Parcel No. 800XB32
That part of the Southwest Quarter of the Northwest Quarter of Section 1, Township 4 South, Range 9 West of the Third Principal Meridian, in Monroe County Illinois, described as follows:
Commencing at the northwest corner of said Section 1; thence South 89 degrees 30 minutes 16 seconds East, 1,325.71 feet on the north line of said Section 1, to the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 1; thence South 00 degrees 12 minutes 44 seconds East, 2,114.51 feet along the east line of said Northwest Quarter of the Northwest Quarter and the east line of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 35 minutes 03 seconds West, 32.72 feet to the Point of Beginning.
From said Point of Beginning; thence South 00 degrees 24 minutes 57 seconds East, 155.00 feet; thence South 89 degrees 35 minutes 03 seconds West, 15.25 feet; thence northerly 212.02 feet on a curve to the right, having a radius of 5,661.65 feet, the chord of said curve bears North 43 degrees 26 minutes 13 seconds West, 212.01 feet to the existing northeasterly right of way line of Illinois Route 3; thence North 89 degrees 35 minutes 03 seconds East on said existing northeasterly right of way line, 159.90 feet to the Point of Beginning.
Parcel 800XB32 herein described contains 0.3148 acre or 13,715 square feet, more or less.

Section 15. Upon the payment of the sum of $5,000 to the State of Illinois, the rights or easement of access, crossing, light, air and view from, to and over the following described line and FA Route 12 (US 40) are restored subject to permit requirements of the State of Illinois, Department of Transportation:
Parcel No. 800XB69
A line in that part of Lot 1 of LOCHMANN SUBDIVISION, a tract of land being part of the south eight acres of the West Half of
the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 North, Range 6 West, and part of Outlot 1 in the Village of St. Jacob as shown in Plat Book 7, Page 2, of the Third Principal Meridian, Madison County, Illinois, according to the plat recorded in the Recorder's Office of Madison County, Illinois in Plat Cabinet 63, Page 263, said line being described as follows:

Beginning at the southeasterly corner of said Lot 1, also being on the northwesterly right of way line of U.S. Route 40 (F.A. Route 12); thence South 76 degrees 02 minutes 16 seconds West on the southerly line of said Lot 1 and said northwesterly right of way line, 94.66 feet to the east line of a 20 foot wide alley as vacated by the Village of St. Jacob Ordinance 01-444 as recorded on March 19, 2001 in Book 4421, Page 2037 in said Recorder's Office and being the Point of Terminus.

Section 20. Upon the payment of the sum of $2,700 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in LaSalle County, Illinois:

Parcel No. 3LR0095
That part of the Northwest Quarter of Section 20, Township 36 North, Range 3 East of the Third Principal Meridian, with bearings referenced to an assumed North, LaSalle County, Illinois, described as follows: Commencing at the northeast corner of Lot 1 in Block 1 in Goodbred's Modular Subdivision; thence North 63 degrees 37 minutes 00 seconds East, 300.81 feet along the southerly right of way line of U.S. Route 34 to the Point of Beginning; thence continuing North 63 degrees 37 minutes 00 seconds East, 185.76 feet along said southerly right of way line to the east line of said Northwest Quarter; thence South 00 degrees 55 minutes 43 seconds East, 144.75 feet along said east line to the northerly right of way line of the Burlington Northern Railroad; thence North 69 degrees 46 minutes 15 seconds West, 179.85 feet along said northerly right of way line to the Point of Beginning,
said tract containing 12,139 square feet, more or less, situated in the City of Earlville, State of Illinois.

Section 25. Upon the payment of the sum of $4,704.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Lee County, Illinois, to Ralph T. Snyder III:

Parcel No. 2XLE096
A part of the Northwest Quarter of Section 6, Township 21 North, Range 9 East of the Fourth Principal Meridian, Lee County, State of Illinois, described as follows: Commencing at the northwest corner of the Northwest Quarter of said Section 6; thence South 0 degrees 40 minutes 06 seconds East, 1230.18 feet on the west line of said Northwest Quarter to the southeasterly line of premises conveyed to Lloyd D. Rich and Evelyn E. Rich from Walter L. Zink and Janet D. Zink by Warranty Deed recorded April 9, 1970 in Book 259 at Page 359 in the Recorder's Office of Lee County; thence North 45 degrees 15 minutes 12 seconds East, 186.01 feet on the southeasterly line of said premises so conveyed, to the Point of Beginning. From the Point of Beginning thence North 45 degrees 15 minutes 12 seconds East, 148.67 feet on the southeasterly line of said premises so conveyed to the easterly line of premises so conveyed; thence North 0 degrees 40 minutes 06 seconds West, 84.02 feet on the easterly line of said premises so conveyed to the southwesterly line of premises conveyed to James R. Collins from Frank F. Densmore, James R. Collins, Richard D. Collins and George L. Balster by Warranty Deed recorded May 21, 1984 in Book 8405 at Page 676 in the Recorder's Office of Lee County; thence South 44 degrees 44 minutes 48 seconds East, 52.07 feet on the southwesterly line of premises so conveyed to the northwesterly right of way line of a public street designated South Service Drive; thence South 28 degrees 29 minutes 23 seconds West, 191.51 feet on said northwesterly right of way line to the northeasterly right of way line of a public street designated Kings

New matter indicated by italics - deletions by strikeout
Auto Body Drive; thence North 71 degrees 34 minutes 42 seconds West, 52.61 feet on said northwesterly right of way line to the Point of Beginning, containing 0.135 acres, more or less.
The said Real Estate being also shown by the plat hereto attached and made a part hereof.

Section 30. Upon the payment of the sum of $4,011.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Stephenson County, Illinois, to Delmar Kampen:

Parcel No. 2XST094
A part of the Northeast Quarter of the Southeast Quarter of Section 5 and part of the Northwest Quarter of the Southwest Quarter of Section 4, Township 26 North, Range 8 East of the Fourth Principal Meridian, Stephenson County, State of Illinois, described as follows:

Commencing at the northeast corner of the Southeast Quarter of Section 5 thence South 89 degrees 36 minutes 45 seconds West (Bearings assumed for description purposes only), 339.51 feet on the north line of the Southeast Quarter of said Section 5, to the easterly line of the Illinois Central Gulf Railroad right of way, thence South 11 degrees 17 minutes 40 seconds East, 157.88 feet on said railroad right of way, to the southerly right of way line of a public highway known as FA Route 5 (U.S. Route 20), to the Point of Beginning.

From the Point of Beginning thence North 89 degrees 18 minutes 47 seconds East, 97.88 feet on said right of way line, thence North 80 degrees 08 minutes 45 seconds East, 507.14 feet on said southerly right of way line, thence North 88 degrees 51 minutes 18 seconds East, 68.63 feet, thence South 56 degrees 02 minutes 18 seconds West, 304.53 feet, thence South 83 degrees 34 minutes 48 seconds West 391.15 feet, to said easterly right of way line of the Illinois Central Gulf Railroad, thence North 11 degrees 17 minutes 40 seconds West, 126.98 feet on said railroad right of way line, to
the Point of Beginning, containing 1.579 acres, more or less. The
said Real Estate being also shown by the plat hereto attached and
made a part hereof.

ACCESS CONTROL STATEMENT EXCEPTING, Direct Access
to FA Route 5 (US Route 20) shall not be restricted westerly of
chaining station 165+30.00 on the survey line of said FA Route 5
(US Route 20).

Section 35. Upon the payment of the sum of $9,200.00 to the State
of Illinois, and subject to the conditions set forth in Section 900 of this
Act, the easement for highway purposes acquired by the People of the
State of Illinois is released over and through the following described land
in Peoria County, Illinois:

Parcel No. 409574V
A part of Lots 3, 4, 5, and 6 in Galena Park Subdivision, being a
subdivision of part of the Northwest Quarter of Section 10,
Township 9 North, Range 8 East of the Fourth Principal Meridian,
Peoria County, Illinois, being more particularly described as
follows:

Commencing at the southeast corner of said Lot 3 in Galena Park
Subdivision, said point being 17.93 feet radially distant westerly of
the survey line of Illinois Route 24 (S.B.I. Route 29); thence South
89 degrees 52 minutes 00 seconds West (bearings are for
descriptive purposes only), along the south line of said Lot 3, a
distance of 55.50 feet to a point on the westerly right-of-way line
of said Route 24, said point being 70.00 feet radially distant
westerly of said survey line and the Point of Beginning of the tract
to be described:

from the Point of Beginning, thence North 27 degrees 50 minutes
36 seconds West, along said westerly right-of-way line, a distance
of 200.30 feet to a point 100.00 feet radially distant westerly of
said survey line; thence in a northwesterly direction along said
westerly right-of-way line, on a curve concave to the northeast
having a radius of 5829.65 feet and an arc length of 228.16 feet,
being subtended by a chord bearing North 17 degrees 16 minutes
10 seconds West and a chord length of 228.15 feet to a point 100.00 feet radially distant westerly of said survey line; thence South 89 degrees 36 minutes 22 seconds East, a distance of 31.30 feet to a point 70.00 feet radially distant westerly of said survey line; thence in a southeasterly direction on a curve concave to the northeast having a radius of 5799.65 feet and an arc length of 415.70 feet, being subtended by a chord bearing South 18 degrees 13 minutes 34 seconds East and a chord length of 415.61 feet to the Point of Beginning, containing 0.218 acres (9,492 square feet), more or less.

Section 40. Upon the payment of the sum of $4,391.67 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Grundy County, Illinois:

Parcel No. 3LR0099

That part of Lots 26 through 35 in Block 8 of Mitchell's Addition to Braceville, described as commencing at the southwest corner of said Lot 26; thence northwesterly on the westernmost line of said Lot, 79.18 feet to the Point of Beginning; thence continuing northwesterly, on said westernmost line, 35.00 feet; thence northeasterly, parallel with the centerline of Illinois Route 129 (FA Route 77), a distance of 221.00 feet to the easternmost line of said Lot 35; thence southeasterly on said easternmost line, 35.00 feet; thence southwesterly, parallel with the centerline of said Illinois Route 129, a distance of 221.00 feet to the Point of Beginning, containing 0.178 acres, more or less, all in Grundy County, Illinois.

Section 45. Upon the payment of the sum of $18,133.33 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Monroe County, Illinois:

Parcel No. 800XB57

New matter indicated by italics - deletions by strikeout
A part of Tax Lot 3A and Tax Lot 3F, being a part of Section 7, Township 3 South, Range 9 West of the Third Principal Meridian, in Monroe County Illinois, described as follows:

Commencing at an iron pipe found at the northwest corner of said Tax Lot 3A; thence on the northwesterly line of said Tax Lot 3A on an assumed bearing of South 56 degrees 00 minutes 51 seconds West, 268.62 feet to the Point of Beginning.

From said Point of Beginning; thence on the existing northerly right of way line of State Bond Issue Route No. 3 (marked Illinois Route 3), the following four (4) courses and distances: 1) thence South 51 degrees 29 minutes 50 seconds East, 530.66 feet; 2) thence South 34 degrees 12 minutes 48 seconds West, 136.95 feet; 3) thence South 54 degrees 23 minutes 08 seconds East, 100.00 feet; 4) thence South 34 degrees 12 minutes 48 seconds West, 21.41 feet; thence northwesterly, 643.98 feet on a curve to the right, having a radius of 5,649.65 feet, the chord of said curve bears North 44 degrees 17 minutes 37 seconds West, 643.63 feet; thence North 48 degrees 58 minutes 19 seconds East, 20.00 feet; thence northwesterly 23.09 feet on a curve to the right, having a radius of 5,629.65 feet, the chord of said curve bears North 40 degrees 54 minutes 38 seconds West, 23.09 feet to the existing northerly right of way line of said Illinois Route 3; thence North 56 degrees 00 minutes 51 seconds East on said existing northerly right of way line, 50.60 feet to the Point of Beginning.

Parcel 800XB57 herein described contains 1.4238 acre or 62,020 square feet, more or less.

Section 50. Upon the payment of the sum of $3,522.00 to the State of Illinois, and subject to the conditions set forth in Section 900 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Lee County, Illinois, to Patti J. Frey:

Parcel No. 2XLE094

Part of Lot 46 in Park Manor Addition to the City of Dixon, Lee County, State of Illinois, according to the Plat thereof recorded in
the Recorder's Office of Lee County, State of Illinois, in Book "C"
of Plats on page 21, said subdivision being a part of the Southwest
Quarter of Section 4, Township 21 North, Range 9 East of the
Fourth Principal Meridian, described as follows:
Beginning at the northeast corner of said Lot 46; thence South 2
degrees 02 minutes 42 seconds East (bearings assumed for
description purposes only), 30.98 feet on the east line of said Lot
46, to the northerly right of way line of a public street designated
Maple Avenue; thence South 73 degrees 31 minutes 49 seconds
West, 87.77 feet on said northerly right of way line, to the
southerly extension of the west line of the easterly 85 feet of Lot 45
in said Park Manor Addition; thence North 2 degrees 02 minutes
42 seconds West, 51.27 feet, to the north line of said Lot 46, also
being the southwest corner of the easterly 85 feet of said Lot 45;
thence North 86 degrees 53 minutes 43 seconds East, 85.01 feet on
said north line of Lot 46, to the Point of Beginning, containing
3,495.7 square feet (0.083 acre), more or less.
The said Real Estate being also shown by the plat hereto attached
and made a part hereof.

Section 55. Upon the payment of the sum of $775 to the State of
Illinois, and subject to the conditions set forth in Section 900 of this Act,
the easement for highway purposes acquired by the People of the State of
Illinois is released over and through the following described land in
Cumberland County, Illinois:
Parcel No. 7CU100X

A part of the Southeast Quarter of the Southeast Quarter of
Section 2, Township 9 North, Range 9 East of the Third Principal
Meridian, Cumberland County, Illinois, more particularly
described as follows:

Commencing at a P.K. Nail at the southeast corner of said
Section 2, (recorded as Monument Record Book 1, Page 215);
thence North 00 degrees 22 minutes 12 seconds West (all bearings
are assumed), along the east line of the Southeast Quarter of the
Southeast Quarter of said Section 2, a distance of 803.80 feet to the

New matter indicated by italics - deletions by strikeout
centerline of Federal Aid Route 12; thence South 36 degrees 02 minutes 00 seconds West along said centerline, a distance of 293.79 feet; thence southwesterly along said centerline a distance of 613.62 feet, being a curve concave to the northwest and tangent with the last described line, said curve has a radius of 3506.58 feet, central angle of 10 degrees 01 minutes 34 seconds and the chord bears South 41 degrees 02 minutes 47 seconds West; thence North 19 degrees 43 minutes 47 seconds West along the east line of Columbia Street extended and not tangent with the last described curve, a distance of 98.94 feet to the Point of Beginning; thence continuing North 19 degrees 43 minutes 47 seconds West along said east line a distance of 16.54 feet to the existing right of way line of Federal Aid Route 12; thence northeasterly along said right of way a distance of 172.00 feet, being a curve concave to the northwest and not tangent with the last described line, said curve has a radius of 3401.58 feet, central angle of 02 degrees 53 minutes 50 seconds and the chord bears North 43 degrees 48 minutes 48 seconds East; thence South 18 degrees 39 minutes 17 seconds East not tangent with the last described curve a distance of 17.14 feet; thence southwesterly a distance of 171.45 feet, being a curve concave to the northwest and not tangent with the last described line, said curve has a radius of 3416.58 feet, central angle of 02 degrees 52 minutes 31 seconds and the chord bears South 43 degrees 56 minutes 29 seconds West, to the Point of Beginning, containing 0.059 acres, more or less.

Section 800. "An Act concerning land", approved August 22, 2005, Public Act 94-656, is amended by changing Section 70 as follows:

(P.A. 94-656, Sec. 70)

Sec. 70. Subject to an agreement between the Illinois Department of Transportation and the United States Department of the Interior, Fish and Wildlife Service, and subject to the conditions set forth in Section 900 of this Act, the easements for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Pulaski County, Illinois:

New matter indicated by italics - deletions by strikeout
Parcel No. 9012X73

General Description: A part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, County of Pulaski, State of Illinois.

Detail Description: Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, located 80.35 feet northerly of the proposed centerline of FAS 942 (Mounds Road) at Station 18+51.97; thence South 00 degrees 37 minutes 20 seconds West along the West line of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, a distance of 2.32 feet to a point in the existing north right-of-way line of FAS 942 (Mounds Road), located 75.77 feet northerly of the said proposed centerline at Station 18+48.19; thence North 85 degrees 15 minutes 57 seconds East, along said right of way line, a distance of 40.42 feet to a point located 94.51 feet northeasterly of said centerline at Station 18+84.01; thence easterly along a non-tangential curve right, having a radius of 558.17 feet, an arc distance of 12.10 feet, the chord of said curve bears North 85 degrees 52 minutes 57 seconds East, to a point of intersection of the existing and proposed right of way lines located 100.00 feet northeasterly of said centerline at Station 18+94.78, said point being the Point of Beginning of this description; thence South 67 degrees 06 minutes 45 seconds East along the proposed right of way line a distance of 222.46 feet to a point located 100.00 feet northeasterly of said centerline at Station 21+17.24; thence southeasterly along the proposed right of way line and along a tangential curve right, concentric with said centerline, having a radius of 1054.93 feet, an arc distance of 393.48 feet, the chord of said curve bears South 56 degrees 25 minutes 38 seconds East, to a point of intersection of the existing and proposed right of way lines located 100.00 feet northeasterly of said centerline at Station 24+73.43; thence northwesterly along the existing right of way.

New matter indicated by italics - deletions by strikeout
line and along a non-tangential curve left, having a radius of 558.16 feet, an arc distance of 646.79 feet, the chord of said curve bears North 60 degrees 17 minutes 48 seconds West, to the Point of Beginning.
The above described tract contains 0.572 acres (24921.63 sq. feet) more or less.
AND
General Description: A part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, County of Pulaski, State of Illinois.
Detail Description: Commencing at the southeast corner of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, located 343.18 feet left of the proposed centerline of FAS 942 (Mounds Road) at Station 41+38.85; thence South 89 degrees 04 minutes 21 seconds West along the south line of the Northwest Quarter of the Northwest Quarter of the said Section 18, a distance of 441.24 feet to a point in the existing north right-of-way line of FAS 942 (Mounds Road), located 43.78 feet left of the said proposed centerline at Station 36+38.80; thence North 26 degrees 04 minutes 01 second West along the proposed north right-of-way line of FAS 942 (Mounds Road), a distance of 110.46 feet to a point, located 57.82 feet left of the said proposed centerline at Station 35+29.23, said point being the Point of Beginning for this description; from said Point of Beginning, thence North 26 degrees 04 minutes 01 second West along the proposed north right-of-way line of FAS 942 (Mounds Road), a distance of 331.92 feet to a point, located 100 feet left of the said proposed centerline at Station 32+00; thence North 33 degrees 22 minutes 04 seconds West along the proposed north right-of-way line of FAS 942 (Mounds Road), a distance of 186.67 feet to a point in the existing north right-of-way line of FAS 942 (Mounds Road), located 100 feet left of the said proposed centerline at Station 30+13.33;
thence southeasterly along the existing north right-of-way line of FAS 942 (Mounds Roads) on an arc of a circular curve concave to the southwest, said arc having a radius of 721.31 feet and an internal angle of 24 degrees 15 minutes 25 seconds, said arc also having a chord that bears South 34 degrees 23 minutes 58 seconds East, an arc distance of 305.37 feet to a point, located 105.46 feet left of the said proposed centerline at Station 33+16.38; thence South 22 degrees 16 minutes 15 seconds East along the existing north right-of-way line of FAS 942 (Mounds Road), a distance of 220.30 feet to a point, located 63.06 feet left of the said proposed centerline at Station 35+32.56; thence South 89 degrees 04 minutes 21 seconds West along a line, a distance of 6.21 feet to the Point of Beginning for this description.

The above described contains 0.178 acres more or less.

Parcel No. 9012X73

General Description: A part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, County of Pulaski, State of Illinois.

Detail Description: Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian; located 138.14 feet northerly of the proposed centerline of FAS 942 (Mounds Road) at Station 18+22.55; thence South 00 degrees 37 minutes 20 seconds West along the west line of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian; a distance of 67.43 feet to a point in the existing north right-of-way line of FAS 942 (Mounds Road), located 75.77 feet northerly of the said proposed centerline at Station 18+48.19; thence North 85 degrees 15 minutes 57 seconds East, along said right of way line, a distance of 40.42 feet to a point located 94.51 feet northeasterly of said centerline at Station 18+84.01; thence easterly along a non-tangential curve right, having a radius of 558.17 feet, an arc distance of 12.10 feet, the chord of said curve bears North 85

New matter indicated by italics - deletions by strikeout
degrees 52 minutes 57 seconds East, to a point of intersection of the existing and proposed right of way lines located 100.00 feet northeasterly of said centerline at Station 18+94.78, said point being the Point of Beginning of this description; thence South 67 degrees 06 minutes 45 seconds East along the proposed right of way line a distance of 222.46 feet to a point located 100.00 feet northeasterly of said centerline at Station 21+17.24; thence southeasterly along the proposed right of way line and along a tangential curve right, concentric with said centerline, having a radius of 1054.93 feet, an arc distance of 393.48 feet, the chord of said curve bears South 56 degrees 25 minutes 38 seconds East, to a point of intersection of the existing and proposed right of way lines located 100.00 feet northeasterly of said centerline at Station 24+73.43; thence northerly along the existing right of way line and along a non-tangential curve left, having a radius of 558.16 feet, an arc distance of 646.79 feet, the chord of said curve bears North 60 degrees 17 minutes 48 seconds West, to the Point of Beginning.

The above described tract contains 0.572 acres (24921.63 sq. feet) more or less.

AND

General Description: A part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, County of Pulaski, State of Illinois.

Detail Description: Commencing at the southeast corner of the Northwest Quarter of the Northwest Quarter of Section 18, Township 16 South, Range 1 West of the Third Principal Meridian, located 343.18 feet left of the proposed centerline of FAS 942 (Mounds Road) at Station 41+38.85; thence South 89 degrees 04 minutes 21 seconds West along the south line of the Northwest Quarter of the Northwest Quarter of the said Section 18, a distance of 441.24 feet to a point in the existing north right of way line of FAS 942 (Mounds Road), located 43.78 feet left of the said

New matter indicated by italics - deletions by strikeout
proposed centerline at Station 36+38.80; thence North 26 degrees 04 minutes 01 second West along the proposed north right of way line of FAS 942 (Mounds Road), a distance of 110.46 feet to a point, located 57.82 feet left of the said proposed centerline at Station 35+29.23, said point being the Point of Beginning for this description; from said Point of Beginning, thence North 26 degrees 04 minutes 01 second West along the proposed north right of way line of FAS 942 (Mounds Road), a distance of 331.92 feet to a point, located 100 feet left of the said proposed centerline at Station 32+00; thence North 33 degrees 22 minutes 04 seconds West along the proposed north right of way line of FAS 942 (Mounds Road), a distance of 186.67 feet to a point in the existing north right of way line of FAS 942 (Mounds Road), located 100 feet left of the said proposed centerline at Station 30+13.33; thence southeasterly along the existing north right of way line of FAS 942 (Mounds Roads) on an arc of a circular curve concave to the southwest, said arc having a radius of 721.30 feet and an internal angle of 24 degrees 15 minutes 25 seconds, said arc also having a chord that bears South 34 degrees 23 minutes 58 seconds East, an arc distance of 305.37 feet to a point, located 105.46 feet left of the said proposed centerline at Station 33+16.38; thence South 22 degrees 16 minutes 15 seconds East along the existing north right of way line of FAS 942 (Mounds Road); a distance of 220.30 feet to a point, located 63.06 feet left of the said proposed centerline at Station 35+32.56; thence South 89 degrees 04 minutes 21 seconds West along a line, a distance of 6.21 feet to the Point of Beginning for this description.

The above described contains 0.178 acres more or less.

(Source: P.A. 94-656, eff. 8-22-05.)
(P.A. 94-656, Sec. 135 rep.)


Section 900. The Secretary of Transportation shall obtain certified copies of the portions of this Act containing the title, enacting clause, the

New matter indicated by italics - deletions by strikeout
effective date, and the appropriate Sections containing the land description of the property to be transferred or otherwise affected under this Act within 60 days after its effective date and, upon receipt of payment required by the Section, shall record the certified documents in the Recorder's Offices in the counties which the land is located.

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

Approved June 20, 2006.
Effective June 20, 2006.

PUBLIC ACT 94-0892
(Senate Bill No. 2283)

AN ACT concerning identification.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 3. The Illinois Identification Card Act is amended by adding Section 14D as follows:

(15 ILCS 335/14D new)

Sec. 14D. Limitations on use of identification card information.
(a) When information is obtained from an identification card issued by the Secretary of State to identify or prove the age of the holder of the card, or in the course of a commercial transaction, that information may be used only for purposes of identification of the individual or for completing the commercial transaction in which the information was obtained, including all subsequent payment, processing, collection, and other related actions. Information obtained from an identification card issued by the Secretary of State may not be used for purposes unrelated to the transaction in which it was obtained, including, but not limited to, commercial solicitations. Information obtained from an identification card issued by the Secretary of State to identify or prove the age of the holder of the card, or in the course of a commercial transaction, may not be sold, leased or otherwise provided to any third party.

New matter indicated by italics - deletions by strikeout
(b) As used in this Section, "information" on an identification card issued by the Secretary of State includes readable text on the face of the card and information encoded or encrypted into a bar code, magnetic strip, or other electronically readable device on or in the card.

(c) Any individual whose identification card information has been used in violation of this Section has a cause of action against the person who violated this Section. Upon a finding that a violation did occur, the individual whose information was used in violation of this Section is entitled to recover actual damages, but not less than liquidated damages in the amount of $250 for each violation, plus attorney's fees and the costs of bringing the action.

(d) Use of information contained on an identification card issued by the Secretary of State is not a violation of this Section if the individual whose information has been used gave express permission for that use, or if the information relating to the individual was obtained from a source other than the individual's identification card issued by the Secretary of State.

(e) This Section does not apply to any agency of the United States or to the State of Illinois or any of its political subdivisions.

(f) This Section does not apply to the transfer of information to a third party if (i) a federal or State law, rule, or regulation requires that the information be transferred to a third party after being recorded in specified transactions or (ii) the information is transferred to a third party for purposes of the detection or possible prosecution of criminal offenses or fraud. If information is transferred to a third party under this subsection (f), it may be used only for the purposes authorized by this subsection (f).

(g) This Section does not apply to the use of information obtained from an identification card which has been provided by the holder of the card in the course of a potential or completed employment, commercial, business or professional transaction for the purpose of completing written documents including, but not limited to, contracts, agreements, purchase orders, retail installment contracts, buyer's orders, purchase contracts, repair orders, applications, disclosure forms or waiver forms.

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Vehicle Code is amended by adding Section 6-117.1 as follows:

(625 ILCS 5/6-117.1 new)

Sec. 6-117.1. Prohibited use of driver's license information.

(a) When information is obtained from a driver's license to identify or prove the age of the holder of the license, or in the course of a commercial transaction, that information may be used only for purposes of identification of the individual or for completing the commercial transaction in which the information was obtained, including all subsequent payment, processing, collection, and other related actions. Information obtained from a driver's license may not be used for purposes unrelated to the transaction in which it was obtained, including, but not limited to, commercial solicitations. Information obtained from a driver's license to identify the holder of the license, or in the course of a commercial transaction, may not be sold, leased, or otherwise provided to any third party.

(b) Any individual whose driver's license information has been used in violation of this Section has a cause of action against the person who violated this Section. Upon a finding that a violation did occur, the individual whose information was used in violation of this Section is entitled to recover actual damages, but not less than liquidated damages in the amount of $250 for each violation, plus attorney's fees and the costs of bringing the action.

(c) Use of information contained on a driver's license is not a violation of this Section if (i) the individual whose information has been used gave express permission for that use or (ii) the information relating to the individual was obtained from a source other than the individual's driver's license.

(d) This Section does not apply to any agency of the United States, the State of Illinois, or any other state or political subdivision thereof.

(e) This Section does not apply to the transfer of information to a third party if (i) a federal or State law, rule, or regulation requires that the information be transferred to a third party after being recorded in specified transactions or (ii) the information is transferred to a third party

New matter indicated by italics - deletions by strikeout
for purposes of the detection or possible prosecution of criminal offenses or fraud. If information is transferred to a third party under this subsection (e), it may be used only for the purposes authorized by this subsection (e).

(f) This Section does not apply to the use of information obtained from a driver's license which has been provided by the holder of the license in the course of a potential or completed employment, commercial, business or professional transaction for the purpose of completing written documents including, but not limited to, contracts, agreements, purchase orders, retail installment contracts, buyer's orders, purchase contracts, repair orders, applications, disclosure forms or waiver forms.

Approved June 20, 2006.

PUBLIC ACT 94-0893
(Senate Bill No. 2718)

AN ACT concerning title insurance.

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

Section 5. The Title Insurance Act is amended by changing Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14.1, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 and by adding Sections 4.1, 21.1, 21.2, and 21.3 as follows:

(215 ILCS 155/2) (from Ch. 73, par. 1402)

Sec. 2. Any corporation which has been or shall be incorporated or qualified to do business under the Business Corporation Act of 1983, as now or hereafter amended, or any predecessor law for the purpose, in whole or part, of doing the business of title insurance guaranteeing or insuring titles to real estate, may transact such business during the time for which it may be incorporated or qualified to do business in this State, subject to the requirements of this Act.
(Source: P.A. 86-239.)

New matter indicated by italics - deletions by strikeout
(215 ILCS 155/3) (from Ch. 73, par. 1403)
Sec. 3. As used in this Act, the words and phrases following shall have the following meanings unless the context requires otherwise:

(1) "Title insurance business" or "business of title insurance" means:

(A) Issuing as insurer or offering to issue as insurer title insurance; and

(B) Transacting or proposing to transact one or more of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of title insurance:

   (i) soliciting or negotiating the issuance of title insurance;

   (ii) guaranteeing, warranting, or otherwise insuring the correctness of title searches for all instruments affecting titles to real property, any interest in real property, cooperative units and proprietary leases, and for all liens or charges affecting the same;

   (iii) handling of escrows, settlements, or closings;

   (iv) executing title insurance policies;

   (v) effecting contracts of reinsurance;

   (vi) abstracting, searching, or examining titles; or

   (vii) issuing insured closing letters or closing protection letters;

(C) Guaranteeing, warranting, or insuring searches or examinations of title to real property or any interest in real property, with the exception of preparing an attorney's opinion of title; or

(D) Guaranteeing or warranting the status of title as to ownership of or liens on real property and personal property by any person other than the principals to the transaction; or

(E) Doing or proposing to do any business substantially equivalent to any of the activities listed in this subsection, provided that the preparation of an attorney's opinion of title pursuant to

New matter indicated by italics - deletions by strikeout
paragraph (1)(C) is not intended to be within the definition of "title insurance business" or "business of title insurance".

(1.5) "Title insurance" means insuring, guaranteeing, warranting, or indemnifying owners of real or personal property or the holders of liens or encumbrances thereon or others interested therein against loss or damage suffered by reason of liens, encumbrances upon, defects in, or the unmarketability of the title to the property; the invalidity or unenforceability of any liens or encumbrances thereon; or doing any business in substance equivalent to any of the foregoing. "Warranting" for purpose of this provision shall not include any warranty contained in instruments of encumbrance or conveyance. **Title insurance is a single line form of insurance, also known as monoline.** An attorney's opinion of title pursuant to paragraph (1)(C) is not intended to be within the definition of "title insurance".

(2) "Title insurance company" means any domestic company organized under the laws of this State for the purpose of conducting the business of **title insurance guaranteeing or insuring titles to real estate** and any title insurance company organized under the laws of another State, the District of Columbia or foreign government and authorized to transact the business of **title insurance guaranteeing or insuring titles to real estate** in this State.

(3) "Title insurance agent" means a person, firm, partnership, association, corporation or other legal entity registered by a title insurance company and authorized by such company to determine insurability of title in accordance with generally acceptable underwriting rules and standards in reliance on either the public records or a search package prepared from a title plant, or both, and authorized in addition to do any of the following: act as an escrow agent, solicit title insurance, collect premiums, issue title reports, binders or commitments to insure and policies in its behalf, provided, however, the term "title insurance agent" shall not include officers and salaried employees of any title insurance company.

(4) "Producer of title business" is any person, firm, partnership, association, corporation or other legal entity engaged in this State in the trade, business, occupation or profession of (i) buying or selling interests

New matter indicated by italics - deletions by strikeout
in real property, (ii) making loans secured by interests in real property, or (iii) acting as broker, agent, attorney, or representative of natural persons or other legal entities that buy or sell interests in real property or that lend money with such interests as security.

(5) "Associate" is any firm, association, partnership, corporation or other legal entity organized for profit in which a producer of title business is a director, officer, or partner thereof, or owner of a financial interest, as defined herein, in such entity; any legal entity that controls, is controlled by, or is under common control with a producer of title business; and any natural person or legal entity with whom a producer of title business has any agreement, arrangement, or understanding or pursues any course of conduct the purpose of which is to evade the provisions of this Act.

(6) "Financial interest" is any ownership interest, legal or beneficial, except ownership of publicly traded stock.

(7) "Refer" means to place or cause to be placed, or to exercise any power or influence over the placing of title business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

(8) "Escrow Agent" means any title insurance company or any title insurance agent, including independent contractors of either, acting on behalf of a title insurance company which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrow agent until title to the real property that is the subject of the escrow is in a prescribed condition. An escrow agent conducting closings shall be subject to the provisions of paragraphs (1) through (4) of subsection (e) of Section 16 of this Act.

(9) "Independent Escrowee" means any firm, person, partnership, association, corporation or other legal entity, other than a title insurance company or a title insurance agent, which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrowee until title to the real property that is the subject of the escrow is in a prescribed condition. Federal and State chartered banks, savings and loan

New matter indicated by italics - deletions by strikeout
associations, credit unions, mortgage bankers, banks or trust companies authorized to do business under the Illinois Corporate Fiduciary Act, licensees under the Consumer Installment Loan Act, real estate brokers licensed pursuant to the Real Estate License Act of 2000, as such Acts are now or hereafter amended, and licensed attorneys when engaged in the attorney-client relationship are exempt from the escrow provisions of this Act. "Independent Escrowee" does not include employees or independent contractors of a title insurance company or title insurance agent authorized by a title insurance company to perform closing, escrow, or settlement services.

(10) "Single risk" means the insured amount of any title insurance policy, except that where 2 or more title insurance policies are issued simultaneously covering different estates in the same real property, "single risk" means the sum of the insured amounts of all such title insurance policies. Any title insurance policy insuring a mortgage interest, a claim payment under which reduces the insured amount of a fee or leasehold title insurance policy, shall be excluded in computing the amount of a single risk to the extent that the insured amount of the mortgage title insurance policy does not exceed the insured amount of the fee or leasehold title insurance policy.

(11) "Department" means the Department of Financial and Professional Regulation Institutions.

(12) "Secretary" "Director" means the Secretary Director of Financial and Professional Regulation Institutions.

(13) "Insured closing letter" or "closing protection letter" means an indemnification or undertaking to a party to a real estate transaction, from a principal such as a title insurance company or similar entity, setting forth in writing the extent of the principal's responsibility for intentional misconduct or errors in closing the real estate transaction on the part of a settlement agent, such as a title insurance agent or other settlement service provider.

(Source: P.A. 91-159, eff. 1-1-00; 91-245, eff. 12-31-99; 92-16, eff. 6-28-01.)

(215 ILCS 155/4) (from Ch. 73, par. 1404)

New matter indicated by italics - deletions by strikeout
Sec. 4. Deposits.

(a) Before doing business in the State of Illinois, a Every title insurance company must file with and have approved by the Secretary cash or licensed or qualified to do business in this State shall, within 30 days after the effective date of this Act or within 30 days after incorporated or licensed to do business, whichever is later, deposit with the Department, for the benefit of the creditors of the company by reason of any policy issued by it, bonds of the United States, this State or any body politic of this State in amounts as specified in subsection (b). The deposit is not to be otherwise pledged or subject to distribution among creditors or stockholders until all claims of escrow depositors, claims of policyholders, and claims under reinsurance contracts have been paid in full or discharged, reinsured, or otherwise assumed by a title insurance company authorized to do business under this Act. The cash, bonds, and securities so deposited may be exchanged for other such securities. No such cash, bond, or security shall be sold or transferred by the Secretary Director except on order of the circuit court or as provided in subsection (d). As long as the company depositing such securities remains solvent, the company shall be permitted to receive from the Secretary Director the interest on such deposit.

(b) The deposit required under subsection (a) must have a then current value of $1,000,000. All deposits shall be held for the benefit of any insured under a policy the title insurance company issued or named party to a written escrow it accepted. The deposit is not to be otherwise pledged or subject to distribution among creditors or stockholders. Every title insurance company shall deposit bonds or securities in the sum of $50,000 plus $5,000 for each county, more than one, in which the real estate, upon which such policies are issued, is located, to maximum deposit of $500,000. Every title insurance company guaranteeing or insuring titles to real estate in counties having 500,000 or more inhabitants shall deposit securities with the Department in the sum of $500,000. Any title insurance company having deposited $500,000 in securities with the Department shall be entitled to guarantee or insure titles in any or all counties of the State:

New matter indicated by italics - deletions by strikeout
(c) The Secretary Director may provide for custody of the deposits such securities by any trust company or bank located in this State and qualified to do business under the Corporate Fiduciary Act, as now or hereafter amended. The compensation, if any, of such custodian shall be paid by the depositing company. When the required deposits deposit have been made by a title insurance company, the Secretary Director shall certify that the company has complied with the provisions of this Section and is authorized to transact the business of insuring and guaranteeing titles to real estate.

(d) If, at any time, a title insurance company causes shall at any time cause all of its unexpired policies, escrow deposits, and reinsurance obligations in Illinois to be paid in full, cancelled, discharged, or reinsured, or otherwise assumed by another title insurance company and all of its liabilities under such policies thereby to be extinguished, or to be assumed by some surety or other responsible company authorized to do business under this Act in this State, the Secretary Director shall, upon on application of the such company, verified by the oath of its president or secretary and on being satisfied by an examination of its books and its officers under oath that all of its policies are so paid in full, cancelled, discharged, extinguished or reinsured, or otherwise assumed, authorize the release of any bond or deposit posted under this Section. deliver up to it such securities.

(e) The Secretary may revoke the certificate of authority of a company that fails to maintain the deposit required by this Section. The Secretary shall give notice of that revocation to the company as provided by this Act, and during the time of the revocation, the company may not conduct a title insurance business. A company may complete contractual obligations, such as issuing a policy where the obligations have already been assumed. However, it may not solicit new business, complete new searches or examinations, or close transactions. A revocation shall not be set aside until a good and sufficient deposit has been filed with the Secretary and the company is otherwise in compliance with this Act.

(215 ILCS 155/4.1 new)
Sec. 4.1. Minimum capital and surplus. Before doing business in the State of Illinois, a title insurance company must satisfy the Secretary that it has a minimum capital and surplus of $2,000,000. The Secretary may provide the forms and standards for this purpose by rule.

(215 ILCS 155/5) (from Ch. 73, par. 1405)

Sec. 5. Certificate of authority required. It is unlawful shall not be lawful for any company to engage or to continue in the business of title insurance guaranteeing or insuring titles to real estate, without first procuring from the Secretary Director a certificate of authority stating that the such a company has complied with the requirements of Section 4 of this Act. An insurer that transacts any class of insurance other than title insurance anywhere in the United States is not eligible for the issuance of a certificate of authority to transact title insurance in this State nor for a renewal of a certificate of authority. If any company shall fail to maintain a deposit as required by this Act, the Director may revoke the certificate of authority granted on behalf of such company. The Director shall mail a copy of that revocation to the company and during the time of such revocation the company shall not conduct such business. A revocation shall not be set aside until a good and sufficient deposit shall have been made with the Department, fulfilling all the requirements of this Act.

(Source: P.A. 86-239.)

(215 ILCS 155/6) (from Ch. 73, par. 1406)

Sec. 6. Reinsurance.

(a) A title insurance company may obtain reinsurance for all or any part of its liability under one or more of its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurance companies on risks located in this State or elsewhere.

(b) A title insurance company licensed to do business in this State shall retain at least $100,000 of primary liability for policies it issues, unless a lesser sum is authorized by the Secretary. A lesser sum may be retained at the request of an insured for a particular policy. This subsection (b) applies only to policies issued on or after the effective date of this amendatory Act of the 94th General Assembly.

New matter indicated by italics - deletions by strikeout
Sec. 7. Investments.

(a) Subject to the specific provisions of this Section, the Secretary Director may, after a notice and hearing, order a domestic title insurance company to limit or withdraw from certain investments, or discontinue certain investment practices, to the extent the Secretary Director finds that such investments or investment practices endanger the solvency of the company. The Secretary Director may consider the general investment provisions of the Illinois Insurance Code, as now or hereafter amended, in exercising the authority granted under this subsection (a).

(b) A domestic title insurance company may invest in title plants. For determination of the financial condition of such title insurance company, a title plant shall be treated as an asset valued at actual cost except that the combined value of all title plants owned shall be limited for asset valuation purposes to 50% of the surplus as regards policyholders as shown on the most recent annual statement of the title insurance company.

(c) Any investment of a domestic title insurance company acquired before the effective date of this Act and which, under this Section, would be considered ineligible as an investment on that date shall be disposed of within 2 years of the effective date of this Act. The Secretary Director, upon application and proof that forced sale of any such investment would be contrary to the best interests of the title insurer or its policyholders, may extend the period for disposal of the investment for a reasonable time.

Sec. 8. Retained liability.

(a) The net retained liability of a title insurance company for a single risk on property located in this State, whether assumed directly or as reinsurance, may not exceed 50% of the total surplus to policyholders as shown in the most recent annual statement of the title insurance company on file with the Department.
(b) The Secretary Director may waive the limitation of this Section for a particular risk upon application of the title insurance company and for good cause shown.
(Source: P.A. 86-239.)

Sec. 9. Impairment of capital; discontinuance of issuance of new policies; penalty.

(a) Whenever the capital of any title insurance company authorized to do business under this Act is determined by the circuit court, upon the application of the Secretary Director, to have become impaired to the extent of 25% of its capital, or to have otherwise become unsafe, it shall be the duty of the Secretary Director to cancel the authority of the company to do business.

(b) The Secretary Director shall give notice as provided by this Act to the company to discontinue doing business issuing new policies until its capital has been made good. The title insurance company may continue to issue policies and perform other actions that are required to complete contractual obligations undertaken prior to the notice.

(c) Any officer or management employee who continues to take orders for title insurance or close transactions issues a new policy of title insurance on behalf of a company after the notice to discontinue doing business, and before its capital has been made good, may, for each offense, be fined as provided by this Act for a sum not exceeding $1,000.
(Source: P.A. 86-239.)
reason of the claim. Reserves required under this Section may be revised from time to time and shall be redetermined at least once each year. A title insurance company must maintain its reserves for losses independent of any other form of insurance and therefore may not issue other lines of insurance.

(Source: P.A. 86-239.)

(215 ILCS 155/11) (from Ch. 73, par. 1411)

Sec. 11. Statutory premium reserve.

(a) A domestic title insurance company shall establish and maintain a statutory premium reserve computed in accordance with this Section. The reserve shall be reported as a liability of the title insurance company in its financial statements. The statutory premium reserve shall be maintained by the title insurance company for the protection of holders of title insurance policies. Except as provided in this Section, assets equal in value to the statutory premium reserve are not subject to distribution among creditors or stockholders of the title insurance company until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged, or lawfully reinsured, or otherwise assumed by another title insurance company authorized to do business under this Act.

(b) A foreign or alien title insurance company authorized to do business under this Act shall maintain at least the same reserves on title insurance policies issued on properties located in this State as are required of domestic title insurance companies.

(c) The statutory premium reserve shall consist of:

(1) the amount of the statutory premium reserve on January 1, 1990; and

(2) a sum equal to 12 1/2 cents for each $1,000 of net retained liability under each title insurance policy on a single risk written on properties located in this State after January 1, 1990.

(d) Amounts placed in the statutory premium reserve in any year in accordance with this Section shall be deducted in determining the net profit of the title insurance company for that year.

New matter indicated by italics - deletions by strikeout
(e) A title insurance company shall release from the statutory premium reserve a sum equal to 10% of the amount added to the reserve during a calendar year on July 1 of each of the 5 years following the year in which the sum was added, and shall release from the statutory premium reserve a sum equal to 3 1/3% of the amount added to the reserve during that year on each succeeding July 1 until the entire amount for that year has been released. The amount of the statutory premium reserve or similar premium reserve maintained before January 1, 1990, shall be released in accordance with the law in effect before January 1, 1990.

(f) This reserve is independent of the deposit requirements of Section 4 of this Act.
(Source: P.A. 86-239; 87-1151.)

(215 ILCS 155/12) (from Ch. 73, par. 1412)
Sec. 12. Examinations; compliance.
(a) The Secretary Director or his authorized representative shall have the power and authority, and it shall be his duty, to cause to be visited and examined annually any title insurance company doing business under this Act, and to verify and compel a compliance with the provisions of law governing it as he may by law exercise in relation to trust companies.

(b) The Secretary Director or his authorized agent shall have power and authority to compel compliance with the provisions of this Act and shall, only upon the showing of good cause, require any title insurance company to take all legal means to obtain the appropriate records of its registered agents and make them available for examination at a time and place designated by the Secretary Director. Expenses incurred in the course of such examinations will be the responsibility of the title insurance company. In the event that a present or former registered agent or its successor refuses or is unable to cooperate with a title insurance company in furnishing the records requested by the Secretary or his or her authorized agent, then the Secretary or his or her authorized agent shall have the power and authority to obtain those records directly from the registered agent.
(Source: P.A. 86-239.)

(215 ILCS 155/13) (from Ch. 73, par. 1413)
Sec. 13. Annual statement.

(a) Each title insurance company shall file with the Department during the month of March of each year, a statement under oath, of the condition of such company on the thirty-first day of December next preceding disclosing the assets, liabilities, earnings and expenses of the company. The report shall be in such form and shall contain such additional statements and information as to the affairs, business, and conditions of the company as the Secretary Director may from time to time prescribe or require.

(b) By June 1 of each year, a title insurance company must file with the Department a copy of its most recent audited financial statements.

(Source: P.A. 86-239.)

(215 ILCS 155/14) (from Ch. 73, par. 1414)

Sec. 14. Fees.

(a) Every title insurance company and every independent escrowee subject to this Act shall pay the following fees:

(1) for filing the original application for a certificate of authority and receiving the deposit required under this Act, $500;

(2) for the certificate of authority, $10;

(3) for every copy of a paper filed in the Department under this Act, $1 per folio;

(4) for affixing the seal of the Department and certifying a copy, $2; and

(5) for filing the annual statement, $50.

(b) Each title insurance company shall pay, for all of its title insurance agents subject to this Act for filing an annual registration of its agents, an amount equal to $3 for each policy issued by all of its agents in the immediately preceding calendar year.

(Source: P.A. 93-32, eff. 7-1-03.)

(215 ILCS 155/14.1)

Sec. 14.1. Financial Institutions Fund. All moneys received by the Department of Financial and Professional Regulation Institutions under this Act shall be deposited in the Financial Institutions Fund created under Section 6z-26 of the State Finance Act.

New matter indicated by italics - deletions by strikeout
Sec. 15. Retaliatory provisions; fees. Whenever the existing or future laws of any State or country shall require of title insurance companies incorporated or organized under the laws of this State, as a condition precedent to their transacting in such other State or country the business of title insurance guaranteeing or insuring titles to real estate, compliance with laws, rules, regulations or prohibitions more onerous or burdensome than those imposed under this Act by this State on foreign title insurance companies transacting such business in this State, or shall require any deposit of securities or other obligations in such State or country for the protection of policyholders, or otherwise, in excess of the amounts required of foreign title insurance companies by this Act, or shall require of Illinois title insurance companies doing such business in such State or country, the payment of penalties, fees, charges or taxes greater than the aggregate for like purposes imposed by the laws of this State upon such foreign title insurance companies, then such laws, rules, regulations, and prohibitions of said other State or country shall apply to title insurance companies incorporated or organized under the laws of such State or country doing business in this State, and all such companies, doing business in this State, shall be required to make deposits with the Department, and to pay to the Department penalties, fees, charges, and taxes at least in amounts equal to those required in the aggregate for like purpose of Illinois companies doing such business in such State or country.

Sec. 16. Title insurance agents.

(a) No person, firm, partnership, association, corporation or other legal entity shall act as or hold itself out to be a title insurance agent unless duly registered by a title insurance company with the Secretary Director.

(b) Each application for registration shall be made on a form specified by the Secretary Director and prepared in duplicate by each title insurance company which the agent represents. The title insurance

New matter indicated by italics - deletions by strikeout
company shall retain the copy of the application and forward the original to the Secretary Director with the appropriate fee.

(c) Every applicant for registration, except a firm, partnership, association or corporation, must be 18 years or more of age.

(d) Registration shall be made annually by a filing with the Secretary Director; supplemental registrations for new title insurance agents to be added between annual filings shall be made from time to time in the manner provided by the Secretary Director; registrations shall remain in effect unless revoked or suspended by the Secretary Director or are voluntarily withdrawn by the registrant or the title insurance company.

(e) Funds deposited in connection with any escrows, settlements, or closings shall be deposited in a separate fiduciary trust account or accounts in a bank or other financial institution insured by an agency of the federal government unless the instructions provide otherwise. The funds shall be the property of the person or persons entitled thereto under the provisions of the escrow, settlement, or closing and shall be segregated by escrow, settlement, or closing in the records of the escrow agent. The funds shall not be subject to any debts of the escrowee and shall be used only in accordance with the terms of the individual escrow, settlement, or closing under which the funds were accepted.

Interest received on funds deposited with the escrow agent in connection with any escrow, settlement, or closing shall be paid to the depositing party unless the instructions provide otherwise.

The escrow agent shall maintain separate records of all receipts and disbursements of escrow, settlement, or closing funds.

The escrow agent shall comply with any rules adopted by the Secretary pertaining to escrow, settlement, or closing transactions.

(Source: P.A. 86-239.)

(215 ILCS 155/17) (from Ch. 73, par. 1417)
Sec. 17. Independent escrowees.

(a) Every independent escrowee shall be subject to the same certification and deposit requirements to which title insurance companies are subject under Section 4 of this Act.

New matter indicated by italics - deletions by strikeout
(b) No person, firm, corporation or other legal entity shall hold itself out to be an independent escrowee unless it has been issued a certificate of authority by the Secretary Director.

(c) Every applicant for a certificate of authority, except a firm, partnership, association or corporation, must be 18 years of age.

(d) Every certificate of authority shall remain in effect one year unless revoked or suspended by the Secretary Director or voluntarily surrendered by the holder.

(e) An independent escrowee may engage in the escrow, settlement, or closing business, or any combination of such business, and operate as an escrow, settlement, or closing agent, provided that:

(1) Funds deposited in connection with any escrow, settlement, or closing shall be deposited in a separate fiduciary trust account or accounts in a bank or other financial institution insured by an agency of the federal government unless the instructions provide otherwise. Such funds shall be the property of the person or persons entitled thereto under the provisions of the escrow, settlement, or closing and shall be segregated by escrow, settlement or closing in the records of the independent escrowee. Such funds shall not be subject to any debts of the escrowee and shall be used only in accordance with the terms of the individual escrow, settlement or closing under which the funds were accepted.

(2) Interest received on funds deposited with the independent escrowee in connection with any escrow, settlement or closing shall be paid to the depositing party unless the instructions provide otherwise.

(3) The independent escrowee shall maintain separate records of all receipt and disbursement of escrow, settlement or closing funds.

(4) The independent escrowee shall comply with any rules or regulations promulgated by the Secretary Director pertaining to escrow, settlement or closing transactions.

(f) The Secretary Director or his authorized representative shall have the power and authority to visit and examine at any time any

New matter indicated by italics - deletions by strikeout
independent escrowee certified under this Act and to verify and compel compliance with the provisions of this Act.

(g) A title insurance company or title insurance agent, not qualified as an independent escrowee, may act in the capacity of an escrow agent when it is supplying an abstract of title, grantor-grantee search, tract search, lien search, tax assessment search, or other limited purpose search to the parties to the transaction even if it is not issuing a title insurance commitment or title insurance policy. A title insurance agent may act as an escrow agent only when specifically authorized in writing on forms prescribed by the Secretary Director by a title insurance company that has duly registered the agent with the Secretary Director and only when notice of the authorization is provided to and receipt thereof is acknowledged by the Secretary Director. The authority granted to a title insurance agent may be limited or revoked at any time by the title insurance company.

(Source: P.A. 91-159, eff. 1-1-00.)

(215 ILCS 155/18) (from Ch. 73, par. 1418)

Sec. 18. No referral payments; kickbacks.

(a) Application of this Section is limited to residential properties of 4 or fewer units, at least one of which units is occupied or to be occupied by an owner, legal or beneficial.

(b) No title insurance company, independent escrowee, or title insurance agent may issue a title insurance policy to, or provide services to an applicant if it knows or has reason to believe that the applicant was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurance company, independent escrowee, or title insurance agent to which business is referred unless the producer has disclosed to any party paying for the products or services, or his representative, the financial interest of the producer of title business or associate referring the title business and a disclosure of an estimate of those charges to be paid as described in Section 19. Such disclosure must be made in writing on forms prescribed by the Secretary Director prior to the time that the commitment for title insurance is issued. The title

New matter indicated by italics - deletions by strikeout
insurance company, independent escrowee, or title insurance agent shall maintain the disclosure forms for a period of 3 years.

(c) Each title insurance company, independent escrowee, and title insurance agent shall file with the Secretary Director, on forms prescribed by the Secretary Director, reports setting forth the names and addresses of those persons, if any, who have had a financial interest in the title insurance company, independent escrowee, or title insurance agent during the calendar year, who are known or reasonably believed by the title insurance company, independent escrowee, or title insurance agent to be producers of title business or associates of producers.

(1) Each title insurance company and independent escrowee shall file the report required under this subsection with its application for a certificate of authority and at any time there is a change in the information provided in the last report.

(2) Each title insurance agent shall file the report required under this subsection with its title insurance company for inclusion with its application for registration and at any time there is a change in the information provided in its last report.

(3) Each title insurance company, independent escrowee, or title insurance agent doing business on the effective date of this Act shall file the report required under this subsection within 90 days after such effective date.

(Source: P.A. 86-239.)

(215 ILCS 155/19) (from Ch. 73, par. 1419)
Sec. 19. Secretary powers; pricing. Nothing contained in this Act shall be construed as giving any authority to the Secretary Director to set or otherwise adjust the fees charged to the parties to the transaction for:

(1) issuing a title insurance policy, including any service charge or administration fee for the issuance of a title insurance policy;

(2) abstracting, searching and examining title;

(3) preparing or issuing preliminary reports, property profiles, commitments, binders, or like product;

New matter indicated by italics - deletions by strikeout
(4) closing fees, escrow fees, settlement fees, and like charges.

(Source: P.A. 86-239.)

(215 ILCS 155/20) (from Ch. 73, par. 1420)

Sec. 20. Rules and regulations. The Secretary Director shall rely upon federal regulations and opinion letters and may adopt rules and regulations as needed to implement and interpret the provisions of this Act.

(Source: P.A. 86-239.)

(215 ILCS 155/21) (from Ch. 73, par. 1421)

Sec. 21. Regulatory action.

(a) The Secretary Director may refuse to grant, and may suspend or revoke, any certificate of authority, registration, or license issued pursuant to this Act or may impose a fine for a violation of this Act if he determines that the holder of or applicant for such certificate, registration or license:

(1) has intentionally made a material misstatement or fraudulent misrepresentation in relation to a matter covered by this Act;

(2) has misappropriated or tortiously converted to its own use, or illegally withheld, monies held in a fiduciary capacity;

(3) has demonstrated untrustworthiness or incompetency in transacting the business of guaranteeing titles to real estate in such a manner as to endanger the public;

(4) has materially misrepresented the terms or conditions of contracts or agreements to which it is a party;

(5) has paid any commissions, discounts or any part of its premiums, fees or other charges to any person in violation of any State or federal law or regulations or opinion letters issued under the federal Real Estate Settlement Procedures Act of 1974; or

(6) has failed to comply with the deposit and reserve requirements of this Act or any other requirements of this Act.

(b) In every case where a registration or certificate is suspended or revoked, or an application for a registration or certificate or renewal thereof is refused, the Secretary Director shall serve notice of his action,

New matter indicated by italics - deletions by strikeout
including a statement of the reasons for his action, as provided by this Act. When a notice of suspension or revocation of a certificate of authority is given to a title insurance company, the Secretary shall also notify all the registered agents of that title insurance company of the Secretary's action, either personally or by registered or certified mail. Service by mail shall be deemed completed if such notice is deposited in the post office, postage paid, addressed to the last known address specified in the application for the certificate or registration of such holder or registrant.

(c) In the case of a refusal to issue or renew a certificate or accept a registration, the applicant or registrant may request in writing, within 30 days after the date of service, a hearing. In the case of a refusal to renew, the expiring registration or certificate shall be deemed to continue in force until 30 days after the service of the notice of refusal to renew, or if a hearing is requested during that period, until a final order is entered pursuant to such hearing.

(d) The suspension or revocation of a registration or certificate shall take effect upon service of notice thereof. The holder of any such suspended registration or certificate may request in writing, within 30 days of such service, a hearing.

(e) In cases of suspension or revocation of registration pursuant to subsection (a), the Secretary Director may, in the public interest, issue an order of suspension or revocation which shall take effect upon service of notification thereof. Such order shall become final 60 days from the date of service unless the registrant requests in writing, within such 60 days, a formal hearing thereon. In the event a hearing is requested, the order shall remain temporary until a final order is entered pursuant to such hearing.

(f) Hearing shall be held at such time and place as may be designated by the Secretary Director either in the City of Springfield, the City of Chicago, or in the county in which the principal business office of the affected registrant or certificate holder is located.

(g) The suspension or revocation of a registration or certificate or the refusal to issue or renew a registration or certificate shall not in any way limit or terminate the responsibilities of any registrant or certificate holder arising under any policy or contract of title insurance to which it is
a party. No new contract or policy of title insurance may be issued, nor may any existing policy or contract to title insurance be renewed by any registrant or certificate holder during any period of suspension or revocation of a registration or certificate.

(h) The Secretary Director may issue a cease and desist order to a title insurance company, agent, or other entity doing business without the required license or registration, when in the opinion of the Secretary Director, the company, agent, or other entity is violating or is about to violate any provision of this Act or any law or of any rule or condition imposed in writing by the Department.

The Secretary Director may issue the cease and desist order without notice and before a hearing.

The Secretary Director shall have the authority to prescribe rules for the administration of this Section.

If it is determined that the Secretary Director had the authority to issue the cease and desist order, he may issue such orders as may be reasonably necessary to correct, eliminate or remedy such conduct.

Any person or company subject to an order pursuant to this Section is entitled to judicial review of the order in accordance with the provisions of the Administrative Review Law.

The powers vested in the Secretary Director by this Section are additional to any and all other powers and remedies vested in the Secretary Director by law, and nothing in this Section shall be construed as requiring that the Secretary Director shall employ the powers conferred in this Section instead of or as a condition precedent to the exercise of any other power or remedy vested in the Secretary Director.

(Source: P.A. 89-601, eff. 8-2-96.)

(215 ILCS 155/21.1 new)

Sec. 21.1. Receiver and involuntary liquidation.

(a) The Secretary's proceedings under this Section shall be the exclusive remedy and the only proceedings commenced in any court for the dissolution of, the winding up of the affairs of, or the appointment of a receiver for a title insurance company.

New matter indicated by italics - deletions by strikeout
(b) If the Secretary, with respect to a title insurance company, finds that (i) its capital is impaired or it is otherwise in an unsound condition, (ii) its business is being conducted in an unlawful, fraudulent, or unsafe manner, (iii) it is unable to continue operations, or (iv) its examination has been obstructed or impeded, the Secretary may give notice to the board of directors of the title insurance company of his or her finding or findings. If the Secretary's findings are not corrected to his or her satisfaction within 60 days after the company receives the notice, the Secretary shall take possession and control of the title insurance company, its assets, and assets held by it for any person for the purpose of examination, reorganization, or liquidation through receivership.

If, in addition to making a finding as provided in this subsection (b), the Secretary is of the opinion and finds that an emergency that may result in serious losses to any person exists, the Secretary may, in his or her discretion, without having given the notice provided for in this subsection, and whether or not proceedings under subsection (a) of this Section have been instituted or are then pending, take possession and control of the title insurance company and its assets for the purpose of examination, reorganization, or liquidation through receivership.

(c) The Secretary may take possession and control of a title insurance company, its assets, and assets held by it for any person by posting upon the premises of each office located in the State of Illinois at which it transacts its business as a title insurance company a notice reciting that the Secretary is assuming possession pursuant to this Act and the time when the possession shall be deemed to commence.

(d) Promptly after taking possession and control of a title insurance company the Secretary, represented by the Attorney General, shall file a copy of the notice posted upon the premises in the Circuit Court of either Cook County or Sangamon County, which cause shall be entered as a court action upon the dockets of the court under the name and style of "In the matter of the possession and control by the Secretary of the Department of Financial and Professional Regulation of (insert the name of the title insurance company)". If the Secretary determines (which determination may be made at the time of, or at any time subsequent to,
taking possession and control of a title insurance company) that no practical possibility exists to reorganize the title insurance company after reasonable efforts have been made, the Secretary, represented by the Attorney General, shall also file a complaint, if it has not already been done, for the appointment of a receiver or other proceeding as is appropriate under the circumstances. The court where the cause is docketed shall be vested with the exclusive jurisdiction to hear and determine all issues and matters pertaining to or connected with the Secretary's possession and control of the title insurance company as provided in this Act, and any further issues and matters pertaining to or connected with the Secretary's possession and control as may be submitted to the court for its adjudication.

The Secretary, upon taking possession and control of a title insurance company, may, and if not previously done shall, immediately upon filing a complaint for dissolution make an examination of the affairs of the title insurance company or appoint a suitable person to make the examination as the Secretary's agent. The examination shall be conducted in accordance with and pursuant to the authority granted under Section 12 of this Act. The person conducting the examination shall have and may exercise on behalf of the Secretary all of the powers and authority granted to the Secretary under Section 12. A copy of the report shall be filed in any dissolution proceeding filed by the Secretary. The reasonable fees and necessary expenses of the examining person, as approved by the Secretary or as recommended by the Secretary and approved by the court if a dissolution proceeding has been filed, shall be borne by the subject title insurance company and shall have the same priority for payment as the reasonable and necessary expenses of the Secretary in conducting an examination. The person appointed to make the examination shall make a proper accounting, in the manner and scope as determined by the Secretary to be practical and advisable under the circumstances, on behalf of the title insurance company and no guardian ad litem need be appointed to review the accounting.
(e) The Secretary, upon taking possession and control of a title insurance company and its assets, shall be vested with the full powers of management and control including, but not limited to, the following:

1. the power to continue or to discontinue the business;
2. the power to stop or to limit the payment of its obligations;
3. the power to collect and to use its assets and to give valid receipts and acquittances therefor;
4. the power to transfer title and liquidate any bond or deposit made under Section 4 of this Act;
5. the power to employ and to pay any necessary assistants;
6. the power to execute any instrument in the name of the title insurance company;
7. the power to commence, defend, and conduct in the title insurance company's name any action or proceeding in which it may be a party;
8. the power, upon the order of the court, to sell and convey the title insurance company's assets, in whole or in part, and to sell or compound bad or doubtful debts upon such terms and conditions as may be fixed in that order;
9. the power, upon the order of the court, to make and to carry out agreements with other title insurance companies, financial institutions, or with the United States or any agency of the United States for the payment or assumption of the title insurance company's liabilities, in whole or in part, and to transfer assets and to make guaranties, in whole or in part, in connection therewith;
10. the power, upon the order of the court, to borrow money in the name of the title insurance company and to pledge its assets as security for the loan;
11. the power to terminate his or her possession and control by restoring the title insurance company to its board of directors;

New matter indicated by italics - deletions by strikeout
(12) the power to appoint a receiver which may be the Secretary of the Department of Financial and Professional Regulation, another title insurance company, or another suitable person and to order liquidation of the title insurance company as provided in this Act; and

(13) the power, upon the order of the court and without the appointment of a receiver, to determine that the title insurance company has been closed for the purpose of liquidation without adequate provision being made for payment of its obligations, and thereupon the title insurance company shall be deemed to have been closed on account of inability to meet its obligations to its insureds or escrow depositors.

(f) Upon taking possession, the Secretary shall make an examination of the condition of the title insurance company, an inventory of the assets and, unless the time shall be extended by order of the court or unless the Secretary shall have otherwise settled the affairs of the title insurance company pursuant to the provisions of this Act, within 90 days after the time of taking possession and control of the title insurance company, the Secretary shall either terminate his or her possession and control by restoring the title insurance company to its board of directors or appoint a receiver, which may be the Secretary of the Department of Financial and Professional Regulation, another title insurance company, or another suitable person and order the liquidation of the title insurance company as provided in this Act. All necessary and reasonable expenses of the Secretary's possession and control shall be a priority claim and shall be borne by the title insurance company and may be paid by the Secretary from the title insurance company's own assets as distinguished from assets held for any other person.

(g) If the Secretary takes possession and control of a title insurance company and its assets, any period of limitation fixed by a statute or agreement that would otherwise expire on a claim or right of action of the title insurance company, on its own behalf or on behalf of its insureds or escrow depositors, or upon which an appeal must be taken or a pleading or other document filed by the title insurance company in any

New matter indicated by italics - deletions by strikeout
pending action or proceeding, shall be tolled until 6 months after the
commencement of the possession, and no judgment, lien, levy, attachment,
or other similar legal process may be enforced upon or satisfied, in whole
or in part, from any asset of the title insurance company or from any asset
of an insured or escrow depositor while it is in the possession of the
Secretary.

(h) If the Secretary appoints a receiver to take possession and
control of the assets of insureds or escrow depositors for the purpose of
holding those assets as fiduciary for the benefit of the insureds or escrow
depositors pending the winding up of the affairs of the title insurance
company being liquidated and the appointment of a successor escrowee
for those assets, any period of limitation fixed by statute, rule of court, or
agreement that would otherwise expire on a claim or right of action in
favor of or against the insureds or escrow depositors of those assets or
upon which an appeal must be taken or a pleading or other document filed
by a title insurance company on behalf of an insured or escrow depositor
in any pending action or proceeding shall be tolled for a period of 6
months after the appointment of a receiver, and no judgment, lien, levy,
attachment, or other similar legal process shall be enforced upon or
satisfied, in whole or in part, from any asset of the insured or escrow
depositor while it is in the possession of the receiver.

(i) If the Secretary determines at any time that no reasonable
possibility exists for the title insurance company to be operated by its
board of directors in accordance with the provisions of this Act after
reasonable efforts have been made and that it should be liquidated
through receivership, he or she shall appoint a receiver. The Secretary
may require of the receiver such bond and security as the Secretary deems
proper. The Secretary, represented by the Attorney General, shall file a
complaint for the dissolution or winding up of the affairs of the title
insurance company in a court of the county in which the principal office of
the title insurance company is located and shall cause notice to be given in
a newspaper of general circulation once each week for 4 consecutive
weeks so that persons who may have claims against the title insurance
company may present them to the receiver and make legal proof thereof

New matter indicated by italics - deletions by strikeout
and notifying those persons and all to whom it may concern of the filing of a complaint for the dissolution or winding up of the affairs of the title insurance company and stating the name and location of the court. All persons who may have claims against the assets of the title insurance company, as distinguished from the assets of insureds and escrow depositors held by the title insurance company, and the receiver to whom those persons have presented their claims may present the claims to the clerk of the court, and the allowance or disallowance of the claims by the court in connection with the proceedings shall be deemed an adjudication in a court of competent jurisdiction. Within a reasonable time after completion of publication, the receiver shall file with the court a correct list of all creditors of the title insurance company as shown by its books, who have not presented their claims and the amount of their respective claims after allowing adjusted credit, deductions, and set-offs as shown by the books of the title insurance company. The claims so filed shall be deemed proven unless objections are filed thereto by a party or parties interested therein within the time fixed by the court.

(j) The receiver for a title insurance company has the power and authority and is charged with the duties and responsibilities as follows:

1. To take possession of and, for the purpose of the receivership, title to the books, records, and assets of every description of the title insurance company.

2. To proceed to collect all debts, dues, and claims belonging to the title insurance company.

3. To sell and compound all bad and doubtful debts on such terms as the court shall direct.

4. To sell the real and personal property of the title insurance company, as distinguished from the real and personal property of the insureds or escrow depositors, on such terms as the court shall direct.

5. To file with the Secretary a copy of each report that he or she makes to the court, together with such other reports and records as the Secretary may require.
(6) To sue and defend in his or her own name and with respect to the affairs, assets, claims, debts, and choses in action of the title insurance company.

(7) To surrender to the insureds and escrow depositors of the title insurance company, when requested in writing directed to the receiver by them, the escrowed funds (on a pro rata basis), and escrowed documents in the receiver's possession upon satisfactory proof of ownership and determination by the receiver of available escrow funds.

(8) To redeem or take down collateral hypothecated by the title insurance company to secure its notes and other evidence of indebtedness whenever the court deems it to be in the best interest of the creditors of the title insurance company and directs the receiver so to do.

(k) Whenever the receiver finds it necessary in his or her opinion to use and employ money of the title insurance company in order to protect fully and benefit the title insurance company by the purchase or redemption of property, real or personal, in which the title insurance company may have any rights by reason of any bond, mortgage, assignment, or other claim thereto, the receiver may certify the facts together with the receiver's opinions as to the value of the property involved and the value of the equity the title insurance company may have in the property to the court, together with a request for the right and authority to use and employ so much of the money of the title insurance company as may be necessary to purchase the property, or to redeem the property from a sale if there was a sale, and if the request is granted, the receiver may use so much of the money of the title insurance company as the court may have authorized to purchase the property at the sale.

The receiver shall deposit daily all moneys collected by him or her in any State or national bank approved by the court. The deposits shall be made in the name of the Secretary, in trust for the receiver, and be subject to withdrawal upon the receiver's order or upon the order of those persons the Secretary may designate. The moneys may be deposited without interest, unless otherwise agreed. The receiver shall do the things and take

New matter indicated by italics - deletions by strikeout
the steps from time to time under the direction and approval of the court that may reasonably appear to be necessary to conserve the title insurance company's assets and secure the best interests of the creditors, insureds, and escrow depositors of the title insurance company. The receiver shall record any judgment of dissolution entered in a dissolution proceeding and thereupon turn over to the Secretary a certified copy of the judgment.

The receiver may cause all assets of the insureds and escrow depositors of the title insurance company to be registered in the name of the receiver or in the name of the receiver's nominee.

For its services in administering the escrows held by the title insurance company during the period of winding up the affairs of the title insurance company, the receiver is entitled to be reimbursed for all costs and expenses incurred by the receiver and shall also be entitled to receive out of the assets of the individual escrows being administered by the receiver during the period of winding up the affairs of the title insurance company and prior to the appointment of a successor escrowee the usual and customary fees charged by an escrowee for escrows or reasonable fees approved by the court.

The receiver, during its administration of the escrows of the title insurance company during the winding up of the affairs of the title insurance company, shall have all of the powers that are vested in trustees under the terms and provisions of the Trusts and Trustees Act.

Upon the appointment of a successor escrowee, the receiver shall deliver to the successor escrowee all of the assets belonging to each individual escrow to which the successor escrowee succeeds, and the receiver shall thereupon be relieved of any further duties or obligations with respect thereto.

(1) The receiver shall, upon approval by the court, pay all claims against the assets of the title insurance company allowed by the court pursuant to subsection (i) of this Section, as well as claims against the assets of insureds and escrow depositors of the title insurance company in accordance with the following priority:

New matter indicated by italics - deletions by strikeout
(1) All necessary and reasonable expenses of the Secretary's possession and control and of its receivership shall be paid from the assets of the title insurance company.

(2) All usual and customary fees charged for services in administering escrows shall be paid from the assets of the individual escrows being administered. If the assets of the individual escrows being administered are insufficient, the fees shall be paid from the assets of the title insurance company.

(3) Secured claims, including claims for taxes and debts due the federal or any state or local government, that are secured by liens perfected prior to the date of filing of the complaint for dissolution, shall be paid from the assets of the title insurance company.

(4) Claims by policyholders, beneficiaries, insureds, and escrow depositors of the title insurance company shall be paid from the assets of the insureds and escrow depositors. If there are insufficient assets of the insureds and escrow depositors, claims shall be paid from the assets of the title insurance company.

(5) Any other claims due the federal government shall be paid from the assets of the title insurance company.

(6) Claims for wages or salaries, excluding vacation, severance, and sick leave pay earned by employees for services rendered within 90 days prior to the date of filing of the complaint for dissolution, shall be paid from the assets of the title insurance company.

(7) All other claims of general creditors not falling within any priority under this subsection (l) including claims for taxes and debts due any state or local government which are not secured claims and claims for attorney's fees incurred by the title insurance company in contesting the dissolution shall be paid from the assets of the title insurance company.

(8) Proprietary claims asserted by an owner, member, or stockholder of the title insurance company in receivership shall be paid from the assets of the title insurance company.

New matter indicated by italics - deletions by strikeout
The receiver shall pay all claims of equal priority according to the schedule set out in this subsection, and shall not pay claims of lower priority until all higher priority claims are satisfied. If insufficient assets are available to meet all claims of equal priority, those assets shall be distributed pro rata among those claims. All unclaimed assets of the title insurance company shall be deposited with the receiver to be paid out by him or her when such claims are submitted and allowed by the court.

(m) At the termination of the receiver's administration, the receiver shall petition the court for the entry of a judgment of dissolution. After a hearing upon the notice as the court may prescribe, the court may enter a judgment of dissolution whereupon the title insurance company's corporate existence shall be terminated and the receivership concluded.

(n) The receiver shall serve at the pleasure of the Secretary and upon the death, inability to act, resignation, or removal by the Secretary of a receiver, the Secretary may appoint a successor, and upon the appointment, all rights and duties of the predecessor shall at once devolve upon the appointee.

(o) Whenever the Secretary shall have taken possession and control of a title insurance company or a title insurance agent and its assets for the purpose of examination, reorganization or liquidation through receivership, or whenever the Secretary shall have appointed a receiver for a title insurance company or title insurance agent and filed a complaint for the dissolution or winding up of its affairs, and the title insurance company or title insurance agent denies the grounds for such actions, it may at any time within 10 days apply to the Circuit Court of Cook or Sangamon County to enjoin further proceedings in the premises; and the Court shall cite the Secretary to show cause why further proceedings should not be enjoined, and if the Court shall find that grounds do not exist, the Court shall make an order enjoining the Secretary or any receiver acting under his direction from all further proceedings on account of the alleged grounds.

(215 ILCS 155/21.2 new)
Sec. 21.2. Notice.

New matter indicated by italics - deletions by strikeout
(a) Notice of any action by the Secretary under this Act or regulations or orders promulgated under it shall be made either personally or by registered or certified mail, return receipt requested, and by sending a copy of the notice by telephone facsimile or electronic mail, if known and operating, and if unknown or not operating, then by regular mail. Service by mail shall be deemed completed if the notice is deposited as registered or certified mail in the post office, postage paid, addressed to the last known address specified in the application for the certificate of authority to do business or certificate of registration of the holder or registrant.

(b) The Secretary shall notify all registered agents of a title insurance company when that title insurance company's certificate of authority is suspended or revoked.

(215 ILCS 155/21.3 new)

Sec. 21.3. Record retention. Evidence of the examination of title, if any, and determination of insurability for business written by a title insurance company or its title insurance agent and records relating to escrow, closings, and security deposits shall be preserved and retained by the title insurance company or its title insurance agent for as long as appropriate to the circumstances, but in no event less than 7 years after the title insurance policy has been issued or the escrow, closing, or security deposit account has been closed or as provided by applicable federal law. This Section shall not apply to a title insurance company acting as a coinsurer if one of the other coinsurers has complied with this Section.

(215 ILCS 155/22) (from Ch. 73, par. 1422)

Sec. 22. Tax indemnity; notice. A corporation authorized to do business under this Act shall notify the Director of Revenue of the State of Illinois, by notice directed to his office in the City of Chicago, of each trust account or similar account established which relates to title exceptions due to a judgment lien or any other lien arising under any tax Act administered by the Illinois Department of Revenue, when notice of such lien has been filed with the registrar of titles or recorder, as the case may be, in the manner prescribed by law. Such notice shall contain the name, address,
and tax identification number of the debtor, the permanent real estate index numbers, if any, and the address and legal description of the property, the type of lien claimed by the Department and identification of any trust fund or similar account held by such corporation or any agent thereof relating to such lien. Any trust fund or similar account established by such corporation or agent relating to any such lien shall include provisions requiring such corporation or agent to apply such fund in satisfaction or release of such lien upon written demand therefor by the Department of Revenue.

(Source: P.A. 86-239.)

(215 ILCS 155/23) (from Ch. 73, par. 1423)

Sec. 23. Violation; penalties.

(a) Any violation of any of the provisions of this Act shall constitute a business offense and shall subject the party violating the same to a penalty of $1000 for each offense.

(b) Nothing contained in this Section shall affect the right of the Secretary to revoke or suspend a title insurance company's or independent escrowee's certificate of authority or a title insurance agent's registration under any other Section of this Act.

(Source: P.A. 86-239.)

(215 ILCS 155/24) (from Ch. 73, par. 1424)

Sec. 24. Referral fee; penalty. Except as permitted by this Act or by federal law, regulations or opinion letters, no person shall pay or accept, directly or indirectly, any commission, discount, referral fee or other consideration as inducement or compensation for the referral of title business or for the referral of any escrow or other service from a title insurance company, independent escrowee or title insurance agent.

Any violation of this Section 24 is a Class A misdemeanor.

(Source: P.A. 86-239.)

(215 ILCS 155/25) (from Ch. 73, par. 1425)

Sec. 25. Actual damages; injunctive relief.

(a) Any person or persons who violate the prohibitions or limitations of subsection (a) of Section 21 of this Act shall be liable to the

New matter indicated by italics - deletions by strikeout
person or persons charged for the settlement service involved in the violation for actual damages.

(b) Any title insurance company or a title insurance agent who violates the prohibitions or limitations of subsection (a) of Section 21 of this Act shall be subject to injunctive relief. If a permanent injunction is granted, the court may award actual damages. Reasonable attorney's fees and costs may be awarded to the prevailing party.

(Source: P.A. 86-239.)

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

Approved June 20, 2006.
Effective June 20, 2006.

PUBLIC ACT 94-0894
(Senate Bill No. 2882)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 2-3.136 as follows:

(105 ILCS 5/2-3.136)
Sec. 2-3.136. Class K-3—class size reduction grant programs program.

(a) A K-3 class size reduction grant program is created. The program shall be implemented and administered by the State Board of Education. From appropriations made for purposes of this Section, the State Board shall award grants to schools that meet the criteria established by this subsection (a) Section for the award of those grants.

Grants shall be awarded pursuant to application. The form and manner of applications and the criteria for the award of grants shall be prescribed by the State Board of Education. The grant criteria as so prescribed, however, shall provide that only those schools that are on the

New matter indicated by italics - deletions by strikeout
State Board of Education Early Academic Warning List or the academic watch list under Section 2-3.25d that maintain grades kindergarten through 3 are grant eligible.

Grants awarded to eligible schools under this subsection (a) shall be used and applied by the schools to defray the costs and expenses of operating and maintaining classes in grades kindergarten through 3 with an average class size within a specific grade of no more than 20 pupils. If a school's facilities are inadequate to allow for this specified class size, then a school may use the grant funds for teacher aides instead.

(b) A K-3 pilot class size reduction grant program is created. The program shall be implemented and administered by the State Board of Education. From appropriations made for purposes of this subsection (b), the State Board shall award grants to schools that meet the criteria established by this Section for the award of those grants.

Grants shall be awarded pursuant to application. The form and manner of application and the criteria for the award of grants shall be prescribed by the State Board of Education.

Grants awarded to eligible schools under this subsection (b) shall be used and applied by the schools to defray the costs and expenses of operating and maintaining classes in grades kindergarten through 3 of no more than 15 pupils per teacher per class. A teacher aide may not be used to meet this requirement.

(c) If a school board determines that a school is using funds awarded under this Section for purposes not authorized by this Section, then the school board, rather than the school, shall determine how the funds are used.

(d) The State Board of Education shall adopt any rules, consistent with the requirements of this Section, that are necessary to implement and administer the K-3 class size reduction grant program.

(Source: P.A. 93-814, eff. 7-27-04; 94-566, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved June 21, 2006.

New matter indicated by italics - deletions by strikeout
Effective July 1, 2006.

PUBLIC ACT 94-0895
(House Bill No. 4727)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 18a-404 as follows:

(625 ILCS 5/18a-404) (from Ch. 95 1/2, par. 18a-404)
Sec. 18a-404. Operator's and dispatcher's employment permits - Revocation.

(1) The Commission shall suspend or revoke the permit of an operator if it finds that:

(a) The operator or dispatcher made a false statement on the application for an operator's or dispatcher's employment permit;

(b) The operator's or dispatcher's driver's license issued by the Secretary of State has been suspended or revoked; or

(c) The operator or dispatcher has been convicted, during the preceding 5 years, of any criminal offense of the State of Illinois or any other jurisdiction involving any of the following, and the holder does not make a compelling showing that he is nevertheless fit to hold an operator's license:

(i) Bodily injury or attempt to inflict bodily injury to another;

(ii) Theft of property or attempted theft of property; or

(iii) Sexual assault or attempted sexual assault of any kind; or:

(d) The operator or dispatcher has, during the preceding 5 years, violated this Chapter, Commission regulations or orders, or any other law affecting public safety, and the holder does not make

New matter indicated by italics - deletions by strikeout
a compelling showing that he or she is nevertheless fit to hold an operator's license.

(2) The Commission, upon notification and verification of any conviction described in this Section, of any person to whom license has been issued, occurring within the 5 years prior to such issuance or any time thereafter, shall immediately suspend the employment permit of such person, and issue an order setting forth the grounds for revocation. The person and his employer shall be notified of such suspension. Such person shall not thereafter be employed by a relocator until a final order is issued by the Commission either reinstating the employment permit, upon a finding that the reinstatement of an employment permit to the person constitutes no threat to the public safety, or revoking the employment permit.

(3) If the employment permit is revoked, the person shall not thereafter be employed by a relocator until he obtains an employment permit license under Article IV of this Chapter.

(Source: P.A. 85-923.)

Passed in the General Assembly April 4, 2006.
Approved June 21, 2006.

PUBLIC ACT 94-0896

(Senate Bill No. 2137)

AN ACT concerning State government.

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

Section 1. Short title. This Act may be cited as the Illinois Public Safety Agency Network Act.

Section 5. Definitions. As used in this Act, unless the context requires otherwise:

"ALECS" means the Automated Law Enforcement Communications System.

New matter indicated by italics - deletions by strikeout
"ALERTS" means the Area-wide Law Enforcement Radio Terminal System.

"Authority" means the Illinois Criminal Justice Information Authority.

"Board" means the Board of Directors of Illinois Public Safety Agency Network, Inc.

"IPSAN" or "Partnership" means Illinois Public Safety Agency Network, Inc., the not-for-profit entity incorporated as provided in this Act.

"PIMS" means the Police Information Management System.

"Trust Fund" means the Criminal Justice Information Systems Trust Fund.

Section 10. Findings; purpose. The General Assembly finds that it is important to promote intergovernmental cooperation between units of local government. Therefore, the purpose of IPSAN is to continue the ALERTS, PIMS, and ALECS systems, which have been developed by the Authority, through the intergovernmental cooperation of local public safety agencies, including sheriffs' offices, municipal police departments, and firefighting agencies, which have been funded by local taxpayers through user's fees since 1986. The General Assembly also finds that development and future enhancements to public safety communications and management systems and the promotion of interoperability between all public safety disciplines are in the best of interest of the people of the State of Illinois.

Section 15. Partnership established. A not-for-profit corporation to be known as "Illinois Public Safety Agency Network" shall be created. IPSAN shall be incorporated under the General Not for Profit Corporation Act of 1986 and shall be registered, incorporated, organized, and operated in compliance with the laws of this State. IPSAN shall not be a State agency. The General Assembly determines, however, that public policy dictates that IPSAN operate in the most open and accessible manner consistent with its public purpose. To this end, the General Assembly specifically declares that IPSAN and its Board and Advisory Committee shall adopt and adhere to the provisions of the Open Meetings Act, the

New matter indicated by italics - deletions by strikeout
State Records Act, and the Freedom of Information Act. IPSAN shall establish one or more corporate offices as determined by the Board.

Section 20. Board of directors. IPSAN shall be governed by a board of directors. The IPSAN Board shall consist of 14 members. Nine of the members shall be voting members, 3 of whom shall be appointed by the Illinois Sheriffs' Association, 3 of whom shall be appointed by the Illinois Association of Chiefs of Police, and 3 of whom shall be appointed by the Illinois Fire Chiefs Association, all of those Associations consisting of representatives of criminal justice agencies that are the users of criminal justice information systems developed and operated for them by the Authority before the effective date of this Act or by the IPSAN on or after the effective date of this Act. Voting members shall be appointed in such a fashion as to guarantee the representation of all 3 systems (ALERTS, ALECS, and PIMS). The Director of Corrections, the Director of the Illinois Emergency Management Agency, the Director of the Illinois State Police, the Sheriff of Cook County, and the Superintendent of the Chicago Police Department, or the designee of each, shall be non-voting ex officio members.

Of the initial members appointed, 6 members shall serve 4-year terms and 3 members shall serve 2-year terms, as designated by the respective Associations. Thereafter, members appointed shall serve 4-year terms. A vacancy among members appointed shall be filled by appointment for the remainder of the vacated term.

Members of the Board shall receive no compensation but shall be reimbursed for reasonable expenses incurred in the performance of their duties.

The Board shall designate a temporary chair of the Board from among the members, who shall serve until a permanent chair is elected by the Board of Directors. The Board shall meet at the call of the chair.

Not less than 90 days after a majority of the members of the Board of Directors of the IPSAN are appointed, the Board shall develop a policy adopted by resolution of the Board stating the Board's plan for the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities,
Females, and Persons with Disabilities Act. The Board shall provide a copy of this resolution to the Governor and the General Assembly upon its adoption.

On December 31 of each year, the Board shall report to the General Assembly and the Governor regarding the use of services provided by businesses owned by minorities, females, and persons with disabilities, as defined under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

Section 30. Powers of the Board of Directors. The Board of Directors shall have the power to:

(1) Secure funding for programs and activities of IPSAN from federal, State, local, and private sources and from fees charged for services and published materials; solicit, receive, hold, invest, and administer any grant, payment, or gift of funds or property; and make expenditures consistent with the powers granted to it.

(2) Make and enter into contracts, agreements, and other instruments necessary or convenient for the exercise of its powers and to facilitate the use by the members of IPSAN of other criminal justice information systems and networks.

(3) Sue and be sued, and appear and defend in all actions and proceedings, in its corporate name to the same extent as a natural person.

(4) Adopt, use, and alter a common corporate seal for IPSAN.

(5) Elect, employ, or appoint officers and agents as its affairs require and allow them reasonable compensation.

(6) Adopt, amend, and repeal bylaws and policies, not inconsistent with the powers granted to it or the articles of incorporation, for the administration of the affairs of IPSAN and the exercise of its corporate powers.

(7) Acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses, radio frequencies, royalties, and other rights or interests thereunder or therein.

(8) Do all acts and things necessary or convenient to carry out the powers granted to it.
(9) Appoint an Executive Director who shall serve as the Chief Operations Officer of IPSAN and who shall direct and supervise the administrative affairs and activities of the Board and of IPSAN, in accordance with the Board's bylaws, rules, and policies.

Section 35. Finances; audits; annual report.
(a) The current balance of the Criminal Justice Information Systems Trust Fund upon the effective date of this Act and all future moneys deposited into that Fund shall be promptly transferred to the IPSAN operating fund by the State Treasurer notwithstanding current obligations as determined by the IPSAN Board in cooperation with the Authority.
(b) IPSAN may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this State or its departments, agencies, or instrumentalities, from any other governmental unit, and from private and civic sources for the purpose of funding any projects authorized by this Act.
(c) Services of personnel, use of equipment and office space, and other necessary services may be accepted from members of the Board as part of IPSAN's financial support.
(d) The Board shall arrange for the annual financial audit of IPSAN by one or more independent certified public accountants in accordance with generally accepted accounting principles. The annual audit results shall be included in the annual report required under subsection (e) of this Section.
(e) IPSAN shall report annually on its activities and finances to the Governor and the members of the General Assembly.

Section 40. Advisory Committee. An Advisory Committee is established for the benefit of IPSAN and its Board of Directors in the performance of their powers, duties, and functions under this Act. The Board shall provide for the number, qualifications, and appointment of members of the Advisory Committee.

Section 45. Employees. The Illinois Criminal Justice Information Authority may establish a lease agreement program under which IPSAN may hire any individual who, as of January 1, 2006, is employed by the

New matter indicated by italics - deletions by strikeout
Illinois Criminal Justice Information Authority or who, as of January 1, 2006, is employed by the Office of the Governor and has responsibilities specifically in support of a criminal justice information program. Under the agreement, the employee shall retain his or her status as a State employee but shall work under the direct supervision of IPSAN. Retention of State employee status shall include the right to participate in the State Employees Retirement System. The Department of Central Management Services and the Board shall establish the terms and conditions of the lease agreements.

Section 50. Other State programs. State executive branch agencies shall consult with IPSAN in order to ensure the interoperability of existing and future public safety communication systems and criminal justice database programs or networks authorized by law as of or after the effective date of this Act.

Section 90. The Illinois Criminal Justice Information Act is amended by changing Sections 7 and 9 as follows:

(20 ILCS 3930/7) (from Ch. 38, par. 210-7)
Sec. 7. Powers and Duties. The Authority shall have the following powers, duties and responsibilities:

(a) To develop and operate comprehensive information systems for the improvement and coordination of all aspects of law enforcement, prosecution and corrections;

(b) To define, develop, evaluate and correlate State and local programs and projects associated with the improvement of law enforcement and the administration of criminal justice;

(c) To act as a central repository and clearing house for federal, state and local research studies, plans, projects, proposals and other information relating to all aspects of criminal justice system improvement and to encourage educational programs for citizen support of State and local efforts to make such improvements;

(d) To undertake research studies to aid in accomplishing its purposes;

New matter indicated by italics - deletions by strikeout
(e) To monitor the operation of existing criminal justice information systems in order to protect the constitutional rights and privacy of individuals about whom criminal history record information has been collected;

(f) To provide an effective administrative forum for the protection of the rights of individuals concerning criminal history record information;

(g) To issue regulations, guidelines and procedures which ensure the privacy and security of criminal history record information consistent with State and federal laws;

(h) To act as the sole administrative appeal body in the State of Illinois to conduct hearings and make final determinations concerning individual challenges to the completeness and accuracy of criminal history record information;

(i) To act as the sole, official, criminal justice body in the State of Illinois to conduct annual and periodic audits of the procedures, policies, and practices of the State central repositories for criminal history record information to verify compliance with federal and state laws and regulations governing such information;

(j) To advise the Authority's Statistical Analysis Center;

(k) To apply for, receive, establish priorities for, allocate, disburse and spend grants of funds that are made available by and received on or after January 1, 1983 from private sources or from the United States pursuant to the federal Crime Control Act of 1973, as amended, and similar federal legislation, and to enter into agreements with the United States government to further the purposes of this Act, or as may be required as a condition of obtaining federal funds;

(l) To receive, expend and account for such funds of the State of Illinois as may be made available to further the purposes of this Act;

(m) To enter into contracts and to cooperate with units of general local government or combinations of such units, State agencies, and criminal justice system agencies of other states for

New matter indicated by italics - deletions by strikeout
the purpose of carrying out the duties of the Authority imposed by this Act or by the federal Crime Control Act of 1973, as amended;

(n) To enter into contracts and cooperate with units of general local government outside of Illinois, other states’ agencies, and private organizations outside of Illinois to provide computer software or design that has been developed for the Illinois criminal justice system, or to participate in the cooperative development or design of new software or systems to be used by the Illinois criminal justice system. Revenues received as a result of such arrangements shall be deposited in the Criminal Justice Information Systems Trust Fund.

(o) To establish general policies concerning criminal justice information systems and to promulgate such rules, regulations and procedures as are necessary to the operation of the Authority and to the uniform consideration of appeals and audits;

(p) To advise and to make recommendations to the Governor and the General Assembly on policies relating to criminal justice information systems;

(q) To direct all other agencies under the jurisdiction of the Governor to provide whatever assistance and information the Authority may lawfully require to carry out its functions;

(r) To exercise any other powers that are reasonable and necessary to fulfill the responsibilities of the Authority under this Act and to comply with the requirements of applicable federal law or regulation;

(s) To exercise the rights, powers and duties which have been vested in the Authority by the "Illinois Uniform Conviction Information Act", enacted by the 85th General Assembly, as hereafter amended; and

(t) To exercise the rights, powers and duties which have been vested in the Authority by the Illinois Motor Vehicle Theft Prevention Act; and:

(u) To exercise the rights, powers, and duties vested in the Authority by the Illinois Public Safety Agency Network Act.

New matter indicated by italics - deletions by strikeout
The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act. (Source: P.A. 85-922; 86-1408.)

(20 ILCS 3930/9) (from Ch. 38, par. 210-9)

Sec. 9. Criminal Justice Information Systems Trust Fund. The special fund in the State Treasury known as the Criminal Justice Information Systems Trust Fund shall be funded in part from users' fees collected from criminal justice agencies that are the users of information systems developed and operated for them by the Authority. The users' fees shall be based on pro rated shares according to the share of operating cost that is attributed to each agency, as determined by the Authority. Prior to the effective date of the Illinois Public Safety Agency Network Act, the General Assembly shall make an appropriation from the Criminal Justice Information Systems Trust Fund for the operating expenses of the Authority incident to providing the services described in this Section. On and after the effective date of the Illinois Public Safety Agency Network Act, distributions from the Fund shall be made as provided in that Act. (Source: P.A. 86-1227.)

Section 93. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 95. The State Property Control Act is amended by adding Section 7.6 as follows:

(30 ILCS 605/7.6 new)

Sec. 7.6. Illinois Public Safety Agency Network. Notwithstanding any other provision of this Act or any other law to the contrary, the administrator and the Illinois Criminal Justice Information Authority are authorized under this Section to transfer to the Illinois Public Safety

New matter indicated by italics - deletions by strikeout
Agency Network, from the Illinois Criminal Justice Information Authority, all contractual personnel, books, records, papers, documents, property, both real and personal, and pending business in any way pertaining to the operations of the ALERTS, ALECS, and PIMS systems managed by the Authority including, but not limited to, radio frequencies, licenses, software, hardware, IP addresses, proprietary information, code, and other required information and elements necessary for the successful operation, future development, and transition of the systems.

Section 99. Effective date. This Act takes effect July 1, 2006.
Passed in the General Assembly April 6, 2006.
Approved June 22, 2006.
Effective July 1, 2006.

PUBLIC ACT 94-0897
(House Bill No. 4768)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 6-107 as follows:

(625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)
Sec. 6-107. Graduated license.
(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

New matter indicated by italics - deletions by strikeout
(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated by marriage, for a drivers license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult. The written consent must accompany any application for a driver's license under this subsection (b), regardless of whether or not the required written consent also accompanied the person's previous application for an instruction permit.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 3 months.

(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

(3) Certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of 50 hours of behind-the-wheel practice time, at least 10 hours of which have been at night, and is sufficiently prepared and able to safely operate a motor vehicle.

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 of this Code and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act while that individual was in actual physical control of a motor vehicle. For purposes
of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 6 months to any applicant under the age of 18 years who has been convicted of any offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code.

(f) No graduated driver's license holder under the age of 18 shall operate a motor vehicle unless each driver and passenger under the age of 19 is wearing a properly adjusted and fastened seat safety belt and each child under the age of 8 is protected as required under the Child Passenger Protection Act.

(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 6 months he or she holds the license or until he or she reaches the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver.

(Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05; 94-239, eff. 1-1-06; 94-241, eff. 1-1-06; 94-556, eff. 9-11-05; revised 8-19-05.)

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

New matter indicated by italics - deletions by strikeout
AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Code of Civil Procedure is amended by adding Section 7-103.113 as follows:

(735 ILCS 5/7-103.113 new)
Sec. 7-103.113. Quick-take; City of Mount Vernon. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 94th General Assembly by the City of Mount Vernon for roadway extension purposes for acquisition of the property described in Parcel 4, Parcel 10, and Parcel 12, and for the acquisition of an easement in the property described as Parcel 12TE, each described as follows:

PARCEL 4
A part of the Southwest Quarter of Section 36, Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois, more particularly described as follows:
Commencing at the northwest corner of Lot 5 in Parkway Pointe Subdivision, thence South 00 degrees 44 minutes 12 seconds West along the west line of Lot 5, a distance of 13.84 feet to the Point of Beginning; thence South 03 degrees 01 minutes 34 seconds East, 323.26 feet; thence South 12 degrees 21 minutes 36 seconds East, 177.55 feet; thence South 42 degrees 33 minutes 50 seconds East, 65.08 feet; thence South 84 degrees 41 minutes 25 seconds East, 200.97 feet; thence South 88 degrees 53 minutes 09 seconds East, 475.09 feet; thence South 77 degrees 33 minutes 00 seconds East, 127.43 feet; thence South 87 degrees 51 minutes 48 seconds East,

New matter indicated by italics - deletions by strikeout
290.09 feet to a point of the existing north right-of-way of Veteran's Memorial Drive; thence South 01 degree 03 minutes 41 seconds West along the existing north right-of-way line, 5.00 feet; thence North 88 degrees 56 minutes 19 seconds West along the existing north right-of-way line, 1,055.47 feet to the southeast corner of Lot 8 in Parkway Pointe Subdivision; thence continuing North 88 degrees 56 minutes 19 seconds West along the existing north right-of-way line and the south line of Lot 8, a distance of 69.90 feet; thence North 44 degrees 02 minutes 40 seconds West along the existing north right-of-way line and the south line of Lot 8, a distance of 99.52 feet to the existing east right-of-way line of South 42nd Street and the Southwest corner of Lot 8; thence North 00 degrees 44 minutes 11 seconds East along the east right-of-way line of South 42nd Street and the west line of Lots 5, 6, 7 and 8, a distance of 523.73 feet to the Point of Beginning, containing 1.11 acres (48,299 square feet), more or less.

PARCEL 10
A part of Lot 9 in the Division of Lands of Paulina E. Davidson, located in the Northwest Quarter of Section 1, Township 3 South, Range 2 East of the Third Principal Meridian and more particularly described as follows:
Beginning at the northwest corner of Lot 9 in the Division of Lands of Paulina E. Davidson; thence South 89 degrees 22 minutes 46 seconds East along the north line of Lot 9, a distance of 220.27 feet to the west right-of-way line of Interstates 57 and 64; thence South 18 degrees 17 minutes 35 seconds East along the west right-of-way line, 198.37 feet; thence South 87 degrees 01 minute 47 seconds West, 234.54 feet; thence North 87 degrees 56 minutes 05 seconds East, 49.82 feet to the west line of Lot 9 in the Division of Lands of Paulina E. Davidson; thence North 00 degrees 25 minutes 29 seconds East, 201.09 feet to the Point of Beginning, containing 1.14 acres (49,727 square feet), more or less.

PARCEL 12

New matter indicated by italics - deletions by strikeout
A part of Lot 1 in Charles Starrett Subdivision in the Southeast Quarter of Section 35, Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois and more particularly described as follows:

Beginning at the Southwest corner of Lot 1 in Charles Starrett Subdivision; thence North 00 degrees 37 minutes 30 seconds East along the west line of Lot 1, a distance of 22.91 feet; thence North 83 degrees 02 minutes 40 seconds East, 131.58 feet; thence North 88 degrees 15 minutes 04 seconds East, 198.71 feet to the west right-of-way line of Interstates 57 and 64; thence South 18 degrees 00 minutes 35 seconds East along the west right-of-way line, 29.32 feet to the South line of Lot 1 in Charles Starrett Subdivision; thence North 89 degrees 31 minutes 48 seconds West along the south line of Lot 1, a distance of 207.89 feet; thence South 00 degrees 02 minutes 53 seconds East along the south line of Lot 1, a distance of 19.80 feet; thence North 89 degrees 31 minutes 54 seconds West along the south line of Lot 1, a distance of 130.68 feet to the Point of Beginning, containing 0.21 acres (8,988 square feet), more or less.

PARCEL 12 TE (Easement)
A part of Lot 1 in Charles Starrett Subdivision in the Southeast Quarter of Section 35, Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois and more particularly described as follows:

Beginning at the Southwest corner of Lot 1 in Charles Starrett Subdivision; thence North 00 degrees 37 minutes 32 seconds East along the west line of Lot 1, a distance of 212.31 feet to the Point of Beginning; thence continuing North 00 degrees 37 minutes 32 seconds East along the west line of Lot 1, a distance of 105.00 feet to the northwest corner of Lot 1; thence South 89 degrees 29 minutes 58 seconds East along the north line of Lot 1, a distance of 25.38 feet; thence South 05 degrees 26 minutes 16 seconds West, 105.39 feet; thence North 89 degrees 29 minutes 58 seconds West,
16.54 feet to the Point of Beginning, containing 0.05 acres (2,200 square feet), more or less.

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

Approved June 22, 2006.
Effective June 22, 2006.

PUBLIC ACT 94-0899
(House Bill No. 4217)

AN ACT concerning libraries.

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

Section 5. The Public Library District Act of 1991 is amended by changing Sections 15-5 and 15-15 as follows:

(75 ILCS 16/15-5)

Sec. 15-5. Annexation of contiguous territory. Territory outside of any district but contiguous to the district may be annexed as provided in Sections 15-10 through 15-45, and each of these Sections constitutes an independent authorization for the annexation of contiguous territory.

(75 ILCS 16/15-15)

Sec. 15-15. Territory included within municipality or school district.

(a) A district may, by ordinance, annex territory if that territory is:

(1) located within the boundaries of a municipality or school district that is included, entirely or partially, within the district;

(2) contiguous to the district; and

(3) without local, tax-supported public library service.

An ordinance under this subsection must describe the territory to be annexed.

New matter indicated by italics - deletions by strikeout
Whenever a municipality or school district included entirely or partially within a district has annexed or otherwise includes within its boundaries territory contiguous to the district and without local tax-supported public library service, the district may annex that territory by the passage of an ordinance to that effect, describing the territory annexed and reciting the prior annexation or other inclusion of the territory by the municipality or school district.

(b) Within 15 days of the passage of the annexation ordinance, the library district shall send notice of the adoption of the ordinance, a copy of the map showing the boundaries of the territory to be annexed, and a copy of the text of the publication notice required in this Section to the president of the board of trustees of each public library with territory within one mile of the territory to be annexed. Within 15 days after the adoption of the ordinance it shall be published as provided in Section 1-30. The board may vacate an annexation ordinance before its publication.

(c) The publication or posting of the ordinance shall include a notice of (i) the specific number of voters required to sign a petition requesting that the question of the adoption of the ordinance be submitted to the voters of the district or the territory to be annexed or both, (ii) the time in which the petition must be filed, and (iii) the date of the prospective referendum. The district secretary shall provide a petition form to any individual requesting one.

(d) If no petition is filed with the library district within 30 days after publication or posting of the ordinance, the annexation shall take effect. If, however, within the 30 day period, a petition is filed with the Board of Trustees of the library district, signed by voters of the district or the territory to be annexed, or both, equal in number to 10% or more of the total number of registered voters in the district, the territory to be annexed or both, asking that the question of the annexation of the territory be submitted to the voters of the territory, the board of trustees may vacate the annexation ordinance or certify the question to the proper election authority, who shall submit the question at the next regular election. Notice of this election shall be given and the election shall be conducted in
accordance with the Election Code. The proposition shall be submitted to the voters in substantially the following form:

Shall (description of territory) be annexed to (name of public library district), (location), Illinois?

(e) If a majority of votes cast upon the proposition in the district, and also a majority of votes cast upon the proposition in the territory to be annexed, are in favor of the proposition, the Board of Trustees of the library district may conclude the annexation of the territory.

(f) If, before the effective date of this amendatory Act of the 94th General Assembly, a district has annexed territory under this Section and that annexation complies with the requirements set forth in this Section, as changed by this amendatory Act of the 94th General Assembly, then, for all purposes, that annexation is hereby validated, ratified, and declared to be in full force and effect from: (i) 30 days after publication or posting of the ordinance if no petition was filed with the library district under subsection (d); or (ii) if a petition was filed, on the date that the district concluded the annexation of the territory under subsection (e).

(Source: P.A. 87-1277.)

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

Approved June 22, 2006.
Effective June 22, 2006.
Sec. 3c. Elected board of commissioners in certain counties. If the boundaries of a district are co-extensive with the boundaries of a county having a population of more than 800,000 but less than 3,000,000, all commissioners of the forest preserve district shall be elected from the same districts as members of the county board beginning with the general election held in 2002 and each succeeding general election. One commissioner shall be elected from each district. At their first meeting after their election in 2002 and following each subsequent decennial reapportionment of the county under Division 2-3 of the Counties Code, the elected commissioners shall publicly by lot divide themselves into 2 groups, as equal in size as possible. Commissioners from the first group shall serve for terms of 2, 4, and 4 years; and commissioners from the second group shall serve terms of 4, 4, and 2 years. Beginning with the general election in 2002, the president of the board of commissioners of the forest preserve district shall be elected by the voters of the county, rather than by the commissioners. The president shall be a resident of the county and shall be elected throughout the county for a 4-year term without having been first elected as commissioner of the forest preserve district. Each commissioner shall be a resident of the county board district from which he or she was elected not later than the date of the commencement of the term of office. The term of office for the president and commissioners elected under this Section shall commence on the first Monday of the month following the month of election. Neither a commissioner nor the president of the board of commissioners of that forest preserve district shall serve simultaneously as member or chairman of the county board. No person shall seek election to both the forest preserve commission and the county board at the same election. The compensation for the president shall be an amount equal to 85% of the annual salary of the county board chairman. The president, with the advice and consent of the board of commissioners shall appoint a secretary, treasurer, and such other officers as deemed necessary by the board of commissioners, which officers need not be members of the board of commissioners. The president shall have the powers and duties as specified in Section 12 of this Act.
Candidates for president and commissioner shall be candidates of established political parties.

If a vacancy in the office of president or commissioner occurs, other than by expiration of the president's or commissioner's term, the forest preserve district board of commissioners shall declare that a vacancy exists and notification of the vacancy shall be given to the county central committee of each established political party within 3 business days after the occurrence of the vacancy. If the vacancy occurs in the office of forest preserve district commissioner, the president of the board of commissioners shall, within 60 days after the date of the vacancy, with the advice and consent of other commissioners then serving, appoint a person to serve for the remainder of the unexpired term. The appointee shall be affiliated with the same political party as the commissioner in whose office the vacancy occurred and be a resident of such district. If a vacancy in the office of president occurs, other than by expiration of the president's term, the remaining members of the board of commissioners shall, within 60 days after the vacancy, appoint one of the commissioners to serve as president for the remainder of the unexpired term. In that case, the office of the commissioner who is appointed to serve as president shall be deemed vacant and shall be filled within 60 days by appointment of the president with the advice and consent of the other forest preserve district commissioners. The commissioner who is appointed to fill a vacancy in the office of president shall be affiliated with the same political party as the person who occupied the office of president prior to the vacancy. A person appointed to fill a vacancy in the office of president or commissioner shall establish his or her party affiliation by his or her record of voting in primary elections or by holding or having held an office in an established political party organization before the appointment. If the appointee has not voted in a party primary election or is not holding or has not held an office in an established political party organization before the appointment, the appointee shall establish his or her political party affiliation by his or her record of participating in an established political party's nomination or election caucus. If, however, more than 28 months remain in the unexpired term of a commissioner or the president, the

New matter indicated by italics - deletions by strikeout
appointment shall be until the next general election, at which time the vacated office of commissioner or president shall be filled by election for the remainder of the term. Notwithstanding any law to the contrary, if a vacancy occurs after the last day provided in Section 7-12 of the Election Code for filing nomination papers for the office of president of a forest preserve district where that office is elected as provided for in this Section, or as set forth in Section 7-61 of the Election Code, a vacancy in nomination shall be filled by the passage of a resolution by the nominating committee of the affected political party within the time periods specified in the Election Code. The nominating committee shall consist of the chairman of the county central committee and the township chairmen of the affected political party. All other vacancies in nomination shall be filled in accordance with the provisions of the Election Code.

The president and commissioners elected under this Section may be reimbursed for their reasonable expenses actually incurred in performing their official duties under this Act in accordance with the provisions of Section 3a. The reimbursement paid under this Section shall be paid by the forest preserve district.

Compensation for the president and the forest preserve commissioners elected under this Section shall be established by the board of commissioners of the forest preserve district the same as that of county board members of the county with which the forest preserve district's boundaries are co-extensive.

This Section does not apply to a forest preserve district created under Section 18.5 of the Conservation District Act.

(Source: P.A. 94-617, eff. 8-18-05.)

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

Passed in the General Assembly March 27, 2006.
Approved June 22, 2006.
Effective June 22, 2006.
PUBLIC ACT 94-0901
(House Bill No. 4308)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The School Code is amended by changing Section 21-27
as follows:

(105 ILCS 5/21-27)

Sec. 21-27. The Illinois Teaching Excellence Program. The Illinois
Teaching Excellence Program is hereby established to provide categorical
funding for monetary incentives and bonuses for teachers and school
counselors who are employed by school districts and who hold a Master
Certificate. The State Board of Education shall allocate and distribute to
each school district an amount as annually appropriated by the General
Assembly from federal funds for the Illinois Teaching Excellence
Program. The State Board of Education's annual budget must set out by
separate line item the appropriation for the program. Unless otherwise
provided by appropriation, each school district's annual allocation shall be
the sum of the amounts earned for the following incentives and bonuses:

(1) An annual payment of $3,000 to be paid to (A) each
teacher who successfully completes the program leading to and
who receives a Master Certificate and is employed as a teacher by a
school district and (B) each school counselor who successfully
completes the program leading to and who receives a Master
Certificate and is employed as a school counselor by a school
district. The school district shall distribute this payment to each
eligible teacher or school counselor as a single payment or in not
more than 3 payments.

(2) An annual incentive equal to $1,000 shall be paid to
each teacher who holds a Master Certificate, who is employed as a
teacher by a school district, and who agrees, in writing, to provide
60 hours of mentoring during that year to classroom teachers. This
mentoring may include, either singly or in combination, (i)

New matter indicated by italics - deletions by strikeout
providing high quality professional development for new and experienced teachers, and (ii) assisting National Board for Professional Teaching Standards (NBPTS) candidates through the NBPTS certification process. The school district shall distribute 50% of each annual incentive payment upon completion of 30 hours of the required mentoring and the remaining 50% of the incentive upon completion of the required 60 hours of mentoring. Credit may not be granted by a school district for mentoring or related services provided during a regular school day or during the total number of days of required service for the school year.

(3) An annual incentive equal to $3,000 shall be paid to each teacher who holds a Master Certificate, who is employed as a teacher by a school district, and who agrees, in writing, to provide 60 hours of mentoring during that year to classroom teachers in schools on academic early warning status or in schools in which 50% or more of the students receive free or reduced price lunches, or both. The school district shall distribute 50% of each annual incentive payment upon completion of 30 hours of the required mentoring and the remaining 50% of the incentive upon completion of the required 60 hours of mentoring. Credit may not be granted by a school district for mentoring or related services provided during a regular school day or during the total number of days of required service for the school year.

Each regional superintendent of schools shall provide information about the Master Certificate Program of the National Board for Professional Teaching Standards (NBPTS) and this amending Act of the 91st General Assembly to each individual seeking to register or renew a certificate under Section 21-14 of this Code.

(Source: P.A. 93-470, eff. 8-8-03; 94-105, eff. 7-1-05.)

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

Approved June 22, 2006.
Effective June 22, 2006.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 18-8.2 and 18-8.5 as follows:

(105 ILCS 5/18-8.2) (from Ch. 122, par. 18-8.2)

Sec. 18-8.2. Supplementary State aid for new and for certain annexing districts and for cooperative high schools.

(a) After the formation of a new district, a computation shall be made to determine the difference between the salaries effective in each of the previously existing districts on June 30, prior to the creation of the new district. For the first 4 years after the formation of the new district or if the new district was formed after October 31, 1982 and prior to the effective date of this amendatory Act of 1985, for the 3 years immediately following such effective date, a supplementary State aid reimbursement shall be paid to the new district equal to the difference between the sum of the salaries earned by each of the certificated members of the new district while employed in one of the previously existing districts during the year immediately preceding the formation of the new district and the sum of the salaries those certificated members would have been paid during the year immediately prior to the formation of the new district if placed on the salary schedule of the previously existing district with the highest salary schedule.

(b) After the territory of one or more school districts is annexed by one or more other school districts, or after the division (pursuant to petition under Section 11A-2) of a unit school district or districts into 2 or more parts which all are included in 2 or more other community unit districts resulting upon that division, a computation shall be made to determine the difference between the salaries effective in each such annexed or divided district and in the annexing or resulting district or districts as they each were constituted on June 30 preceding the date when

New matter indicated by italics - deletions by strikeout
the change of boundaries attributable to such annexation or division became effective for all purposes as determined under Section 7-9, 7A-8 or 11A-10. For the first 4 years after any such annexation or division, a supplementary State aid reimbursement shall be paid to each annexing or resulting district as constituted after the annexation or division equal to the difference between the sum of the salaries earned by each of the certificated members of such annexing or resulting district as constituted after the annexation or division while employed in an annexed or annexing district, or in a divided or resulting district, during the year immediately preceding the annexation or division, and the sum of the salaries those certificated members would have been paid during such immediately preceding year if placed on the salary schedule of whichever of such annexing or annexed districts, or resulting or divided districts, had the highest salary schedule during such immediately preceding year.

(b-5) After the formation of a cooperative high school by 2 or more school districts under Section 10-22.22c of this Code, a computation shall be made to determine the difference between the salaries effective in each of the previously existing high schools on June 30 prior to the formation of the cooperative high school. For the first 4 years after the formation of the cooperative high school, a supplementary State aid reimbursement shall be paid to the cooperative high school equal to the difference between the sum of the salaries earned by each of the certificated members of the cooperative high school while employed in one of the previously existing high schools during the year immediately preceding the formation of the cooperative high school and the sum of the salaries those certificated members would have been paid during the year immediately prior to the formation of the cooperative high school if placed on the salary schedule of the previously existing high school with the highest salary schedule.

(c) Such supplementary State aid reimbursement shall be treated as separate from all other payments made pursuant to Section 18-8 or 18-8.05. In the case of the formation of a new district or cooperative high school, reimbursement shall begin during the first year of operation of the new district or cooperative high school; and in the case of an annexation of the territory of one or more school districts by one or more other school
districts, or the division (pursuant to petition under Section 11A-2) of a unit school district or districts into 2 or more parts which all are included in 2 or more other community unit districts resulting upon that division, reimbursement shall begin during the first year when the change in boundaries attributable to such annexation or division becomes effective for all purposes as determined pursuant to Section 7-9, 7A-8 or 11A-10. Each year any such new, annexing or resulting district or cooperative high school, as the case may be, is entitled to receive reimbursement, the number of eligible certified members who are employed on October 1 in any such district or cooperative high school shall be certified to the State Board of Education on prescribed forms by October 15 and payment shall be made on or before November 15 of that year.

(d) If a unit school district annexes all the territory of another unit school district effective for all purposes pursuant to Section 7-9 on July 1, 1988, and if part of the annexed territory is detached within 90 days after July 1, 1988, then the detachment shall be disregarded in computing the supplementary State aid reimbursements under this Section for the entire 3 year period and the supplementary State aid reimbursements shall not be diminished because of the detachment.

(e) The changes made by this amendatory Act of 1989 are intended to be retroactive and applicable to any annexation taking effect after August 1, 1987.

(Source: P.A. 90-548, eff. 1-1-98.)

(105 ILCS 5/18-8.5) (from Ch. 122, par. 18-8.5)
Sec. 18-8.5. Supplementary State aid for new, annexing or resulting districts and for cooperative high schools.

(a) Following the formation of a new school district pursuant to Article 11A or 11B, or of a new elementary school district pursuant to Article 7A, or the annexation of all of the territory of one or more entire school districts by one or more other school districts, or the division pursuant to petition under Section 11A-2 of a unit school district or districts into 2 or more parts which all are included in 2 or more other community unit districts resulting upon that division, a supplementary State aid reimbursement shall be paid for the number of school years

New matter indicated by italics - deletions by strikeout
determined under the following table to each new, annexing or resulting
district equal to the sum of $4,000 for each certified employee who is
employed by such district on a full-time basis for the regular term of any
such school year:

<table>
<thead>
<tr>
<th>Reorganized District's Rank</th>
<th>Reorganized District's Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>by type of district (unit,</td>
<td>in Average Daily Attendance</td>
</tr>
<tr>
<td>high school, elementary)</td>
<td>By Quintile</td>
</tr>
<tr>
<td>in Equalized Assessed Value</td>
<td></td>
</tr>
<tr>
<td>Per Pupil by Quintile</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1st Quintile</th>
<th>2nd Quintile</th>
<th>3rd, 4th or 5th Quintile</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>1 year</td>
<td>1 year</td>
</tr>
<tr>
<td>2nd</td>
<td>1 year</td>
<td>2 years</td>
</tr>
<tr>
<td>3rd</td>
<td>2 years</td>
<td>3 years</td>
</tr>
<tr>
<td>4th</td>
<td>2 years</td>
<td>3 years</td>
</tr>
<tr>
<td>5th</td>
<td>2 years</td>
<td>3 years</td>
</tr>
</tbody>
</table>

The State Board of Education shall make a one-time calculation of a
reorganized district's quintile ranks. The average daily attendance used in
this calculation shall be the best 3 months' average daily attendance for the
district's first year. The equalized assessed value per pupil shall be the
district's real property equalized assessed value used in calculating the
district's first-year general State aid claim divided by the best 3 months' 
average daily attendance.

No annexing or resulting school district shall be entitled to
supplementary State aid under this Section unless such district acquires at
least 30% of the average daily attendance of the district from which the
territory is being detached or divided.

If a district results from multiple reorganizations that would
otherwise qualify the district for multiple payments under this Section in
any year, the district shall receive a single payment only for that year based
solely on the most recent reorganization.

(a-5) Following the formation of a cooperative high school by 2 or
more school districts under Section 10-22.22c of this Code, a
supplementary State aid reimbursement shall be paid for 3 school years to the cooperative high school equal to the sum of $4,000 for each certified employee who is employed by the cooperative high school on a full-time basis for the regular term of any such school year. If a cooperative high school results from multiple agreements that would otherwise qualify the cooperative high school for multiple payments under this Section in any year, the cooperative high school shall receive a single payment for that year based solely on the most recent agreement.

(b) The supplementary State aid reimbursement payable under this Section shall be separate from and in addition to all other payments made to the district pursuant to any other Section of this Article.

(c) During May of each school year for which a supplementary State aid reimbursement is to be paid to a new, annexing or resulting school district or cooperative high school pursuant to this Section, the school board or governing board shall certify to the State Board of Education, on forms furnished to the school board or governing board by the State Board of Education for purposes of this Section, the number of certified employees for which the district or cooperative high school is entitled to reimbursement under this Section, together with the names, certificate numbers and positions held by such certified employees.

(d) Upon certification by the State Board of Education to the State Comptroller of the amount of the supplementary State aid reimbursement to which a school district or cooperative high school is entitled by this Section, the State Comptroller shall draw his warrant upon the State Treasurer for the payment thereof to the school district or cooperative high school and shall promptly transmit the payment to the school district or cooperative high school through the appropriate school treasurer.

(e) The changes to this Section made by P.A. 88-555 shall apply to all reorganizations for which the petitions are filed with the regional board of school trustees or the regional superintendent, as the case may be, on or after January 1, 1995.

(Source: P.A. 87-10; 87-435; 87-1210; 88-555, eff. 7-27-94; 88-686, eff. 1-24-95.)

Section 99. Effective date. This Act takes effect July 1, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
(Text of Section before amendment by P.A. 94-702 and 94-711)
Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

New matter indicated by italics - deletions by strikeout
(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.
(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around
buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of
the last 5 calendar years prior to the year in which the
redevelopment project area is designated or is increasing at
an annual rate that is less than the balance of the
municipality for 3 of the last 5 calendar years for which
information is available or is increasing at an annual rate
that is less than the Consumer Price Index for All Urban
Consumers published by the United States Department of
Labor or successor agency for 3 of the last 5 calendar years
prior to the year in which the redevelopment project area is
designated.

(2) If vacant, the sound growth of the redevelopment
project area is impaired by a combination of 2 or more of the
following factors, each of which is (i) present, with that presence
documented, to a meaningful extent so that a municipality may
reasonably find that the factor is clearly present within the intent of
the Act and (ii) reasonably distributed throughout the vacant part of
the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in
parcels of limited or narrow size or configurations of
parcels of irregular size or shape that would be difficult to
develop on a planned basis and in a manner compatible
with contemporary standards and requirements, or platting
that failed to create rights-of-ways for streets or alley
s or that created inadequate right-of-way widths for streets,
alleys, or other public rights-of-way or that omitted
easements for public utilities.

(B) Diversity of ownership of parcels of vacant land
sufficient in number to retard or impede the ability to
assemble the land for development.

(C) Tax and special assessment delinquencies exist
or the property has been the subject of tax sales under the
Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements
in neighboring areas adjacent to the vacant land.

New matter indicated by italics - deletions by strikeout
(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) The area consists of one or more unused quarries, mines, or strip mine ponds.

   (B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

New matter indicated by italics - deletions by strikeout
(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or
more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout
(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

New matter indicated by italics - deletions by strikeout
(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.
(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation

New matter indicated by italics - deletions by strikeout
2937  

Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales

New matter indicated by italics - deletions by strikeout
Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs
within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the

New matter indicated by italics - deletions by strikeout
contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and
10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no

New matter indicated by italics - deletions by strikeout
redevelopment plan may be approved or amended that includes the
development of vacant land (i) with a golf course and related clubhouse
and other facilities or (ii) designated by federal, State, county, or municipal
government as public land for outdoor recreational activities or for nature
preserves and used for that purpose within 5 years prior to the adoption of
the redevelopment plan. For the purpose of this subsection, "recreational
activities" is limited to mean camping and hunting. Each redevelopment
plan shall set forth in writing the program to be undertaken to accomplish
the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project
costs;

(B) evidence indicating that the redevelopment project area
on the whole has not been subject to growth and development
through investment by private enterprise;

(C) an assessment of any financial impact of the
redevelopment project area on or any increased demand for
services from any taxing district affected by the plan and any
program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the
redevelopment project area;

(G) an estimate as to the equalized assessed valuation after
redevelopment and the general land uses to apply in the
redevelopment project area;

(H) a commitment to fair employment practices and an
affirmative action plan;

(I) if it concerns an industrial park conservation area, the
plan shall also include a general description of any proposed
developer, user and tenant of any property, a description of the
type, structure and general character of the facilities to be
developed, a description of the type, class and number of new
employees to be employed in the operation of the facilities to be
developed; and

New matter indicated by italics - deletions by strikeout
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the

New matter indicated by italics - deletions by strikeout
payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:
   
   (A) if the ordinance was adopted before January 15, 1981, or
   
   (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
   
   (C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
   
   (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
   
   (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
   
   (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
   
   (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

New matter indicated by italics - deletions by strikeout
(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

New matter indicated by italics - deletions by strikeout
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
/DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or

New matter indicated by italics - deletions by strikeout
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:
(QU) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:
(RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:
(TT) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be

New matter indicated by italics - deletions by strikeout
not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be
exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed,
and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail

New matter indicated by italics - deletions by strikeout
to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no

New matter indicated by italics - deletions by strikeout
charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of service for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;
(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;
(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

New matter indicated by italics - deletions by strikeout
(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for
which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the

New matter indicated by italics - deletions by strikeout
most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the

New matter indicated by italics - deletions by strikeout
boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and
by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund

New matter indicated by italics - deletions by strikeout
when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the

New matter indicated by italics - deletions by strikeout
municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a
written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs

New matter indicated by italics - deletions by strikeout
and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units

New matter indicated by italics - deletions by strikeout
are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

New matter indicated by italics - deletions by strikeout
(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity,
as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act,

New matter indicated by italics - deletions by strikeout
Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must

New matter indicated by italics - deletions by strikeout
report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

New matter indicated by italics - deletions by strikeout
(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

New matter indicated by italics - deletions by strikeout
(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.
(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around

New matter indicated by italics - deletions by strikeout
buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of
the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

   (B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

   (C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

   (D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

New matter indicated by italics - deletions by strikeout
(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

New matter indicated by italics - deletions by strikeout
(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or
more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout
(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.
(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

New matter indicated by italics - deletions by strikeout
(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation

New matter indicated by italics - deletions by strikeout
Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts.

New matter indicated by italics - deletions by strikeout
Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs

New matter indicated by italics - deletions by strikeout
within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the

New matter indicated by italics - deletions by strikeout
contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and
10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no
redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;
(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;
(D) the sources of funds to pay costs;
(E) the nature and term of the obligations to be issued;
(F) the most recent equalized assessed valuation of the redevelopment project area;
(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
(H) a commitment to fair employment practices and an affirmative action plan;
(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

New matter indicated by italics - deletions by strikeout
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the

New matter indicated by italics - deletions by strikeout
payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

New matter indicated by italics - deletions by strikeout
(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

New matter indicated by italics - deletions by strikeout
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or

New matter indicated by italics - deletions by strikeout
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:
(PP) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:
(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or:
(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or:
(VV) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an

New matter indicated by italics - deletions by strikeout
amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the
municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose

New matter indicated by italics - deletions by strikeout
residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.  

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.  

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.  

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.  

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended

New matter indicated by italics - deletions by strikeout
without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and
professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination,

New matter indicated by italics - deletions by strikeout
including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the
estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since

New matter indicated by italics - deletions by strikeout
the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of

New matter indicated by italics - deletions by strikeout
necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the
school district by the municipality or developer, and
by the value of any physical improvements made to
the schools by the municipality or developer; and
(iii) the amount reimbursed may not affect
amounts otherwise obligated by the terms of any
bonds, notes, or other funding instruments, or the
terms of any redevelopment agreement.

Any school district seeking payment under this paragraph
(7.5) shall, after July 1 and before September 30 of each
year, provide the municipality with reasonable evidence to
support its claim for reimbursement before the municipality
shall be required to approve or make the payment to the
school district. If the school district fails to provide the
information during this period in any year, it shall forfeit
any claim to reimbursement for that year. School districts
may adopt a resolution waiving the right to all or a portion
of the reimbursement otherwise required by this paragraph
(7.5). By acceptance of this reimbursement the school
district waives the right to directly or indirectly set aside,
modify, or contest in any manner the establishment of the
redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or
redevelopment project areas amended to add or increase the
number of tax-increment-financing assisted housing units) on or
after January 1, 2005 (the effective date of Public Act 93-961), a
public library district's increased costs attributable to assisted
housing units located within the redevelopment project area for
which the developer or redeveloper receives financial assistance
through an agreement with the municipality or because the
municipality incurs the cost of necessary infrastructure
improvements within the boundaries of the assisted housing sites
necessary for the completion of that housing as authorized by this
Act shall be paid to the library district by the municipality from the
Special Tax Allocation Fund when the tax increment revenue is

New matter indicated by italics - deletions by strikeout
received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year,
provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-
38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of

New matter indicated by italics - deletions by strikeout
construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will
provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this

New matter indicated by italics - deletions by strikeout
paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers’ Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at

New matter indicated by italics - deletions by strikeout
places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on

New matter indicated by italics - deletions by strikeout
June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed

New matter indicated by italics - deletions by strikeout
Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such
excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of
payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or
more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on

New matter indicated by italics - deletions by strikeout
or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O)

New matter indicated by italics - deletions by strikeout
if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1991 by the City of Sullivan,

New matter indicated by italics - deletions by strikeout
1986 by the City of Oglesby, or (RR) (ΘΘ) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied

New matter indicated by italics - deletions by strikeout
as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue
designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax
allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the
special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required,
pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such
excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the
funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds
remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually
and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the
municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in
direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment
project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as
to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the
respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real
property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund
pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following:
(a) net revenues of all or part of any redevelopment project; (b) taxes
levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the

New matter indicated by italics - deletions by strikeout
ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated,

New matter indicated by italics - deletions by strikeout
and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600

New matter indicated by italics - deletions by strikeout
that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance

New matter indicated by italics - deletions by strikeout
was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such

New matter indicated by italics - deletions by strikeout
obligations or any other taxing district for the purpose of any limitation imposed by law.
(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Approved June 22, 2006.
Effective June 22, 2006.

PUBLIC ACT 94-0904
(House Bill No. 4832)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Community Service Education Act.

Section 5. Policy. Community service education programs educate students about the value of civic involvement through actual school-sponsored involvement in their communities. Students, citizens, civic groups, businesses, and community organizations benefit from community service education programs by developing strong partnerships that enhance the value of schools and quality of life in communities. Community

New matter indicated by italics - deletions by strikeout
service education programs build stronger schools, stronger communities, and a positive environment.

In many communities, the school district is the economic engine that provides jobs, economic stability, and prosperity. Community service education programs enable more school districts and communities to prosper economically while promoting good citizenship. School districts that offer community service education programs enjoy a significant return on their investment. Hence, the policy of the State of Illinois is to support such programs by providing incentives to encourage school districts to offer community service education programs.

Section 10. Community Service Education Program. There is created the Community Service Education Program, administered by the State Board of Education, in cooperation with school districts. Participation in this program is voluntary. The following items may serve as best practices to be considered by school districts opting to implement the program under Section 25 of this Act:

1. The program contains provisions and standards conducive to the establishment of community, business, and education partnerships that give use to lasting relationships between school districts and partners that are mutually beneficial.

2. The program provides greater community access to school facilities and programs to promote increased achievement by children.

3. The program makes school facilities available for citizen use.

4. The program organizes local residents to assess local conditions, set priorities, identify program needs, and participate in program planning and development.

5. The program identifies and utilizes resources within the community or those that impact on the community.

6. The program assists in the initiation of new and improved programs in an effort to improve opportunities for all residents of the community.
(7) The program provides effective youth training programs and employment counseling in schools, as well as paid work experience linking the schools with the private sector.

(8) The program provides student involvement in community service learning activities, organizations, and intergenerational programs.

(9) The program provides volunteer programs to bring parents, business personnel, community agency representatives, retirees, and other students into the classroom as participants in the teaching of students.

(10) The program provides supplemental or additional programs for junior high school and high school age youth that may consist of enrichment, individual, and supplemental activities, as well as recreational, cultural, and vocational programs.

(11) The program provides programs to meet the individual needs of all people who reside in the school district being served.

Nothing set forth in items (7) through (11) shall be constituted as either requiring or permitting the Community Service Education Program to have any program or programs serving the same purpose or purposes as those elsewhere specifically provided for in the School Code.

The Community Service Education Program shall avoid duplication of existing programs operated by other entities in whole or in part within a school district. The Community Service Education Program shall provide for the involvement of the residents of a school district in ascertaining the identity of local problems and in ascertaining the community resources available for dealing with these problems.

Section 25. Establishment of community service education program by school district. A school district may establish and operate a community service education program that qualifies for a grant under Section 92 of this Act by complying with the provisions of this Act and any rules adopted by the State Board of Education under Section 500 of this Act.

Section 60. Local input. Each school board that establishes a community service education program under Section 25 of this Act shall

New matter indicated by italics - deletions by strikeout
establish a process to obtain input into the development and operation of its community service education program by members who represent various service organizations, churches, public schools, units of local government, businesses and professions, public and private agencies serving youth, families, or senior citizens, municipal governments, townships, libraries, park, recreation, or forest preserve districts located in whole or in part within the school district, and any other group or groups participating in the school district's community service education program.

Section 65. Director of Community Service Education. Each school district maintaining a community service education program established under Section 25 of this Act shall employ or appoint a Director of Community Service Education. The Director shall be responsible for all aspects of the school district's community service education program. An individual employed solely as a Director of Community Service Education need not hold a teaching or administrative certificate from the State of Illinois.

Section 75. Non-duplication of programs. A school district that establishes a community service education program under Section 25 of this Act must strive to ensure that its community service education program does not duplicate services offered by other entities or school programs.

Section 80. Community service education consortiums. Any school district that opts to conduct a community service education program pursuant to the provisions of this Act may enter into an agreement with other school districts to form a consortium for the purpose of offering a consolidated community service education program.

Section 85. Partnership agreements. A school district community service education program established under Section 25 of this Act shall have the power to enter into agreements with any other public or private entity or entities for the furnishing of any component of its community service education program. These agreements may provide for payments from the school district's community service education fund to other entities as contributions to the expenses of the program or programs covered by these agreements.

New matter indicated by italics - deletions by strikeout
Section 90. Funding. A school district maintaining a community service education program established under Section 25 of this Act is authorized to receive money from the State, as grants that are subject to appropriation, and other public and private sources for the support of its program or any component thereof and to expend this money pursuant to the provisions of this Act, subject to the terms and conditions under which the money is received. A not-for-profit organization may be established in support of the program, in accordance with the General Not For Profit Corporation Act of 1986, and may seek tax exemption for the organization from the Internal Revenue Service and the Department of Revenue. Subject to guidelines approved by the school board, the school district is also authorized to charge and collect fees from persons voluntarily participating in a specific community service education program. The school board shall also have the authority to designate funds to be used for community service education purposes.

Section 92. Grants. Subject to the availability of funds for the specific purpose of making grants for community service education, the State Board of Education is authorized to make grants to school districts operating community service education programs that meet the standards set forth in this Act and any rules adopted by the State Board of Education.

Section 500. Rules. The State Board of Education may adopt any rules that are necessary to implement and administer this Act.

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

Passed in the General Assembly March 27, 2006.
Approved June 22, 2006.
Effective June 22, 2006.
Section 5. The Board of Higher Education Act is amended by changing Sections 2, 3, and 4 as follows:

(110 ILCS 205/2) (from Ch. 144, par. 182)

Sec. 2. There is created a Board of Higher Education to consist of 16 members as follows: 10 members appointed by the Governor, by and with the advice and consent of the Senate; one member of a public university governing board, appointed by the Governor without the advice and consent of the Senate; one member of a private college or university board of trustees, appointed by the Governor without the advice and consent of the Senate; the chairman of the Illinois Community College Board; the chairman of the Illinois Student Assistance Commission; and 2 student members selected by the recognized advisory committee of students of the Board of Higher Education, one of whom must be a non-traditional undergraduate student who is at least 24 years old and represents the views of non-traditional students, such as a person who is employed or is a parent. Beginning on July 1, 2005, one of the 10 members appointed by the Governor, by and with the advice and consent of the Senate, must be a faculty member at an Illinois public university. The Governor shall designate the Chairman of the Board to serve until a successor is designated. The chairmen of the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Governors of State Colleges and Universities, and the Board of Regents of Regency Universities shall cease to be members of the Board of Higher Education on the effective date of this amendatory Act of 1995. No more than 7 of the members appointed by the Governor, excluding the Chairman, shall be affiliated with the same political party. The 10 members appointed by the Governor with the advice and consent of the Senate shall be citizens of the State and shall be selected, as far as may be practicable, on the basis of their knowledge of, or interest or experience in, problems of higher education. If the Senate is not in session or is in recess, when appointments subject to its confirmation are made, the Governor shall make temporary appointments which shall be subject to subsequent Senate approval.

(Source: P.A. 93-429, eff. 1-1-04.)
Sec. 3. Terms; vacancies.

(a) The members of the Board whose appointments are subject to confirmation by the Senate shall be selected for 6-year terms expiring on January 31 of odd numbered years. Of the initial appointees, however, 2 shall be designated by the Governor to serve until January 31, 1963, 3 until January 31, 1965, and 3 until January 31, 1967.

Of the 2 appointees to be made by the Governor pursuant to this Act as amended by the 75th General Assembly, one shall be designated to serve until January 31, 1971 and one until January 31, 1973.

(b) The members of the Board shall continue to serve after the expiration of their terms until their successors have been appointed.

(c) Vacancies on the Board in offices appointed by the Governor shall be filled by appointment by the Governor for the unexpired term. If the appointment is subject to Senate confirmation and the Senate is not in session or is in recess when the appointment is made, the appointee shall serve subject to subsequent Senate approval of the appointment.

(d) Each student member shall serve a term of one year beginning on July 1 of each year, except that the student member initially selected under this amendatory Act of the 94th General Assembly shall serve a term beginning on the date of such selection and expiring on the next succeeding June 30.

(e) The member of the Board representing public university governing boards and the member of the Board representing private college and university boards of trustees, who are appointed by the Governor but not subject to confirmation by the Senate, shall serve terms of one year beginning on July 1.

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

Sec. 4. The Board shall hold regular meetings at times specified in its rules. Special or additional meetings may be held on call of the Chairman, or upon a call signed by at least 6 members, or upon call of the Governor. Eight members of the Board shall constitute a quorum at all its meetings, but the approval of a new unit of instruction,

New matter indicated by italics - deletions by strikeout
research, or public service for a public institution of higher education, as provided in Section 7 shall require the concurrence of a majority of all the members of the Board.

The Chairmen of the Illinois Community College Board and the Illinois Student Assistance Commission holding membership on the Board each may designate an alternate to attend any meeting of the Board, and an alternate so designated shall have all rights and privileges of regular membership while acting for the Chairman who has so designated him or her.

The Board may employ and fix the compensation of professional and clerical staff and other assistants, including specialists and consultants, as it may deem necessary, on a full or part time basis.

(Source: P.A. 89-4, eff. 1-1-96; 90-278, eff. 7-31-97.)


Approved June 22, 2006.


PUBLIC ACT 94-0906
(House Bill No. 4125)

AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Section 370c as follows:

(215 ILCS 5/370c) (from Ch. 73, par. 982c)
Sec. 370c. Mental and emotional disorders.
(a) (1) On and after the effective date of this Section, every insurer which delivers, issues for delivery or renews or modifies group A&H policies providing coverage for hospital or medical treatment or services for illness on an expense-incurred basis shall offer to the applicant or group policyholder subject to the insurers standards of insurability, coverage for reasonable and necessary treatment and services for mental, emotional or nervous disorders or conditions, other than serious mental

New matter indicated by italics - deletions by strikeout
illnesses as defined in item (2) of subsection (b), up to the limits provided in the policy for other disorders or conditions, except (i) the insured may be required to pay up to 50% of expenses incurred as a result of the treatment or services, and (ii) the annual benefit limit may be limited to the lesser of $10,000 or 25% of the lifetime policy limit.

(2) Each insured that is covered for mental, emotional or nervous disorders or conditions shall be free to select the physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor of his choice to treat such disorders, and the insurer shall pay the covered charges of such physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor up to the limits of coverage, provided (i) the disorder or condition treated is covered by the policy, and (ii) the physician, licensed psychologist, licensed clinical social worker, or licensed clinical professional counselor is authorized to provide said services under the statutes of this State and in accordance with accepted principles of his profession.

(3) Insofar as this Section applies solely to licensed clinical social workers and licensed clinical professional counselors, those persons who may provide services to individuals shall do so after the licensed clinical social worker or licensed clinical professional counselor has informed the patient of the desirability of the patient conferring with the patient's primary care physician and the licensed clinical social worker or licensed clinical professional counselor has provided written notification to the patient's primary care physician, if any, that services are being provided to the patient. That notification may, however, be waived by the patient on a written form. Those forms shall be retained by the licensed clinical social worker or licensed clinical professional counselor for a period of not less than 5 years.

(b) (1) An insurer that provides coverage for hospital or medical expenses under a group policy of accident and health insurance or health care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 92nd General Assembly shall provide coverage
under the policy for treatment of serious mental illness under the same
terms and conditions as coverage for hospital or medical expenses related
to other illnesses and diseases. The coverage required under this Section
must provide for same durational limits, amount limits, deductibles, and
coiinsurance requirements for serious mental illness as are provided for
other illnesses and diseases. This subsection does not apply to coverage
provided to employees by employers who have 50 or fewer employees.

(2) "Serious mental illness" means the following psychiatric
illnesses as defined in the most current edition of the Diagnostic and
Statistical Manual (DSM) published by the American Psychiatric
Association:

(A) schizophrenia;
(B) paranoid and other psychotic disorders;
(C) bipolar disorders (hypomanic, manic, depressive, and
mixed);
(D) major depressive disorders (single episode or
recurrent);
(E) schizoaffective disorders (bipolar or depressive);
(F) pervasive developmental disorders;
(G) obsessive-compulsive disorders;
(H) depression in childhood and adolescence;
(I) panic disorder; and
(J) post-traumatic stress disorders (acute, chronic, or with
delayed onset).

(3) Upon request of the reimbursing insurer, a provider of
treatment of serious mental illness shall furnish medical records or other
necessary data that substantiate that initial or continued treatment is at all
times medically necessary. An insurer shall provide a mechanism for the
timely review by a provider holding the same license and practicing in the
same specialty as the patient's provider, who is unaffiliated with the
insurer, jointly selected by the patient (or the patient's next of kin or legal
representative if the patient is unable to act for himself or herself), the
patient's provider, and the insurer in the event of a dispute between the
insurer and patient's provider regarding the medical necessity of a

New matter indicated by italics - deletions by strikeout
treatment proposed by a patient's provider. If the reviewing provider determines the treatment to be medically necessary, the insurer shall provide reimbursement for the treatment. Future contractual or employment actions by the insurer regarding the patient's provider may not be based on the provider's participation in this procedure. Nothing prevents the insured from agreeing in writing to continue treatment at his or her expense. When making a determination of the medical necessity for a treatment modality for serous mental illness, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process.

(4) A group health benefit plan:

(A) shall provide coverage based upon medical necessity for the following treatment of mental illness in each calendar year:

(i) 45 days of inpatient treatment; and
(ii) 35 visits for outpatient treatment including group and individual outpatient treatment; and
(iii) for plans or policies delivered, issued for delivery, renewed, or modified after the effective date of this amendatory Act of the 94th General Assembly, 20 additional outpatient visits for speech therapy for treatment of pervasive developmental disorders that will be in addition to speech therapy provided pursuant to item (ii) of this subparagraph (A);

(B) may not include a lifetime limit on the number of days of inpatient treatment or the number of outpatient visits covered under the plan; and

(C) shall include the same amount limits, deductibles, copayments, and coinsurance factors for serious mental illness as for physical illness.

(5) An issuer of a group health benefit plan may not count toward the number of outpatient visits required to be covered under this Section an outpatient visit for the purpose of medication management and shall

New matter indicated by italics - deletions by strikeout
cover the outpatient visits under the same terms and conditions as it covers outpatient visits for the treatment of physical illness.

(6) An issuer of a group health benefit plan may provide or offer coverage required under this Section through a managed care plan.

(7) This Section shall not be interpreted to require a group health benefit plan to provide coverage for treatment of:

(A) an addiction to a controlled substance or cannabis that is used in violation of law; or

(B) mental illness resulting from the use of a controlled substance or cannabis in violation of law.

(8) (Blank).

(Source: P.A. 94-402, eff. 8-2-05; P.A. 94-584, eff. 8-15-05; revised 8-19-05.)

Section 10. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State,
except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

   (A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

   (B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

   (C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

   (D) such other information as the Director shall require.
(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may
agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(Source: P.A. 92-764, eff. 1-1-03; 93-102, eff. 1-1-04; 93-261, eff. 1-1-04; 93-477, eff. 8-8-03; 93-529, eff. 8-14-03; 93-853, eff. 1-1-05; 93-1000, eff. 1-1-05; revised 10-14-04.)

Approved June 23, 2006.

PUBLIC ACT 94-0907
(House Bill No. 4127)

AN ACT concerning property.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. Notwithstanding any other provision of law and subject to Section 10, the Oregon Park District is authorized to convey its right, title, and interest in and to the following described land to Rock River Center, a not-for-profit corporation, without payment of consideration, for use in projects to fulfill Rock River Center's corporate purposes:

New matter indicated by italics - deletions by strikeout
EXHIBIT A
Part of the Southeast Quarter of Section 4, Township 23 North, Range 10 East of the Fourth Principal Meridian, City of Oregon, Ogle County, Illinois, described as follows:
Commencing at the northeast corner of the Lot 65 in Zephyr Second Subdivision in the City of Oregon, Ogle County, Illinois, said point being on the west line of Tenth Street in said City of Oregon; thence North 0 degrees 09 minutes 44 seconds East (assumed bearing) on said west line of Tenth Street, a distance of 66.00 feet to the true point of beginning for the tract being described; and running thence North 89 degrees 40 minutes 20 seconds West, parallel with the north line of said Lot 65 in Zephyr Second Subdivision, a distance of 611.59 feet (recorded as 611.5 feet); thence North 0 degrees 09 minutes 44 seconds East, a distance of 450.00 feet; thence South 89 degrees 40 minutes 20 seconds East, a distance of 611.59 feet to said west line of Tenth Street; thence South 0 degrees 09 minutes 44 seconds West on said west line of Tenth Street, a distance of 450.00 feet to the point of beginning; containing 6.31 acres, more or less.

Section 10. The conveyance authorized under Section 5 must be subject to the condition that Rock River Center, a not-for-profit corporation, may use the land only for projects to fulfill Rock River Center's corporate purposes. Any temporary suspension of use caused by the construction of improvements on the land for projects to fulfill Rock River Center's corporate purposes is not a breach of this condition. The Oregon Park District shall have the right of re-entry for breach of this condition. If Rock River Center breaches this condition or attempts to convey the land to any person or entity other than the Oregon Park District, the land shall revert back to ownership of the Oregon Park District.

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

Approved June 23, 2006.
AN ACT concerning local government.

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

Section 1. Short title. This Act may be cited as the Chanute-Rantoul National Aviation Center Redevelopment Commission Act.

Section 5. Purpose. The purpose of this Act is to facilitate and promote the economic and environmental redevelopment of the area formerly known as Chanute Air Force Base.

Section 10. Definitions. In this Act:

"Aviation Center" means the Rantoul National Aviation Center Airport.

"Board" means the Board of Directors of the Chanute-Rantoul National Aviation Center Redevelopment Commission.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment whether or not on the same site, suitable for use by any retail or wholesale concern, distributorship, or agency, any cultural facilities of a for-profit or not-for-profit type, including, but not limited to, educational, theatrical, recreational, and entertainment facilities, sports facilities, racetracks, stadiums, convention centers, exhibition halls, arenas, opera houses, theaters, swimming pools, restaurants, velodromes, coliseums, sports training facilities, parking facilities, terminals, terminal facilities, hotels and motels, gymnasiums, and medical facilities.

"Commission" means the Chanute-Rantoul National Aviation Center Redevelopment Commission.

"Comprehensive plan" means a plan (which may include several redevelopment plans) setting forth a comprehensive process or scheme for the redevelopment of the area within the territorial jurisdiction of the Commission.

New matter indicated by italics - deletions by strikeout
"Construct or acquire" means to plan, design, build, reconstruct, improve, modify, extend, landscape, expand or obtain possession of property by way of gift or purchase.

"Industrial project" means (1) a capital project, including one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site, suitable for use by any manufacturing, industrial, research, transportation, or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, office building, industrial distribution center, warehouse, repair, overhaul, or service facility, freight terminal, research facility, test facility, railroad facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment, and disposal facilities, including the sites and other rights in land therefor, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking, and similar facilities, parking facilities, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment, or related equipment and other improvements necessary or convenient thereto; or (2) any land, buildings, machinery, or equipment comprising an addition to or renovation, rehabilitation, or improvement of any existing capital project.

"Member" means a member of the Board.

"Person" includes, without limitation, an individual, corporation, partnership, unincorporated association, and any other legal entity, including a trustee, receiver, assignee, or personal representative of the entity.

"Project" means an industrial or commercial project or any combination thereof, provided that all uses fall within one of those categories. The term "project" includes removal of environmental hazards in buildings, demolition of uninhabitable buildings, building and leasing new industrial and commercial ventures, and working with the Village to manage and develop the Aviation Center to support the establishment of an intermodal transportation center. The term "project" also includes all

New matter indicated by italics - deletions by strikeout
site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment, and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Redevelopment plan" means any one or more plans approved or adopted by the Commission setting forth programs or procedures for one or more projects and the protection of adjacent areas, and all administrative, funding, and financial details and proposals necessary to effectuate the plan.

"Terminal" means a public place, station, or depot for receiving and delivering passengers, baggage, mail, freight, or express matter and any combination thereof in connection with the transportation of persons and property on land, by air, or both.

"Terminal facilities" means all land, buildings, structures, improvements, equipment, and appliances useful in the operation of public warehouse, storage, and transportation facilities and industrial, manufacturing, or commercial activities for the accommodation of or in connection with commerce by land.

"Village" means the Village of Rantoul.

Section 15. Chanute-Rantoul National Aviation Center Redevelopment Commission; creation.

(a) The Chanute-Rantoul National Aviation Center Redevelopment Commission is created as a political subdivision, body politic, and municipal corporation of the State. The territorial jurisdiction of the Commission shall extend over all of the 1,400 acres, more or less, under public control, within the area commonly known and described as Chanute Air Force Base, and the entire 2,125 acres of the area commonly known and described as Chanute Air Force Base that is under public control for the purposes of underground infrastructure issues.

(b) The governing body of the Commission shall be a Board of Directors consisting of 7 public members appointed by the Village President, with the advice and consent of the Village Board, and the following ex-officio, non-voting members:

New matter indicated by italics - deletions by strikeout
(1) The Director of Commerce and Economic Opportunity, or his or her designee;
(2) The Director of the Illinois Environmental Protection Agency, or his or her designee;
(3) The President of the Village of Rantoul, or his or her designee; and
(4) The Chair of the Rantoul Plan Commission or another Rantoul Plan Commission member designated to represent the Plan Commission.

All public members must reside within East Central Illinois. Five members shall constitute a quorum.

All persons appointed as public members must have recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, real estate development, transportation, logistics, community development, or venture capital finance.

The members shall elect the following officers from among the public members of the Commission: Chair, Vice-Chair, Treasurer, and Secretary. The officers shall serve a term prescribed by the Commission.

All members of the Commission shall serve without compensation for their services as members but may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(c) The terms of all members shall begin 30 days after the effective date of this Act. Of the initial appointees, one member shall serve for a term of 2 years, 2 members shall serve for a term of 3 years, 2 members shall serve for a term of 4 years, and 2 members shall serve for a term of 5 years. All successors shall serve 5-year terms, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term.

(d) The Board shall determine the general policy of the Commission, approve its annual budget, make all appropriations, adopt all resolutions and ordinances providing for the issuance of bonds or notes by

New matter indicated by italics - deletions by strikeout
the Commission, adopt its bylaws, rules, and regulations, and have such other powers and duties as may be prescribed in this Act.

Section 20. Official acts; duty to promote development.
(a) All official acts of the Commission shall require the affirmative vote of at least 5 public members.
(b) It shall be the duty of the Commission to promote development within the territorial jurisdiction of the Commission. The Commission shall use the powers conferred upon it in this Act to assist in the development, construction, and acquisition of industrial and commercial projects within the territorial jurisdiction of the Commission and shall have the authority to (i) act as public developer in carrying out development programs for the publicly-held properties within the territorial jurisdiction of the Commission; (ii) make available adequate management, administrative, technical, financial, and other assistance necessary for encouraging a defined, organized, planned, scheduled, diversified, and economically, technologically, and environmentally sound community environment within the territorial jurisdiction of the Commission and to do so through the use of management procedures and programs that rely, to the maximum extent possible, on private enterprise; (iii) provide a conduit for the State and federal governments to make their resources available to the Commission; (iv) encourage the fullest use of the economic potential of commercial and industrial building sites at reasonable costs to support the Rantoul National Aviation Center Airport and the goals of any redevelopment area within the territorial jurisdiction of the Commission that was established under Division 74.4 of the Illinois Municipal Code; (v) plan, assist, develop, build and construct, or finance any facility or project that is within the mission of the Commission to enhance the community environment and provide technological management, when requested to do so by the Village.

Section 25. Powers.
(a) The Commission possesses all the powers of a body corporate necessary and convenient to accomplish the purposes of this Act, including, but not limited to, the following powers:
   (1) to sue and be sued in its corporate name;

New matter indicated by italics - deletions by strikeout
(2) to apply for and accept gifts, grants, or loans of funds or property, financial, or other aid from any public agency or private entity;

(3) to acquire, hold, sell, lease as lessor or lessee, deal in, lend, transfer, convey, donate or otherwise dispose of real or personal property, or interests in the property, under procedures set by the Commission and for consideration in the best interests of the Rantoul National Aviation Center Airport and the community;

(4) to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;

(5) to implement the comprehensive plan for the redevelopment of the area within the territorial jurisdiction of the Commission that is adopted by the Village and to assist the Village in updating the comprehensive plan;

(6) to create, develop, and implement redevelopment plans for the territorial jurisdiction of the Commission, which may include commercial and industrial uses;

(7) to prepare, submit, and administer plans, and to participate in projects or intergovernmental agreements, or both, and to create reserves for planning, constructing, reconstructing, acquiring, owning, managing, insuring, leasing, equipping, extending, improving, operating, maintaining, and repairing land and projects that the Commission owns or leases;

(8) to provide for the insurance, including self-insurance, of any property or operations of the Commission or its members, directors, and employees, against any risk or hazard, and to indemnify its members, agents, independent contractors, directors, and employees against any risk or hazard;

(9) to appoint, retain, employ, and set compensation rates for its agents, independent contractors, and employees to carry out its powers and functions; specifically the administrative officer of the Village shall serve as Executive Director of the Commission,
and the Comptroller of the Village shall serve as the Financial Officer of the Commission;

(10) to acquire and accept by purchase, lease, gift, or otherwise any property or rights from any persons, any municipal corporation, body politic, or agency of the State or of the federal government or directly from the State or the federal government, useful for the purposes of the Commission, and apply for and accept grants, matching grants, loans, or appropriations from the State or the federal government, or any agency or instrumentality of the State or the federal government to be used for any of the purposes of the Commission, and to enter into any agreement with the State or federal government in relation to those grants, matching grants, loans, or appropriations;

(11) to exercise the right of eminent domain by condemnation proceedings, in the manner provided by Article VII of the Illinois Code of Civil Procedure, to acquire private property for the lawful purposes of the Commission or to carry out a comprehensive plan or redevelopment plan;

(12) to fix and collect just, reasonable, and nondiscriminatory charges and rents for the use of Commission property and services. The charges collected may be used to defray the reasonable expenses of the Commission and to pay the principal of and the interest on any bonds issued by the Commission;

(13) to install, repair, construct, reconstruct, or relocate streets, roads, alleys, sidewalks, utilities, and site improvements essential to the preparation of the area within the territorial jurisdiction of the Commission for use in accordance with the redevelopment plan;

(14) to enter into redevelopment agreements with other units of local government relating to sharing taxes and other revenues and sharing, limiting, and transferring land use planning, subdivision, and zoning powers; and

New matter indicated by italics - deletions by strikeout
(15) to borrow money for the corporate purposes of the Commission and, in evidence of its obligations to repay the borrowing, issue its negotiable revenue bonds or notes for any of its corporate purposes, including, but not limited to, the following: paying for costs of planning, constructing, reconstructing, acquiring, owning, leasing, equipping, or improving any publicly-owned land within the territorial jurisdiction of the Commission, paying interest and principal on bonds, paying for legal, financial, and administrative consulting costs related to any debt financing, and creating reserves.

(b) Any financial arrangements made by the Commission must expressly benefit the operations in order to keep the Aviation Center a viable and financially stable entity of the Village of Rantoul.

Section 30. Bonds or notes.

(a) The Commission shall have the power to issue bonds or notes for the purpose of developing, constructing, acquiring, or improving projects, including, without limitation, those established by business entities locating or expanding property within the territorial jurisdiction of the Commission.

(b) Any bonds or notes issued under this Section by the Commission shall be authorized by resolution or ordinance of the Board adopted by the affirmative vote of 5 of the Directors. The action of the Commission authorizing the issuance of the bonds may be effective immediately upon its adoption and shall describe in a general way any project contemplated to be financed by the bonds or notes, set forth the estimated cost of the project, and determine the project's period of usefulness. The authorizing resolution or ordinance shall determine the maturity or maturities of the bonds or notes, the denominations, the rate or rates at which the bonds or notes are to bear interest, and all the other terms and details of the bonds or notes. The bonds or notes may be issued as serial bonds payable in installments or as term bonds with or without sinking fund installments or a combination of the serial bonds and term bonds. All bonds or notes shall mature within the period of estimated usefulness of the project for which the bonds or notes are issued, as

New matter indicated by italics - deletions by strikeout
determined by the Board, but in any event not more than 50 years from their date of issue. The bonds and notes may bear interest at the rates the resolution or ordinance provides, notwithstanding any other provision of law, and shall be payable at the times determined in the resolution or ordinance. Bonds or notes of the Commission shall be sold in the manner that the Board determines, either at par or at a premium, or at discount.

(c) In connection with the issuance of its bonds or notes, the Commission may enter into arrangements to provide additional security and liquidity for its obligations, including but not limited to, municipal bond insurance, letters of credit, lines of credit by which the Commission may borrow funds to pay or redeem its obligations, and purchase or remarketing arrangements for assuring the ability of owners of the obligations to sell or to have redeemed the obligations. The Commission may enter into contracts and may agree to pay fees to persons providing those arrangements, including from bond or note proceeds.

(d) The Commission's action authorizing the issuance of bonds or notes may provide that interest rates may vary depending on criteria set forth in the resolution or ordinance, including, but not limited to, variation of interest rates as may be necessary to cause bonds or notes to be remarketable at a price equal to their principal amount, and may provide for appointment of a national banking association, bank trust company, investment banker, or other financial institution to serve as a remarketing agent in that connection. Notwithstanding any other provision of law, the resolution or ordinance of the Commission authorizing the issuance of its bonds or notes may provide that alternative interest rates or provisions will apply when the bonds or notes are held by a person providing a letter of credit or other credit enhancement arrangement for those bonds or notes.

(e) The authorization of the issuance of any bonds or notes under this subsection shall constitute a contract with the holders of the bonds and notes. The resolution or ordinance may contain such covenants and restrictions regarding the project and the contracts, the issuance of additional bonds or notes by the Commission, the security for the bonds and notes, and any other matters deemed necessary or advisable by the Board to assure the payment of the bonds or notes of the Commission.

New matter indicated by italics - deletions by strikeout
(f) The resolution or ordinance authorizing the issuance of bonds or notes by the Commission shall provide for the application of revenues derived from the operation of the Commission's projects, revenues received from its members including revenue from contracts for the use of the Commission's projects, and revenues from its investment earnings to the payment of the operating expenses of the projects; the provision of adequate depreciation, reserve, or replacement funds for the project, planned projects, and bonds or notes; and the payment of principal, premium, and interest on the bonds or notes of the Commission, including amounts for the purchase of the bonds or notes. The resolution or ordinance may provide that revenues of the Commission so derived and other receipts of the Commission which may be applied to those purposes shall be placed in separate funds and used for those purposes and also may provide that revenues not required for those purposes may be used for any proper purpose of the Commission or may be returned to members. Any notes of the Commission may, in addition, be secured by a pledge of proceeds of bonds to be issued by the Commission, as specified in the resolution or ordinance authorizing the issuance of the notes.

(g) All bonds and notes of the Commission issued under this subsection shall be revenue bonds or notes. The bonds or notes shall have no claim for payment other than from revenues of the Commission derived from the operation of its projects, revenues received from its members, including from contracts for the use of the Commission's projects, bond or note proceeds, other receipts of the Commission, and investment earnings on the foregoing, all as and to the extent as provided in the resolution or ordinance of the Board authorizing the issuance of the bonds or notes. Bonds or notes issued by the Commission under this Section shall not constitute an indebtedness of the Commission or of any member within the meaning of any constitutional or statutory limitation. It shall be plainly stated on each bond and note that it does not constitute an indebtedness of the Commission or of any member within the meaning of any constitutional or statutory limitation.

(h) As long as any bonds or notes of the Commission created under this subsection are outstanding and unpaid, the Commission shall not
terminate or dissolve. The Commission shall establish fees and charges for its operations sufficient to provide adequate revenues to meet all of the requirements under its various resolutions authorizing bonds or notes.

(i) A holder of any bond or note issued under this subsection may, in any civil action, mandamus, or other proceeding, enforce and compel performance of all duties required to be performed by the Commission as set forth in the authorizing resolution or ordinance, or any members of the Commission or other persons contracting with the Commission in connection with any of the Commission's projects, including the imposition of fees and charges, the collection of sufficient revenues, and the proper application of revenues as provided in this subsection.

(j) In addition, the resolution or ordinance authorizing any bonds or notes issued under this subsection may provide for a pledge, assignment, lien, or security interest, for the benefit of the holders of any or all bonds or notes of the Commission, (i) on any and all revenues derived from any contracts for the use of the Commission's projects and investment earnings of the projects, (ii) on any and all revenues received from its members, or (iii) on funds or accounts securing the payment of the bonds or notes as provided in the authorizing resolution. Any such pledge, assignment, lien, or security interest for the benefit of holders of bonds or notes shall be valid and binding from the time the bonds or notes are issued, without any physical delivery or further act, and shall be valid and binding against or before any claims of any other party having any claims of any kind against the Commission irrespective of whether the other parties have notice of the pledge, assignment, lien, or security interest.

(k) A resolution or ordinance of the Board authorizing the issuance of bonds or notes under this subsection may provide for the appointment of a corporate trustee for any or all of the bonds or notes, and, in that event, shall prescribe the rights, duties, and powers of the trustee to be exercised for the benefit of the Commission and the protection of the holders of the bonds or notes. The trustee may be any trust company or state or national bank having the power of a trust company within Illinois. The resolution or ordinance may provide for the trustee to hold in trust, invest, and use amounts in funds and accounts created by the resolution or
ordinance. The resolution or ordinance may also provide for the assignment and direct payment to the trustee of amounts owed by members and other persons to the Commission under contracts for the use of or access to the Commission's projects, for application by the trustee to the purposes for which the revenues are to be used as provided in this subsection and as provided in the authorizing resolution. Upon receipt of the assignment, the member or other person shall make the assigned payments directly to the trustee.

Section 35. Annual report. The Authority shall annually submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly.

Section 40. Anti-trust laws; State action exemption; tort immunity; tax exemption.

(a) The Commission is hereby expressly made the beneficiary of the provisions of Section 1 of the Local Government Antitrust Exemption Act, and the General Assembly intends that the State action exemption to the application of the federal anti-trust laws be fully available to the Commission to the extent its activities are either (i) expressly or by necessary implication authorized by this Act or other Illinois law; or (ii) within traditional areas of local governmental activity.

(b) Members of the Commission, and their present and former officers, employees, agents, and independent contractors shall have the same immunities as established by the Local Governmental and Governmental Employees Tort Immunity Act.

(c) Property, income, and receipts of or transactions by the Commission shall be exempt from all taxation, the same as if it were the property, income, or transaction of a city or county.

Section 45. Commission not to have taxing power. The Commission shall not have power to levy taxes for any purpose whatsoever except as provided with respect to Special Service Districts and Tax Increment Financing Districts.

New matter indicated by italics - deletions by strikeout
Section 50. Termination of the Commission. If the Commission terminates or dissolves, all assets of the Commission shall revert to the Village.

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

Approved June 23, 2006.

**PUBLIC ACT 94-0909**
(House Bill No. 4302)

AN ACT concerning aging.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-315 as follows:

(20 ILCS 2310/2310-315) (was 20 ILCS 2310/55.41)

Sec. 2310-315. Prevention and treatment of AIDS. To perform the following in relation to the prevention and treatment of acquired immunodeficiency syndrome (AIDS):

(1) Establish a State AIDS Control Unit within the Department as a separate administrative subdivision, to coordinate all State programs and services relating to the prevention, treatment, and amelioration of AIDS.

(2) Conduct a public information campaign for physicians, hospitals, health facilities, public health departments, law enforcement personnel, public employees, laboratories, and the general public on acquired immunodeficiency syndrome (AIDS) and promote necessary measures to reduce the incidence of AIDS and the mortality from AIDS. This program shall include, but not be limited to, the establishment of a statewide hotline and a State AIDS information clearinghouse that will provide periodic reports and releases to public officials, health professionals, community service organizations, and the general public.

New matter indicated by italics - deletions by strikeout
regarding new developments or procedures concerning prevention and treatment of AIDS.

(3) (Blank).

(4) Establish alternative blood test services that are not operated by a blood bank, plasma center or hospital. The Department shall prescribe by rule minimum criteria, standards and procedures for the establishment and operation of such services, which shall include, but not be limited to requirements for the provision of information, counseling and referral services that ensure appropriate counseling and referral for persons whose blood is tested and shows evidence of exposure to the human immunodeficiency virus (HIV) or other identified causative agent of acquired immunodeficiency syndrome (AIDS).

(5) Establish regional and community service networks of public and private service providers or health care professionals who may be involved in AIDS research, prevention and treatment.

(6) Provide grants to individuals, organizations or facilities to support the following:

(A) Information, referral, and treatment services.
(B) Interdisciplinary workshops for professionals involved in research and treatment.
(C) Establishment and operation of a statewide hotline.
(D) Establishment and operation of alternative testing services.
(E) Research into detection, prevention, and treatment.
(F) Supplementation of other public and private resources.
(G) Implementation by long-term care facilities of Department standards and procedures for the care and treatment of persons with AIDS and the development of adequate numbers and types of placements for those persons.

(7) (Blank).

(8) Accept any gift, donation, bequest, or grant of funds from private or public agencies, including federal funds that may be provided for AIDS control efforts.

New matter indicated by italics - deletions by strikeout
(9) Develop and implement, in consultation with the Long-Term Care Facility Advisory Board, standards and procedures for long-term care facilities that provide care and treatment of persons with AIDS, including appropriate infection control procedures. The Department shall work cooperatively with organizations representing those facilities to develop adequate numbers and types of placements for persons with AIDS and shall advise those facilities on proper implementation of its standards and procedures.

(10) The Department shall create and administer a training program for State employees who have a need for understanding matters relating to AIDS in order to deal with or advise the public. The training shall include information on the cause and effects of AIDS, the means of detecting it and preventing its transmission, the availability of related counseling and referral, and other matters that may be appropriate. The training may also be made available to employees of local governments, public service agencies, and private agencies that contract with the State; in those cases the Department may charge a reasonable fee to recover the cost of the training.

(11) Approve tests or testing procedures used in determining exposure to HIV or any other identified causative agent of AIDS.

(12) Provide prescription drug benefits counseling for persons with HIV or AIDS.

(Source: P.A. 91-239, eff. 1-1-00; 92-84, eff. 7-1-02; 92-790, eff. 8-6-02.)

Section 10. The Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is amended by changing Section 4 as follows:

(320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

Sec. 4. Amount of Grant.

(a) In general. Any individual 65 years or older or any individual who will become 65 years old during the calendar year in which a claim is filed, and any surviving spouse of such a claimant, who at the time of death received or was entitled to receive a grant pursuant to this Section, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving

New matter indicated by italics - deletions by strikeout
spouse but for his or her age is otherwise qualified to receive a grant pursuant to this Section, and any disabled person whose annual household income is less than $14,000 for grant years before the 1998 grant year, less than $16,000 for the 1998 and 1999 grant years, and less than (i) $21,218 for a household containing one person, (ii) $28,480 for a household containing 2 persons, or (iii) $35,740 for a household containing 3 or more persons for the 2000 grant year and thereafter and whose household is liable for payment of property taxes accrued or has paid rent constituting property taxes accrued and is domiciled in this State at the time he or she files his or her claim is entitled to claim a grant under this Act. With respect to claims filed by individuals who will become 65 years old during the calendar year in which a claim is filed, the amount of any grant to which that household is entitled shall be an amount equal to 1/12 of the amount to which the claimant would otherwise be entitled as provided in this Section, multiplied by the number of months in which the claimant was 65 in the calendar year in which the claim is filed.

(b) Limitation. Except as otherwise provided in subsections (a) and (f) of this Section, the maximum amount of grant which a claimant is entitled to claim is the amount by which the property taxes accrued which were paid or payable during the last preceding tax year or rent constituting property taxes accrued upon the claimant's residence for the last preceding taxable year exceeds 3 1/2% of the claimant's household income for that year but in no event is the grant to exceed (i) $700 less 4.5% of household income for that year for those with a household income of $14,000 or less or (ii) $70 if household income for that year is more than $14,000.

(c) Public aid recipients. If household income in one or more months during a year includes cash assistance in excess of $55 per month from the Department of Healthcare and Family Services Public Aid or the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) which was determined under regulations of that Department on a measure of need that included an allowance for actual rent or property taxes paid by the recipient of that assistance, the amount of grant to which that household is entitled, except as otherwise provided in subsection (a), shall be the

New matter indicated by italics - deletions by strikeout
product of (1) the maximum amount computed as specified in subsection (b) of this Section and (2) the ratio of the number of months in which household income did not include such cash assistance over $55 to the number twelve. If household income did not include such cash assistance over $55 for any months during the year, the amount of the grant to which the household is entitled shall be the maximum amount computed as specified in subsection (b) of this Section. For purposes of this paragraph (c), "cash assistance" does not include any amount received under the federal Supplemental Security Income (SSI) program.

(d) Joint ownership. If title to the residence is held jointly by the claimant with a person who is not a member of his or her household, the amount of property taxes accrued used in computing the amount of grant to which he or she is entitled shall be the same percentage of property taxes accrued as is the percentage of ownership held by the claimant in the residence.

(e) More than one residence. If a claimant has occupied more than one residence in the taxable year, he or she may claim only one residence for any part of a month. In the case of property taxes accrued, he or she shall prorate 1/12 of the total property taxes accrued on his or her residence to each month that he or she owned and occupied that residence; and, in the case of rent constituting property taxes accrued, shall prorate each month's rent payments to the residence actually occupied during that month.

(f) There is hereby established a program of pharmaceutical assistance to the aged and disabled which shall be administered by the Department in accordance with this Act, to consist of payments to authorized pharmacies, on behalf of beneficiaries of the program, for the reasonable costs of covered prescription drugs. Each beneficiary who pays $5 for an identification card shall pay no additional prescription costs. Each beneficiary who pays $25 for an identification card shall pay $3 per prescription. In addition, after a beneficiary receives $2,000 in benefits during a State fiscal year, that beneficiary shall also be charged 20% of the cost of each prescription for which payments are made by the program during the remainder of the fiscal year. To become a beneficiary under this

New matter indicated by italics - deletions by strikeout
program a person must: (1) be (i) 65 years of age or older, or (ii) the surviving spouse of such a claimant, who at the time of death received or was entitled to receive benefits pursuant to this subsection, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive benefits pursuant to this subsection, or (iii) disabled, and (2) be domiciled in this State at the time he or she files his or her claim, and (3) have a maximum household income of less than $14,000 for grant years before the 1998 grant year, less than $16,000 for the 1998 and 1999 grant years, and less than (i) $21,218 for a household containing one person, (ii) $28,480 for a household containing 2 persons, or (iii) $35,740 for a household containing 3 more persons for the 2000 grant year and thereafter. In addition, each eligible person must (1) obtain an identification card from the Department, (2) at the time the card is obtained, sign a statement assigning to the State of Illinois benefits which may be otherwise claimed under any private insurance plans, and (3) present the identification card to the dispensing pharmacist.

The Department may adopt rules specifying participation requirements for the pharmaceutical assistance program, including copayment amounts, identification card fees, expenditure limits, and the benefit threshold after which a 20% charge is imposed on the cost of each prescription, to be in effect on and after July 1, 2004. Notwithstanding any other provision of this paragraph, however, the Department may not increase the identification card fee above the amount in effect on May 1, 2003 without the express consent of the General Assembly. To the extent practicable, those requirements shall be commensurate with the requirements provided in rules adopted by the Department of Healthcare and Family Services to implement the pharmacy assistance program under Section 5-5.12a of the Illinois Public Aid Code.

Whenever a generic equivalent for a covered prescription drug is available, the Department shall reimburse only for the reasonable costs of the generic equivalent, less the co-pay established in this Section, unless (i) the covered prescription drug contains one or more ingredients defined

New matter indicated by italics - deletions by strikeout
as a narrow therapeutic index drug at 21 CFR 320.33, (ii) the prescriber indicates on the face of the prescription "brand medically necessary", and (iii) the prescriber specifies that a substitution is not permitted. When issuing an oral prescription for covered prescription medication described in item (i) of this paragraph, the prescriber shall stipulate "brand medically necessary" and that a substitution is not permitted. If the covered prescription drug and its authorizing prescription do not meet the criteria listed above, the beneficiary may purchase the non-generic equivalent of the covered prescription drug by paying the difference between the generic cost and the non-generic cost plus the beneficiary co-pay.

Any person otherwise eligible for pharmaceutical assistance under this Act whose covered drugs are covered by any public program for assistance in purchasing any covered prescription drugs shall be ineligible for assistance under this Act to the extent such costs are covered by such other plan.

The fee to be charged by the Department for the identification card shall be equal to $5 per coverage year for persons below the official poverty line as defined by the United States Department of Health and Human Services and $25 per coverage year for all other persons.

In the event that 2 or more persons are eligible for any benefit under this Act, and are members of the same household, (1) each such person shall be entitled to participate in the pharmaceutical assistance program, provided that he or she meets all other requirements imposed by this subsection and (2) each participating household member contributes the fee required for that person by the preceding paragraph for the purpose of obtaining an identification card.

The provisions of this subsection (f), other than this paragraph, are inoperative after December 31, 2005. Beneficiaries who received benefits under the program established by this subsection (f) are not entitled, at the termination of the program, to any refund of the identification card fee paid under this subsection.

(g) Effective January 1, 2006, there is hereby established a program of pharmaceutical assistance to the aged and disabled, entitled the Illinois Seniors and Disabled Drug Coverage Program, which shall be

New matter indicated by italics - deletions by strikeout
administered by the Department of Healthcare and Family Services and the Department on Aging in accordance with this subsection, to consist of coverage of specified prescription drugs on behalf of beneficiaries of the program as set forth in this subsection. The program under this subsection replaces and supersedes the program established under subsection (f), which shall end at midnight on December 31, 2005.

To become a beneficiary under the program established under this subsection, a person must:

1. be (i) 65 years of age or older or (ii) disabled; and
2. be domiciled in this State; and
3. enroll with a qualified Medicare Part D Prescription Drug Plan if eligible and apply for all available subsidies under Medicare Part D; and
4. have a maximum household income of (i) less than $21,218 for a household containing one person, (ii) less than $28,480 for a household containing 2 persons, or (iii) less than $35,740 for a household containing 3 or more persons. If any income eligibility limit set forth in items (i) through (iii) is less than 200% of the Federal Poverty Level for any year, the income eligibility limit for that year for households of that size shall be income equal to or less than 200% of the Federal Poverty Level.

All individuals enrolled as of December 31, 2005, in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section and all individuals enrolled as of December 31, 2005, in the SeniorCare Medicaid waiver program operated pursuant to Section 5-5.12a of the Illinois Public Aid Code shall be automatically enrolled in the program established by this subsection for the first year of operation without the need for further application, except that they must apply for Medicare Part D and the Low Income Subsidy under Medicare Part D. A person enrolled in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section as of December 31, 2005, shall not lose eligibility in future years due only to the fact that they have not reached the age of 65.

New matter indicated by italics - deletions by strikeout
To the extent permitted by federal law, the Department may act as an authorized representative of a beneficiary in order to enroll the beneficiary in a Medicare Part D Prescription Drug Plan if the beneficiary has failed to choose a plan and, where possible, to enroll beneficiaries in the low-income subsidy program under Medicare Part D or assist them in enrolling in that program.

Beneficiaries under the program established under this subsection shall be divided into the following 4 eligibility groups:

(A) Eligibility Group 1 shall consist of beneficiaries who are not eligible for Medicare Part D coverage and who are:
   (i) disabled and under age 65; or
   (ii) age 65 or older, with incomes over 200% of the Federal Poverty Level; or
   (iii) age 65 or older, with incomes at or below 200% of the Federal Poverty Level and not eligible for federally funded means-tested benefits due to immigration status.

(B) Eligibility Group 2 shall consist of beneficiaries otherwise described in Eligibility Group 1 but who are eligible for Medicare Part D coverage.

(C) Eligibility Group 3 shall consist of beneficiaries age 65 or older, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means-tested benefits due to immigration status and are eligible for Medicare Part D coverage.

(D) Eligibility Group 4 shall consist of beneficiaries age 65 or older, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means-tested benefits due to immigration status and are not eligible for Medicare Part D coverage.

If the State applies and receives federal approval for a waiver under Title XIX of the Social Security Act, persons in Eligibility Group 4 shall continue to receive benefits through the approved waiver, and Eligibility Group 4 may be expanded to include disabled persons under age 65 with incomes under 200% of
the Federal Poverty Level who are not eligible for Medicare and who are not barred from receiving federally funded means-tested benefits due to immigration status.

(E) On and after January 1, 2007, Eligibility Group 5 shall consist of beneficiaries who are otherwise described in Eligibility Group 1 but are eligible for Medicare Part D and have a diagnosis of HIV or AIDS.

The program established under this subsection shall cover the cost of covered prescription drugs in excess of the beneficiary cost-sharing amounts set forth in this paragraph that are not covered by Medicare. In 2006, beneficiaries shall pay a co-payment of $2 for each prescription of a generic drug and $5 for each prescription of a brand-name drug. In future years, beneficiaries shall pay co-payments equal to the co-payments required under Medicare Part D for "other low-income subsidy eligible individuals" pursuant to 42 CFR 423.782(b). For individuals in Eligibility Groups 1, 2, 3, and 4, once the program established under this subsection and Medicare combined have paid $1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to the co-payments set forth in this paragraph. For individuals in Eligibility Group 5, once the program established under this subsection and Medicare combined have paid $1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to the co-payments set forth in this paragraph unless the drug is included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health. If the drug is included in the formulary of the Illinois AIDS Drug Assistance Program, individuals in Eligibility Group 5 shall continue to pay the co-payments set forth in this paragraph after the program established under this subsection and Medicare combined have paid $1,750 in a year for covered prescription drugs.

For beneficiaries eligible for Medicare Part D coverage, the program established under this subsection shall pay 100% of the premiums charged by a qualified Medicare Part D Prescription Drug Plan for Medicare Part D basic prescription drug coverage, not including any late

New matter indicated by italics - deletions by strikeout
enrollment penalties. Qualified Medicare Part D Prescription Drug Plans may be limited by the Department of Healthcare and Family Services to those plans that sign a coordination agreement with the Department.

Notwithstanding Section 3.15, for purposes of the program established under this subsection, the term "covered prescription drug" has the following meanings:

For Eligibility Group 1, "covered prescription drug" means:

(1) any cardiovascular agent or drug;
(2) any insulin or other prescription drug used in the treatment of diabetes, including syringe and needles used to administer the insulin;
(3) any prescription drug used in the treatment of arthritis;
(4) any prescription drug used in the treatment of cancer;
(5) any prescription drug used in the treatment of Alzheimer's disease;
(6) any prescription drug used in the treatment of Parkinson's disease;
(7) any prescription drug used in the treatment of glaucoma;
(8) any prescription drug used in the treatment of lung disease and smoking-related illnesses;
(9) any prescription drug used in the treatment of osteoporosis; and
(10) any prescription drug used in the treatment of multiple sclerosis. The Department may add additional therapeutic classes by rule. The Department may adopt a preferred drug list within any of the classes of drugs described in items (1) through (10) of this paragraph. The specific drugs or therapeutic classes of covered prescription drugs shall be indicated by rule.

For Eligibility Group 2, "covered prescription drug" means those drugs covered for Eligibility Group 1 that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

For Eligibility Group 3, "covered prescription drug" means those drugs covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

For Eligibility Group 4, "covered prescription drug" means those drugs covered by the Medical Assistance Program under Article V of the Illinois Public Aid Code.

New matter indicated by italics - deletions by strikeout
For Eligibility Group 5, "covered prescription drug" means: (1) those drugs covered for Eligibility Group 1 that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled; and (2) those drugs included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

An individual in Eligibility Group 3 or 4 may opt to receive a $25 monthly payment in lieu of the direct coverage described in this subsection.

Any person otherwise eligible for pharmaceutical assistance under this subsection whose covered drugs are covered by any public program is ineligible for assistance under this subsection to the extent that the cost of those drugs is covered by the other program.

The Department of Healthcare and Family Services shall establish by rule the methods by which it will provide for the coverage called for in this subsection. Those methods may include direct reimbursement to pharmacies or the payment of a capitated amount to Medicare Part D Prescription Drug Plans.

For a pharmacy to be reimbursed under the program established under this subsection, it must comply with rules adopted by the Department of Healthcare and Family Services regarding coordination of benefits with Medicare Part D Prescription Drug Plans. A pharmacy may not charge a Medicare-enrolled beneficiary of the program established under this subsection more for a covered prescription drug than the appropriate Medicare cost-sharing less any payment from or on behalf of the Department of Healthcare and Family Services.

The Department of Healthcare and Family Services or the Department on Aging, as appropriate, may adopt rules regarding applications, counting of income, proof of Medicare status, mandatory generic policies, and pharmacy reimbursement rates and any other rules necessary for the cost-efficient operation of the program established under this subsection.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0909

(410 ILCS 335/5)
Sec. 5. Definitions. In this Act:
"Department" means the Department of Public Health.
"Health care professional" means a physician licensed to practice medicine in all its branches, a physician assistant who has been delegated the provision of health services by his or her supervising physician, or an advanced practice registered nurse who has a written collaborative agreement with a collaborating physician that authorizes the provision of health services.
"Health care facility" or "facility" means any hospital or other institution that is licensed or otherwise authorized to deliver health care services.
"Health care services" means any prenatal medical care or labor or delivery services to a pregnant woman and her newborn infant, including hospitalization.
(Source: P.A. 93-566, eff. 8-20-03.)

(410 ILCS 335/10)
Sec. 10. HIV counseling and offer of HIV testing required.

New matter indicated by italics - deletions by strikeout
(a) Every health care professional who provides health care services to a pregnant woman shall provide the woman with HIV counseling and recommend offer HIV testing, unless she has already received an HIV test during pregnancy. HIV testing shall be provided with the woman's consent. A health care professional shall provide the counseling and recommend offer the testing as early in the woman's pregnancy as possible. For women at continued risk of exposure to HIV infection in the judgment of the health care professional, a repeat test should be recommended offered late in pregnancy or at the time of labor and delivery. The health care professional shall inform the pregnant woman that, should she refuse HIV testing during pregnancy, her newborn infant will be tested for HIV. The counseling and recommendation offer of testing shall be documented in the woman's medical record.

(b) Every health care professional or facility that cares for a pregnant woman during labor or delivery shall provide the woman with HIV counseling and recommend offer HIV testing. HIV testing shall be provided with the woman's consent. No counseling or offer of testing is required if already provided during the woman's pregnancy. The counseling and offer of testing shall be documented in the woman's medical record. The health care facility shall adopt a policy that provides that as soon as possible within medical standards after the infant's birth, the mother's HIV test result, if available, shall be noted in the newborn infant's medical record. It shall also be noted in the newborn infant's medical record if the mother's HIV test result is not available because she has not been tested or has declined testing. Any testing or test results shall be documented in accordance with the AIDS Confidentiality Act.

(c) Every health care professional or facility caring for a newborn infant shall, upon delivery or as soon as possible within medical standards 48 hours after the infant's birth, provide counseling to the parent or guardian of the infant and perform rapid HIV testing on the infant, when the HIV status of the infant's mother is unknown, if the parent or guardian does not refuse. The health care professional or facility shall document in the woman's medical record that counseling and the offer of testing were given, and that no written refusal was given.

New matter indicated by italics - deletions by strikeout
(d) The counseling required under this Section must be provided in accordance with the AIDS Confidentiality Act and must include the following:

1. For the health of the pregnant woman, the voluntary nature of the testing and the benefits of HIV testing, for the pregnant woman, including the prevention of transmission.
2. The benefit of HIV testing for the newborn infant, including interventions to prevent HIV transmission.
3. The side effects of interventions to prevent HIV transmission.
4. The statutory confidentiality provisions that relate to HIV and acquired immune deficiency syndrome ("AIDS") testing.
5. The voluntary nature of the testing, including the opportunity to refuse testing of a newborn infant in writing.

(e) All counseling and testing must be performed in accordance with the standards set forth in the AIDS Confidentiality Act, including the written informed consent provisions of Sections 4, 7, and 8 of that Act, with the exception of the requirement of consent for testing of newborn infants. Consent for testing of a newborn infant shall be presumed when a health care professional or health care facility seeks to perform a test on a newborn infant whose mother's HIV status is not known, provided that the counseling required under subsection (d) has taken place and the newborn infant's parent or guardian has not indicated in writing that he or she refuses to allow the newborn infant to receive HIV testing.

(f) The Illinois Department of Public Health shall adopt necessary rules to implement this Act.

(Source: P.A. 93-566, eff. 8-20-03.)
15 of the AIDS Confidentiality Act applies to reporting under this Act, except that the immunities set forth in that Section do not apply in cases of willful or wanton misconduct.

(b) The Department shall adopt rules specifying the information required in reporting the preliminarily HIV-positive woman and preliminarily HIV-exposed newborn infant and the method of reporting. In adopting the rules, the Department shall consider the need for information, protections for the privacy and confidentiality of the infant and parents, the need to provide access to care and follow-up services to the infant, and procedures for destruction of records maintained by the Department if, through subsequent HIV testing, the woman or newborn infant is found to be HIV-negative.

(c) The confidentiality provisions of the AIDS Confidentiality Act shall apply to the reports of cases of perinatal HIV made pursuant to this Section.

(d) Health care facilities shall monthly report aggregate statistics to the Department that include the number of infected women who presented with known HIV status, the number of pregnant women rapidly tested for HIV in labor and delivery, the number of newborn infants rapidly tested for HIV-exposure, the number of preliminarily HIV-positive pregnant women and preliminarily HIV-exposed newborn infants identified, the number of families referred to case management, and other information the Department determines is necessary to measure progress under the provisions of this Act. Health care facilities must report the confirmatory test result when it becomes available for each preliminarily positive rapid HIV test performed on the woman and newborn.

(e) The Department or its authorized representative shall provide case management services to the preliminarily positive pregnant woman or the parent or guardian of the preliminarily positive newborn infant to ensure access to treatment and care and other services as appropriate if the parent or guardian has consented to the services.

(410 ILCS 335/20 new)
Sec. 20. 24-hour Perinatal HIV Hotline.

New matter indicated by italics - deletions by strikeout
(a) The Department of Public Health or its authorized representative shall establish and maintain a 24-hour Perinatal HIV Hotline. The purpose of the hotline is to provide linkage to case management and ensure consultation to help prevent the following:
   (1) transmission of HIV during labor and delivery; and
   (2) HIV infection of the newborn infant.

(b) The hotline must provide to health care professionals perinatal HIV treatment information in accordance with guidelines established by the U.S. Public Health Service or other nationally-recognized experts, as determined by the Department. An electronic reporting system may replace the telephone hotline if the Department determines the same services can be provided more effectively.

(410 ILCS 335/25 new)

Sec. 25. Treatment information. A health care facility shall adopt a policy that provides that when an HIV test performed under this Act shows that a newborn infant is preliminarily HIV-exposed, the infant’s parent or guardian shall be informed of the importance of obtaining timely treatment for the infant in order to prevent the newborn from becoming HIV infected, and the mother of the newborn infant shall be informed of the importance of obtaining treatment for her HIV infection. The Department shall provide to health care professionals and health care facilities written information that may be used to satisfy their obligation under this Section.

(410 ILCS 335/30 new)

Sec. 30. Objections of parent or guardian to test. The provisions of this Act shall not apply when a parent or guardian of a child objects thereto on the grounds that the test conflicts with his or her religious tenets and practices. A written statement of the objection shall be presented to the physician or other person whose duty it is to administer and report the tests under the provisions of this Act.

(410 ILCS 335/35 new)

Sec. 35. Department report. The Department of Public Health shall prepare an annual report for the Governor and the General Assembly on the implementation of this Act that includes information on the number of
HIV-positive women who presented with known HIV status, the number of pregnant women rapidly tested for HIV in labor and delivery, the number of newborn infants rapidly tested for HIV exposure, the number of preliminarily HIV-positive pregnant women and preliminarily HIV-exposed newborn infants identified, the confirmatory test result for each preliminarily positive rapid HIV test performed on the woman and newborn, the number of families referred to case management, and other information the Department determines is necessary to measure progress under the provisions of this Act. The Department shall assess the needs of health care professionals and facilities for ongoing training in implementation of the provisions of this Act and make recommendations to improve the program.

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

Approved June 23, 2006.

PUBLIC ACT 94-0911
(House Bill No. 4375)

AN ACT concerning sex offenders.

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

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

(730 ILCS 150/12)

Sec. 12. Access to State of Illinois databases. The Department of State Police shall have access to State of Illinois databases containing information that may help in the identification or location of persons required to register under this Article, including, but not limited to, information obtained in the course of administering the Unemployment Insurance Act. Interagency agreements shall be implemented, consistent with security and procedures established by the State agency and

New matter indicated by italics - deletions by strikeout
consistent with the laws governing the confidentiality of the information in the databases. Information shall be used only for administration of this Article.

(Source: P.A. 90-193, eff. 7-24-97.)

Section 10. The Unemployment Insurance Act is amended by changing Section 1900 as follows:

(820 ILCS 405/1900) (from Ch. 48, par. 640)
Sec. 1900. Disclosure of information.
A. Except as provided in this Section, information obtained from any individual or employing unit during the administration of this Act shall:
   1. be confidential,
   2. not be published or open to public inspection,
   3. not be used in any court in any pending action or proceeding,
   4. not be admissible in evidence in any action or proceeding other than one arising out of this Act.
B. No finding, determination, decision, ruling or order (including any finding of fact, statement or conclusion made therein) issued pursuant to this Act shall be admissible or used in evidence in any action other than one arising out of this Act, nor shall it be binding or conclusive except as provided in this Act, nor shall it constitute res judicata, regardless of whether the actions were between the same or related parties or involved the same facts.
C. Any officer or employee of this State, any officer or employee of any entity authorized to obtain information pursuant to this Section, and any agent of this State or of such entity who, except with authority of the Director under this Section, shall disclose information shall be guilty of a Class B misdemeanor and shall be disqualified from holding any appointment or employment by the State.
D. An individual or his duly authorized agent may be supplied with information from records only to the extent necessary for the proper presentation of his claim for benefits or with his existing or prospective rights to benefits. Discretion to disclose this information belongs solely to

New matter indicated by italics - deletions by strikeout
the Director and is not subject to a release or waiver by the individual. Notwithstanding any other provision to the contrary, an individual or his or her duly authorized agent may be supplied with a statement of the amount of benefits paid to the individual during the 18 months preceding the date of his or her request.

E. An employing unit may be furnished with information, only if deemed by the Director as necessary to enable it to fully discharge its obligations or safeguard its rights under the Act. Discretion to disclose this information belongs solely to the Director and is not subject to a release or waiver by the employing unit.

F. The Director may furnish any information that he may deem proper to any public officer or public agency of this or any other State or of the federal government dealing with:
   1. the administration of relief,
   2. public assistance,
   3. unemployment compensation,
   4. a system of public employment offices,
   5. wages and hours of employment, or
   6. a public works program.

   The Director may make available to the Illinois Workers' Compensation Commission information regarding employers for the purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases Act.

G. The Director may disclose information submitted by the State or any of its political subdivisions, municipal corporations, instrumentalities, or school or community college districts, except for information which specifically identifies an individual claimant.

H. The Director shall disclose only that information required to be disclosed under Section 303 of the Social Security Act, as amended, including:
   1. any information required to be given the United States Department of Labor under Section 303(a)(6); and
   2. the making available upon request to any agency of the United States charged with the administration of public works or

New matter indicated by italics - deletions by strikeout
assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's right to further compensation under such law as required by Section 303(a)(7); and

3. records to make available to the Railroad Retirement Board as required by Section 303(c)(1); and

4. information that will assure reasonable cooperation with every agency of the United States charged with the administration of any unemployment compensation law as required by Section 303(c)(2); and

5. information upon request and on a reimbursable basis to the United States Department of Agriculture and to any State food stamp agency concerning any information required to be furnished by Section 303(d); and

6. any wage information upon request and on a reimbursable basis to any State or local child support enforcement agency required by Section 303(e); and

7. any information required under the income eligibility and verification system as required by Section 303(f); and

8. information that might be useful in locating an absent parent or that parent's employer, establishing paternity or establishing, modifying, or enforcing child support orders for the purpose of a child support enforcement program under Title IV of the Social Security Act upon the request of and on a reimbursable basis to the public agency administering the Federal Parent Locator Service as required by Section 303(h); and

9. information, upon request, to representatives of any federal, State or local governmental public housing agency with respect to individuals who have signed the appropriate consent form approved by the Secretary of Housing and Urban Development and who are applying for or participating in any housing assistance program administered by the United States

New matter indicated by italics - deletions by strikeout
Department of Housing and Urban Development as required by Section 303(i).

I. The Director, upon the request of a public agency of Illinois, of the federal government or of any other state charged with the investigation or enforcement of Section 10-5 of the Criminal Code of 1961 (or a similar federal law or similar law of another State), may furnish the public agency information regarding the individual specified in the request as to:

1. the current or most recent home address of the individual, and

2. the names and addresses of the individual's employers.

J. Nothing in this Section shall be deemed to interfere with the disclosure of certain records as provided for in Section 1706 or with the right to make available to the Internal Revenue Service of the United States Department of the Treasury, or the Department of Revenue of the State of Illinois, information obtained under this Act.

K. The Department shall make available to the Illinois Student Assistance Commission, upon request, information in the possession of the Department that may be necessary or useful to the Commission in the collection of defaulted or delinquent student loans which the Commission administers.

L. The Department shall make available to the State Employees' Retirement System, the State Universities Retirement System, and the Teachers' Retirement System of the State of Illinois, upon request, information in the possession of the Department that may be necessary or useful to the System for the purpose of determining whether any recipient of a disability benefit from the System is gainfully employed.

M. This Section shall be applicable to the information obtained in the administration of the State employment service, except that the Director may publish or release general labor market information and may furnish information that he may deem proper to an individual, public officer or public agency of this or any other State or the federal government (in addition to those public officers or public agencies specified in this Section) as he prescribes by Rule.
N. The Director may require such safeguards as he deems proper to insure that information disclosed pursuant to this Section is used only for the purposes set forth in this Section.

O. (Blank).

P. Within 30 days after the effective date of this amendatory Act of 1993 and annually thereafter, the Department shall provide to the Department of Financial Institutions a list of individuals or entities that, for the most recently completed calendar year, report to the Department as paying wages to workers. The lists shall be deemed confidential and may not be disclosed to any other person.

Q. The Director shall make available to an elected federal official the name and address of an individual or entity that is located within the jurisdiction from which the official was elected and that, for the most recently completed calendar year, has reported to the Department as paying wages to workers, where the information will be used in connection with the official duties of the official and the official requests the information in writing, specifying the purposes for which it will be used. For purposes of this subsection, the use of information in connection with the official duties of an official does not include use of the information in connection with the solicitation of contributions or expenditures, in money or in kind, to or on behalf of a candidate for public or political office or a political party or with respect to a public question, as defined in Section 1-3 of the Election Code, or in connection with any commercial solicitation. Any elected federal official who, in submitting a request for information covered by this subsection, knowingly makes a false statement or fails to disclose a material fact, with the intent to obtain the information for a purpose not authorized by this subsection, shall be guilty of a Class B misdemeanor.

R. The Director may provide to any State or local child support agency, upon request and on a reimbursable basis, information that might be useful in locating an absent parent or that parent's employer, establishing paternity, or establishing, modifying, or enforcing child support orders.

New matter indicated by italics - deletions by strikeout
S. The Department shall make available to a State's Attorney of this State or a State's Attorney's investigator, upon request, the current address or, if the current address is unavailable, current employer information, if available, of a victim of a felony or a witness to a felony or a person against whom an arrest warrant is outstanding.

T. The Director shall make available to the Department of State Police, upon request, any information concerning the place of employment or former places of employment of a person who is required to register as a sex offender under the Sex Offender Registration Act that may be useful in enforcing the registration provisions requiring a sex offender to disclose his or her place of employment to the law enforcement agency of the jurisdiction in which the sex offender is employed.

(Source: P.A. 93-311, eff. 1-1-04; 93-721, eff. 1-1-05.)

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

Approved June 23, 2006.

PUBLIC ACT 94-0912
(House Bill No. 4541)

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 17-106.1 as follows:

(40 ILCS 5/17-106.1)

Sec. 17-106.1. Administrator. Administrator means a member who (i) is employed in a position that requires him or her to hold a Type 75 Certificate issued by the State Teacher Certification Board, (ii) is not on the Chicago teachers' or the Chicago charter school teachers' salary schedule, or (iii) is paid on an administrative payroll.

(Source: P.A. 94-514, eff. 8-10-05.)

New matter indicated by italics - deletions by strikeout
AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Unified Code of Corrections is amended by changing Section 3-7-2a as follows:

(730 ILCS 5/3-7-2a) (from Ch. 38, par. 1003-7-2a)
Sec. 3-7-2a. If a facility maintains a commissary or commissaries serving inmates, the selling prices for all goods shall be sufficient to cover the costs of the goods and an additional charge of up to 35% for tobacco products and up to 25% for non-tobacco products. The amount of the additional charges for goods sold at commissaries serving inmates shall be based upon the amount necessary to pay for the wages and benefits of commissary employees who are employed in any commissary facilities of the Department. The Department shall determine the additional charges upon any changes in wages and benefits of commissary employees as negotiated in the collective bargaining agreement. If a facility maintains a commissary or commissaries serving employees, the selling price for all goods shall be sufficient to cover the costs of the goods and an additional charge of up to 10%. A compliance audit of all commissaries and the distribution of commissary funds shall be included in the regular compliance audit of the Department conducted by the Auditor General in accordance with the Illinois State Auditing Act.

Items purchased for sale at any such commissary shall be purchased, wherever possible, at wholesale costs. If a facility maintains a commissary or commissaries as of the effective date of this amendatory

New matter indicated by italics - deletions by strikeout
Act of the 93rd General Assembly, the Department may not contract with a private contractor or vendor to operate, manage, or perform any portion of the commissary services. The Department may not enter into any such contract for commissary services at a facility that opens subsequent to the effective date of this amendatory Act of the 93rd General Assembly. (Source: P.A. 93-607, eff. 1-1-04.)

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

Approved June 23, 2006.

PUBLIC ACT 94-0914
(House Bill No. 5331)

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 16-118 as follows:

(40 ILCS 5/16-118) (from Ch. 108 1/2, par. 16-118)
Sec. 16-118. Retirement. "Retirement": Entry upon a retirement annuity or receipt of a single-sum retirement benefit granted under this Article after termination of active service as a teacher.

(a) An annuitant receiving a retirement annuity other than a disability retirement annuity may accept employment as a teacher from a school board or other employer specified in Section 16-106 without impairing retirement status, if that employment: (1) is not within the school year during which service was terminated; and (2) does not exceed 100 paid days or 500 paid hours in any school year (during the period beginning July 1, 2001 through June 30, 2011, 120 paid days or 600 paid hours in each school year). Where such permitted employment is partly on a daily and partly on an hourly basis, a day shall be considered as 5 hours.

New matter indicated by italics - deletions by strikeout
(b) Subsection (a) does not apply to an annuitant who returns to teaching under the program established in Section 16-150.1, for the duration of his or her participation in that program.
(Source: P.A. 92-416, eff. 8-17-01; 93-320, eff. 7-23-03.)

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

Approved June 23, 2006.

PUBLIC ACT 94-0915
(Senate Bill No. 2238)

AN ACT concerning regulation.

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

Section 5. The Ambulatory Surgical Treatment Center Act is amended by changing Section 6.5 as follows:

(210 ILCS 5/6.5)

Sec. 6.5. Clinical privileges; advanced practice nurses. All ambulatory surgical treatment centers (ASTC) licensed under this Act shall comply with the following requirements:

(1) No ASTC policy, rule, regulation, or practice shall be inconsistent with the provision of adequate collaboration, including medical direction of licensed advanced practice nurses, in accordance with Section 54.5 of the Medical Practice Act of 1987.

(2) Operative surgical procedures shall be performed only by a physician licensed to practice medicine in all its branches under the Medical Practice Act of 1987, a dentist licensed under the Illinois Dental Practice Act, or a podiatrist licensed under the Podiatric Medical Practice Act of 1987, with medical staff membership and surgical clinical privileges granted by the consulting committee of the ASTC. A licensed physician, dentist, or podiatrist may be assisted by a physician licensed to practice medicine in all its branches, dentist, dental assistant, podiatrist,
licensed advanced practice nurse, licensed physician assistant, licensed registered nurse, licensed practical nurse, surgical assistant, surgical technician, or other individuals granted clinical privileges to assist in surgery by the consulting committee of the ASTC. Payment for services rendered by an assistant in surgery who is not an ambulatory surgical treatment center employee shall be paid at the appropriate non-physician modifier rate if the payor would have made payment had the same services been provided by a physician.

(2.5) A registered nurse licensed under the Nursing and Advanced Practice Nursing Act and qualified by training and experience in operating room nursing shall be present in the operating room and function as the circulating nurse during all invasive or operative procedures. For purposes of this paragraph (2.5), "circulating nurse" means a registered nurse who is responsible for coordinating all nursing care, patient safety needs, and the needs of the surgical team in the operating room during an invasive or operative procedure.

(3) The anesthesia service shall be under the direction of a physician licensed to practice medicine in all its branches who has had specialized preparation or experience in the area or who has completed a residency in anesthesiology. An anesthesiologist, Board certified or Board eligible, is recommended. Anesthesia services may only be administered pursuant to the order of a physician licensed to practice medicine in all its branches, licensed dentist, or licensed podiatrist.

(A) The individuals who, with clinical privileges granted by the medical staff and ASTC, may administer anesthesia services are limited to the following:
   (i) an anesthesiologist; or
   (ii) a physician licensed to practice medicine in all its branches; or
   (iii) a dentist with authority to administer anesthesia under Section 8.1 of the Illinois Dental Practice Act; or
   (iv) a licensed certified registered nurse anesthetist.

(B) For anesthesia services, an anesthesiologist shall participate through discussion of and agreement with the anesthesia

New matter indicated by italics - deletions by strikeout
plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. In the absence of 24-hour availability of anesthesiologists with clinical privileges, an alternate policy (requiring participation, presence, and availability of a physician licensed to practice medicine in all its branches) shall be developed by the medical staff consulting committee in consultation with the anesthesia service and included in the medical staff consulting committee policies.

(C) A certified registered nurse anesthetist is not required to possess prescriptive authority or a written collaborative agreement meeting the requirements of Section 15-15 of the Nursing and Advanced Practice Nursing Act to provide anesthesia services ordered by a licensed physician, dentist, or podiatrist. Licensed certified registered nurse anesthetists are authorized to select, order, and administer drugs and apply the appropriate medical devices in the provision of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or, in the absence of an available anesthesiologist with clinical privileges, agreed with by the operating physician, operating dentist, or operating podiatrist in accordance with the medical staff consulting committee policies of a licensed ambulatory surgical treatment center.

(Source: P.A. 93-352, eff. 1-1-04.)

Section 10. The Hospital Licensing Act is amended by changing Section 10.7 as follows:

(210 ILCS 85/10.7)
Sec. 10.7. Clinical privileges; advanced practice nurses. All hospitals licensed under this Act shall comply with the following requirements:

(1) No hospital policy, rule, regulation, or practice shall be inconsistent with the provision of adequate collaboration, including medical direction of licensed advanced practice nurses, in accordance with Section 54.5 of the Medical Practice Act of 1987.
(2) Operative surgical procedures shall be performed only by a physician licensed to practice medicine in all its branches under the Medical Practice Act of 1987, a dentist licensed under the Illinois Dental Practice Act, or a podiatrist licensed under the Podiatric Medical Practice Act of 1987, with medical staff membership and surgical clinical privileges granted at the hospital. A licensed physician, dentist, or podiatrist may be assisted by a physician licensed to practice medicine in all its branches, dentist, dental assistant, podiatrist, licensed advanced practice nurse, licensed physician assistant, licensed registered nurse, licensed practical nurse, surgical assistant, surgical technician, or other individuals granted clinical privileges to assist in surgery at the hospital. Payment for services rendered by an assistant in surgery who is not a hospital employee shall be paid at the appropriate non-physician modifier rate if the payor would have made payment had the same services been provided by a physician.

(2.5) A registered nurse licensed under the Nursing and Advanced Practice Nursing Act and qualified by training and experience in operating room nursing shall be present in the operating room and function as the circulating nurse during all invasive or operative procedures. For purposes of this paragraph (2.5), "circulating nurse" means a registered nurse who is responsible for coordinating all nursing care, patient safety needs, and the needs of the surgical team in the operating room during an invasive or operative procedure.

(3) The anesthesia service shall be under the direction of a physician licensed to practice medicine in all its branches who has had specialized preparation or experience in the area or who has completed a residency in anesthesiology. An anesthesiologist, Board certified or Board eligible, is recommended. Anesthesia services may only be administered pursuant to the order of a physician licensed to practice medicine in all its branches, licensed dentist, or licensed podiatrist.

(A) The individuals who, with clinical privileges granted at the hospital, may administer anesthesia services are limited to the following:

(i) an anesthesiologist; or
(ii) a physician licensed to practice medicine in all its branches; or

(iii) a dentist with authority to administer anesthesia under Section 8.1 of the Illinois Dental Practice Act; or

(iv) a licensed certified registered nurse anesthetist.

(B) For anesthesia services, an anesthesiologist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. In the absence of 24-hour availability of anesthesiologists with medical staff privileges, an alternate policy (requiring participation, presence, and availability of a physician licensed to practice medicine in all its branches) shall be developed by the medical staff and licensed hospital in consultation with the anesthesia service.

(C) A certified registered nurse anesthetist is not required to possess prescriptive authority or a written collaborative agreement meeting the requirements of Section 15-15 of the Nursing and Advanced Practice Nursing Act to provide anesthesia services ordered by a licensed physician, dentist, or podiatrist. Licensed certified registered nurse anesthetists are authorized to select, order, and administer drugs and apply the appropriate medical devices in the provision of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or, in the absence of an available anesthesiologist with clinical privileges, agreed with by the operating physician, operating dentist, or operating podiatrist in accordance with the hospital's alternative policy.

(Source: P.A. 93-352, eff. 1-1-04.)

Approved June 23, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning driver's licenses.

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

Section 5. The School Code is amended by changing Section 26-3a as follows:

(105 ILCS 5/26-3a) (from Ch. 122, par. 26-3a)
Sec. 26-3a. Report of pupils no longer enrolled in school.

The clerk or secretary of the school board of all school districts shall furnish quarterly on the first school day of October, January, April and July to the regional superintendent and to the Secretary of State a list of pupils, excluding transferees, who have been expelled or have withdrawn or who have left school and have been removed from the regular attendance rolls during the period of time school was in regular session from the time of the previous quarterly report. Such list shall include the names and addresses of pupils formerly in attendance, the names and addresses of persons having custody or control of such pupils, the reason, if known, such pupils are no longer in attendance and the date of removal from the attendance rolls. The list shall also include the names of: pupils whose withdrawal is due to extraordinary circumstances, including but not limited to economic or medical necessity or family hardship, as determined by the criteria established by the school district; pupils who have re-enrolled in school since their names were removed from the attendance rolls; any pupil certified to be a chronic or habitual truant, as defined in Section 26-2a; and pupils previously certified as chronic or habitual truants who have resumed regular school attendance.

The regional superintendent shall inform the county or district truant officer who shall investigate to see that such pupils are in compliance with the requirements of this Article.

Each local school district shall establish, in writing, a set of criteria for use by the local superintendent of schools in determining whether a pupil's failure to attend school is the result of extraordinary circumstances.
circumstances, including but not limited to economic or medical necessity or family hardship.

If a pupil re-enrolls in school after his or her name was removed from the attendance rolls or resumes regular attendance after being certified a chronic or habitual truant, the pupil must obtain and forward to the Secretary of State, on a form designated by the Secretary of State, verification of his or her re-enrollment. The verification may be in the form of a signature or seal or in any other form determined by the school board.

In addition, the regional superintendent of schools of each educational service region shall report to the State Board of Education, in January of 1992 and in January of each year thereafter, the number and ages of dropouts, as defined in Section 26-2a, in his educational service region during the school year that ended in the immediately preceding calendar year, together with any efforts, activities and programs undertaken, established, implemented or coordinated by the regional superintendent of schools that have been effective in inducing dropouts to re-enroll in school. The State Board of Education shall, if possible, make available to any person, upon request, a comparison of dropout rates before and after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 87-303.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 6-107, 6-107.1, 6-108, and 6-201 as follows:

(625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)
Sec. 6-107. Graduated license.
(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

New matter indicated by italics - deletions by strikeout
(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated by marriage, for a drivers license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 3 months.

(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

(3) Certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of 25 hours of behind-the-wheel practice time and is sufficiently prepared and able to safely operate a motor vehicle.

(b-1) No graduated driver's license shall be issued to any applicant who is under 18 years of age and not legally emancipated by marriage, unless the applicant has graduated from a secondary school of this State or any other state, is enrolled in a course leading to a general educational development (GED) certificate, has obtained a GED certificate, is enrolled in an elementary or secondary school or college or university of this State or any other state and is not a chronic or habitual truant as provided in Section 26-2a of the School Code, or is receiving home instruction and submits proof of meeting any of those requirements at the time of application.

An applicant under 18 years of age who provides proof acceptable to the Secretary that the applicant has resumed regular school attendance or home instruction or that his or her application was denied in error...
shall be eligible to receive a graduated license if other requirements are met. The Secretary shall adopt rules for implementing this subsection (b-1).

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid license or permit in violation of Section 6-101 of this Code and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act or the Illinois Controlled Substances Act, while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 6 months to any applicant under the age of 18 years who has been convicted of any offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code.

(f) No graduated driver's license holder under the age of 18 shall operate a motor vehicle unless each driver and front or back seat passenger under the age of 18 is wearing a properly adjusted and fastened seat safety belt.

New matter indicated by italics - deletions by strikeout
(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 6 months he or she holds the license or until he or she reaches the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver.

(Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05.)

(625 ILCS 5/6-107.1)

Sec. 6-107.1. Instruction permit for a minor.

(a) The Secretary of State, upon receiving proper application and payment of the required fee, may issue an instruction permit to any person under the age of 18 years who is not ineligible for a license under paragraphs 1, 3, 4, 5, 7, or 8 of Section 6-103, after the applicant has successfully passed such examination as the Secretary of State in his discretion may prescribe.

(1) An instruction permit issued under this Section shall be valid for a period of 24 months after the date of its issuance and shall be restricted, by the Secretary of State, to the operation of a motor vehicle by the minor only when accompanied by the adult instructor of a driver education program during enrollment in the program or when practicing with a parent, legal guardian, family member, or a person in loco parentis who is 21 years of age or more, has a license classification to operate such vehicle and at least one year of driving experience, and who is occupying a seat beside the driver.

(2) A 24 month instruction permit for a motor driven cycle may be issued to a person 16 or 17 years of age and entitles the holder to drive upon the highways during daylight under direct supervision of a licensed motor driven cycle operator or motorcycle operator 21 years of age or older who has a license classification to operate such motor driven cycle or motorcycle and at least one year of driving experience.

New matter indicated by italics - deletions by strikeout
(3) A 24 month instruction permit for a motorcycle other than a motor driven cycle may be issued to a person 16 or 17 years of age in accordance with the provisions of paragraph 2 of Section 6-103 and entitles a holder to drive upon the highways during daylight under the direct supervision of a licensed motorcycle operator 21 years of age or older who has at least one year of driving experience.

(b) An instruction permit issued under this Section when issued to a person under the age of 17 years shall, as a matter of law, be invalid for the operation of any motor vehicle during the same time the child is prohibited from being on any street or highway under the provisions of the Child Curfew Act.

(b-1) No instruction permit shall be issued to any applicant who is under the age of 18 years and who has been certified to be a chronic or habitual truant, as defined in Section 26-2a of the School Code.

An applicant under the age of 18 years who provides proof that he or she has resumed regular school attendance or that his or her application was denied in error shall be eligible to receive an instruction permit if other requirements are met. The Secretary shall adopt rules for implementing this subsection (b-1).

(c) Any person under the age of 16 years who possesses an instruction permit and whose driving privileges have been suspended or revoked under the provisions of this Code shall not be granted a Family Financial Responsibility Driving Permit or a Restricted Driving Permit.

(Source: P.A. 90-369, eff. 1-1-98.)

(625 ILCS 5/6-108) (from Ch. 95 1/2, par. 6-108)
Sec. 6-108. Cancellation of license issued to minor.
(a) The Secretary of State shall cancel the license or permit of any minor under the age of 18 years in any of the following events:

1. Upon the verified written request of the person who consented to the application of the minor that the license or permit be cancelled;

2. Upon receipt of satisfactory evidence of the death of the person who consented to the application of the minor;

New matter indicated by italics - deletions by strikeout
3. Upon receipt of satisfactory evidence that the person who consented to the application of a minor no longer has legal custody of the minor:

4. Upon receipt of information, submitted on a form prescribed by the Secretary of State under Section 26-3a of the School Code and provided voluntarily by nonpublic schools, that a license-holding minor no longer meets the school attendance requirements defined in Section 6-107 of this Code.

A minor who provides proof acceptable to the Secretary that the minor has resumed regular school attendance or home instruction or that his or her license or permit was cancelled in error shall have his or her license reinstated. The Secretary shall adopt rules for implementing this subdivision (a) 4.

After cancellation, the Secretary of State shall not issue a new license or permit until the applicant meets the provisions of Section 6-107 of this Code.

(b) The Secretary of State shall cancel the license or permit of any person under the age of 18 years if he or she is convicted of violating the Cannabis Control Act or the Illinois Controlled Substances Act while that person was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation or until the minor attains the age of 18 years, whichever is longer. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the person's residence and person's place of employment or within the

New matter indicated by italics - deletions by strikeout
scope of the person's employment related duties, or to allow transportation for the person or a household member of the person's family for the receipt of necessary medical care or, if the professional evaluation indicates, provide transportation for the petitioner for alcohol remedial or rehabilitative activity, or for the person to attend classes, as a student, in an accredited educational institution; if the person is able to demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue a restricted driving permit for a period as he deems appropriate, except that the permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program. Thereafter, upon reapplication for a license as provided in Section 6-106 of this Code or a permit as provided in Section 6-105 of this Code and upon payment of the appropriate application fee, the Secretary of State shall issue the applicant a license as provided in Section 6-106 of this Code or shall issue the applicant a permit as provided in Section 6-105.

(Source: P.A. 86-1450; 87-1114.)

(625 ILCS 5/6-201) (from Ch. 95 1/2, par. 6-201)
Sec. 6-201. Authority to cancel licenses and permits.
(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:
1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or

New matter indicated by italics - deletions by strikeout
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or

4. committed any fraud in the making of such application; or

5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or

6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or

7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the person's residence and person's place of employment or within the scope of the person's employment related duties, or to allow transportation for the person or a household member of the person's family for the receipt of necessary medical care or, if the professional evaluation indicates, provide transportation for the petitioner for alcohol remedial or rehabilitative activity, or for the person to attend classes, as a

New matter indicated by italics - deletions by strikeout
student, in an accredited educational institution; if the person is able to demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program; or

8. failed to submit a report as required by Section 6-116.5 of this Code; or;

9. is ineligible for a license or permit under Section 6-107, 6-107.1, or 6-108 of this Code.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(Source: P.A. 89-92, eff. 7-1-96; 89-584, eff. 7-31-96; 90-779, eff. 1-1-99.)

Section 99. Effective date. This Act takes effect July 1, 2007.
Approved June 26, 2006.
Effective July 1, 2007.

New matter indicated by italics - deletions by strikeout
AN ACT concerning health.

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

Section 5. The Illinois Clean Indoor Air Act is amended by changing Section 11 as follows:

(410 ILCS 80/11) (from Ch. 111 1/2, par. 8211)

Sec. 11. Home rule and other local regulation.

(a) Except as provided in subsection (b), any a home rule unit of local government, or any non-home rule municipality, or any non-home rule county within the unincorporated territory of the county in this State may regulate smoking in public places, but that regulation must be no less restrictive than this Act. This subsection (a) is a limitation on the concurrent exercise of home rule power under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

(b) Any home rule unit that has passed an ordinance concerning the regulation of smoking prior to October 1, 1989 is exempt from the requirements of subsection (a).

(c) In addition to any regulation authorized under subsection (a) or (b) or authorized under home rule powers, any home rule unit of local government, any non-home rule municipality, or any non-home rule county within the unincorporated territory of the county may regulate smoking in any enclosed indoor area used by the public or serving as a place of work if the area does not fall within the definition of a "public place" under this Act.

(Source: P.A. 94-517, eff. 1-1-06.)

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

Approved June 26, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by changing Section 3-1 as follows:

(305 ILCS 5/3-1) (from Ch. 23, par. 3-1)

Sec. 3-1. Eligibility Requirements. Financial aid in meeting basic maintenance requirements for a livelihood compatible with health and well-being shall be given under this Article to or in behalf of aged, blind, or disabled persons who meet the eligibility conditions of Sections 3-1.1 through 3-1.7. Financial aid under this Article shall be available only for persons who are receiving Supplemental Security Income (SSI) or who have been found ineligible for SSI (i) on the basis of income or (ii) due to expiration of the period of eligibility for refugees and asylees pursuant to 8 U.S.C. 1612(a)(2). Financial aid based on item (ii) of this paragraph shall be available until July 1, 2006.

"Aged person" means a person who has attained age 65, as demonstrated by such evidence of age as the Illinois Department may by rule prescribe.

"Blind person" means a person who has no vision or whose vision with corrective glasses is so defective as to prevent the performance of ordinary duties or tasks for which eyesight is essential. The Illinois Department shall define blindness in terms of ophthalmic measurements or ocular conditions. For purposes of this Act, an Illinois Disabled Person Identification Card issued pursuant to The Illinois Identification Card Act, indicating that the person thereon named has a Type 3 disability shall be evidence that such person is a blind person within the meaning of this Section; however, such a card shall not qualify such person for aid as a blind person under this Act, and eligibility for aid as a blind person shall be determined as provided in this Act.
"Disabled person" means a person age 18 or over who has a physical or mental impairment, disease, or loss which is of a permanent nature and which substantially impairs his ability to perform labor or services or to engage in useful occupations for which he is qualified, as determined by rule and regulation of the Illinois Department. For purposes of this Act, an Illinois Disabled Person Identification Card issued pursuant to The Illinois Identification Card Act, indicating that the person thereon named has a Type 1 or 2, Class 2 disability shall be evidence that such person is a disabled person under this Section; however, such a card shall not qualify such person for aid as a disabled person under this Act, and eligibility for aid as a disabled person shall be determined as provided in this Act. If federal law or regulation permit or require the inclusion of blind or disabled persons whose blindness or disability is not of the degree specified in the foregoing definitions, or permit or require the inclusion of disabled persons under age 18 or aged persons under age 65, the Illinois Department, upon written approval of the Governor, may provide by rule that all aged, blind or disabled persons toward whose aid federal funds are available be eligible for assistance under this Article as is given to those who meet the foregoing definitions of blind person and disabled person or aged person.

(Source: P.A. 93-741, eff. 7-15-04.)

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

Passed in the General Assembly April 6, 2006.
Approved June 26, 2006.
Section 5. The Wildlife Code is amended by changing Section 2.25 as follows:

(520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

Sec. 2.25. It shall be unlawful for any person to take deer except (i) with a shotgun, handgun, or muzzleloading rifle or (ii) as provided by administrative rule, with a bow and arrow, or crossbow device for handicapped persons as defined in Section 2.33, during the open season of not more than 14 days which will be set annually by the Director between the dates of November 1st and December 31st, both inclusive. For the purposes of this Section, legal handguns include any centerfire handguns of .30 caliber or larger with a minimum barrel length of 4 inches. The only legal ammunition for a centerfire handgun is a cartridge of .30 caliber or larger with a capability of at least 500 foot pounds of energy at the muzzle. Full metal jacket bullets may not be used to harvest deer.

The Department shall make administrative rules concerning management restrictions applicable to the firearm and bow and arrow season.

It shall be unlawful for any person to take deer except with a bow and arrow, or crossbow device for handicapped persons (as defined in Section 2.33), during the open season for bow and arrow set annually by the Director between the dates of September 1st and January 31st, both inclusive.

It shall be unlawful for any person to take deer except with (i) a muzzleloading rifle, or (ii) bow and arrow, or crossbow device for handicapped persons as defined in Section 2.33, during the open season for muzzleloading rifles set annually by the Director.

The Director shall cause an administrative rule setting forth the prescribed rules and regulations, including bag and possession limits and those counties of the State where open seasons are established, to be published in accordance with Sections 1.3 and 1.13 of this Act.

The Department may establish separate harvest periods for the purpose of managing or eradicating disease that has been found in the deer herd. This season shall be restricted to gun or bow and arrow hunting only. The Department shall publicly announce, via statewide news release, the
season dates and shooting hours, the counties and sites open to hunting, permit requirements, application dates, hunting rules, legal weapons, and reporting requirements.

The Department is authorized to establish a separate harvest period at specific sites within the State for the purpose of harvesting surplus deer that cannot be taken during the regular season provided for the taking of deer. This season shall be restricted to gun or bow and arrow hunting only and shall be established during the period of September 1st to February 15th, both inclusive. The Department shall publish suitable prescribed rules and regulations established by administrative rule pertaining to management restrictions applicable to this special harvest program. The Department shall allow unused gun deer permits that are left over from a regular season for the taking of deer to be rolled over and used during any separate harvest period held within 6 months of the season for which those tags were issued at no additional cost to the permit holder subject to the management restrictions applicable to the special harvest program.

(Source: P.A. 93-37, eff. 6-25-03; 93-554, eff. 8-20-03; revised 9-15-03.)

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

Approved June 26, 2006.

PUBLIC ACT 94-0920
(House Bill No. 5259)

AN ACT concerning organ donation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Anatomical Gift Act is amended by changing Sections 5-20 and 5-45 as follows:
(755 ILCS 50/5-20) (was 755 ILCS 50/5)
Sec. 5-20. Manner of Executing Anatomical Gifts.

New matter indicated by italics - deletions by strikeout
(a) A gift of all or part of the body under Section 5-5 (a) may be made by will. The gift becomes effective upon the death of the testator without waiting for probate. If the will is not probated, or if it is declared invalid for testamentary purposes, the gift, to the extent that it has been acted upon in good faith, is nevertheless valid and effective.

(b) A gift of all or part of the body under Section 5-5 (a) may also be made by a written, signed document other than a will. The gift becomes effective upon the death of the donor. The document, which may be a card or a valid driver's license designed to be carried on the person, is effective without regard to the presence or signature of witnesses. Such a gift may also be made by properly executing the form provided by the Secretary of State on the reverse side of the donor's driver's license pursuant to subsection (b) of Section 6-110 of The Illinois Vehicle Code. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid.

(b-1) A gift under Section 5-5 (a) may also be made by an individual consenting to have his or her name included in the First Person Consent organ and tissue donor registry maintained by the Secretary of State under Section 6-117 of the Illinois Vehicle Code. An individual's consent to have his or her name included in the First Person Consent organ and tissue donor registry constitutes full legal authority for the donation of any of his or her organs or tissue. Consenting to be included in the First Person Consent organ and tissue donor registry is effective without regard to the presence or signature of witnesses.

(c) The gift may be made to a specified donee or without specifying a donee. If the latter, the gift may be accepted by the attending physician as donee upon or following death. If the gift is made to a specified donee who is not available at the time and place of death, then if made for the purpose of transplantation, it shall be effectuated in accordance with Section 5-25, and if made for any other purpose the attending physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee.
(d) Notwithstanding Section 5-45 (b), the donor may designate in his will, card, or other document of gift the surgeon or physician to carry out the appropriate procedures. In the absence of a designation or if the designee is not available, the donee or other person authorized to accept the gift may employ or authorize any surgeon or physician for the purpose.

(e) Any gift by a person designated in Section 5-5 (b) shall be made by a document signed by him or made by his telegraphic, recorded telephonic, or other recorded message.

(f) When there is a suitable candidate for organ donation and a donation or consent to donate has not yet been given, procedures to preserve the decedent's body for possible organ and tissue donation may be implemented under the authorization of the applicable organ procurement agency, at its own expense, prior to making a donation request pursuant to Section 5-25. If the organ procurement agency does not locate a person authorized to consent to donation or consent to donation is denied, then procedures to preserve the decedent's body shall be ceased and no donation shall be made. The organ procurement agency shall respect the religious tenets of the decedent, if known, such as a pause after death, before initiating preservation services. Nothing in this Section shall be construed to authorize interference with the coroner in carrying out an investigation or autopsy.

(Source: P.A. 93-794, eff. 7-22-04; 94-75, eff. 1-1-06.)

(755 ILCS 50/5-45) (was 755 ILCS 50/8)
Sec. 5-45. Rights and Duties at Death.

(a) The donee may accept or reject the gift. If the donee accepts a gift of the entire body, he may, subject to the terms of the gift, authorize embalming and the use of the body in funeral services, unless a person named in subsection (b) of Section 5-5 has requested, prior to the final disposition by the donee, that the remains of said body be returned to his or her custody for the purpose of final disposition. Such request shall be honored by the donee if the terms of the gift are silent on how final disposition is to take place. If the gift is of a part of the body, the donee or technician designated by him upon the death of the donor and prior to embalming, shall cause the part to be removed without unnecessary
mutilation and without undue delay in the release of the body for the purposes of final disposition. After removal of the part, custody of the remainder of the body vests in the surviving spouse, next of kin, or other persons under obligation to dispose of the body, in the order or priority listed in subsection (b) of Section 5-5 of this Act.

(b) The time of death shall be determined by a physician who attends the donor at his death, or, if none, the physician who certifies the death. The physician shall not participate in the procedures for removing or transplanting a part.

(c) A person who acts in good faith in accord with the terms of this Act, the Illinois Vehicle Code, and the AIDS Confidentiality Act, or the anatomical gift laws of another state or a foreign country, is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his act. Any person that participates in good faith and according to the usual and customary standards of medical practice in the preservation, removal, or transplantation of any part of a decedent's body pursuant to an anatomical gift made by the decedent or made by an individual as authorized by subsection (b) of Section 5-5 of this Act shall have immunity from liability, civil, criminal, or otherwise, that might result by reason of such actions. For the purpose of any proceedings, civil or criminal, the validity of an anatomical gift executed pursuant to Section 5-20 of this Act shall be presumed and the good faith of any person participating in the removal or transplantation of any part of a decedent's body pursuant to an anatomical gift made by the decedent or by another individual authorized by the Act shall be presumed.

(d) This Act is subject to the provisions of "An Act to revise the law in relation to coroners", approved February 6, 1874, as now or hereafter amended, to the laws of this State prescribing powers and duties with respect to autopsies, and to the statutes, rules, and regulations of this State with respect to the transportation and disposition of deceased human bodies.

(e) If the donee is provided information, or determines through independent examination, that there is evidence that the gift was exposed

New matter indicated by italics - deletions by strikeout
to the human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS), the donee may reject the gift and shall treat the information and examination results as a confidential medical record; the donee may disclose only the results confirming HIV exposure, and only to the physician of the deceased donor. The donor’s physician shall determine whether the person who executed the gift should be notified of the confirmed positive test result.

(Source: P.A. 93-794, eff. 7-22-04; 94-75, eff. 1-1-06.)
Passed in the General Assembly April 4, 2006.
Approved June 26, 2006.

PUBLIC ACT 94-0921
(House Bill No. 4202)

AN ACT concerning insurance.

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

Section 5. The Illinois Insurance Code is amended by changing Section 370c as follows:

(215 ILCS 5/370c) (from Ch. 73, par. 982c)
Sec. 370c. Mental and emotional disorders.
(a) (1) On and after the effective date of this Section, every insurer which delivers, issues for delivery or renews or modifies group A&H policies providing coverage for hospital or medical treatment or services for illness on an expense-incurred basis shall offer to the applicant or group policyholder subject to the insurers standards of insurability, coverage for reasonable and necessary treatment and services for mental, emotional or nervous disorders or conditions, other than serious mental illnesses as defined in item (2) of subsection (b), up to the limits provided in the policy for other disorders or conditions, except (i) the insured may be required to pay up to 50% of expenses incurred as a result of the

New matter indicated by italics - deletions by strikeout
treatment or services, and (ii) the annual benefit limit may be limited to the lesser of $10,000 or 25% of the lifetime policy limit.

(2) Each insured that is covered for mental, emotional or nervous disorders or conditions shall be free to select the physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor of his choice to treat such disorders, and the insurer shall pay the covered charges of such physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor up to the limits of coverage, provided (i) the disorder or condition treated is covered by the policy, and (ii) the physician, licensed psychologist, licensed clinical social worker, or licensed clinical professional counselor is authorized to provide said services under the statutes of this State and in accordance with accepted principles of his profession.

(3) Insofar as this Section applies solely to licensed clinical social workers and licensed clinical professional counselors, those persons who may provide services to individuals shall do so after the licensed clinical social worker or licensed clinical professional counselor has informed the patient of the desirability of the patient conferring with the patient's primary care physician and the licensed clinical social worker or licensed clinical professional counselor has provided written notification to the patient's primary care physician, if any, that services are being provided to the patient. That notification may, however, be waived by the patient on a written form. Those forms shall be retained by the licensed clinical social worker or licensed clinical professional counselor for a period of not less than 5 years.

(b) (1) An insurer that provides coverage for hospital or medical expenses under a group policy of accident and health insurance or health care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 92nd General Assembly shall provide coverage under the policy for treatment of serious mental illness under the same terms and conditions as coverage for hospital or medical expenses related to other illnesses and diseases. The coverage required under this Section

New matter indicated by italics - deletions by strikeout
must provide for same durational limits, amount limits, deductibles, and co-insurance requirements for serious mental illness as are provided for other illnesses and diseases. This subsection does not apply to coverage provided to employees by employers who have 50 or fewer employees.

(2) "Serious mental illness" means the following psychiatric illnesses as defined in the most current edition of the Diagnostic and Statistical Manual (DSM) published by the American Psychiatric Association:

(A) schizophrenia;
(B) paranoid and other psychotic disorders;
(C) bipolar disorders (hypomanic, manic, depressive, and mixed);
(D) major depressive disorders (single episode or recurrent);
(E) schizoaffective disorders (bipolar or depressive);
(F) pervasive developmental disorders;
(G) obsessive-compulsive disorders;
(H) depression in childhood and adolescence;
(I) panic disorder; and
(J) post-traumatic stress disorders (acute, chronic, or with delayed onset).

(3) Upon request of the reimbursing insurer, a provider of treatment of serious mental illness shall furnish medical records or other necessary data that substantiate that initial or continued treatment is at all times medically necessary. An insurer shall provide a mechanism for the timely review by a provider holding the same license and practicing in the same specialty as the patient's provider, who is unaffiliated with the insurer, jointly selected by the patient (or the patient's next of kin or legal representative if the patient is unable to act for himself or herself), the patient's provider, and the insurer in the event of a dispute between the insurer and patient's provider regarding the medical necessity of a treatment proposed by a patient's provider. If the reviewing provider determines the treatment to be medically necessary, the insurer shall provide reimbursement for the treatment. Future contractual or

New matter indicated by italics - deletions by strikeout
employment actions by the insurer regarding the patient's provider may not be based on the provider's participation in this procedure. Nothing prevents the insured from agreeing in writing to continue treatment at his or her expense. When making a determination of the medical necessity for a treatment modality for serous mental illness, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process.

(4) A group health benefit plan:

(A) shall provide coverage based upon medical necessity for the following treatment of mental illness in each calendar year;
   (i) 45 days of inpatient treatment; and
   (ii) beginning on the effective date of this amendatory Act of the 94th General Assembly, 60 visits for outpatient treatment including group and individual outpatient treatment;

(B) may not include a lifetime limit on the number of days of inpatient treatment or the number of outpatient visits covered under the plan; and

(C) shall include the same amount limits, deductibles, copayments, and coinsurance factors for serious mental illness as for physical illness.

(5) An issuer of a group health benefit plan may not count toward the number of outpatient visits required to be covered under this Section an outpatient visit for the purpose of medication management and shall cover the outpatient visits under the same terms and conditions as it covers outpatient visits for the treatment of physical illness.

(6) An issuer of a group health benefit plan may provide or offer coverage required under this Section through a managed care plan.

(7) This Section shall not be interpreted to require a group health benefit plan to provide coverage for treatment of:

(A) an addiction to a controlled substance or cannabis that is used in violation of law; or

New matter indicated by italics - deletions by strikeout
(B) mental illness resulting from the use of a controlled substance or cannabis in violation of law.

(8) (Blank).

(Source: P.A. 94-402, eff. 8-2-05; P.A. 94-584, eff. 8-15-05; revised 8-19-05.)

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

Approved June 26, 2006.

PUBLIC ACT 94-0922
(House Bill No. 4362)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Section 21-205 as follows:

(35 ILCS 200/21-205)

Sec. 21-205. Tax sale procedures. The collector, in person or by deputy, shall attend, on the day and in the place specified in the notice for the sale of property for taxes, and shall, between 9:00 a.m. and 4:00 p.m., or later at the collector's discretion, proceed to offer for sale, separately and in consecutive order, all property in the list on which the taxes, special assessments, interest or costs have not been paid. However, in any county with 3,000,000 or more inhabitants, the offer for sale shall be made between 8:00 a.m. and 8:00 p.m. The collector's office shall be kept open during all hours in which the sale is in progress. The sale shall be continued from day to day, until all property in the delinquent list has been offered for sale. However, any city, village or incorporated town interested in the collection of any tax or special assessment, may, in default of bidders, withdraw from collection the special assessment levied against any property by the corporate authorities of the city, village or

New matter indicated by italics - deletions by strikeout
incorporated town. In case of a withdrawal, there shall be no sale of that property on account of the delinquent special assessment thereon.

In every sale of property pursuant to the provisions of this Code, the collector may employ any automated means that the collector deems appropriate, provided that bidders are required to personally attend the sale. The changes made by this amendatory Act of the 94th General Assembly are declarative of existing law.

(Source: P.A. 76-2254; 88-455.)

Approved June 26, 2006.

PUBLIC ACT 94-0923
(House Bill No. 4383)

AN ACT concerning families.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 505.2 as follows:

(750 ILCS 5/505.2) (from Ch. 40, par. 505.2)

Sec. 505.2. Health insurance.
(a) Definitions. As used in this Section:
(1) "Obligee" means the individual to whom the duty of support is owed or the individual's legal representative.
(2) "Obligor" means the individual who owes a duty of support pursuant to an order for support.
(3) "Public office" means any elected official or any State or local agency which is or may become responsible by law for enforcement of, or which is or may become authorized to enforce, an order for support, including, but not limited to: the Attorney General, the Illinois Department of Public Aid, the Illinois Department of Human Services, the Illinois Department of

New matter indicated by italics - deletions by strikeout
Children and Family Services, and the various State's Attorneys, Clerks of the Circuit Court and supervisors of general assistance.

(4) "Child" shall have the meaning ascribed to it in Section 505.

(b) Order.

(1) Whenever the court establishes, modifies or enforces an order for child support or for child support and maintenance the court shall include in the order a provision for the health care coverage of the child which shall, upon request of the obligee or Public Office, require that any child covered by the order be named as a beneficiary of any health insurance plan that is available to the obligor through an employer or labor union or trade union. If the court finds that such a plan is not available to the obligor, or that the plan is not accessible to the obligee, the court may, upon request of the obligee or Public Office, order the obligor to name the child covered by the order as a beneficiary of any health insurance plan that is available to the obligor on a group basis, or as a beneficiary of an independent health insurance plan to be obtained by the obligor, after considering the following factors:

(A) the medical needs of the child;
(B) the availability of a plan to meet those needs;
and
(C) the cost of such a plan to the obligor.

(2) If the employer or labor union or trade union offers more than one plan, the order shall require the obligor to name the child as a beneficiary of the plan in which the obligor is enrolled.

(3) Nothing in this Section shall be construed to limit the authority of the court to establish or modify a support order to provide for payment of expenses, including deductibles, copayments and any other health expenses, which are in addition to expenses covered by an insurance plan of which a child is ordered to be named a beneficiary pursuant to this Section.

(c) Implementation and enforcement.

New matter indicated by italics - deletions by strikeout
(1) When the court order requires that a minor child be named as a beneficiary of a health insurance plan, other than a health insurance plan available through an employer or labor union or trade union, the obligor shall provide written proof to the obligee or Public Office that the required insurance has been obtained, or that application for insurability has been made, within 30 days of receiving notice of the court order. Unless the obligor was present in court when the order was issued, notice of the order shall be given pursuant to Illinois Supreme Court Rules. If an obligor fails to provide the required proof, he may be held in contempt of court.

(2) When the court requires that a child be named as a beneficiary of a health insurance plan available through an employer or labor union or trade union, the court's order shall be implemented in accordance with the Income Withholding for Support Act.

(2.5) The court shall order the obligor to reimburse the obligee for 50% of the premium for placing the child on his or her health insurance policy if:

(i) a health insurance plan is not available to the obligor through an employer or labor union or trade union and the court does not order the obligor to cover the child as a beneficiary of any health insurance plan that is available to the obligor on a group basis or as a beneficiary of an independent health insurance plan to be obtained by the obligor; or

(ii) the obligor does not obtain medical insurance for the child within 90 days of the date of the court order requiring the obligor to obtain insurance for the child.

The provisions of subparagraph (i) of paragraph 2.5 of subsection (c) shall be applied, unless the court makes a finding that to apply those provisions would be inappropriate after considering all of the factors listed in paragraph 2 of subsection (a) of Section 505.
The court may order the obligor to reimburse the obligee for 100% of the premium for placing the child on his or her health insurance policy.

(d) Failure to maintain insurance. The dollar amount of the premiums for court-ordered health insurance, or that portion of the premiums for which the obligor is responsible in the case of insurance provided under a group health insurance plan through an employer or labor union or trade union where the employer or labor union or trade union pays a portion of the premiums, shall be considered an additional child support obligation owed by the obligor. Whenever the obligor fails to provide or maintain health insurance pursuant to an order for support, the obligor shall be liable to the obligee for the dollar amount of the premiums which were not paid, and shall also be liable for all medical expenses incurred by the child which would have been paid or reimbursed by the health insurance which the obligor was ordered to provide or maintain. In addition, the obligee may petition the court to modify the order based solely on the obligor's failure to pay the premiums for court-ordered health insurance.

(e) Authorization for payment. The signature of the obligee is a valid authorization to the insurer to process a claim for payment under the insurance plan to the provider of the health care services or to the obligee.

(f) Disclosure of information. The obligor's employer or labor union or trade union shall disclose to the obligee or Public Office, upon request, information concerning any dependent coverage plans which would be made available to a new employee or labor union member or trade union member. The employer or labor union or trade union shall disclose such information whether or not a court order for medical support has been entered.

(g) Employer obligations. If a parent is required by an order for support to provide coverage for a child's health care expenses and if that coverage is available to the parent through an employer who does business in this State, the employer must do all of the following upon receipt of a copy of the order of support or order for withholding:
(1) The employer shall, upon the parent's request, permit the parent to include in that coverage a child who is otherwise eligible for that coverage, without regard to any enrollment season restrictions that might otherwise be applicable as to the time period within which the child may be added to that coverage.

(2) If the parent has health care coverage through the employer but fails to apply for coverage of the child, the employer shall include the child in the parent's coverage upon application by the child's other parent or the Illinois Department of Public Aid.

(3) The employer may not eliminate any child from the parent's health care coverage unless the employee is no longer employed by the employer and no longer covered under the employer's group health plan or unless the employer is provided with satisfactory written evidence of either of the following:

(A) The order for support is no longer in effect.
(B) The child is or will be included in a comparable health care plan obtained by the parent under such order that is currently in effect or will take effect no later than the date the prior coverage is terminated.

The employer may eliminate a child from a parent's health care plan obtained by the parent under such order if the employer has eliminated dependent health care coverage for all of its employees.

(Source: P.A. 92-16, eff. 6-28-01; 92-876, eff. 6-1-03.)

Section 10. The Illinois Parentage Act of 1984 is amended by changing Section 14 as follows:

(750 ILCS 45/14) (from Ch. 40, par. 2514)

(a) (1) The judgment shall contain or explicitly reserve provisions concerning any duty and amount of child support and may contain provisions concerning the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, which the court shall determine in accordance with the relevant factors set forth in the Illinois Marriage and Dissolution

New matter indicated by italics - deletions by strikeout
of Marriage Act and any other applicable law of Illinois, to guide the court in a finding in the best interests of the child. In determining custody, joint custody, removal, or visitation, the court shall apply the relevant standards of the Illinois Marriage and Dissolution of Marriage Act, including Section 609. Specifically, in determining the amount of any child support award or child health insurance coverage, the court shall use the guidelines and standards set forth in subsection (a) of Section 505 and in Section 505.2 of the Illinois Marriage and Dissolution of Marriage Act. For purposes of Section 505 of the Illinois Marriage and Dissolution of Marriage Act, "net income" of the non-custodial parent shall include any benefits available to that person under the Illinois Public Aid Code or from other federal, State or local government-funded programs. The court shall, in any event and regardless of the amount of the non-custodial parent's net income, in its judgment order the non-custodial parent to pay child support to the custodial parent in a minimum amount of not less than $10 per month. In an action brought within 2 years after a child's birth, the judgment or order may direct either parent to pay the reasonable expenses incurred by either parent related to the mother's pregnancy and the delivery of the child. The judgment or order shall contain the father's social security number, which the father shall disclose to the court; however, failure to include the father's social security number on the judgment or order does not invalidate the judgment or order.

(2) If a judgment of parentage contains no explicit award of custody, the establishment of a support obligation or of visitation rights in one parent shall be considered a judgment granting custody to the other parent. If the parentage judgment contains no such provisions, custody shall be presumed to be with the mother; however, the presumption shall not apply if the father has had physical custody for at least 6 months prior to the date that the mother seeks to enforce custodial rights.

(b) The court shall order all child support payments, determined in accordance with such guidelines, to commence with the date summons is served. The level of current periodic support payments shall not be reduced because of payments set for the period prior to the date of entry of the support order. The Court may order any child support payments to be

New matter indicated by italics - deletions by strikeout
made for a period prior to the commencement of the action. In determining whether and the extent to which the payments shall be made for any prior period, the court shall consider all relevant facts, including the factors for determining the amount of support specified in the Illinois Marriage and Dissolution of Marriage Act and other equitable factors including but not limited to:

(1) The father's prior knowledge of the fact and circumstances of the child's birth.
(2) The father's prior willingness or refusal to help raise or support the child.
(3) The extent to which the mother or the public agency bringing the action previously informed the father of the child's needs or attempted to seek or require his help in raising or supporting the child.
(4) The reasons the mother or the public agency did not file the action earlier.
(5) The extent to which the father would be prejudiced by the delay in bringing the action.

For purposes of determining the amount of child support to be paid for any period before the date the order for current child support is entered, there is a rebuttable presumption that the father's net income for the prior period was the same as his net income at the time the order for current child support is entered.

If (i) the non-custodial parent was properly served with a request for discovery of financial information relating to the non-custodial parent's ability to provide child support, (ii) the non-custodial parent failed to comply with the request, despite having been ordered to do so by the court, and (iii) the non-custodial parent is not present at the hearing to determine support despite having received proper notice, then any relevant financial information concerning the non-custodial parent's ability to provide child support that was obtained pursuant to subpoena and proper notice shall be admitted into evidence without the need to establish any further foundation for its admission.

New matter indicated by italics - deletions by strikeout
(c) Any new or existing support order entered by the court under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder, each judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order. Each judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced. A lien arises by operation of law against the real and personal property of the noncustodial parent for each installment of overdue support owed by the noncustodial parent.

(d) If the judgment or order of the court is at variance with the child's birth certificate, the court shall order that a new birth certificate be issued under the Vital Records Act.

(e) On request of the mother and the father, the court shall order a change in the child's name. After hearing evidence the court may stay payment of support during the period of the father's minority or period of disability.

(f) If, upon a showing of proper service, the father fails to appear in court, or otherwise appear as provided by law, the court may proceed to hear the cause upon testimony of the mother or other parties taken in open court and shall enter a judgment by default. The court may reserve any order as to the amount of child support until the father has received notice, by regular mail, of a hearing on the matter.

(g) A one-time charge of 20% is imposable upon the amount of past-due child support owed on July 1, 1988 which has accrued under a support order entered by the court. The charge shall be imposed in accordance with the provisions of Section 10-21 of the Illinois Public Aid Code and shall be enforced by the court upon petition.

(h) All orders for support, when entered or modified, shall include a provision requiring the non-custodial parent to notify the court and, in cases in which party is receiving child support enforcement services under Article X of the Illinois Public Aid Code, the Illinois Department of Public Aid, within 7 days, (i) of the name and address of any new employer of the non-custodial parent, (ii) whether the non-custodial parent has access to

New matter indicated by italics - deletions by strikeout
health insurance coverage through the employer or other group coverage and, if so, the policy name and number and the names of persons covered under the policy, and (iii) of any new residential or mailing address or telephone number of the non-custodial parent. In any subsequent action to enforce a support order, upon a sufficient showing that a diligent effort has been made to ascertain the location of the non-custodial parent, service of process or provision of notice necessary in the case may be made at the last known address of the non-custodial parent in any manner expressly provided by the Code of Civil Procedure or this Act, which service shall be sufficient for purposes of due process.

(i) An order for support shall include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of 18. However, if the child will not graduate from high school until after attaining the age of 18, then the termination date shall be no earlier than the earlier of the date on which the child's high school graduation will occur or the date on which the child will attain the age of 19. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. Nothing in this subsection shall be construed to prevent the court from modifying the order or terminating the order in the event the child is otherwise emancipated.

(i-5) If there is an unpaid arrearage or delinquency (as those terms are defined in the Income Withholding for Support Act) equal to at least one month's support obligation on the termination date stated in the order for support or, if there is no termination date stated in the order, on the date the child attains the age of majority or is otherwise emancipated, the periodic amount required to be paid for current support of that child immediately prior to that date shall automatically continue to be an obligation, not as current support but as periodic payment toward satisfaction of the unpaid arrearage or delinquency. That periodic payment shall be in addition to any periodic payment previously required for satisfaction of the arrearage or delinquency. The total periodic amount to be paid toward satisfaction of the arrearage or delinquency may be enforced and collected by any method provided by law for enforcement.

New matter indicated by italics - deletions by strikeout
and collection of child support, including but not limited to income withholding under the Income Withholding for Support Act. Each order for support entered or modified on or after the effective date of this amendatory Act of the 93rd General Assembly must contain a statement notifying the parties of the requirements of this subsection. Failure to include the statement in the order for support does not affect the validity of the order or the operation of the provisions of this subsection with regard to the order. This subsection shall not be construed to prevent or affect the establishment or modification of an order for support of a minor child or the establishment or modification of an order for support of a non-minor child or educational expenses under Section 513 of the Illinois Marriage and Dissolution of Marriage Act.

   (j) An order entered under this Section shall include a provision requiring the obligor to report to the obligee and to the clerk of court within 10 days each time the obligor obtains new employment, and each time the obligor's employment is terminated for any reason. The report shall be in writing and shall, in the case of new employment, include the name and address of the new employer. Failure to report new employment or the termination of current employment, if coupled with nonpayment of support for a period in excess of 60 days, is indirect criminal contempt. For any obligor arrested for failure to report new employment bond shall be set in the amount of the child support that should have been paid during the period of unreported employment. An order entered under this Section shall also include a provision requiring the obligor and obligee parents to advise each other of a change in residence within 5 days of the change except when the court finds that the physical, mental, or emotional health of a party or that of a minor child, or both, would be seriously endangered by disclosure of the party's address.

(Source: P.A. 92-590, eff. 7-1-02; 92-876, eff. 6-1-03; 93-139, eff. 7-10-03; 93-1061, eff. 1-1-05.)

   Approved June 26, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 3-3013 as follows:

(55 ILCS 5/3-3013) (from Ch. 34, par. 3-3013)

Sec. 3-3013. Preliminary investigations; blood and urine analysis; summoning jury. Every coroner, whenever, as soon as he knows or is informed that the dead body of any person is found, or lying within his county, whose death is suspected of being:

(a) A sudden or violent death, whether apparently suicidal, homicidal or accidental, including but not limited to deaths apparently caused or contributed to by thermal, traumatic, chemical, electrical or radiational injury, or a complication of any of them, or by drowning or suffocation, or as a result of domestic violence as defined in the Illinois Domestic Violence Act of 1986;

(b) A maternal or fetal death due to abortion, or any death due to a sex crime or a crime against nature;

(c) A death where the circumstances are suspicious, obscure, mysterious or otherwise unexplained or where, in the written opinion of the attending physician, the cause of death is not determined;

(d) A death where addiction to alcohol or to any drug may have been a contributory cause; or

(e) A death where the decedent was not attended by a licensed physician;

shall go to the place where the dead body is, and take charge of the same and shall make a preliminary investigation into the circumstances of the death. In the case of death without attendance by a licensed physician the body may be moved with the coroner's consent from the place of death to a mortuary in the same county. Coroners in their discretion shall notify such
physician as is designated in accordance with Section 3-3014 to attempt to ascertain the cause of death, either by autopsy or otherwise.

In cases of accidental death involving a motor vehicle in which the decedent was (1) the operator or a suspected operator of a motor vehicle, or (2) a pedestrian 16 years of age or older, the coroner shall require that a blood specimen of at least 30 cc., and if medically possible a urine specimen of at least 30 cc. or as much as possible up to 30 cc., be withdrawn from the body of the decedent in a timely fashion after the accident causing his death, by such physician as has been designated in accordance with Section 3-3014, or by the coroner or deputy coroner or a qualified person designated by such physician, coroner, or deputy coroner. If the county does not maintain laboratory facilities for making such analysis, the blood and urine so drawn shall be sent to the Department of State Police or any other accredited or State-certified laboratory for analysis of the alcohol, carbon monoxide, and dangerous or narcotic drug content of such blood and urine specimens. Each specimen submitted shall be accompanied by pertinent information concerning the decedent upon a form prescribed by such laboratory. Any person drawing blood and urine and any person making any examination of the blood and urine under the terms of this Division shall be immune from all liability, civil or criminal, that might otherwise be incurred or imposed.

In all other cases coming within the jurisdiction of the coroner and referred to in subparagraphs (a) through (e) above, blood, and whenever possible, urine samples shall be analyzed for the presence of alcohol and other drugs. When the coroner suspects that drugs may have been involved in the death, either directly or indirectly, a toxicological examination shall be performed which may include analyses of blood, urine, bile, gastric contents and other tissues. When the coroner suspects a death is due to toxic substances, other than drugs, the coroner shall consult with the toxicologist prior to collection of samples. Information submitted to the toxicologist shall include information as to height, weight, age, sex and race of the decedent as well as medical history, medications used by and the manner of death of decedent.
In all counties except those that have a jury commission, in cases of apparent suicide, homicide, or accidental death or in other cases, within the discretion of the coroner, the coroner **may** summon 8 persons of lawful age from those persons drawn for petit jurors in the county. The summons shall command these persons to present themselves personally at such a place and time as the coroner shall determine, and may be in any form which the coroner shall determine and may incorporate any reasonable form of request for acknowledgement which the coroner deems practical and provides a reliable proof of service. The summons may be served by first class mail. From the 8 persons so summoned, the coroner shall select 6 to serve as the jury for the inquest. Inquests may be continued from time to time, as the coroner may deem necessary. The 6 jurors selected in a given case may view the body of the deceased. If at any continuation of an inquest one or more of the original jurors shall be unable to continue to serve, the coroner shall fill the vacancy or vacancies. A juror serving pursuant to this paragraph shall receive compensation from the county at the same rate as the rate of compensation that is paid to petit or grand jurors in the county. The coroner shall furnish to each juror without fee at the time of his discharge a certificate of the number of days in attendance at an inquest, and, upon being presented with such certificate, the county treasurer shall pay to the juror the sum provided for his services.

In counties which have a jury commission, in cases of apparent suicide or homicide or of accidental death, the coroner **shall**, and in other cases in his discretion **may**, conduct an inquest. The jury commission shall provide at least 8 jurors to the coroner, from whom the coroner shall select any 6 to serve as the jury for the inquest. Inquests may be continued from time to time as the coroner may deem necessary. The 6 jurors originally chosen in a given case may view the body of the deceased. If at any continuation of an inquest one or more of the 6 jurors originally chosen shall be unable to continue to serve, the coroner shall fill the vacancy or vacancies. At the coroner's discretion, additional jurors to fill such vacancies shall be supplied by the jury commission. A juror serving pursuant to this paragraph in such county shall receive compensation from

New matter indicated by italics - deletions by strikeout
the county at the same rate as the rate of compensation that is paid to petit or grand jurors in the county.

In addition, in every case in which domestic violence is determined to be a contributing factor in a death, the coroner shall report the death to the Department of State Police.

All deaths in State institutions and all deaths of wards of the State in private care facilities or in programs funded by the Department of Human Services under its powers relating to mental health and developmental disabilities or alcoholism and substance abuse or funded by the Department of Children and Family Services shall be reported to the coroner of the county in which the facility is located. If the coroner has reason to believe that an investigation is needed to determine whether the death was caused by maltreatment or negligent care of the ward of the State, the coroner may conduct a preliminary investigation of the circumstances of such death as in cases of death under circumstances set forth in paragraphs (a) through (e) of this Section.
(Source: P.A. 93-1005, eff. 1-1-05.)

Approved June 26, 2006.

PUBLIC ACT 94-0925
(House Bill No. 5249)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 1961 is amended by changing Section 11-9.4 as follows:
(720 ILCS 5/11-9.4)
Sec. 11-9.4. Approaching, contacting, residing, or communicating with a child within certain places by child sex offenders prohibited.
(a) It is unlawful for a child sex offender to knowingly be present in any public park building or on real property comprising any public park

New matter indicated by italics - deletions by strikeout
when persons under the age of 18 are present in the building or on the
grounds and to approach, contact, or communicate with a child under 18
years of age, unless the offender is a parent or guardian of a person under
18 years of age present in the building or on the grounds.

(b) It is unlawful for a child sex offender to knowingly loiter on a
public way within 500 feet of a public park building or real property
comprising any public park while persons under the age of 18 are present
in the building or on the grounds and to approach, contact, or
communicate with a child under 18 years of age, unless the offender is a
parent or guardian of a person under 18 years of age present in the building
or on the grounds.

(b-5) It is unlawful for a child sex offender to knowingly reside
within 500 feet of a playground, child care institution, day care center,
part day child care facility, or a facility providing programs or services
exclusively directed toward persons under 18 years of age. Nothing in this
subsection (b-5) prohibits a child sex offender from residing within 500
feet of a playground or a facility providing programs or services
exclusively directed toward persons under 18 years of age if the property is
owned by the child sex offender and was purchased before the effective
date of this amendatory Act of the 91st General Assembly. Nothing in this
subsection (b-5) prohibits a child sex offender from residing within 500
feet of a child care institution, day care center, or part day child care
facility if the property is owned by the child sex offender and was
purchased before the effective date of this amendatory Act of the 94th
General Assembly.

(b-6) It is unlawful for a child sex offender to knowingly reside
within 500 feet of the victim of the sex offense. Nothing in this subsection
(b-6) prohibits a child sex offender from residing within 500 feet of the
victim if the property in which the child sex offender resides is owned by
the child sex offender and was purchased before the effective date of this
amendatory Act of the 92nd General Assembly.

This subsection (b-6) does not apply if the victim of the sex offense
is 21 years of age or older.
(c) It is unlawful for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at any: (i) facility providing programs or services exclusively directed towards persons under the age of 18; (ii) day care center; (iii) part day child care facility; (iv) child care institution, or (v) school providing before and after school programs for children under 18 years of age. This does not prohibit a child sex offender from owning the real property upon which the programs or services are offered or upon which the day care center, part day child care facility, child care institution, or school providing before and after school programs for children under 18 years of age is located, provided the child sex offender refrains from being present on the premises for the hours during which: (1) the programs or services are being offered or (2) the day care center, part day child care facility, child care institution, or school providing before and after school programs for children under 18 years of age is operated.

(d) Definitions. In this Section:

(1) "Child sex offender" means any person who:

(i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (d) or the attempt to commit an included sex offense, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of

New matter indicated by italics - deletions by strikeout
Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child abduction under Section 10-5(b)(10)).
luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, on a conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).
An attempt to commit any of these offenses.

New matter indicated by italics - deletions by strikeout
(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of this subsection (d).

(2.5) For the purposes of subsection (b-5) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961:

10-5(b)(10) (child luring), 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)),
11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).

New matter indicated by italics - deletions by strikeout
An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of this subsection (d) shall constitute a conviction for the purpose of this Section. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "Public park" includes a park, forest preserve, or conservation area under the jurisdiction of the State or a unit of local government.

(5) "Facility providing programs or services directed towards persons under the age of 18" means any facility providing programs or services exclusively directed towards persons under the age of 18.

(6) "Loiter" means:

(i) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around public park property.

(ii) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around public park property, for the purpose of committing or attempting to commit a sex offense.

(7) "Playground" means a piece of land owned or controlled by a unit of local government that is designated by the unit of local government for use solely or primarily for children's recreation.

(8) "Child care institution" has the meaning ascribed to it in Section 2.06 of the Child Care Act of 1969.

(9) "Day care center" has the meaning ascribed to it in Section 2.09 of the Child Care Act of 1969.

New matter indicated by italics - deletions by strikeout
(10) "Part day child care facility" has the meaning ascribed to it in Section 2.10 of the Child Care Act of 1969.

(e) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(Source: P.A. 91-458, eff. 1-1-00; 91-911, eff. 7-7-00; 92-828, eff. 8-22-02.)

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

Approved June 26, 2006.

PUBLIC ACT 94-0926
(House Bill No. 5274)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:

(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)
Sec. 15-111. Wheel and axle loads and gross weights.
(a) On non-designated highways, no vehicle or combination of vehicles equipped with pneumatic tires may be operated, unladen or with load, when the total weight transmitted to the road surface exceeds 18,000 pounds on a single axle or 32,000 pounds on a tandem axle with no axle within the tandem exceeding 18,000 pounds except:
(1) when a different limit is established and posted in accordance with Section 15-316 of this Code;
(2) vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code;

New matter indicated by italics - deletions by strikeout
(3) tow trucks subject to the conditions provided in subsection (d) may not exceed 24,000 pounds on a single rear axle or 44,000 pounds on a tandem rear axle;

(4) any single axle of a 2-axle truck weighing 36,000 pounds or less and not a part of a combination of vehicles, shall not exceed 20,000 pounds;

(5) any single axle of a 2-axle truck equipped with a personnel lift or digger derrick, weighing 36,000 pounds or less, owned and operated by a public utility, shall not exceed 20,000 pounds;

(6) any single axle of a 2-axle truck specially equipped with a front loading compactor used exclusively for garbage, refuse, or recycling may not exceed 20,000 pounds per axle, provided that the gross weight of the vehicle does not exceed 40,000 pounds;

(7) a truck, not in combination and specially equipped with a selfcompactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage or refuse operations may, when laden, transmit upon the road surface the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle;

(8) a truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle;

(9) tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2014 and first registered in Illinois prior to January 1, 2015, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 18,000 pounds. Any vehicle of this type manufactured after the model year of 2014 or first registered in Illinois after December 31, 2014 may not exceed a combined weight of 32,000 pounds through the series of 2 axles and neither axle of the series may exceed 18,000 pounds;

New matter indicated by italics - deletions by strikeout
(10) tandem axles on a 4-axle truck mixer, whose fourth axle is a road surface engaging mixer trailing axle, registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state and manufactured prior to or in the model year of 2014 and first registered in Illinois prior to January 1, 2015, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on any series of 2 axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 18,000 pounds. Any vehicle of this type manufactured after the model year of 2014 or first registered in Illinois after December 31, 2014 may not exceed a combined weight of 32,000 pounds through the series of 2 axles and neither axle of the series may exceed 18,000 pounds;

(11) 4-axle vehicles or a 5 or more axle combination of vehicles: The weight transmitted upon the road surface through any series of 3 axles whose centers are more than 96 inches apart, measured between extreme axles in the series, may not exceed those allowed in the table contained in subsection (f) of this Section. No axle or tandem axle of the series may exceed the maximum weight permitted under this Section for a single or tandem axle.

No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(b) On non-designated highways, the gross weight of vehicles and combination of vehicles including the weight of the vehicle or combination and its maximum load shall be subject to the foregoing limitations and further shall not exceed the following gross weights.
dependent upon the number of axles and distance between extreme axles of the vehicle or combination measured longitudinally to the nearest foot.

**VEHICLES HAVING 2 AXLES** .......................... 36,000 pounds

**VEHICLES OR COMBINATIONS HAVING 3 AXLES**

<table>
<thead>
<tr>
<th>With Tandem Axles</th>
<th>With or Without Tandem Axles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum distance to nearest foot (feet)</td>
<td>Maximum Gross Weight between extreme axles (pounds)</td>
</tr>
<tr>
<td>10</td>
<td>41,000</td>
</tr>
<tr>
<td>11</td>
<td>42,000</td>
</tr>
<tr>
<td>12</td>
<td>43,000</td>
</tr>
<tr>
<td>13</td>
<td>44,000</td>
</tr>
<tr>
<td>14</td>
<td>44,500</td>
</tr>
<tr>
<td>15</td>
<td>45,000</td>
</tr>
</tbody>
</table>

**VEHICLES OR COMBINATIONS HAVING 4 AXLES**

| Minimum distance to nearest foot (feet) | Maximum Gross Weight between extreme axles (pounds) |
| 15 | 50,000 | 26 feet | 57,500 |
| 16 | 50,500 | 27 | 58,000 |
| 17 | 51,500 | 28 | 58,500 |
| 18 | 52,000 | 29 | 59,500 |
| 19 | 52,500 | 30 | 60,000 |
| 20 | 53,500 | 31 | 60,500 |
| 21 | 54,000 | 32 | 61,500 |
| 22 | 54,500 | 33 | 62,000 |
| 23 | 55,500 | 34 | 62,500 |

New matter indicated by italics - deletions by strikeout
A vehicle not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (b) for 4 axles measured between the extreme axles of the vehicle.

**COMBINATIONS HAVING 5 OR MORE AXLES**

<table>
<thead>
<tr>
<th>Minimum distance to nearest foot between extreme axles</th>
<th>Maximum Gross Weight (pounds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>42 feet or less</td>
<td>72,000</td>
</tr>
<tr>
<td>43</td>
<td>73,000</td>
</tr>
<tr>
<td>44 feet or more</td>
<td>73,280</td>
</tr>
</tbody>
</table>

**VEHICLES OPERATING ON CRAWLER TYPE TRACKS**

- **TRUCKS EQUIPPED WITH SELFCOMPACTORS OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE, REFUSE, OR RECYCLING HAULS ONLY AND TRUCKS USED FOR THE COLLECTION OF RENDERING MATERIALS**
  - On Highway Not Part of National System of Interstate and Defense Highways
  - With 2 axles: 36,000 pounds
  - With 3 axles: 54,000 pounds

- **TWO AXLE TRUCKS EQUIPPED WITH A FRONT LOADING COMPACTOR USED EXCLUSIVELY FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING**
  - With 2 axles: 40,000 pounds

A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for mixing and transportation of concrete in the plastic state, manufactured before or in the model year of 2014, and first registered in Illinois before January 1, 2015, is allowed a maximum gross weight listed in the table of subsection (f) of this Section for 4 axles. This vehicle, while loaded with concrete in the plastic state, is not subject to the series of 3 axles requirement provided for in subdivision (a)(11) of this Section, but
no axle or tandem axle of the series may exceed the maximum weight permitted under subdivision (a)(10) of this Section.

(b-1) As used in this Section, a "recycling haul" or "recycling operation" means the hauling of segregated, non-hazardous, non-special, homogeneous non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(d) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(1) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(2) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(3) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

New matter indicated by italics - deletions by strikeout
(4) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle from the initial point of wreck or disablement to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, shall mean the value specified by the manufacturer as the loaded weight of the tow truck.

(e) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.
(f) On designated Class I, II, or III highways and the National System of Interstate and Defense Highways, no vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula: \( W = 500 \times \left( \frac{LN}{N-1} \right) + 12N + 36 \), where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

<table>
<thead>
<tr>
<th>Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles feet</th>
<th>Maximum weight in pounds of any group of 2 or more consecutive axles</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 axles</td>
<td>3 axles</td>
</tr>
<tr>
<td>4</td>
<td>34,000</td>
</tr>
<tr>
<td>5</td>
<td>34,000</td>
</tr>
<tr>
<td>6</td>
<td>34,000</td>
</tr>
<tr>
<td>7</td>
<td>34,000</td>
</tr>
<tr>
<td>8</td>
<td>38,000</td>
</tr>
<tr>
<td>9</td>
<td>39,000</td>
</tr>
<tr>
<td>10</td>
<td>40,000</td>
</tr>
<tr>
<td>11</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>45,000</td>
</tr>
<tr>
<td>13</td>
<td>45,500</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<p>| | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>46,500</td>
<td>51,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>47,000</td>
<td>52,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>48,000</td>
<td>52,500</td>
<td>58,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>48,500</td>
<td>53,500</td>
<td>58,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>49,500</td>
<td>54,000</td>
<td>59,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>50,000</td>
<td>54,500</td>
<td>60,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>51,000</td>
<td>55,500</td>
<td>60,500</td>
<td>66,000</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>51,500</td>
<td>56,000</td>
<td>61,000</td>
<td>66,500</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>52,500</td>
<td>56,500</td>
<td>61,500</td>
<td>67,000</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>53,000</td>
<td>57,500</td>
<td>62,500</td>
<td>68,000</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>54,000</td>
<td>58,000</td>
<td>63,000</td>
<td>68,500</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>54,500</td>
<td>58,500</td>
<td>63,500</td>
<td>69,000</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>55,500</td>
<td>59,500</td>
<td>64,000</td>
<td>69,500</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>56,000</td>
<td>60,000</td>
<td>65,000</td>
<td>70,000</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>57,000</td>
<td>60,500</td>
<td>65,500</td>
<td>71,000</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>57,500</td>
<td>61,500</td>
<td>66,000</td>
<td>71,500</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>58,500</td>
<td>62,000</td>
<td>66,500</td>
<td>72,000</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>59,000</td>
<td>62,500</td>
<td>67,500</td>
<td>72,500</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>60,000</td>
<td>63,500</td>
<td>68,000</td>
<td>73,000</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>64,000</td>
<td>68,500</td>
<td>74,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>64,500</td>
<td>69,000</td>
<td>74,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>65,500</td>
<td>70,000</td>
<td>75,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>66,000</td>
<td>70,500</td>
<td>75,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>66,500</td>
<td>71,000</td>
<td>76,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>67,500</td>
<td>72,000</td>
<td>77,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>68,000</td>
<td>72,500</td>
<td>77,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>68,500</td>
<td>73,000</td>
<td>78,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>69,500</td>
<td>73,500</td>
<td>78,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>70,000</td>
<td>74,000</td>
<td>79,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>70,500</td>
<td>75,000</td>
<td>80,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>71,500</td>
<td>75,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>72,000</td>
<td>76,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>72,500</td>
<td>76,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>73,500</td>
<td>77,500</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (f) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (f) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

New matter indicated by italics - deletions by strikeout
(2) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

(3) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

(4) Tow trucks subject to the conditions provided in subsection (d) may not exceed 24,000 pounds on a single rear axle or 44,000 pounds on a tandem rear axle.

(5) A tandem axle on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2014, and registered in Illinois prior to January 1, 2015, with a distance between 2 axles in a series greater than 72 inches but not more than 96 inches may not exceed a total weight of 36,000 pounds and neither axle of the series may exceed 18,000 pounds.

(6) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 36,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2014, and registered in Illinois prior to January 1, 2015, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 18,000 pounds on a single axle; 32,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of this amendatory Act of the 92nd General Assembly, the
overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2014 may not exceed the weights allowed by the bridge formula.

(8) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this subsection (f).

No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(f-1) A vehicle and load not exceeding 73,280 pounds is allowed access as follows:

(1) From any State designated highway onto any county, township, or municipal highway for a distance of 5 highway miles for the purpose of loading and unloading, provided:

(A) The vehicle and load does not exceed 8 feet 6 inches in width and 65 feet overall length.

(B) There is no sign prohibiting that access.

New matter indicated by italics - deletions by strikeout
(C) The route is not being used as a thoroughfare between State designated highways.

(2) From any State designated highway onto any county or township highway for a distance of 5 highway miles, or any municipal highway for a distance of one highway mile for the purpose of food, fuel, repairs, and rest, provided:

(A) The vehicle and load does not exceed 8 feet 6 inches in width and 65 feet overall length.

(B) There is no sign prohibiting that access.

(C) The route is not being used as a thoroughfare between State designated highways.

(f-2) A vehicle and load greater than 73,280 pounds in weight but not exceeding 80,000 pounds is allowed access as follows:

(1) From a Class I highway onto any street or highway for a distance of one highway mile for the purpose of loading, unloading, food, fuel, repairs, and rest, provided there is no sign prohibiting that access.

(2) From a Class I, II, or III highway onto any State highway or any local designated highway for a distance of 5 highway miles for the purpose of loading, unloading, food, fuel, repairs, and rest.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this subsection.

(g) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(h) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and

New matter indicated by italics - deletions by strikeout
declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(i) Upon the trial of any person charged with a violation of subsections (g) or (h) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 93-177, eff. 7-11-03; 93-186, eff. 1-1-04; 93-1023, eff. 8-25-04; 94-464, eff. 1-1-06.)

Approved June 26, 2006.

**PUBLIC ACT 94-0927**
*(House Bill No. 5550)*

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 18-17 as follows:

(105 ILCS 5/18-17) (from Ch. 122, par. 18-17)

Sec. 18-17. The State Board of Education shall provide the loan of secular textbooks listed for use by the State Board of Education free of charge to any student in this State who is enrolled in grades kindergarten through 12 at a public school or at a school other than a public school which is in compliance with the compulsory attendance laws of this State and Title VI of the Civil Rights Act of 1964. The foregoing service shall be provided directly to the students at their request or at the request of their parents or guardians. The State Board of Education shall adopt appropriate regulations to administer this Section and to facilitate the

New matter indicated by italics - deletions by strikeout
equitable participation of all students eligible for benefits hereunder, including provisions authorizing the exchange, trade or transfer of loaned secular textbooks between schools or school districts for students enrolled in such schools or districts. The bonding requirements of Sections 28-1 and 28-2 of this Code do not apply to the loan of secular textbooks under this Section. After secular textbooks have been on loan under this Section for a period of 5 years or more, such textbooks may be disposed of by school districts in such manner as their respective school boards shall determine following written notification to the State Board of Education and expiration of a reasonable waiting period not to exceed 30 days. Loaned textbooks may not be disposed of out-of-State or sold without the prior approval of the State Board of Education.

As used in this Section, "textbook" means any book or book substitute which a pupil uses as a text or text substitute in a particular class or program. It shall include books, reusable workbooks, manuals, whether bound or in loose leaf form, and instructional computer software, intended as a principal source of study material for a given class or group of students. "Textbook" also includes science curriculum materials in a kit format that includes pre-packaged consumable materials if (i) it is shown that the materials serve as a textbook substitute, (ii) the materials are for use by pupils as a principal learning resource, (iii) each component of the materials is integrally necessary to teach the requirements of the intended course, (iv) the kit includes teacher guidance materials, and (v) the purchase of individual consumable materials is not allowed.

(Source: P.A. 93-212, eff. 7-18-03.)

Approved June 26, 2006.

PUBLIC ACT 94-0928
(Senate Bill No. 2162)

AN ACT concerning families.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Parentage Act of 1984 is amended by adding Section 6.5 as follows:

(750 ILCS 45/6.5 new)

Sec. 6.5. Custody or visitation by sex offender prohibited. A person found to be the father of a child under this Act, and who has been convicted of or who has pled guilty to a violation of Section 11-11 (sexual relations within families), Section 12-13 (criminal sexual assault), Section 12-14 (aggravated criminal sexual assault), Section 12-14.1 (predatory criminal sexual assault of a child), Section 12-15 (criminal sexual abuse), or Section 12-16 (aggravated criminal sexual abuse) of the Criminal Code of 1961 for his conduct in fathering that child, shall not be entitled to custody of or visitation with that child without the consent of the mother or guardian, other than the father of the child who has been convicted of or pled guilty to one of the offenses listed in this Section, or, in cases where the mother is a minor, the guardian of the mother of the child. Notwithstanding any other provision of this Act, nothing in this Section shall be construed to relieve the father of any support and maintenance obligations to the child under this Act.

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

Approved June 26, 2006.

PUBLIC ACT 94-0929
(Senate Bill No. 2191)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Finance Act is amended by adding Section 5.663 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 5.663. The Financial Literacy Fund.
Section 10. The School Code is amended by changing Section 27-12.1 as follows:

(105 ILCS 5/27-12.1) (from Ch. 122, par. 27-12.1)
Sec. 27-12.1. Consumer education.

(a) Subject to the provisions of subsection (b) of this Section, pupils in the public schools in grades 9 through 12 shall be taught and be required to study courses which include instruction in the area of consumer education, including but not necessarily limited to (i) understanding the basic concepts of financial literacy, including installment purchasing (including credit scoring, managing credit debt, and completing a loan application), budgeting, savings and investing, banking (including balancing a checkbook, opening a deposit account, and the use of interest rates), understanding simple contracts, State and federal income taxes, personal insurance policies, and the comparison of prices, and (ii) an understanding of the roles of consumers interacting with agriculture, business, labor unions and government in formulating and achieving the goals of the mixed free enterprise system. The State Board of Education shall devise or approve the consumer education curriculum for grades 9 through 12 and specify the minimum amount of instruction to be devoted thereto.

(b) Prior to the commencement of the 1986-1987 school year and prior to the commencement of each school year thereafter, the State Board of Education shall devise, develop and furnish to each school district within the State a uniform Annual Consumer Education Proficiency Test to be administered by each school district to those pupils of the district in grades 9 through 12 who elect to take the same, provided that no pupil shall be permitted to take the test more than once in any school year. Each year the State Board of Education shall by rule prescribe the date or dates during the school year on which school districts shall administer the test devised and developed for that school year, together with the uniform standards which all districts shall apply in scoring that test. The test shall be devised and developed by the State Board of Education each year in a
standardized manner to allow any pupil who takes the same and who achieves a score thereon which is not less than the minimum score established by the State Board of Education for the test so taken to thereby demonstrate sufficient proficiency in the area of consumer education as shall excuse such pupil from the necessity of receiving, as a prerequisite to graduation from high school and receipt of a high school diploma, the minimum amount of instruction in a consumer education curriculum otherwise required by subsection (a) and the rules or regulations promulgated thereunder. For purposes of this subsection, "proficiency" is defined to mean that a pupil is competent in and has a well advanced knowledge of consumer education so that study of the course of instruction required by this Section would not be substantially educationally beneficial as determined by the State Board of Education when developing the uniform standards and minimum score requirements of this Section.

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

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

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

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

(4) Funding activities, including books, games, field trips, computers, and other activities, related to financial literacy education. In awarding grants, every effort must be made to ensure that all geographic areas of the State are represented.

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

New matter indicated by italics - deletions by strikeout
(1) Defraying the costs of financial literacy training for teachers.

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

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

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

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

(Source: P.A. 86-300.)

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

Approved June 26, 2006.

PUBLIC ACT 94-0930
(Senate Bill No. 2230)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-103.1, 6-110, 6-204, 6-206, 6-206.1, 6-301.2, 6-507, 6-514, and 11-208.3 and adding Sections 6-107.4 and 11-1301.3 as follows:

(625 ILCS 5/6-103.1)
Sec. 6-103.1. New residents; out-of-state revocation.
(a) The Secretary of State may not issue a driver's license to a nonresident who becomes a resident of this State while the new resident's

New matter indicated by italics - deletions by strikeout
driving privileges are revoked, under terms similar to those provided in Section 1-176 of this Code, in another state.

(b) The Secretary may issue restricted driving permits to new residents whose driving privileges are revoked in another state. These permits must be issued according to the restrictions, and for the purposes, stated in Sections 6-205 and 6-206 of this Code. The Secretary shall adopt rules for the issuance of these permits.

(c) A restricted driving permit issued under this Section is subject to cancellation, revocation, and suspension by the Secretary of State in the same manner and for the same causes as a driver's license issued under this Code may be cancelled, revoked, or suspended, except that a conviction of one or more offenses against laws or ordinances regulating the movement of traffic is sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit.

(Source: P.A. 94-473, eff. 1-1-06.)

(625 ILCS 5/6-107.4 new)

Sec. 6-107.4. Temporary driver's license; applicant under 18. The Secretary of State may issue a temporary driver's license to an applicant under the age of 18 permitting the operation of a motor vehicle when the Secretary of State is unable to produce a driver's license due to an equipment or computer program failure or lack of necessary equipment, if the applicant is not otherwise ineligible for a driver's license and has met all the requirements of Section 6-107. The temporary driver's license must be in the applicant's immediate possession while he or she is operating a motor vehicle. The temporary license is invalid if the applicant's driver's license has been issued or for good cause has been refused. The Secretary of State may issue this temporary driver's license for any appropriate period not exceeding 30 days.

(625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

Sec. 6-110. Licenses issued to drivers.

(a) The Secretary of State shall issue to every qualifying applicant a driver's license as applied for, which license shall bear a distinguishing number assigned to the licensee, the legal name, social security number,
zip code, date of birth, residence address, and a brief description of the licensee, and a space where the licensee may write his usual signature.

If the licensee is less than 17 years of age, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during any time the licensee is prohibited from being on any street or highway under the provisions of the Child Curfew Act.

Licenses issued shall also indicate the classification and the restrictions under Section 6-104 of this Code.

In lieu of the social security number, the Secretary may in his discretion substitute a federal tax number or other distinctive number.

A driver's license issued may, in the discretion of the Secretary, include a suitable photograph of a type prescribed by the Secretary.

(b) Until the Secretary of State establishes a First Person Consent organ and tissue donor registry under Section 6-117 of this Code, the Secretary of State shall provide a format on the reverse of each driver's license issued which the licensee may use to execute a document of gift conforming to the provisions of the Illinois Anatomical Gift Act. The format shall allow the licensee to indicate the gift intended, whether specific organs, any organ, or the entire body, and shall accommodate the signatures of the donor and 2 witnesses. The Secretary shall also inform each applicant or licensee of this format, describe the procedure for its execution, and may offer the necessary witnesses; provided that in so doing, the Secretary shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift. A brochure explaining this method of executing an anatomical gift document shall be given to each applicant or licensee. The brochure shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift, and that he or she may wish to consult with family, friends or clergy before doing so. The Secretary of State may undertake additional efforts, including education and awareness activities, to promote organ and tissue donation.

(c) The Secretary of State shall designate on each driver's license issued a space where the licensee may place a sticker or decal of the uniform size as the Secretary may specify, which sticker or decal may
indicate in appropriate language that the owner of the license carries an Emergency Medical Information Card.

The sticker may be provided by any person, hospital, school, medical group, or association interested in assisting in implementing the Emergency Medical Information Card, but shall meet the specifications as the Secretary may by rule or regulation require.

(d) The Secretary of State shall designate on each driver's license issued a space where the licensee may indicate his blood type and RH factor.

(e) The Secretary of State shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall be of a distinct nature from those driver's licenses issued to individuals 21 years of age and older. The color designated for driver's licenses for licensees under 21 years of age shall be at the discretion of the Secretary of State.

(e-1) The Secretary shall provide that each driver's license issued to a person under the age of 21 displays the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(f) The Secretary of State shall inform all Illinois licensed commercial motor vehicle operators of the requirements of the Uniform Commercial Driver License Act, Article V of this Chapter, and shall make provisions to insure that all drivers, seeking to obtain a commercial driver's license, be afforded an opportunity prior to April 1, 1992, to obtain the license. The Secretary is authorized to extend driver's license expiration dates, and assign specific times, dates and locations where these commercial driver's tests shall be conducted. Any applicant, regardless of the current expiration date of the applicant's driver's license, may be subject to any assignment by the Secretary. Failure to comply with the Secretary's assignment may result in the applicant's forfeiture of an opportunity to receive a commercial driver's license prior to April 1, 1992.

(g) The Secretary of State shall designate on a driver's license issued, a space where the licensee may indicate that he or she has drafted a living will in accordance with the Illinois Living Will Act or a durable

New matter indicated by italics - deletions by strikeout
power of attorney for health care in accordance with the Illinois Power of Attorney Act.

(g-1) The Secretary of State, in his or her discretion, may designate on each driver's license issued a space where the licensee may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the owner of the license has renewed his or her driver's license.

(h) A person who acts in good faith in accordance with the terms of this Section is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act.

(Source: P.A. 93-794, eff. 7-22-04; 93-895, eff. 1-1-05; 94-75, eff. 1-1-06.)

(625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)
Sec. 6-204. When Court to forward License and Reports.
(a) For the purpose of providing to the Secretary of State the records essential to the performance of the Secretary's duties under this Code to cancel, revoke or suspend the driver's license and privilege to drive motor vehicles of certain minors adjudicated truant minors in need of supervision, addicted, or delinquent and of persons found guilty of the criminal offenses or traffic violations which this Code recognizes as evidence relating to unfitness to safely operate motor vehicles, the following duties are imposed upon public officials:

(1) Whenever any person is convicted of any offense for which this Code makes mandatory the cancellation or revocation of the driver's license or permit of such person by the Secretary of State, the judge of the court in which such conviction is had shall require the surrender to the clerk of the court of all driver's licenses or permits then held by the person so convicted, and the clerk of the court shall, within 5 days thereafter, forward the same, together with a report of such conviction, to the Secretary.

(2) Whenever any person is convicted of any offense under this Code or similar offenses under a municipal ordinance, other than regulations governing standing, parking or weights of vehicles, and excepting the following enumerated Sections of this

New matter indicated by italics - deletions by strikeout
Code: Sections 11-1406 (obstruction to driver's view or control), 11-1407 (improper opening of door into traffic), 11-1410 (coasting on downgrade), 11-1411 (following fire apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving vehicle which is in unsafe condition or improperly equipped), 12-201(a) (daytime lights on motorcycles), 12-202 (clearance, identification and side marker lamps), 12-204 (lamp or flag on projecting load), 12-205 (failure to display the safety lights required), 12-401 (restrictions as to tire equipment), 12-502 (mirrors), 12-503 (windshields must be unobstructed and equipped with wipers), 12-601 (horns and warning devices), 12-602 (mufflers, prevention of noise or smoke), 12-603 (seat safety belts), 12-702 (certain vehicles to carry flares or other warning devices), 12-703 (vehicles for oiling roads operated on highways), 12-710 (splash guards and replacements), 13-101 (safety tests), 15-101 (size, weight and load), 15-102 (width), 15-103 (height), 15-104 (name and address on second division vehicles), 15-107 (length of vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights), 15-112 (weights), 15-301 (weights), 15-316 (weights), 15-318 (weights), and also excepting the following enumerated Sections of the Chicago Municipal Code: Sections 27-245 (following fire apparatus), 27-254 (obstruction of traffic), 27-258 (driving vehicle which is in unsafe condition), 27-259 (coasting on downgrade), 27-264 (use of horns and signal devices), 27-265 (obstruction to driver's view or driver mechanism), 27-267 (dimming of headlights), 27-268 (unattended motor vehicle), 27-272 (illegal funeral procession), 27-273 (funeral procession on boulevard), 27-275 (driving freight hauling vehicles on boulevard), 27-276 (stopping and standing of buses or taxicabs), 27-277 (cruising of public passenger vehicles), 27-305 (parallel parking), 27-306 (diagonal parking), 27-307 (parking not to obstruct traffic), 27-308 (stopping, standing or parking regulated), 27-311 (parking regulations), 27-312 (parking regulations), 27-313 (parking regulations), 27-314 (parking regulations), 27-315 (parking regulations), 27-316 (parking regulations), 27-317 (parking regulations)

New matter indicated by italics - deletions by strikeout
regulations), 27-318 (parking regulations), 27-319 (parking regulations), 27-320 (parking regulations), 27-321 (parking regulations), 27-322 (parking regulations), 27-324 (loading and unloading at an angle), 27-333 (wheel and axle loads), 27-334 (load restrictions in the downtown district), 27-335 (load restrictions in residential areas), 27-338 (width of vehicles), 27-339 (height of vehicles), 27-340 (length of vehicles), 27-352 (reflectors on trailers), 27-353 (mufflers), 27-354 (display of plates), 27-355 (display of city vehicle tax sticker), 27-357 (identification of vehicles), 27-358 (projecting of loads), and also excepting the following enumerated paragraphs of Section 2-201 of the Rules and Regulations of the Illinois State Toll Highway Authority: (l) (driving unsafe vehicle on tollway), (m) (vehicles transporting dangerous cargo not properly indicated), it shall be the duty of the clerk of the court in which such conviction is had within 5-10 days thereafter to forward to the Secretary of State a report of the conviction and the court may recommend the suspension of the driver's license or permit of the person so convicted.

The reporting requirements of this subsection shall apply to all violations stated in paragraphs (1) and (2) of this subsection when the individual has been adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987. Such reporting requirements shall also apply to individuals adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987 who have committed a violation of Section 11-501 of this Code, or similar provision of a local ordinance, or Section 9-3 of the Criminal Code of 1961, as amended, relating to the offense of reckless homicide. The reporting requirements of this subsection shall also apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor and whose driver's license and privilege to drive a motor vehicle has been ordered suspended for such times as determined by the Court, but only until he or she attains 18 years of age. It shall be the duty of the clerk of the court in which adjudication is had within 5 days thereafter to forward to the Secretary of State a report of the adjudication and the court order requiring the Secretary of State to suspend the minor's driver's license.

New matter indicated by italics - deletions by strikeout
license and driving privilege for such time as determined by the Court, but only until he or she attains the age of 18 years. All juvenile court dispositions reported to the Secretary of State under this provision shall be processed by the Secretary of State as if the cases had been adjudicated in traffic or criminal court. However, information reported relative to the offense of reckless homicide, or Section 11-501 of this Code, or a similar provision of a local ordinance, shall be privileged and available only to the Secretary of State, courts, and police officers.

The reporting requirements of this subsection (a) apply to all violations listed in paragraphs (1) and (2) of this subsection (a), excluding parking violations, when the driver holds a CDL, regardless of the type of vehicle in which the violation occurred, or when any driver committed the violation in a commercial motor vehicle as defined in Section 6-500 of this Code.

(3) Whenever an order is entered vacating the forfeiture of any bail, security or bond given to secure appearance for any offense under this Code or similar offenses under municipal ordinance, it shall be the duty of the clerk of the court in which such vacation was had or the judge of such court if such court has no clerk, within 5 days thereafter to forward to the Secretary of State a report of the vacation.

(4) A report of any disposition of court supervision for a violation of Sections 6-303, 11-401, 11-501 or a similar provision of a local ordinance, 11-503 and 11-504 shall be forwarded to the Secretary of State. A report of any disposition of court supervision for a violation of an offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance committed by a person under the age of 21 years shall be forwarded to the Secretary of State.

(5) Reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium shall be forwarded to the Secretary of State via the Supreme Court in the form and format required by the Illinois Supreme Court and established by a written
agreement between the Supreme Court and the Secretary of State. In counties with a population over 300,000, instead of forwarding reports to the Supreme Court, reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium may be forwarded to the Secretary of State by the Circuit Court Clerk in a form and format required by the Secretary of State and established by written agreement between the Circuit Court Clerk and the Secretary of State. Failure to forward the reports of conviction or sentencing hearing under the Juvenile Court Act of 1987 as required by this Section shall be deemed an omission of duty and it shall be the duty of the several State's Attorneys to enforce the requirements of this Section.

(b) Whenever a restricted driving permit is forwarded to a court, as a result of confiscation by a police officer pursuant to the authority in Section 6-113(f), it shall be the duty of the clerk, or judge, if the court has no clerk, to forward such restricted driving permit and a facsimile of the officer's citation to the Secretary of State as expeditiously as practicable.

(c) For the purposes of this Code, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court when forfeiture has not been vacated, or the failure of a defendant to appear for trial after depositing his driver's license in lieu of other bail, shall be equivalent to a conviction.

(d) For the purpose of providing the Secretary of State with records necessary to properly monitor and assess driver performance and assist the courts in the proper disposition of repeat traffic law offenders, the clerk of the court shall forward to the Secretary of State, on a form prescribed by the Secretary, records of a driver's participation in a driver remedial or rehabilitative program which was required, through a court order or court supervision, in relation to the driver's arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance. The clerk of the court shall also forward to the Secretary, either on paper or in an electronic format or a computer processible medium as required under paragraph (5) of subsection (a) of this Section, any disposition of court

New matter indicated by italics - deletions by strikeout
supervision for any traffic violation, excluding those offenses listed in paragraph (2) of subsection (a) of this Section. These reports shall be sent within 5 days after disposition, or, if the driver is referred to a driver remedial or rehabilitative program, within 5 days of the driver's referral to that program. These reports received by the Secretary of State, including those required to be forwarded under paragraph (a)(4), shall be privileged information, available only (i) to the affected driver and (ii) for use by the courts, police officers, prosecuting authorities, and the Secretary of State. In accordance with 49 C.F.R. Part 384, all reports of court supervision, except violations related to parking, shall be forwarded to the Secretary of State for all holders of a CDL or any driver who commits an offense while driving a commercial motor vehicle. These reports shall be recorded to the driver's record as a conviction for use in the disqualification of the driver's commercial motor vehicle privileges and shall not be privileged information.

(Source: P.A. 94-307, eff. 9-30-05.)

(625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)

Sec. 6-206. Discretionary authority to suspend or revoke license or permit; Right to a hearing.

(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in

New matter indicated by italics - deletions by strikeout
the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in death or injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;

5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;

6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;

7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;

8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;

9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;

10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a judicial driving permit, probationary

New matter indicated by italics - deletions by strikeout
license to drive, or a restricted driving permit issued under this Code;

12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;

13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;

14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;

15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;

16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;

17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;

18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;

19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;

20. Has been convicted of violating Section 6-104 relating to classification of driver's license;

21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of $1,000, in which case the suspension shall be for one year;

22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code.
of 1961 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;

24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;

26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;

27. Has violated Section 6-16 of the Liquor Control Act of 1934;

28. Has been convicted of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year, and any driver who is convicted of a second or subsequent offense, within 5 years of a previous conviction, for the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act shall be suspended for 5 years. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the

New matter indicated by italics - deletions by strikeout
presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;

30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;

31. Has refused to submit to a test as required by Section 11-501.6 or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, or an intoxicating compound as listed in the Use of Intoxicating Compounds Act, in which case the penalty shall be as prescribed in Section 6-208.1;

32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;

New matter indicated by italics - deletions by strikeout
34. Has committed a violation of Section 11-1301.5 of this Code;
35. Has committed a violation of Section 11-1301.6 of this Code;
36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
37. Has committed a violation of subsection (c) of Section 11-907 of this Code;
38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;
39. Has committed a second or subsequent violation of Section 11-1201 of this Code;
40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code; or
41. Has committed a second or subsequent violation of Section 11-605.1 of this Code within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days; or
42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal,
the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.
The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship, issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of his employment related duties, or to allow transportation for the petitioner, or a household member of the petitioner's family, to receive necessary medical care and if the professional evaluation indicates, provide transportation for alcohol remedial or rehabilitative activity, or for the petitioner to attend classes, as a student, in an accredited educational institution; if the petitioner is able to demonstrate that no alternative means of transportation is reasonably available and the petitioner will not endanger the public safety or welfare.

If a person's license or permit has been revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

If a person's license or permit has been revoked or suspended 2 or more times within a 10 year period due to a single

New matter indicated by italics - deletions by strikeout
conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, and a statutory summary suspension under Section 11-501.1, or 2 or more statutory summary suspensions, or combination of 2 offenses, or of an offense and a statutory summary suspension, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed $20 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees. If the restricted driving permit was issued for employment purposes, then this provision does not apply to the operation of an occupational vehicle owned or leased by that person's employer. In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire within one year from the date of issuance. The Secretary may not, however, issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a motor vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any similar out-of-state offense, or any combination of those offenses, until the expiration of at least one year from the date of the revocation. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the

New matter indicated by italics - deletions by strikeout
issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 18 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Drivers License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended or revoked under any provisions of this Code.

(625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

Sec. 6-206.1. Judicial Driving Permit. Declaration of Policy. It is hereby declared a policy of the State of Illinois that the driver who is impaired by alcohol, other drug or drugs, or intoxicating compound or compounds is a threat to the public safety and welfare. Therefore, to provide a deterrent to such practice and to remove problem drivers from the highway, a statutory summary driver's license suspension is appropriate. It is also recognized that driving is a privilege and therefore, that in some cases the granting of limited driving privileges, where consistent with public safety, is warranted during the period of suspension in the form of a judicial driving permit to drive for the purpose of

New matter indicated by italics - deletions by strikeout
employment, receiving drug treatment or medical care, and educational pursuits, where no alternative means of transportation is available.

The following procedures shall apply whenever a first offender is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance:

(a) Subsequent to a notification of a statutory summary suspension of driving privileges as provided in Section 11-501.1, the first offender as defined in Section 11-500 may petition the circuit court of venue for a Judicial Driving Permit, hereinafter referred as a JDP, to relieve undue hardship. The court may issue a court order, pursuant to the criteria contained in this Section, directing the Secretary of State to issue such a JDP to the petitioner. A JDP shall not become effective prior to the 31st day of the original statutory summary suspension and shall always be subject to the following criteria:

1. If ordered for the purposes of employment, the JDP shall be only for the purpose of providing the petitioner the privilege of driving a motor vehicle between the petitioner's residence and the petitioner's place of employment and return; or within the scope of the petitioner's employment related duties, shall be effective only during and limited to those specific times and routes actually required to commute or perform the petitioner's employment related duties.

2. The court, by a court order, may also direct the Secretary of State to issue a JDP to allow transportation for the petitioner, or a household member of the petitioner's family, to receive alcohol, drug, or intoxicating compound treatment or medical care, if the petitioner is able to demonstrate that no alternative means of transportation is reasonably available. Such JDP shall be effective only during the specific times actually required to commute.

3. The court, by a court order, may also direct the Secretary of State to issue a JDP to allow transportation by the petitioner for educational purposes upon demonstrating that there are no alternative means of transportation reasonably available to accomplish those educational purposes. Such JDP shall be only for
the purpose of providing transportation to and from the petitioner's residence and the petitioner's place of educational activity, and only during the specific times and routes actually required to commute or perform the petitioner's educational requirement.

4. The Court shall not issue an order granting a JDP to:

   (i) Any person unless and until the court, after considering the results of a current professional evaluation of the person's alcohol or other drug use by an agency pursuant to Section 15-10 of the Alcoholism and Other Drug Abuse and Dependency Act and other appropriate investigation of the person, is satisfied that granting the privilege of driving a motor vehicle on the highways will not endanger the public safety or welfare.

   (ii) Any person who has been convicted of reckless homicide within the previous 5 years.

   (iii) Any person whose privilege to operate a motor vehicle was invalid at the time of arrest for the current violation of Section 11-501, or a similar provision of a local ordinance, except in cases where the cause for a driver's license suspension has been removed at the time a JDP is effective. In any case, should the Secretary of State enter a suspension or revocation of driving privileges pursuant to the provisions of this Code while the JDP is in effect or pending, the Secretary shall take the prescribed action and provide a notice to the person and the court ordering the issuance of the JDP that all driving privileges, including those provided by the issuance of the JDP, have been withdrawn.

   (iv) Any person under the age of 18 years.

   (v) Any person for the operation of a commercial motor vehicle if the person's driving privileges have been suspended under any provision of this Code in accordance with 49 C.F.R. Part 384.

New matter indicated by italics - deletions by strikeout
(b) Prior to ordering the issuance of a JDP the Court should consider at least, but not be limited to, the following issues:

1. Whether the person is employed and no other means of commuting to the place of employment is available or that the person must drive as a condition of employment. The employer shall certify the hours of employment and the need and parameters necessary for driving as a condition to employment.
2. Whether the person must drive to secure alcohol or other medical treatment for himself or a family member.
3. Whether the person must drive for educational purposes. The educational institution shall certify the person's enrollment in and academic schedule at the institution.
4. Whether the person has been repeatedly convicted of traffic violations or involved in motor vehicle accidents to a degree which indicates disrespect for public safety.
5. Whether the person has been convicted of a traffic violation in connection with a traffic accident resulting in the death of any person within the last 5 years.
6. Whether the person is likely to obey the limited provisions of the JDP.
7. Whether the person has any additional traffic violations pending in any court.

For purposes of this Section, programs conducting professional evaluations of a person's alcohol, other drug, or intoxicating compound use must report, to the court of venue, using a form prescribed by the Secretary of State. A copy of such evaluations shall be sent to the Secretary of State by the court. However, the evaluation information shall be privileged and only available to courts and to the Secretary of State, but shall not be admissible in the subsequent trial on the underlying charge.

(c) The scope of any court order issued for a JDP under this Section shall be limited to the operation of a motor vehicle as provided for in subsection (a) of this Section and shall specify the petitioner's residence, place of employment or location of educational institution, and the scope of job related duties, if relevant. The JDP shall also specify days of the
NEW MATTER INDICATED BY ITALICS - DELETIONS BY STRIKEOUT

week and specific hours of the day when the petitioner is able to exercise the limited privilege of operating a motor vehicle.

(c-1) If the petitioner is issued a citation for a violation of Section 6-303 during the period of a statutory summary suspension entered under Section 11-501.1 of this Code, or if the petitioner is charged with a violation of Section 11-501 or a similar provision of a local ordinance or a similar out of state offense which occurs after the current violation of Section 11-501 or a similar provision of a local ordinance, the court may not grant the petitioner a JDP unless the petitioner is acquitted or the citation or complaint is otherwise dismissed.

If the petitioner is issued a citation for a violation of Section 6-303 or a violation of Section 11-501 or a similar provision of a local ordinance or a similar out of state offense during the term of the JDP, the officer issuing the citation, or the law enforcement agency employing that officer, shall confiscate the JDP and immediately send the JDP and notice of the citation to the court that ordered the issuance of the JDP. Within 10 days of receipt, the issuing court, upon notice to the petitioner, shall conduct a hearing to consider cancellation of the JDP. If the court enters an order of cancellation, the court shall forward the order to the Secretary of State, and the Secretary shall cancel the JDP and notify the petitioner of the cancellation. If, however, the petitioner is convicted of the offense before the JDP has been cancelled, the court of venue shall send notice of conviction to the court that ordered issuance of the JDP. The court receiving the notice shall immediately enter an order of cancellation and forward the order to the Secretary of State. The Secretary shall cancel the JDP and notify the petitioner of the cancellation.

If the petitioner is issued a citation for any other traffic related offense during the term of the JDP, the officer issuing the citation, or the law enforcement agency employing that officer, shall send notice of the citation to the court that ordered issuance of the JDP. Upon receipt and notice to the petitioner and an opportunity for a hearing, the court shall determine whether the violation constitutes grounds for cancellation of the JDP. If the court enters an order of cancellation, the court shall forward the
order to the Secretary of State, and the Secretary shall cancel the JDP and shall notify the petitioner of the cancellation.

(d) The Secretary of State shall, upon receiving a court order from the court of venue, issue a JDP to a successful Petitioner under this Section. Such court order form shall also contain a notification, which shall be sent to the Secretary of State, providing the name, driver's license number and legal address of the successful petitioner, and the full and detailed description of the limitations of the JDP. This information shall be available only to the courts, police officers, and the Secretary of State, except during the actual period the JDP is valid, during which time it shall be a public record. The Secretary of State shall design and furnish to the courts an official court order form to be used by the courts when directing the Secretary of State to issue a JDP.

Any submitted court order that contains insufficient data or fails to comply with this Code shall not be utilized for JDP issuance or entered to the driver record but shall be returned to the issuing court indicating why the JDP cannot be so entered. A notice of this action shall also be sent to the JDP petitioner by the Secretary of State.

(e) The circuit court of venue may conduct the judicial hearing, as provided in Section 2-118.1, and the JDP hearing provided in this Section, concurrently. Such concurrent hearing shall proceed in the court in the same manner as in other civil proceedings.

(f) The circuit court of venue may, as a condition of the issuance of a JDP, prohibit the person from operating a motor vehicle not equipped with an ignition interlock device.

(Source: P.A. 94-307, eff. 9-30-05; 94-357, eff. 1-1-06; revised 8-19-05.)

3163

New matter indicated by italics - deletions by strikeout
obtaining any account, credit, credit card or debit card from a bank, financial institution or retail mercantile establishment;

3. To knowingly possess any fraudulent driver's license or permit with the intent to commit a theft, deception or credit or debit card fraud in violation of any law of this State or any law of any other jurisdiction;

4. To knowingly possess any fraudulent driver's license or permit with the intent to commit any other violation of any laws of this State or any law of any other jurisdiction for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided;

5. To knowingly possess any fraudulent driver's license or permit while in unauthorized possession of any document, instrument or device capable of defrauding another;

6. To knowingly possess any fraudulent driver's license or permit with the intent to use the license or permit to acquire any other identification document;

7. To knowingly possess without authority any driver's license-making or permit-making implement;

8. To knowingly possess any stolen driver's license-making or permit-making implement or to possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the manufacture, assembly, issuance, or authentication of an official driver's license or permit issued by the Secretary of State;

9. To knowingly duplicate, manufacture, sell or transfer any fraudulent driver's license or permit;

10. To advertise or distribute any information or materials that promote the selling, giving, or furnishing of a fraudulent driver's license or permit;

11. To knowingly use any fraudulent driver's license or permit to purchase or attempt to purchase any ticket for a common carrier or to board or attempt to board any common carrier. As

New matter indicated by italics - deletions by strikeout
used in this Section, "common carrier" means any public or private provider of transportation, whether by land, air, or water;

12. To knowingly possess any fraudulent driver's license or permit if the person has at the time a different driver's license issued by the Secretary of State or another official driver's license agency in another jurisdiction that is suspended or revoked.

(b-1) It is a violation of this Section for any person to possess, use, or allow to be used any materials, hardware, or software specifically designed for or primarily used in the reading of encrypted language from the bar code or magnetic strip of an official Illinois driver's license Identification Card or Illinois Disabled Person Identification Card issued by the Secretary of State. This subsection (b-1) does not apply if a federal or State law, rule, or regulation requires that the card holder's address be recorded in specified transactions or if the encrypted information is obtained for the detection or possible prosecution of criminal offenses or fraud. If the address information is obtained under this subsection (b-1), it may be used only for the purposes authorized by this subsection (b-1).

(c) Sentence.

1. Any person convicted of a violation of paragraph 1 of subsection (b) of this Section shall be guilty of a Class 4 felony and shall be sentenced to a minimum fine of $500 or 50 hours of community service, preferably at an alcohol abuse prevention program, if available.

2. Any person convicted of a violation of any of paragraphs 2 through 9 or paragraph 11 or 12 of subsection (b) of this Section or a violation of subsection (b-1) of this Section shall be guilty of a Class 4 felony. A person convicted of a second or subsequent violation shall be guilty of a Class 3 felony.

3. Any person convicted of a violation of paragraph 10 of subsection (b) of this Section shall be guilty of a Class B misdemeanor.

(d) This Section does not prohibit any lawfully authorized investigative, protective, law enforcement or other activity of any agency

New matter indicated by italics - deletions by strikeout
of the United States, State of Illinois or any other state or political subdivision thereof.

(e) The Secretary may request the Attorney General to seek a restraining order in the circuit court against any person who violates this Section by advertising fraudulent driver's licenses or permits.
(Source: P.A. 93-667, eff. 3-19-04; 93-895, eff. 1-1-05; 94-239, eff. 1-1-06.)

(625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)
Sec. 6-507. Commercial Driver's License (CDL) Required.
(a) Except as expressly permitted by this UCDLA, or when driving pursuant to the issuance of a commercial driver instruction permit and accompanied by the holder of a CDL valid for the vehicle being driven; no person shall drive a commercial motor vehicle on the highways without:
   (1) a CDL in the driver's possession;
   (2) having obtained a CDL; or
   (3) the proper class of CDL or endorsements or both for the specific vehicle group being operated or for the passengers or type of cargo being transported.

(b) Except as otherwise provided by this Code, no person may drive a commercial motor vehicle on the highways while such person's driving privilege, license or permit is:
   (1) Suspended, revoked, cancelled, or subject to disqualification. Any person convicted of violating this provision or a similar provision of this or any other state shall have their driving privileges revoked under paragraph 12 of subsection (a) of Section 6-205 of this Code.
   (2) Subject to or in violation of an "out-of-service" order. Any person who has been issued a CDL and is convicted of violating this provision or a similar provision of any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.
   (3) Subject to or in violation of an "out of service" order and while transporting passengers or hazardous materials. Any person who has been issued a CDL and is convicted of violating
this provision or a similar provision of this or any other state shall be disqualified from operating a commercial motor vehicle under subsection (i) of Section 6-514 of this Code.

(c) Pursuant to the options provided to the States by FHWA Docket No. MC-88-8, the driver of any motor vehicle controlled or operated by or for a farmer is waived from the requirements of this Section, when such motor vehicle is being used to transport: agricultural products; implements of husbandry; or farm supplies; as long as such movement is not over 150 air miles from the originating farm. This waiver does not apply to the driver of any motor vehicle being used in a common or contract carrier type operation. However, for those drivers of any truck-tractor semitrailer combination or combinations registered under subsection (c) of Section 3-815 of this Code, this waiver shall apply only when the driver is a farmer or a member of the farmer's family and the driver is 21 years of age or more and has successfully completed any tests the Secretary of State deems necessary.

In addition, the farmer or a member of the farmer's family who operates a truck-tractor semitrailer combination or combinations pursuant to this waiver shall be granted all of the rights and shall be subject to all of the duties and restrictions with respect to Sections 6-514 and 6-515 of this Code applicable to the driver who possesses a commercial driver's license issued under this Code, except that the driver shall not be subject to any additional duties or restrictions contained in Part 382 of the Federal Motor Carrier Safety Regulations that are not otherwise imposed under Section 6-514 or 6-515 of this Code.

For purposes of this subsection (c), a member of the farmer's family is a natural or in-law spouse, child, parent, or sibling.

(c-5) An employee of a township or road district with a population of less than 3,000 operating a vehicle within the boundaries of the township or road district for the purpose of removing snow or ice from a roadway by plowing, sanding, or salting is waived from the requirements of this Section when the employee is needed to operate the vehicle because the employee of the township or road district who ordinarily operates the

New matter indicated by italics - deletions by strikeout
vehicle and who has a commercial driver's license is unable to operate the vehicle or is in need of additional assistance due to a snow emergency.

(d) Any person convicted of violating this Section, shall be guilty of a Class A misdemeanor.

(e) Any person convicted of violating paragraph (b) of this Section, shall have all driving privileges revoked by the Secretary of State.

(f) This Section shall not apply to:

(1) A person who currently holds a valid Illinois driver's license, for the type of vehicle being operated, until the expiration of such license or April 1, 1992, whichever is earlier; or

(2) A non-Illinois domiciliary who is properly licensed in another State, until April 1, 1992. A non-Illinois domiciliary, if such domiciliary is properly licensed in another State or foreign jurisdiction, until April 1, 1992.

(Source: P.A. 94-307, eff. 9-30-05.)

(625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

Sec. 6-514. Commercial Driver's License (CDL) - Disqualifications.

(a) A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 12 months for the first violation of:

(1) Refusing to submit to or failure to complete a test or tests to determine the driver's blood concentration of alcohol, other drug, or both, while driving a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

(2) Operating a commercial motor vehicle while the alcohol concentration of the person's blood, breath or urine is at least 0.04, or any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act or a controlled substance listed in the Illinois Controlled Substances Act as indicated by a police officer's sworn report or other verified evidence; or operating a non-commercial motor vehicle while the alcohol concentration of the person's blood, breath, or urine was above the legal limit defined in Section 11-501.1 or 11-501.8 or

New matter indicated by italics - deletions by strikeout
any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act or a controlled substance listed in the Illinois Controlled Substances Act as indicated by a police officer's sworn report or other verified evidence while holding a commercial driver's license; or

(3) Conviction for a first violation of:

   (i) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while under the influence of alcohol, or any other drug, or combination of drugs to a degree which renders such person incapable of safely driving; or

   (ii) Knowingly and wilfully leaving the scene of an accident while operating a commercial motor vehicle or, if the driver is a CDL holder, while driving a non-CMV; or

   (iii) Driving a commercial motor vehicle or, if the driver is a CDL holder, driving a non-CMV while committing any felony; or

   (iv) Driving a commercial motor vehicle while the person's driving privileges or driver's license or permit if, as a result of prior violations committed while operating a commercial motor vehicle, the driver's CDL is revoked, suspended, or cancelled or the driver is disqualified from operating a commercial motor vehicle; or

   (v) Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by a motor vehicle, and negligent homicide.

As used in this subdivision (a)(3)(v), "motor vehicle manslaughter" means the offense of involuntary manslaughter if committed by means of a vehicle; "homicide by a motor vehicle" means the offense of first degree murder or second degree murder, if either offense is committed by means of a vehicle; and "negligent homicide"
means reckless homicide reckless driving under Section 9-3 of the Criminal Code of 1961 and aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof under subdivision (d)(1)(F) of Section 11-501 of this Code.

If any of the above violations or refusals occurred while transporting hazardous material(s) required to be placarded, the person shall be disqualified for a period of not less than 3 years.

(b) A person is disqualified for life for a second conviction of any of the offenses specified in paragraph (a), or any combination of those offenses, arising from 2 or more separate incidents.

(c) A person is disqualified from driving a commercial motor vehicle for life if the person either (i) uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance or (ii) if the person is a CDL holder, uses a non-CMV in the commission of a felony involving any of those activities.

(d) The Secretary of State may, when the United States Secretary of Transportation so authorizes, issue regulations in which a disqualification for life under paragraph (b) may be reduced to a period of not less than 10 years. If a reinstated driver is subsequently convicted of another disqualifying offense, as specified in subsection (a) of this Section, he or she shall be permanently disqualified for life and shall be ineligible to again apply for a reduction of the lifetime disqualification.

(e) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations, committed in a commercial motor vehicle, arising from separate incidents, occurring within a 3 year period. However, a person will be disqualified from driving a commercial motor vehicle for a period of not less than 4 months if convicted of 3 serious traffic violations, committed in a commercial motor vehicle, arising from separate incidents, occurring within a 3 year period.

New matter indicated by italics - deletions by strikeout
(e-1) A person is disqualified from driving a commercial motor vehicle for a period of not less than 2 months if convicted of 2 serious traffic violations committed in a non-CMV while holding a CDL, arising from separate incidents, occurring within a 3 year period, if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges. A person shall be disqualified from driving a commercial motor vehicle for a period of not less than 4 months, however, if he or she is convicted of 3 or more serious traffic violations committed in a non-CMV while holding a CDL, arising from separate incidents, occurring within a 3 year period, if the convictions would result in the suspension or revocation of the CDL holder's non-CMV privileges.

(f) Notwithstanding any other provision of this Code, any driver disqualified from operating a commercial motor vehicle, pursuant to this UCDLA, shall not be eligible for restoration of commercial driving privileges during any such period of disqualification.

(g) After suspending, revoking, or cancelling a commercial driver's license, the Secretary of State must update the driver's records to reflect such action within 10 days. After suspending or revoking the driving privilege of any person who has been issued a CDL or commercial driver instruction permit from another jurisdiction, the Secretary shall originate notification to such issuing jurisdiction within 10 days.

(h) The "disqualifications" referred to in this Section shall not be imposed upon any commercial motor vehicle driver, by the Secretary of State, unless the prohibited action(s) occurred after March 31, 1992.

(i) A person is disqualified from driving a commercial motor vehicle in accordance with the following:

(1) For 6 months upon a first conviction of paragraph (2) of subsection (b) of Section 6-507 of this Code.

(2) For one year upon a second conviction of paragraph (2) of subsection (b) of Section 6-507 of this Code within a 10-year period.

(3) For 3 years upon a third or subsequent conviction of paragraph (2) of subsection (b) of Section 6-507 of this Code within a 10-year period.
(4) For one year upon a first conviction of paragraph (3) of subsection (b) of Section 6-507 of this Code.

(5) For 3 years upon a second conviction of paragraph (3) of subsection (b) of Section 6-507 of this Code within a 10-year period.

(6) For 5 years upon a third or subsequent conviction of paragraph (3) of subsection (b) of Section 6-507 of this Code within a 10-year period.

(j) Disqualification for railroad-highway grade crossing violation.

(1) General rule. A driver who is convicted of a violation of a federal, State, or local law or regulation pertaining to one of the following 6 offenses at a railroad-highway grade crossing must be disqualified from operating a commercial motor vehicle for the period of time specified in paragraph (2) of this subsection (j) if the offense was committed while operating a commercial motor vehicle:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train, as described in subsection (a-5) of Section 11-1201 of this Code;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear, as described in subsection (a) of Section 11-1201 of this Code;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing, as described in Section 11-1202 of this Code;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping, as described in subsection (b) of Section 11-1425 of this Code;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the
crossing, as described in subdivision (a)2 of Section 11-1201 of this Code;

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance, as described in subsection (d-1) of Section 11-1201 of this Code.

(2) Duration of disqualification for railroad-highway grade crossing violation.

(i) First violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 60 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had no convictions for a violation described in paragraph (1) of this subsection (j).

(ii) Second violation. A driver must be disqualified from operating a commercial motor vehicle for not less than 120 days if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had one other conviction for a violation described in paragraph (1) of this subsection (j) that was committed in a separate incident.

(iii) Third or subsequent violation. A driver must be disqualified from operating a commercial motor vehicle for not less than one year if the driver is convicted of a violation described in paragraph (1) of this subsection (j) and, in the three-year period preceding the conviction, the driver had 2 or more other convictions for violations described in paragraph (1) of this subsection (j) that were committed in separate incidents.

(k) Upon notification of a disqualification of a driver's commercial motor vehicle privileges imposed by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, in

New matter indicated by italics - deletions by strikeout
accordance with 49 C.F.R. 383.52, the Secretary of State shall immediately record to the driving record the notice of disqualification and confirm to the driver the action that has been taken.
(Source: P.A. 94-307, eff. 9-30-05.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)
Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles.
(a) Any municipality may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as defined in this subsection. The administrative system shall have as its purpose the fair and efficient enforcement of municipal regulations through the administrative adjudication of violations of municipal ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal wheel tax licenses within the municipality's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of $250 that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license.
(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:
(1) A traffic compliance administrator authorized to adopt, distribute and process parking and compliance violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.
(2) A parking, standing, or compliance violation notice that shall specify the date, time, and place of violation of a parking, standing, or compliance regulation; the particular regulation violated; the fine and any penalty that may be assessed for late payment.

New matter indicated by italics - deletions by strikeout
payment, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the State registration number or vehicle make specified is incorrect. The violation notice shall state that the payment of the indicated fine, and of any applicable penalty for late payment, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, or compliance violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall

New matter indicated by italics - deletions by strikeout
be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, or compliance violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the

New matter indicated by italics - deletions by strikeout
particular regulation violated, the vehicle make and state registration number, the fine and any penalty that may be assessed for late payment when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure either to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the municipality.

(ii) A notice of final determination of parking, standing, or compliance violation liability. This notice shall be sent following a final determination of parking, standing, or compliance violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the unpaid fine or penalty is a debt due and owing the municipality. The notice shall contain warnings that failure to pay any fine or penalty due and owing the municipality within the time specified may result in the municipality's filing of a petition in the Circuit Court to have the unpaid fine or penalty rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to pay fines or penalties for 10 or more parking violations under Section 6-306.5.

(6) A Notice of impending drivers license suspension. This notice shall be sent to the person liable for any fine or penalty that remains due and owing on 10 or more parking violations. The notice shall state that failure to pay the fine or penalty owing

New matter indicated by italics - deletions by strikeout
within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to pay the fine or penalty after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, or compliance violation liability that may be filed by a person owing an unpaid fine or penalty. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already paid the fine or penalty for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities with a population of 1 million or more, it shall be
grounds for dismissal of a parking violation if the State registration number or vehicle make specified is incorrect. After the determination of parking, standing, or compliance violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, and compliance regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality establishing vehicular standing, parking, and compliance regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of unpaid final determinations of parking, standing, or compliance violation liability as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by
disproving liability for the unpaid final determinations of parking, standing, or compliance violation liability listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without payment of the outstanding fines and penalties on parking, standing, or compliance violations for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, and compliance violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, or compliance violation, the municipality may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality from consolidating multiple final determinations of parking, standing, or compliance violation against a person in a proceeding. Upon commencement of the action, the municipality shall file a certified copy or record of the final determination of parking, standing, or compliance violation, which shall be accompanied by a certification that recites facts
sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, or compliance violations does not exceed $2500. If the court is satisfied that the final determination of parking, standing, or compliance violation was entered in accordance with the requirements of this Section and the applicable municipal ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, or compliance violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(Source: P.A. 94-294, eff. 1-1-06.)

(625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)
Sec. 11-1301.3. Unauthorized use of parking places reserved for persons with disabilities.

(a) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 of this Act, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public offstreet parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for

New matter indicated by italics - deletions by strikeout
persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Any motor vehicle properly displaying a disability license plate or a parking decal or device containing the International symbol of access issued to persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by State and local authorities as a valid license plate or device and receive the same parking privileges as residents of this State.

(a-1) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under Section 3-609 is in violation of this Section if (i) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and (ii) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this Code.

(b) Any person or local authority owning or operating any public or private offstreet parking facility may, after notifying the police or sheriff's department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with disabilities which does not display person with disabilities registration plates or a special decal or device as required under this Section.

(c) Any person found guilty of violating the provisions of subsection (a) shall be fined $250 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section; but municipalities by ordinance may impose a fine up to $350 and shall display signs indicating the fine imposed. If the amount of the fine is subsequently changed, the municipality shall change the sign to indicate the current amount of the fine. It shall not be a defense to a

New matter indicated by italics - deletions by strikeout
charge under this Section that either the sign posted pursuant to this Section or the intended accessible parking place does not comply with the technical requirements of Section 11-301, Department regulations, or local ordinance if a reasonable person would be made aware by the sign or notice on or near the parking place that the place is reserved for a person with disabilities.

  (c-1) Any person found guilty of violating the provisions of subsection (a-1) shall be fined $500 and may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State. The circuit clerk shall distribute $250 of the $500 fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the $250 shall be shared equally.

  (d) Local authorities shall impose fines as established in subsections (c) and (c-1) for violations of this Section.

  (e) As used in this Section, "authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code, an individual issued a parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 of this Code.

  (f) Any person who commits a violation of subsection (a-1) may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State.

(Source: P.A. 94-619, eff. 1-1-06.)

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

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-0930

Approved June 26, 2006.

PUBLIC ACT 94-0931
(Senate Bill No. 2326)

AN ACT concerning regulation.

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

Section 5. The Open Meetings Act is amended by changing Section
2 as follows:

(5 ILCS 120/2) (from Ch. 102, par. 42) Sec. 2. Open meetings.
(a) Openness required. All meetings of public bodies shall be open
to the public unless excepted in subsection (c) and closed in accordance
with Section 2a.

(b) Construction of exceptions. The exceptions contained in
subsection (c) are in derogation of the requirement that public bodies meet
in the open, and therefore, the exceptions are to be strictly construed,
extending only to subjects clearly within their scope. The exceptions
authorize but do not require the holding of a closed meeting to discuss a
subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to
color the following subjects:

(1) The appointment, employment, compensation,
discipline, performance, or dismissal of specific employees of the
public body or legal counsel for the public body, including hearing
testimony on a complaint lodged against an employee of the public
body or against legal counsel for the public body to determine its
validity.

(2) Collective negotiating matters between the public body
and its employees or their representatives, or deliberations
concerning salary schedules for one or more classes of employees.

New matter indicated by italics - deletions by strikeout
(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental New matter indicated by italics - deletions by strikeout
Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Employees Suggestion Award Board.

New matter indicated by italics - deletions by strikeout
(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council under the Abuse Prevention Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

New matter indicated by italics - deletions by strikeout
(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted. (Source: P.A. 93-57, eff. 7-1-03; 93-79, eff. 7-2-03; 93-422, eff. 8-5-03; 93-577, eff. 8-21-03; revised 9-8-03.)

Section 10. The Freedom of Information Act is amended by changing Section 7 as follows:

(5 ILCS 140/7) (from Ch. 116, par. 207)
Sec. 7. Exemptions.
(1) The following shall be exempt from inspection and copying:
   (a) Information specifically prohibited from disclosure by federal or State law or rules and regulations adopted under federal or State law.
   (b) Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy. Information exempted under this subsection (b) shall include but is not limited to:
      (i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from federal agencies or public bodies;
      (ii) personnel files and personal information maintained with respect to employees, appointees or elected officials of any public body or applicants for those positions;
      (iii) files and personal information maintained with respect to any applicant, registrant or licensee by any public body cooperating with or engaged in professional or occupational registration, licensure or discipline;

New matter indicated by italics - deletions by strikeout
(iv) information required of any taxpayer in connection with the assessment or collection of any tax unless disclosure is otherwise required by State statute;

(v) information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies; provided, however, that identification of witnesses to traffic accidents, traffic accident reports, and rescue reports may be provided by agencies of local government, except in a case for which a criminal investigation is ongoing, without constituting a clearly unwarranted per se invasion of personal privacy under this subsection; and

(vi) the names, addresses, or other personal information of participants and registrants in park district, forest preserve district, and conservation district programs.

(c) Records compiled by any public body for administrative enforcement proceedings and any law enforcement or correctional agency for law enforcement purposes or for internal matters of a public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

(ii) interfere with pending administrative enforcement proceedings conducted by any public body;

(iii) deprive a person of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source or confidential information furnished only by the confidential source;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related
to detection, observation or investigation of incidents of

crime or misconduct;

(vi) constitute an invasion of personal privacy under

subsection (b) of this Section;

(vii) endanger the life or physical safety of law

enforcement personnel or any other person; or

(viii) obstruct an ongoing criminal investigation.

(d) Criminal history record information maintained by State

or local criminal justice agencies, except the following which shall

be open for public inspection and copying:

(i) chronologically maintained arrest information,

such as traditional arrest logs or blotters;

(ii) the name of a person in the custody of a law

enforcement agency and the charges for which that person

is being held;

(iii) court records that are public;

(iv) records that are otherwise available under State

or local law; or

(v) records in which the requesting party is the

individual identified, except as provided under part (vii) of

paragraph (c) of subsection (1) of this Section.

"Criminal history record information" means data

identifiable to an individual and consisting of descriptions or

notations of arrests, detentions, indictments, informations, pre-trial

proceedings, trials, or other formal events in the criminal justice

system or descriptions or notations of criminal charges (including

criminal violations of local municipal ordinances) and the nature of

any disposition arising therefrom, including sentencing, court or

correctional supervision, rehabilitation and release. The term does

not apply to statistical records and reports in which individuals are

not identified and from which their identities are not ascertainable,

or to information that is for criminal investigative or intelligence

purposes.

New matter indicated by italics - deletions by strikeout
(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, including:

(i) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(ii) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.
(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) Test questions, scoring keys and other examination data used to administer an academic examination or determined the qualifications of an applicant for a license or employment.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings.

(l) Library circulation and order records identifying library users with specific materials.

(m) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

New matter indicated by italics - deletions by strikeout
(n) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(o) Information received by a primary or secondary school, college or university under its procedures for the evaluation of faculty members by their academic peers.

(p) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(q) Documents or materials relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(r) Drafts, notes, recommendations and memoranda pertaining to the financing and marketing transactions of the public body. The records of ownership, registration, transfer, and exchange of municipal debt obligations, and of persons to whom payment with respect to these obligations is made.

(s) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under Article VII of the Code of Civil Procedure, records, documents and information relating to that

New matter indicated by italics - deletions by strikeout
parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(t) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool.

(u) Information concerning a university's adjudication of student or employee grievance or disciplinary cases, to the extent that disclosure would reveal the identity of the student or employee and information concerning any public body's adjudication of student or employee grievances or disciplinary cases, except for the final outcome of the cases.

(v) Course materials or research materials used by faculty members.

(w) Information related solely to the internal personnel rules and practices of a public body.

(x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.

(aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.
(bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(cc) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.

(ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.
(kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(II) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(mm) Maps and other records regarding the location or security of a utility's generation, transmission, distribution, storage, gathering, treatment, or switching facilities.

(nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Team Executive Council under the Abuse Prevention Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.

(pp) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(qq) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation

New matter indicated by italics - deletions by strikeout
Act. This subsection (qq) (pp) shall apply until the conclusion of the trial and appeal of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(2) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 93-43, eff. 7-1-03; 93-209, eff. 7-18-03; 93-237, eff. 7-22-03; 93-325, eff. 7-23-03, 93-422, eff. 8-5-03; 93-577, eff. 8-21-03; 93-617, eff. 12-9-03; 94-280, eff. 1-1-06; 94-508, eff. 1-1-06; 94-664, eff. 1-1-06; revised 8-29-05.)

Section 15. The Abuse Prevention Review Team Act is amended by changing Sections 5, 15, 20, 25, and 40 and by adding Sections 45 and 50 as follows:

(210 ILCS 28/5)
(Section scheduled to be repealed on July 1, 2006)
Sec. 5. State policy. The following statements are the policy of this State:

(1) Every nursing home resident is entitled to live in safety and decency and to receive competent and respectful care that meets the requirements of State and federal law.

(2) Responding to sexual assaults of nursing home residents and to unnecessary nursing home resident deaths is a State and a community responsibility.

(3) When a nursing home resident is sexually assaulted or dies unnecessarily, the response by the State and the community to the assault or death must include an accurate and complete determination of the cause of the assault or death and the development and implementation of measures to prevent future assaults or deaths from similar causes. The response may include court action, including prosecution of persons who may be responsible for the assault or death and proceedings to protect other residents of the facility where the resident lived, and disciplinary action against persons who failed to meet their professional responsibilities to the resident.

New matter indicated by italics - deletions by strikeout
(4) Professionals from disparate disciplines and agencies who have responsibilities for nursing home residents and expertise that can promote resident safety and well-being should share their expertise and knowledge so that the goals of determining the causes of sexual assaults and unnecessary resident deaths, planning and providing services to surviving residents, and preventing future assaults and unnecessary deaths can be achieved.

(5) A greater understanding of the incidence and causes of sexual assaults against nursing home residents and unnecessary nursing home resident deaths is necessary if the State is to prevent future assaults and unnecessary deaths.

(6) Multi-disciplinary and multi-agency reviews of sexual assaults against nursing home residents and unnecessary nursing home resident deaths can assist the State and counties in (i) investigating resident sexual assaults and deaths, (ii) developing a greater understanding of the incidence and causes of resident sexual assault and deaths and the methods for preventing those assaults and deaths, and (iii) identifying gaps in services to nursing home residents.

(7) Access to information regarding assaulted and deceased nursing home residents by multi-disciplinary and multi-agency nursing home resident sexual assault and death review teams is necessary for those teams to fulfill achieve their purposes and duties.

(Source: P.A. 93-577, eff. 8-21-03.)

(210 ILCS 28/15)

(Section scheduled to be repealed on July 1, 2006)

Sec. 15. Residential health care facility resident sexual assault and death review teams; establishment.

(a) The Director, in consultation with the Executive Council and with law enforcement agencies and other professionals who work in the field of investigating, treating, or preventing nursing home resident abuse or neglect in each of the Department's administrative regions of the State, shall appoint members to two a residential health care facility resident

New matter indicated by italics - deletions by strikeout
sexual assault and death review teams team in each such region outside Cook County and to at least one review team in Cook County. The Director shall appoint more teams if the Director or the existing teams determine that more teams are necessary to achieve the purposes of this Act. An Executive Council shall be organized no later than when at least 4 teams are formed. The members of a team shall be appointed for 2-year staggered terms and shall be eligible for reappointment upon the expiration of their terms.

(b) Each review team shall consist of at least one member from each of the following categories:

(1) Geriatrician or other physician knowledgeable about nursing home resident abuse and neglect.
(2) Representative of the Department.
(3) State's Attorney or State’s Attorney's representative.
(4) Representative of a local law enforcement agency.
(6) Psychologist or psychiatrist.
(7) Representative of a local health department.
(8) Representative of a social service or health care agency that provides services to persons with mental illness, in a program whose accreditation to provide such services is recognized by the Office of Mental Health within the Department of Human Services.
(9) Representative of a social service or health care agency that provides services to persons with developmental disabilities, in a program whose accreditation to provide such services is recognized by the Office of Developmental Disabilities within the Department of Human Services.
(10) Coroner or forensic pathologist.
(11) Representative of the local sub-state ombudsman.
(12) Representative of a nursing home resident advocacy organization.
(13) Representative of a local hospital, trauma center, or provider of emergency medical services.

New matter indicated by italics - deletions by strikeout
(14) Representative of an organization that represents nursing homes.

Each review team may make recommendations to the Director concerning additional appointments. Each review team member must have demonstrated experience and an interest in investigating, treating, or preventing nursing home resident abuse or neglect.

(c) Each review team shall select a chairperson from among its members. The chairperson shall also serve on the Illinois Residential Health Care Facility Sexual Assault and Death Review Teams Executive Council.

(Source: P.A. 93-577, eff. 8-21-03.)

(210 ILCS 28/20)

(Section scheduled to be repealed on July 1, 2006)

Sec. 20. Reviews of nursing home resident sexual assaults and deaths.

(a) Every reported case of sexual assault of a nursing home resident that the Department determined to be valid is confirmed shall be reviewed by the review team for the region that has primary case management responsibility.

(b) Every death of a nursing home resident shall be reviewed by the review team for the region that has primary case management responsibility, if the deceased resident is one of the following:

(1) A person whose death is reviewed by the Department during any regulatory activity, whether or not there were any federal or State violations care the Department found violated federal or State standards in the 6 months preceding the resident's death.

(2) A person about whose care the Department received a complaint alleging that the resident's care violated federal or State standards so as to contribute to the resident's death. A person whose care was the subject of a complaint to the Department in the 30 days preceding the resident's death, or after the resident's death.

New matter indicated by italics - deletions by strikeout
(3) A resident whose death is referred to the Department for investigation by a local coroner, medical examiner, or law enforcement agency.

A review team may, at its discretion, review other sudden, unexpected, or unexplained nursing home resident deaths. The Department shall bring such deaths to the attention of the teams when it determines that doing so will help to achieve the purposes of this Act.

(c) A review team's purpose in conducting reviews of resident sexual assaults and deaths is to do the following:

1. Assist in determining the cause and manner of the resident's assault or death, when requested.
2. Evaluate means, if any, by which the assault or death might have been prevented.
3. Report its findings to the Director appropriate agencies and make recommendations that may help to reduce the number of sexual assaults on and unnecessary deaths of nursing home residents.
4. Promote continuing education for professionals involved in investigating, treating, and preventing nursing home resident abuse and neglect as a means of preventing sexual assaults and unnecessary deaths of nursing home residents.
5. Make specific recommendations to the Director concerning the prevention of sexual assaults and unnecessary deaths of nursing home residents and the establishment of protocols for investigating resident sexual assaults and deaths.

(d) A review team must review the cases submitted to it on a quarterly basis. The Department shall complete the investigation of the assault or death under the Nursing Home Care Act. When there has been no investigation by the Department, the review team must review a sexual assault or death within 90 days after obtaining the information necessary to complete the review from the coroner, pathologist, medical examiner, or law enforcement agency, depending on the nature of the case. A review team must meet at least once in each

New matter indicated by italics - deletions by strikeout
calendar quarter if there are cases to be reviewed. The Department shall forward cases pursuant to subsections (a) and (b) of this Section within 120 days after completion of the investigation.

(e) Within 90 days after receiving recommendations made by a review team under item (5) of subsection (c) (b), the Director must review those recommendations and respond to the review team. The Director shall implement recommendations as feasible and appropriate and shall respond to the review team in writing to explain the implementation or nonimplementation of the recommendations.

(f) In any instance when a review team does not operate in accordance with established protocol, the Director, in consultation and cooperation with the Executive Council, must take any necessary actions to bring the review team into compliance with the protocol.

(Source: P.A. 93-577, eff. 8-21-03.)

(210 ILCS 28/25)

Sec. 25. Review team access to information.

(a) The Department shall provide to a review team, on the request of the review team chairperson, all records and information in the Department's possession that are relevant to the review team's review of a sexual assault or death described in subsection (b) of Section 20, including records and information concerning previous reports or investigations of suspected abuse or neglect.

(b) A review team shall have access to all records and information that are relevant to its review of a sexual assault or death and in the possession of a State or local governmental agency. These records and information include, without limitation, death certificates, all relevant medical and mental health records, records of law enforcement agency investigations, records of coroner or medical examiner investigations, records of the Department of Corrections concerning a person's parole, records of a probation and court services department, and records of a social services agency that provided services to the resident.

(Source: P.A. 93-577, eff. 8-21-03.)

(210 ILCS 28/40)
(Section scheduled to be repealed on July 1, 2006)

Sec. 40. Executive Council.

(a) The Illinois Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council, consisting of the chairperson of each review team established under Section 15, is the coordinating and oversight body for residential health care facility resident sexual assault and death review teams and activities in Illinois. The vice-chairperson of a review team, as designated by the chairperson, may serve as a back-up member or an alternate member of the Executive Council, if the chairperson of the review team is unavailable to serve on the Executive Council. The Director may appoint to the Executive Council any ex-officio members deemed necessary. Persons with expertise needed by the Executive Council may be invited to meetings. The Executive Council must select from its members a chairperson and a vice-chairperson, each to serve a 2-year, renewable term. The Executive Council must meet at least 4 times during each calendar year if there is business to discuss.

(b) The Department must provide or arrange for the staff support necessary for the review teams and Executive Council to assist them in carrying out their duties.

(c) The Executive Council has, but is not limited to, the following duties:

1. To request assistance from the Department as needed to serve as the voice of review teams in Illinois.
2. To consult with the Director concerning the appointment, reappointment, and removal of review team members.
3. To oversee the review teams in order to ensure that the teams' work is coordinated and in compliance with the statutes and the operating protocol.
4. To ensure that the data, results, findings, and recommendations of the review teams are adequately used to make any necessary changes in the policies, procedures, and statutes in order to protect nursing home residents in a timely manner.

New matter indicated by italics - deletions by strikeout
(5) To collaborate with the General Assembly, the Department, and others in order to develop any legislation needed to prevent nursing home resident sexual assaults and unnecessary deaths and to protect nursing home residents.

(6) To assist in the development of quarterly and annual report reports based on the work and the findings of the review teams.

(7) To ensure that the review teams' review processes are standardized in order to convey data, findings, and recommendations in a usable format.

(8) To serve as a link with other review teams throughout the country and to participate in national review team activities.

(9) To provide for training develop an annual statewide symposium to update the knowledge and skills of review team members and to promote the exchange of information between review teams.

(10) To provide the review teams with the most current information and practices concerning nursing home resident sexual assault and unnecessary death review and related topics.

(11) To perform any other functions necessary to enhance the capability of the review teams to reduce and prevent sexual assaults and unnecessary deaths of nursing home residents.

(d) Until an Executive Council is formed, the Department shall assist the review teams in performing the duties described in subsection (c).

(Source: P.A. 93-577, eff. 8-21-03.)

(210 ILCS 28/45 new)

Sec. 45. Department's annual report. The Department shall include in its annual Long-Term Care Report to the General Assembly a report of the activities of the review teams and Executive Council, the results of the review teams' findings, recommendations made to the Department by the review teams and the Executive Council, and, as applicable, either (i) the implementation of the recommendations or (ii) the reasons the recommendations were not implemented.

New matter indicated by italics - deletions by strikeout
(210 ILCS 28/50 new)

Sec. 50. Funding. Notwithstanding any other provision of law, to the extent permitted by federal law, the Department shall use moneys from fines paid by facilities licensed under the Nursing Home Care Act for violating requirements for certification under Titles XVIII and XIX of the Social Security Act to implement the provisions of this Act. The Department shall use moneys deposited in the Long Term Care Monitor/Receiver Fund to pay the costs of implementing this Act that cannot be met by the use of federal civil monetary penalties.

(210 ILCS 28/85 rep.)

Section 16. The Abuse Prevention Review Team Act is amended by repealing Section 85.

Section 20. The Nursing Home Care Act is amended by changing Section 3-103 as follows:

(210 ILCS 45/3-103) (from Ch. 111 1/2, par. 4153-103)

Sec. 3-103. The procedure for obtaining a valid license shall be as follows:

(1) Application to operate a facility shall be made to the Department on forms furnished by the Department.

(2) All license applications shall be accompanied with an application fee. The fee for an annual license shall be $995. Facilities that pay a fee or assessment pursuant to Article V-C of the Illinois Public Aid Code shall be exempt from the license fee imposed under this item (2). The fee for a 2-year license shall be double the fee for the annual license set forth in the preceding sentence. The fees collected shall be deposited with the State Treasurer into the Long Term Care Monitor/Receiver Fund, which has been created as a special fund in the State treasury. This special fund is to be used by the Department for expenses related to the appointment of monitors and receivers as contained in Sections 3-501 through 3-517 of this Act and for implementation of the Abuse Prevention Review Team Act. At the end of each fiscal year, any funds in excess of $1,000,000 held in the Long Term Care Monitor/Receiver Fund shall be deposited in the State's General Revenue Fund. The application shall be under oath and the submission of false or misleading information shall be

New matter indicated by italics - deletions by strikeout
a Class A misdemeanor. The application shall contain the following information:

(a) The name and address of the applicant if an individual, and if a firm, partnership, or association, of every member thereof, and in the case of a corporation, the name and address thereof and of its officers and its registered agent, and in the case of a unit of local government, the name and address of its chief executive officer;

(b) The name and location of the facility for which a license is sought;

(c) The name of the person or persons under whose management or supervision the facility will be conducted;

(d) The number and type of residents for which maintenance, personal care, or nursing is to be provided; and

(e) Such information relating to the number, experience, and training of the employees of the facility, any management agreements for the operation of the facility, and of the moral character of the applicant and employees as the Department may deem necessary.

(3) Each initial application shall be accompanied by a financial statement setting forth the financial condition of the applicant and by a statement from the unit of local government having zoning jurisdiction over the facility's location stating that the location of the facility is not in violation of a zoning ordinance. An initial application for a new facility shall be accompanied by a permit as required by the "Illinois Health Facilities Planning Act". After the application is approved, the applicant shall advise the Department every 6 months of any changes in the information originally provided in the application.

(4) Other information necessary to determine the identity and qualifications of an applicant to operate a facility in accordance with this Act shall be included in the application as required by the Department in regulations.

(Source: P.A. 93-32, eff. 7-1-03; 93-841, eff. 7-30-04.)
Section 25. The Health Care Worker Background Check Act is amended by changing Section 70 as follows:

(225 ILCS 46/70)

Sec. 70. Centers for Medicare and Medicaid Services (CMMS) grant.

(a) In this Section:
"Centers for Medicare and Medicaid Services (CMMS) grant" means the grant awarded to and distributed by the Department of Public Health to enhance the conduct of criminal history records checks of certain health care employees. The CMMS grant is authorized by Section 307 of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003, which establishes the framework for a program to evaluate national and state background checks on prospective employees with direct access to patients of long-term care facilities or providers.

"Selected health care employer" means any of the following selected to participate in the CMMS grant:

(1) a community living facility as defined in the Community Living Facility Act;
(2) a long-term care facility as defined in the Nursing Home Care Act;
(3) a home health agency as defined in the Home Health Agency Licensing Act;
(4) a full hospice as defined in the Hospice Licensing Act;
(5) an establishment licensed under the Assisted Living and Shared Housing Act;
(6) a supportive living facility as defined in the Illinois Public Aid Code;
(7) a day training program certified by the Department of Human Services; or

(8) a community integrated living arrangement operated by a community mental health and developmental service agency as defined in the Community Integrated Living Arrangements Licensing and Certification Act; or

(9) a long-term care hospital or hospital with swing beds.

New matter indicated by italics - deletions by strikeout
(b) Selected health care employers shall be phased in to participate in the CMMS grant between January 1, 2006 and January 1, 2007, as prescribed by the Department of Public Health by rule.

(c) With regards to individuals hired on or after January 1, 2006 who have direct access to residents, patients, or clients of the selected health care employer, selected health care employers must comply with Section 25 of this Act.

"Individuals who have direct access" includes, but is not limited to, (i) direct care workers as described in subsection (a) of Section 25; (ii) individuals licensed by the Department of Financial and Professional Regulation, such as nurses, social workers, physical therapists, occupational therapists, and pharmacists; (iii) individuals who provide services on site, through contract; and (iv) non-direct care workers, such as those who work in environmental services, food service, and administration.

"Individuals who have direct access" does not include physicians or volunteers.

The Department of Public Health may further define "individuals who have direct access" by rule.

(d) Each applicant seeking employment in a position described in subsection (c) of this Section with a selected health care employer shall, as a condition of employment, have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information by the Department of State Police and the Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check and shall be deposited into the State Police Services Fund. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department of Public Health.

New matter indicated by italics - deletions by strikeout
(e) A selected health care employer who makes a conditional offer of employment to an applicant shall:

   (1) ensure that the applicant has complied with the fingerprinting requirements of this Section;
   (2) complete documentation relating to any criminal history record, as revealed by the applicant, as prescribed by rule by the Department of Public Health;
   (3) complete documentation of the applicant's personal identifiers as prescribed by rule by the Department of Public Health; and
   (4) provide supervision, as prescribed by rule by the licensing agency, if the applicant is hired and allowed to work prior to the results of the criminal history records check being obtained.

(f) A selected health care employer having actual knowledge from a source that an individual with direct access to a resident, patient, or client has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of this Act shall contact the licensing agency or follow other instructions as prescribed by administrative rule.

(g) A fingerprint-based criminal history records check submitted in accordance with subsection (d) of this Section must be submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police.

(h) This Section shall be inapplicable upon the conclusion of the CMMS grant.

(Source: P.A. 94-665, eff. 1-1-06.)

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

Approved June 26, 2006.
AN ACT concerning regulation

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

Section 5. The Nursing and Advanced Practice Nursing Act is amended by changing Section 10-30 as follows:

(225 ILCS 65/10-30)
(Section scheduled to be repealed on January 1, 2008)
Sec. 10-30. Qualifications for licensure.
(a) Each applicant who successfully meets the requirements of this Section shall be entitled to licensure as a Registered Nurse or Licensed Practical Nurse, whichever is applicable.
(b) An applicant for licensure by examination to practice as a registered nurse or licensed practical nurse shall:
   (1) submit a completed written application, on forms provided by the Department and fees as established by the Department;
   (2) for registered nurse licensure, have graduated from a professional nursing education program approved by the Department;
   (2.5) for licensed practical nurse licensure, have graduated from a practical nursing education program approved by the Department;
   (3) have not violated the provisions of Section 10-45 of this Act. The Department may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as an absolute bar to licensure;
   (4) meet all other requirements as established by rule;
   (5) pay, either to the Department or its designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified after the applicant's application for

New matter indicated by italics - deletions by strikeout
examination has been received and acknowledged by the Department or the designated testing service shall result in the forfeiture of the examination fee.

If an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for a license under this Act within 3 years after filing the application, the application shall be denied. However, the applicant may make a new application accompanied by the required fee and provide evidence of meeting the requirements in force at the time of the new application.

An applicant may take and successfully complete a Department-approved examination in another jurisdiction. However, an applicant who has never been licensed previously in any jurisdiction that utilizes a Department-approved examination and who has taken and failed to pass the examination within 3 years after filing the application must submit proof of successful completion of a Department-authorized nursing education program or recompletion of an approved registered nursing program or licensed practical nursing program, as appropriate, prior to re-application.

An applicant shall have one year from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within one year, the applicant shall be required to again take and pass the examination unless licensed in another jurisdiction of the United States within one year of passing the examination.

(c) An applicant for licensure by endorsement who is a registered professional nurse or a licensed practical nurse licensed by examination under the laws of another state or territory of the United States or a foreign country, jurisdiction, territory, or province shall:

1. submit a completed written application, on forms supplied by the Department, and fees as established by the Department;
2. for registered nurse licensure, have graduated from a professional nursing education program approved by the Department;

New matter indicated by italics - deletions by strikeout
(2.5) for licensed practical nurse licensure, have graduated from a practical nursing education program approved by the Department;

(3) submit verification of licensure status directly from the United States jurisdiction of licensure, if applicable, as defined by rule;

(4) have passed the examination authorized by the Department;

(5) meet all other requirements as established by rule.

(d) All applicants for registered nurse licensure pursuant to item (2) of subsection (b) and item (2) of subsection (c) of this Section who are graduates of nursing educational programs in a country other than the United States or its territories shall have their nursing education credentials evaluated by a Department-approved nursing credentialing evaluation service. No such applicant may be issued a license under this Act unless the applicant's program is deemed by the nursing credentialing evaluation service to be equivalent to a professional nursing education program approved by the Department. An applicant who has graduated from a nursing educational program outside of the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL), as defined by rule. The Department may, upon recommendation from the nursing evaluation service, waive the requirement that the applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English. The requirements of this subsection (d) may be satisfied by the showing of proof of a certificate from the Certificate Program or the VisaScreen Program of the Commission on Graduates of Foreign Nursing Schools.

(d-5) An applicant licensed in another state or territory who is applying for licensure and has received her or his education in a country other than the United States or its territories shall have her or his nursing education credentials evaluated by a Department-approved nursing credentialing evaluation service. No such applicant may be issued a license

New matter indicated by italics - deletions by strikeout
under this Act unless the applicant's program is deemed by the nursing credentialing evaluation service to be equivalent to a professional nursing education program approved by the Department. An applicant who has graduated from a nursing educational program outside of the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL), as defined by rule. The Department may, upon recommendation from the nursing evaluation service, waive the requirement that the applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English or the successful passage of an approved licensing examination given in English. The requirements of this subsection (d-5) may be satisfied by the showing of proof of a certificate from the Certificate Program or the VisaScreen Program of the Commission on Graduates of Foreign Nursing Schools.

(e) (Blank).

(f) Pending the issuance of a license under subsection (c) of this Section, the Department may grant an applicant a temporary license to practice nursing as a registered nurse or as a licensed practical nurse if the Department is satisfied that the applicant holds an active, unencumbered license in good standing in another jurisdiction. If the applicant holds more than one current active license, or one or more active temporary licenses from other jurisdictions, the Department shall not issue a temporary license until it is satisfied that each current active license held by the applicant is unencumbered. The temporary license, which shall be issued no later than 14 working days following receipt by the Department of an application for the temporary license, shall be granted upon the submission of the following to the Department:

(1) a signed and completed application for licensure under subsection (a) of this Section as a registered nurse or a licensed practical nurse;

(2) proof of a current, active license in at least one other jurisdiction and proof that each current active license or temporary
license held by the applicant within the last 5 years is unencumbered;

(3) a signed and completed application for a temporary license; and

(4) the required temporary license fee.

(g) The Department may refuse to issue an applicant a temporary license authorized pursuant to this Section if, within 14 working days following its receipt of an application for a temporary license, the Department determines that:

(1) the applicant has been convicted of a crime under the laws of a jurisdiction of the United States: (i) which is a felony; or (ii) which is a misdemeanor directly related to the practice of the profession, within the last 5 years;

(2) within the last 5 years the applicant has had a license or permit related to the practice of nursing revoked, suspended, or placed on probation by another jurisdiction, if at least one of the grounds for revoking, suspending, or placing on probation is the same or substantially equivalent to grounds in Illinois; or

(3) it intends to deny licensure by endorsement.

For purposes of this Section, an "unencumbered license" means a license against which no disciplinary action has been taken or is pending and for which all fees and charges are paid and current.

(h) The Department may revoke a temporary license issued pursuant to this Section if:

(1) it determines that the applicant has been convicted of a crime under the law of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor directly related to the practice of the profession, within the last 5 years;

(2) it determines that within the last 5 years the applicant has had a license or permit related to the practice of nursing revoked, suspended, or placed on probation by another jurisdiction, if at least one of the grounds for revoking, suspending, or placing on probation is the same or substantially equivalent to grounds in Illinois; or

New matter indicated by italics - deletions by strikeout
(3) it determines that it intends to deny licensure by endorsement.

A temporary license shall expire 6 months from the date of issuance. Further renewal may be granted by the Department in hardship cases, as defined by rule and upon approval of the Director. However, a temporary license shall automatically expire upon issuance of the Illinois license or upon notification that the Department intends to deny licensure, whichever occurs first.

(i) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years from the date of application, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 94-352, eff. 7-28-05.)


Approved June 26, 2006.


PUBLIC ACT 94-0933
(Senate Bill No. 2455)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27-9.1 as follows:

(105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)

Sec. 27-9.1. Sex Education.

(a) No pupil shall be required to take or participate in any class or course in comprehensive sex education if his parent or guardian submits written objection thereto, and refusal to take or participate in such course or program shall not be reason for suspension or expulsion of such pupil. Each class or course in comprehensive sex education offered in any of grades 6 through 12 shall include instruction

New matter indicated by italics - deletions by strikeout
on the prevention, transmission and spread of AIDS. Nothing in this Section prohibits instruction in sanitation, hygiene or traditional courses in biology.

(b) All public elementary, junior high, and senior high school classes that teach sex education and discuss sexual intercourse shall emphasize that abstinence is the expected norm in that abstinence from sexual intercourse is the only protection that is 100% effective against unwanted teenage pregnancy, sexually transmitted diseases, and acquired immune deficiency syndrome (AIDS) when transmitted sexually.

(c) All sex education courses that discuss sexual intercourse shall satisfy the following criteria:

(1) Course material and instruction shall be age appropriate.

(2) Course material and instruction shall teach honor and respect for monogamous heterosexual marriage.

(3) Course material and instruction shall stress that pupils should abstain from sexual intercourse until they are ready for marriage.

(4) Course material and instruction shall include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual intercourse outside of marriage and the consequences of unwanted adolescent pregnancy.

(5) Course material and instruction shall stress that sexually transmitted diseases are serious possible hazards of sexual intercourse. Pupils shall be provided with statistics based on the latest medical information citing the failure and success rates of condoms in preventing AIDS and other sexually transmitted diseases.

(6) Course material and instruction shall advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock.

(7) Course material and instruction shall advise pupils of the circumstances under which it is unlawful for males to have sexual relations with females under the age of 18 to whom they are
not married pursuant to Article 12 of the Criminal Code of 1961, as now or hereafter amended.

(8) Course material and instruction shall teach pupils to not make unwanted physical and verbal sexual advances and how to say no to unwanted sexual advances. Pupils shall be taught that it is wrong to take advantage of or to exploit another person. The material and instruction shall also encourage youth to resist negative peer pressure.

(9) (Blank). Course material and instruction shall advise pupils of the provisions of the Abandoned Newborn Infant Protection Act (325 ILCS 2/) as well as provide information about responsible parenting and the availability of confidential adoption services.

(d) An opportunity shall be afforded to parents or guardians to examine the instructional materials to be used in such class or course.

(Source: P.A. 93-88, eff. 7-2-03.)

Section 10. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3 as follows:

(105 ILCS 110/3) (from Ch. 122, par. 863)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, sexual abstinence until marriage, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. Notwithstanding

New matter indicated by italics - deletions by strikeout
the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), early prevention and detection of cancer, heart disease, diabetes, stroke, and the prevention of child abuse, neglect, and suicide. The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with standards and requirements established by the American Red Cross or another qualified certifying agency. No pupil shall be required to take or participate in any class or course on AIDS or family life instruction if his parent or guardian submits written objection thereto, and refusal to take or participate in the course or program shall not be reason for suspension or expulsion of the pupil.

New matter indicated by italics - deletions by strikeout
Curricula developed under programs established in accordance with this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 92-23, eff. 7-1-01.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

Approved June 26, 2006.
Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 7.3 as follows:

(20 ILCS 1705/7.3)

Sec. 7.3. Nurse aide registry; finding of abuse or neglect. The Department shall require that no facility, service agency, or support agency providing mental health or developmental disability services that is licensed, certified, operated, or funded by the Department shall employ a person, in any capacity, who is identified by the nurse aide registry as having been subject of a substantiated finding of abuse or neglect of a service recipient. Any owner or operator of a community agency who is identified by the nurse aide registry as having been the subject of a substantiated finding of abuse or neglect of a service recipient is prohibited from any involvement in any capacity with the provision of Department funded mental health or developmental disability services. The Department shall establish and maintain the rules that are necessary or appropriate to effectuate the intent of this Section. The provisions of this Section shall not apply to any facility, service agency, or support agency licensed or certified by a State agency other than the Department, unless operated by the Department of Human Services.

(Source: P.A. 92-473, eff. 1-1-02.)

Section 10. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 6.2 as follows:

(210 ILCS 30/6.2) (from Ch. 111 1/2, par. 4166.2)

Sec. 6.2. Inspector General.

(a) The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary of Human Services and the Governor. The Inspector General shall function independently within the Department of Human Services with respect to the operations of the office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department of Human Services. The Inspector General shall investigate reports of

New matter indicated by italics - deletions by strikeout
suspected abuse or neglect (as those terms are defined in Section 3 of this Act) of patients or residents in any mental health or developmental disabilities facility operated by the Department of Human Services and shall have authority to investigate and take immediate action on reports of abuse or neglect of recipients, whether patients or residents, in any mental health or developmental disabilities facility or program that is licensed or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or that is funded by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) and is not licensed or certified by any agency of the State. At the specific, written request of an agency of the State other than the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), the Inspector General may cooperate in investigating reports of abuse and neglect of persons with mental illness or persons with developmental disabilities. The Inspector General shall have no supervision over or involvement in routine, programmatic, licensure, or certification operations of the Department of Human Services or any of its funded agencies.

The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations of abuse and neglect and initiating, conducting, and completing investigations. The promulgated rules shall clearly set forth that in instances where 2 or more State agencies could investigate an allegation of abuse or neglect, the Inspector General shall not conduct an investigation that is redundant to an investigation conducted by another State agency. The rules shall establish criteria for determining, based upon the nature of the allegation, the appropriate method of investigation, which may include, but need not be limited to, site visits, telephone contacts, or requests for written responses from agencies. The rules shall also clarify how the Office of the Inspector General shall interact with the licensing unit of the Department of Human Services in investigations of allegations of abuse or neglect. Any allegations or investigations of reports made pursuant to this Act shall remain confidential until a final report is completed. The resident or

New matter indicated by italics - deletions by strikeout
patient who allegedly was abused or neglected and his or her legal
guardian shall be informed by the facility or agency of the report of alleged
abuse or neglect. Final reports regarding unsubstantiated or unfounded
allegations shall remain confidential, except that final reports may be
disclosed pursuant to Section 6 of this Act.

When the Office of the Inspector General has substantiated a case
of abuse or neglect, the Inspector General shall include in the final report
any mitigating or aggravating circumstances that were identified during the
investigation. Upon determination that a report of neglect is substantiated,
the Inspector General shall then determine whether such neglect rises to
the level of egregious neglect.

(b) The Inspector General shall, within 24 hours after determining
that a reported allegation of suspected abuse or neglect indicates that any
possible criminal act has been committed or that special expertise is
required in the investigation, immediately notify the Department of State
Police or the appropriate law enforcement entity. The Department of State
Police shall investigate any report from a State-operated facility indicating
a possible murder, rape, or other felony. All investigations conducted by
the Inspector General shall be conducted in a manner designed to ensure
the preservation of evidence for possible use in a criminal prosecution.

(b-5) The Inspector General shall make a determination to accept
or reject a preliminary report of the investigation of alleged abuse or
neglect based on established investigative procedures. Notice of the
Inspector General's determination must be given to the person who claims
to be the victim of the abuse or neglect, to the person or persons alleged to
have been responsible for abuse or neglect, and to the facility or agency.
The facility or agency or the person or persons alleged to have been
responsible for the abuse or neglect and the person who claims to be the
victim of the abuse or neglect may request clarification or reconsideration
based on additional information. For cases where the allegation of abuse or
neglect is substantiated, the Inspector General shall require the facility or
agency to submit a written response. The written response from a facility
or agency shall address in a concise and reasoned manner the actions that
the agency or facility will take or has taken to protect the resident or

New matter indicated by italics - deletions by strikeout
patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action.

(c) The Inspector General shall, within 10 calendar days after the transmittal date of a completed investigation where abuse or neglect is substantiated or administrative action is recommended, provide a complete report on the case to the Secretary of Human Services and to the agency in which the abuse or neglect is alleged to have happened. The complete report shall include a written response from the agency or facility operated by the State to the Inspector General that addresses in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action. The Secretary of Human Services shall accept or reject the response and establish how the Department will determine whether the facility or program followed the approved response. The Secretary may require Department personnel to visit the facility or agency for training, technical assistance, programmatic, licensure, or certification purposes. Administrative action, including sanctions, may be applied should the Secretary reject the response or should the facility or agency fail to follow the approved response. Within 30 days after the Secretary has approved a response, the facility or agency making the response shall provide an implementation report to the Inspector General on the status of the corrective action implemented. Within 60 days after the Secretary has approved the response, the facility or agency shall send notice of the completion of the corrective action or shall send an updated implementation report. The facility or agency shall continue sending updated implementation reports every 60 days until the facility or agency sends a notice of the completion of the corrective action. The Inspector General shall review any implementation plan that takes more than 120 days. The Inspector General shall monitor compliance through a random review of completed corrective actions. This monitoring may include, but need not be limited to, site visits, telephone contacts, or requests for written documentation from the facility or agency to

New matter indicated by italics - deletions by strikeout
determine whether the facility or agency is in compliance with the approved response. The facility or agency shall inform the resident or patient and the legal guardian whether the reported allegation was substantiated, unsubstantiated, or unfounded. There shall be an appeals process for any person or agency that is subject to any action based on a recommendation or recommendations.

(d) The Inspector General may recommend to the Departments of Public Health and Human Services sanctions to be imposed against mental health and developmental disabilities facilities under the jurisdiction of the Department of Human Services for the protection of residents, including appointment of on-site monitors or receivers, transfer or relocation of residents, and closure of units. The Inspector General may seek the assistance of the Attorney General or any of the several State's attorneys in imposing such sanctions. Whenever the Inspector General issues any recommendations to the Secretary of Human Services, the Secretary shall provide a written response.

(e) The Inspector General shall establish and conduct periodic training programs for Department of Human Services employees concerning the prevention and reporting of neglect and abuse.

(f) The Inspector General shall at all times be granted access to any mental health or developmental disabilities facility operated by the Department of Human Services, shall establish and conduct unannounced site visits to those facilities at least once annually, and shall be granted access, for the purpose of investigating a report of abuse or neglect, to the records of the Department of Human Services and to any facility or program funded by the Department of Human Services that is subject under the provisions of this Section to investigation by the Inspector General for a report of abuse or neglect.

(g) Nothing in this Section shall limit investigations by the Department of Human Services that may otherwise be required by law or that may be necessary in that Department's capacity as the central administrative authority responsible for the operation of State mental health and developmental disability facilities.

New matter indicated by italics - deletions by strikeout
(g-5) After notice and an opportunity for a hearing that is separate and distinct from the Office of the Inspector General's appeals process as implemented under subsection (c) of this Section, the Inspector General shall report to the Department of Public Health's nurse aide registry under Section 3-206.01 of the Nursing Home Care Act the identity of individuals against whom there has been a substantiated finding of physical or sexual abuse or egregious neglect of a service recipient.

Nothing in this subsection shall diminish or impair the rights of a person who is a member of a collective bargaining unit pursuant to the Illinois Public Labor Relations Act or pursuant to any federal labor statute. An individual who is a member of a collective bargaining unit as described above shall not be reported to the Department of Public Health's nurse aide registry until the exhaustion of that individual's grievance and arbitration rights, or until 3 months after the initiation of the grievance process, whichever occurs first, provided that the Department of Human Services' hearing under this subsection regarding the reporting of an individual to the Department of Public Health's nurse aide registry subsection (c), that is separate and distinct from the Office of the Inspector General's appeals process, has concluded. Notwithstanding anything hereinafter or previously provided, if an action taken by an employer against an individual as a result of the circumstances that led to a finding of physical or sexual abuse or egregious neglect is later overturned under a grievance or arbitration procedure provided for in Section 8 of the Illinois Public Labor Relations Act or under a collective bargaining agreement, the report must be removed from the registry.

The Department of Human Services shall promulgate or amend rules as necessary or appropriate to establish procedures for reporting to the registry, including the definition of egregious neglect, procedures for notice to the individual and victim, appeal and hearing procedures, and petition for removal of the report from the registry. The portion of the rules pertaining to hearings shall provide that, at the hearing, both parties may present written and oral evidence. The Department shall be required to establish by a preponderance of the evidence that the Office of the Inspector General's finding of physical or sexual abuse or egregious

New matter indicated by italics - deletions by strikeout
neglect warrants reporting to the Department of Public Health's nurse aide registry under Section 3-206.01 of the Nursing Home Care Act.

Notice to the individual shall include a clear and concise statement of the grounds on which the report to the registry is based and notice of the opportunity for a hearing to contest the report. The Department of Human Services shall provide the notice by certified mail to the last known address of the individual. The notice shall give the individual an opportunity to contest the report in a hearing before the Department of Human Services or to submit a written response to the findings instead of requesting a hearing. If the individual does not request a hearing or if after notice and a hearing the Department of Human Services finds that the report is valid, the finding shall be included as part of the registry, as well as a brief statement from the reported individual if he or she chooses to make a statement. The Department of Public Health shall make available to the public information reported to the registry. In a case of inquiries concerning an individual listed in the registry, any information disclosed concerning a finding of abuse or neglect shall also include disclosure of the individual's brief statement in the registry relating to the reported finding or include a clear and accurate summary of the statement.

At any time after the report of the registry, an individual may petition the Department of Human Services for removal from the registry of the finding against him or her. Upon receipt of such a petition, the Department of Human Services shall conduct an investigation and hearing on the petition. Upon completion of the investigation and hearing, the Department of Human Services shall report the removal of the finding to the registry unless the Department of Human Services determines that removal is not in the public interest.

(Source: P.A. 93-636, eff. 12-31-03; 94-428, eff. 8-2-05.)

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

Approved June 26, 2006.
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by adding Section 2-3.11d as follows:

(105 ILCS 5/2-3.11d new)

Sec. 2-3.11d. Data on tests required for teacher preparation and certification. Beginning with the effective date of this amendatory Act of the 94th General Assembly, to collect and maintain all of the following data for each institution of higher education engaged in teacher preparation in this State:

(1) The number of individuals taking the test of basic skills under Section 21-1a of this Code.
(2) The number of individuals passing the test of basic skills under Section 21-1a of this Code.
(3) The total number of subject-matter tests attempted under Section 21-1a of this Code.
(4) The total number of subject-matter tests passed under Section 21-1a of this Code.

The data regarding subject-matter tests shall be reported in sum, rather than by separately listing each subject, in order to better protect the identity of the test-takers.

On or before August 1, 2007, the State Board of Education shall file with the General Assembly and the Governor and shall make available to the public a report listing the institutions of higher education engaged in teacher preparation in this State, along with the data listed in items (1) and (2) of this Section pertinent to each institution.

On or before August 1, 2009 and every 3 years thereafter, the State Board of Education shall file with the General Assembly and the Governor and shall make available to the public a report listing the institutions of higher education engaged in teacher preparation in this State, along with

New matter indicated by italics - deletions by strikeout
the data listed in items (1) through (4) of this Section pertinent to each institution.

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

Approved June 26, 2006.

PUBLIC ACT 94-0936
(Senate Bill No. 2578)

AN ACT concerning regulation.

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

Section 5. The Pharmacy Practice Act of 1987 is amended by changing Section 25 and by adding Section 26 as follows:

(225 ILCS 85/25) (from Ch. 111, par. 4145)
(Section scheduled to be repealed on January 1, 2008)
Sec. 25. No person shall compound, or sell or offer for sale, or cause to be compounded, sold or offered for sale any medicine or preparation under or by a name recognized in the United States Pharmacopoeia National Formulary, for internal or external use, which differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia National Formulary official at the time of such compounding, sale or offering for sale. Nor shall any person compound, sell or offer for sale, or cause to be compounded, sold, or offered for sale, any drug, medicine, poison, chemical or pharmaceutical preparation, the strength or purity of which shall fall below the professed standard of strength or purity under which it is sold. Except as set forth in Section 26 of this Act, if the physician or other authorized prescriber, when transmitting an oral or written prescription, does not prohibit drug product selection, a different brand name or nonbrand name drug product of the same generic name may be dispensed by the pharmacist, provided that the selected drug has a unit

New matter indicated by italics - deletions by strikeout
price less than the drug product specified in the prescription. A generic drug determined to be therapeutically equivalent by the United States Food and Drug Administration (FDA) shall be available for substitution in Illinois in accordance with this Act and the Illinois Food, Drug and Cosmetic Act, provided that each manufacturer submits to the Director of the Department of Public Health a notification containing product technical bioequivalence information as a prerequisite to product substitution when they have completed all required testing to support FDA product approval and, in any event, the information shall be submitted no later than 60 days prior to product substitution in the State. On the prescription forms of prescribers, shall be placed a signature line and the words "may substitute" and "may not substitute". The prescriber, in his or her own handwriting, shall place a mark beside either the "may substitute" or "may not substitute" alternatives to guide the pharmacist in the dispensing of the prescription. A prescriber placing a mark beside the "may substitute" alternative or failing in his or her own handwriting to place a mark beside either alternative authorizes drug product selection in accordance with this Act. Preprinted or rubber stamped marks, or other deviations from the above prescription format shall not be permitted. The prescriber shall sign the form in his or her own handwriting to authorize the issuance of the prescription. When a person presents a prescription to be dispensed, the pharmacist to whom it is presented may inform the person if the pharmacy has available a different brand name or nonbrand name of the same generic drug prescribed and the price of the different brand name or nonbrand name of the drug product. If the person presenting the prescription is the one to whom the drug is to be administered, the pharmacist may dispense the prescription with the brand prescribed or a different brand name or nonbrand name product of the same generic name, if the drug is of lesser unit cost and the patient is informed and agrees to the selection and the pharmacist shall enter such information into the pharmacy record. If the person presenting the prescription is someone other than the one to whom the drug is to be administered the pharmacist shall not dispense the prescription with a brand other than the one specified in the prescription unless the pharmacist

New matter indicated by italics - deletions by strikeout
has the written or oral authorization to select brands from the person to whom the drug is to be administered or a parent, legal guardian or spouse of that person.

In every case in which a selection is made as permitted by the Illinois Food, Drug and Cosmetic Act, the pharmacist shall indicate on the pharmacy record of the filled prescription the name or other identification of the manufacturer of the drug which has been dispensed.

The selection of any drug product by a pharmacist shall not constitute evidence of negligence if the selected nonlegend drug product was of the same dosage form and each of its active ingredients did not vary by more than 1 percent from the active ingredients of the prescribed, brand name, nonlegend drug product. Failure of a prescribing physician to specify that drug product selection is prohibited does not constitute evidence of negligence unless that practitioner has reasonable cause to believe that the health condition of the patient for whom the physician is prescribing warrants the use of the brand name drug product and not another.

The Department is authorized to employ an analyst or chemist of recognized or approved standing whose duty it shall be to examine into any claimed adulteration, illegal substitution, improper selection, alteration, or other violation hereof, and report the result of his investigation, and if such report justify such action the Department shall cause the offender to be prosecuted.

(Source: P.A. 92-112, eff. 7-20-01; 93-841, eff. 7-30-04.)

(225 ILCS 85/26 new)
(Section scheduled to be repealed on January 1, 2008)

(a) The General Assembly finds that this Section is necessary for the immediate preservation of the public peace, health, and safety.
(b) In this Section:
“Anti-epileptic drug means (i) any drug prescribed for the treatment of epilepsy or (ii) a drug used to treat or prevent seizures.
“Epilepsy” means a neurological condition characterized by recurrent seizures.
"Seizure" means a brief disturbance in the electrical activity of the brain.

(c) When the prescribing physician has indicated on the original prescription "dispense as written" or "may not substitute", a pharmacist may not interchange an anti-epileptic drug or formulation of an anti-epileptic drug for the treatment of epilepsy without notification and the documented consent of the prescribing physician and the patient or the patient's parent, legal guardian, or spouse.

Section 10. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 3.14 as follows:

(410 ILCS 620/3.14) (from Ch. 56 1/2, par. 503.14)
Sec. 3.14. Dispensing or causing to be dispensed a different drug in place of the drug or brand of drug ordered or prescribed without the express permission of the person ordering or prescribing. Except as set forth in Section 26 of the Pharmacy Practice Act, however, this Section does not prohibit the interchange of different brands of the same generically equivalent drug product, when the drug products are not required to bear the legend "Caution: Federal law prohibits dispensing without prescription", provided that the same dosage form is dispensed and there is no greater than 1% variance in the stated amount of each active ingredient of the drug products. A generic drug determined to be therapeutically equivalent by the United States Food and Drug Administration (FDA) shall be available for substitution in Illinois in accordance with this Act and the Pharmacy Practice Act of 1987, provided that each manufacturer submits to the Director of the Department of Public Health a notification containing product technical bioequivalence information as a prerequisite to product substitution when they have completed all required testing to support FDA product approval and, in any event, the information shall be submitted no later than 60 days prior to product substitution in the State.
(Source: P.A. 92-112, eff. 7-20-01; 93-841, eff. 7-30-04.)

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


New matter indicated by italics - deletions by strikeout
AN ACT concerning education.

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

Section 5. The School Code is amended by adding Section 27-23.7 as follows:

(105 ILCS 5/27-23.7 new)

Sec. 27-23.7. Bullying prevention education.

(a) The General Assembly finds that bullying has a negative effect on the social environment of schools, creates a climate of fear among students, inhibits their ability to learn, and leads to other antisocial behavior. Bullying behavior has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence.

(b) In this Section, "bullying prevention" means and includes instruction in all of the following:

(1) Intimidation.
(2) Student victimization.
(3) Sexual harassment.
(4) Sexual violence.
(5) Strategies for student-centered problem solving regarding bullying.

(c) Each school district may make suitable provisions for instruction in bullying prevention in all grades and include such instruction in the courses of study regularly taught therein. A school board may collaborate with a community-based agency providing specialized curricula in bullying prevention whose ultimate outcome is to prevent sexual violence. The State Board of Education may assist in the

New matter indicated by italics - deletions by strikeout
development of instructional materials and teacher training in relation to bullying prevention.

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

Approved June 26, 2006.

PUBLIC ACT 94-0938
(Senate Bill No. 2676)

AN ACT concerning civil law.

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

Section 5. The Illinois Power of Attorney Act is amended by changing Sections 2-9 and 3-4 as follows:

(755 ILCS 45/2-9) (from Ch. 110 1/2, par. 802-9)
Sec. 2-9. Preservation of estate plan and trusts. In exercising powers granted under the agency, including powers of amendment or revocation and powers to expend or withdraw property passing by trust, contract or beneficiary designation at the principal's death (such as, without limitation, specifically bequeathed property, joint accounts, life insurance, trusts and retirement plans), the agent shall take the principal's estate plan into account insofar as it is known to the agent and shall attempt to preserve the plan, but the agent shall not be liable to any plan beneficiary under this Section unless the agent acts in bad faith. An agent may not revoke or amend a trust revocable or amendable by the principal or require the trustee of any trust for the benefit of the principal to pay income or principal to the agent without specific authority and specific reference to the trust in the agency. The agent shall have access to and the right to copy (but not to hold) the principal's will, trusts and other personal papers and records to the extent the agent deems relevant for purposes of this Section. This Section shall not apply to any Totten Trust, Payable on Death Account, or comparable trust account arrangement where the terms

New matter indicated by italics - deletions by strikeout
of such trust are contained entirely on the financial institution's signature card insofar as an agent acting under a power of attorney executed in accordance with this Act shall be permitted to withdraw income or principal from such account if the power of attorney grants the agent authority to conduct financial institution transactions on the principal's behalf and the agent's authority to access such account is not expressly limited or withheld in the agency.

(Source: P.A. 85-701.)

(755 ILCS 45/3-4) (from Ch. 110 1/2, par. 803-4)

Sec. 3-4. Explanation of powers granted in the statutory short form power of attorney for property. This Section defines each category of powers listed in the statutory short form power of attorney for property and the effect of granting powers to an agent. When the title of any of the following categories is retained (not struck out) in a statutory property power form, the effect will be to grant the agent all of the principal's rights, powers and discretions with respect to the types of property and transactions covered by the retained category, subject to any limitations on the granted powers that appear on the face of the form. The agent will have authority to exercise each granted power for and in the name of the principal with respect to all of the principal's interests in every type of property or transaction covered by the granted power at the time of exercise, whether the principal's interests are direct or indirect, whole or fractional, legal, equitable or contractual, as a joint tenant or tenant in common or held in any other form; but the agent will not have power under any of the statutory categories (a) through (o) to make gifts of the principal's property, to exercise powers to appoint to others or to change any beneficiary whom the principal has designated to take the principal's interests at death under any will, trust, joint tenancy, beneficiary form or contractual arrangement. The agent will be under no duty to exercise granted powers or to assume control of or responsibility for the principal's property or affairs; but when granted powers are exercised, the agent will be required to use due care to act for the benefit of the principal in accordance with the terms of the statutory property power and will be liable for negligent exercise. The agent may act in person or through others

New matter indicated by italics - deletions by strikeout
reasonably employed by the agent for that purpose and will have authority to sign and deliver all instruments, negotiate and enter into all agreements and do all other acts reasonably necessary to implement the exercise of the powers granted to the agent.

(a) Real estate transactions. The agent is authorized to: buy, sell, exchange, rent and lease real estate (which term includes, without limitation, real estate subject to a land trust and all beneficial interests in and powers of direction under any land trust); collect all rent, sale proceeds and earnings from real estate; convey, assign and accept title to real estate; grant easements, create conditions and release rights of homestead with respect to real estate; create land trusts and exercise all powers under land trusts; hold, possess, maintain, repair, improve, subdivide, manage, operate and insure real estate; pay, contest, protest and compromise real estate taxes and assessments; and, in general, exercise all powers with respect to real estate which the principal could if present and under no disability.

(b) Financial institution transactions. The agent is authorized to: open, close, continue and control all accounts and deposits in any type of financial institution (which term includes, without limitation, banks, trust companies, savings and building and loan associations, credit unions and brokerage firms); deposit in and withdraw from and write checks on any financial institution account or deposit; and, in general, exercise all powers with respect to financial institution transactions which the principal could if present and under no disability. This authorization shall also apply to any Totten Trust, Payable on Death Account, or comparable trust account arrangement where the terms of such trust are contained entirely on the financial institution’s signature card, insofar as an agent shall be permitted to withdraw income or principal from such account, unless this authorization is expressly limited or withheld under paragraph 2 of the form prescribed under Section 3-3. This authorization shall not apply to accounts titled in the name of any trust subject to the provisions of the Trusts and Trustees Act, for which specific reference to the trust and a specific grant of authority to the agent to withdraw income or principal

New matter indicated by italics - deletions by strikeout
from such trust is required pursuant to Section 2-9 of the Illinois Power of Attorney Act and subsection (n) of this Section.

(c) Stock and bond transactions. The agent is authorized to: buy and sell all types of securities (which term includes, without limitation, stocks, bonds, mutual funds and all other types of investment securities and financial instruments); collect, hold and safekeep all dividends, interest, earnings, proceeds of sale, distributions, shares, certificates and other evidences of ownership paid or distributed with respect to securities; exercise all voting rights with respect to securities in person or by proxy, enter into voting trusts and consent to limitations on the right to vote; and, in general, exercise all powers with respect to securities which the principal could if present and under no disability.

(d) Tangible personal property transactions. The agent is authorized to: buy and sell, lease, exchange, collect, possess and take title to all tangible personal property; move, store, ship, restore, maintain, repair, improve, manage, preserve, insure and safekeep tangible personal property; and, in general, exercise all powers with respect to tangible personal property which the principal could if present and under no disability.

(e) Safe deposit box transactions. The agent is authorized to: open, continue and have access to all safe deposit boxes; sign, renew, release or terminate any safe deposit contract; drill or surrender any safe deposit box; and, in general, exercise all powers with respect to safe deposit matters which the principal could if present and under no disability.

(f) Insurance and annuity transactions. The agent is authorized to: procure, acquire, continue, renew, terminate or otherwise deal with any type of insurance or annuity contract (which terms include, without limitation, life, accident, health, disability, automobile casualty, property or liability insurance); pay premiums or assessments on or surrender and collect all distributions, proceeds or benefits payable under any insurance or annuity contract; and, in general, exercise all powers with respect to insurance and annuity contracts which the principal could if present and under no disability.

New matter indicated by italics - deletions by strikeout
(g) Retirement plan transactions. The agent is authorized to: contribute to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan); select and change payment options for the principal under any retirement plan; make rollover contributions from any retirement plan to other retirement plans or individual retirement accounts; exercise all investment powers available under any type of self-directed retirement plan; and, in general, exercise all powers with respect to retirement plans and retirement plan account balances which the principal could if present and under no disability.

(h) Social Security, unemployment and military service benefits. The agent is authorized to: prepare, sign and file any claim or application for Social Security, unemployment or military service benefits; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and, in general, exercise all powers with respect to Social Security, unemployment, military service and governmental benefits which the principal could if present and under no disability.

(i) Tax matters. The agent is authorized to: sign, verify and file all the principal's federal, state and local income, gift, estate, property and other tax returns, including joint returns and declarations of estimated tax; pay all taxes; claim, sue for and receive all tax refunds; examine and copy all the principal's tax returns and records; represent the principal before any federal, state or local revenue agency or taxing body and sign and deliver all tax powers of attorney on behalf of the principal that may be necessary for such purposes; waive rights and sign all documents on behalf of the principal as required to settle, pay and determine all tax liabilities;
and, in general, exercise all powers with respect to tax matters which the principal could if present and under no disability.

(j) Claims and litigation. The agent is authorized to: institute, prosecute, defend, abandon, compromise, arbitrate, settle and dispose of any claim in favor of or against the principal or any property interests of the principal; collect and receipt for any claim or settlement proceeds and waive or release all rights of the principal; employ attorneys and others and enter into contingency agreements and other contracts as necessary in connection with litigation; and, in general, exercise all powers with respect to claims and litigation which the principal could if present and under no disability.

(k) Commodity and option transactions. The agent is authorized to: buy, sell, exchange, assign, convey, settle and exercise commodities futures contracts and call and put options on stocks and stock indices traded on a regulated options exchange and collect and receipt for all proceeds of any such transactions; establish or continue option accounts for the principal with any securities or futures broker; and, in general, exercise all powers with respect to commodities and options which the principal could if present and under no disability.

(l) Business operations. The agent is authorized to: organize or continue and conduct any business (which term includes, without limitation, any farming, manufacturing, service, mining, retailing or other type of business operation) in any form, whether as a proprietorship, joint venture, partnership, corporation, trust or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; direct, control, supervise, manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which the principal could if present and under no disability.

(m) Borrowing transactions. The agent is authorized to: borrow money; mortgage or pledge any real estate or tangible or intangible personal property as security for such purposes; sign, renew, extend, pay and satisfy any notes or other forms of obligation; and, in general, exercise

New matter indicated by italics - deletions by strikeout
all powers with respect to secured and unsecured borrowing which the principal could if present and under no disability.

(n) Estate transactions. The agent is authorized to: accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for the principal; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for the benefit of the principal that terminates at the death of the principal and is then distributable to the legal representative of the estate of the principal; and, in general, exercise all powers with respect to estates and trusts which the principal could if present and under no disability; provided, however, that the agent may not make or change a will and may not revoke or amend a trust revocable or amendable by the principal or require the trustee of any trust for the benefit of the principal to pay income or principal to the agent unless specific authority to that end is given, and specific reference to the trust is made, in the statutory property power form.

(o) All other property powers and transactions. The agent is authorized to: exercise all possible powers of the principal with respect to all possible types of property and interests in property, except to the extent the principal limits the generality of this category (o) by striking out one or more of categories (a) through (n) or by specifying other limitations in the statutory property power form.

(Source: P.A. 85-701.)

Approved June 26, 2006.

PUBLIC ACT 94-0939
(Senate Bill No. 2738)

AN ACT concerning adoption.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Adoption Act is amended by changing Section 1 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

   (a) Abandonment of the child.
   (a-1) Abandonment of a newborn infant in a hospital.
   (a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.
   (b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.
   (c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.

New matter indicated by italics - deletions by strikeout
(d) Substantial neglect of the child if continuous or repeated.

(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.

(e) Extreme or repeated cruelty to the child.

(f) There is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if:

1. Two or more findings of physical abuse have been entered regarding to any children under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; or

2. The parent has been convicted or found not guilty by reason of insanity and the conviction or finding resulted from the death of any child by physical abuse; or a finding of not guilty by reason of insanity resulting from the death of any child by physical abuse; or

3. There is a finding of physical child abuse resulting from the death of any child under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (f).

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding,
order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961; or (5) predatory aggravated criminal sexual assault of a child in violation of Section 12-14.1 or 12-14(b)(1) of the Criminal Code of 1961; (6) heinous battery of any child in violation of the Criminal Code of 1961; or (7) aggravated battery of any child in violation of the Criminal Code of 1961.

There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of

New matter indicated by italics - deletions by strikeout
1961 within 10 years of the filing date of the petition or motion to terminate parental rights.

No conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 shall be considered a criminal conviction for the purpose of applying any presumption under this item (i).

(j) Open and notorious adultery or fornication.

(j-1) (Blank).

(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a newborn child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent, or (ii) to make reasonable progress toward the return of the child to the parent within 9 months after an adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (iii) to make reasonable progress toward the return of the child to the parent during any 9-month period after the end
New matter indicated by italics - deletions by strikeout

of the initial 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes (I) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care within 9 months after the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987 and (II) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period after the end of the initial 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987. Notwithstanding any other provision, when a petition or motion seeks to terminate parental rights on the basis of item (iii) of this subsection (m), the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on. The pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is
filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this
subparagraph (n)(2)(i) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or mental retardation as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any

New matter indicated by italics - deletions by strikeout
medical diagnosis to determine mental illness or mental impairment.

(q) (Blank). The parent has been criminally convicted of aggravated battery, heinous battery, or attempted murder of any child.

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the

New matter indicated by italics - deletions by strikeout
opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.

E. "Parent" means the father or mother of a lawful child of the parties or child born out of wedlock. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:
   (a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;
   (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
   (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
   (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
   (d) an adult who meets the conditions set forth in Section 3 of this Act; or
   (e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Foreign placing agency" is an agency or individual operating in a country or territory outside the United States that is authorized by its
country to place children for adoption either directly with families in the United States or through United States based international agencies.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted.

L. "Intercountry Adoption Coordinator" is a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services by the public and private sector to prospective parents of foreign-born children.

M. "Interstate Compact on the Placement of Children" is a law enacted by most states for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. "Non-Compact state" means a state that has not enacted the Interstate Compact on the Placement of Children.

O. "Preadoption requirements" are any conditions established by the laws or regulations of the Federal Government or of each state that must be met prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code.

New matter indicated by italics - deletions by strikeout
of 1961 and extending those definitions of sex offenses to include
children under 18 years of age;
(d) commits or allows to be committed an act or acts of
torture upon the child; or
(e) inflicts excessive corporal punishment.
Q. "Neglected child" means any child whose parent or other person
responsible for the child's welfare witholds or denies nourishment or
medically indicated treatment including food or care denied solely on the
basis of the present or anticipated mental or physical impairment as
determined by a physician acting alone or in consultation with other
physicians or otherwise does not provide the proper or necessary support,
education as required by law, or medical or other remedial care recognized
under State law as necessary for a child's well-being, or other care
necessary for his or her well-being, including adequate food, clothing and
shelter; or who is abandoned by his or her parents or other person
responsible for the child's welfare.
A child shall not be considered neglected or abused for the sole
reason that the child's parent or other person responsible for his or her
welfare depends upon spiritual means through prayer alone for the
treatment or cure of disease or remedial care as provided under Section 4
of the Abused and Neglected Child Reporting Act. A child shall not be
considered neglected or abused for the sole reason that the child's parent or
other person responsible for the child's welfare failed to vaccinate, delayed
vaccination, or refused vaccination for the child due to a waiver on
religious or medical grounds as permitted by law.
R. "Putative father" means a man who may be a child's father, but
who (1) is not married to the child's mother on or before the date that the
child was or is to be born and (2) has not established paternity of the child
in a court proceeding before the filing of a petition for the adoption of the
child. The term includes a male who is less than 18 years of age. "Putative
father" does not mean a man who is the child's father as a result of
criminal sexual abuse or assault as defined under Article 12 of the

New matter indicated by italics - deletions by strikeout
S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

(Source: P.A. 93-732, eff. 1-1-05; 94-229, eff. 1-1-06; 94-563, eff. 1-1-06; revised 8-23-05.)

Approved June 26, 2006.

PUBLIC ACT 94-0940
(Senate Bill No. 2739)

AN ACT concerning civil liabilities.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Whistleblower Reward and Protection Act is amended by changing Section 6 as follows:

(740 ILCS 175/6) (from Ch. 127, par. 4106) Sec. 6. Subpoenas.
(a) In general.
   (1) Issuance and service. Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material or information relevant to an investigation, the Attorney General may, before commencing a civil proceeding under this Act, issue in writing and cause to be served upon such person, a subpoena requiring such person:

      (A) to produce such documentary material for inspection and copying,

      (B) to answer, in writing, written interrogatories with respect to such documentary material or information,

New matter indicated by italics - deletions by strikeout
(C) to give oral testimony concerning such documentary material or information, or
(D) to furnish any combination of such material, answers, or testimony.

The Attorney General may delegate the authority to issue subpoenas under this subsection (a) to the Department of State Police subject to conditions as the Attorney General deems appropriate. Whenever a subpoena is an express demand for any product of discovery, the Attorney General or his or her delegate shall cause to be served, in any manner authorized by this Section, a copy of such demand upon the person from whom the discovery was obtained and shall notify the person to whom such demand is issued of the date on which such copy was served.

(1.5) Where a subpoena requires the production of documentary material, the respondent shall produce the original of the documentary material, provided, however, that the Attorney General may agree that copies may be substituted for the originals. All documentary material kept or stored in electronic form, including electronic mail, shall be produced in hard copy, unless the Attorney General agrees that electronic versions may be substituted for the hard copy. The production of documentary material shall be made at the respondent's expense.

(2) Contents and deadlines. Each subpoena issued under paragraph (1):

(A) Shall state the nature of the conduct constituting an alleged violation that is under investigation and the applicable provision of law alleged to be violated.
(B) Shall identify the individual causing the subpoena to be served and to whom communications regarding the subpoena should be directed.
(C) Shall state the date, place, and time at which the person is required to appear, produce written answers to interrogatories, produce documentary material or give oral testimony. The date shall not be less than 10 days from the

New matter indicated by italics - deletions by strikeout
date of service of the subpoena. Compliance with the subpoena shall be at the Office of the Attorney General in either the Springfield or Chicago location or at other location by agreement.

(D) If the subpoena is for documentary material or interrogatories, shall describe the documents or information requested with specificity

(E) Shall notify the person of the right to be assisted by counsel.

(F) Shall advise that the person has 20 days from the date of service or up until the return date specified in the demand, whichever date is earlier, to move, modify, or set aside the subpoena pursuant to subparagraph (j)(2)(A) of this Section.

(b) Protected material or information.

(1) In general. A subpoena issued under subsection (a) may not require the production of any documentary material, the submission of any answers to written interrogatories, or the giving of any oral testimony if such material, answers, or testimony would be protected from disclosure under:

(A) the standards applicable to subpoenas or subpoenas duces tecum issued by a court of this State to aid in a grand jury investigation; or

(B) the standards applicable to discovery requests under the Code of Civil Procedure, to the extent that the application of such standards to any such subpoena is appropriate and consistent with the provisions and purposes of this Section.

(2) Effect on other orders, rules, and laws. Any such subpoena which is an express demand for any product of discovery supersedes any inconsistent order, rule, or provision of law (other than this Section) preventing or restraining disclosure of such product of discovery to any person. Disclosure of any product of discovery pursuant to any such subpoena does not constitute a
waiver of any right or privilege which the person making such disclosure may be entitled to invoke to resist discovery of trial preparation materials.

(c) Service in general. Any subpoena issued under subsection (a) may be served by any person so authorized by the Attorney General or by any person authorized to serve process on individuals within Illinois, through any method prescribed in the Code of Civil Procedure or as otherwise set forth in this Act.

(d) Service upon legal entities and natural persons.

(1) Legal entities. Service of any subpoena issued under subsection (a) or of any petition filed under subsection (j) may be made upon a partnership, corporation, association, or other legal entity by:

   (A) delivering an executed copy of such subpoena or petition to any partner, executive officer, managing agent, general agent, or registered agent of the partnership, corporation, association or entity;

   (B) delivering an executed copy of such subpoena or petition to the principal office or place of business of the partnership, corporation, association, or entity; or

   (C) depositing an executed copy of such subpoena or petition in the United States mails by registered or certified mail, with a return receipt requested, addressed to such partnership, corporation, association, or entity as its principal office or place of business.

(2) Natural person. Service of any such subpoena or petition may be made upon any natural person by:

   (A) delivering an executed copy of such subpoena or petition to the person; or

   (B) depositing an executed copy of such subpoena or petition in the United States mails by registered or certified mail, with a return receipt requested, addressed to the person at the person's residence or principal office or place of business.

New matter indicated by italics - deletions by strikeout
(e) Proof of service. A verified return by the individual serving any subpoena issued under subsection (a) or any petition filed under subsection (j) setting forth the manner of such service shall be proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such subpoena.

(f) Documentary material.

(1) Sworn certificates. The production of documentary material in response to a subpoena served under this Section shall be made under a sworn certificate, in such form as the subpoena designates, by:

(A) in the case of a natural person, the person to whom the subpoena is directed, or

(B) in the case of a person other than a natural person, a person having knowledge of the facts and circumstances relating to such production and authorized to act on behalf of such person.

The certificate shall state that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the subpoena is directed has been produced and made available to the Attorney General.

(2) Production of materials. Any person upon whom any subpoena for the production of documentary material has been served under this Section shall make such material available for inspection and copying to the Attorney General at the place designated in the subpoena, or at such other place as the Attorney General and the person thereafter may agree and prescribe in writing, or as the court may direct under subsection (j)(1). Such material shall be made so available on the return date specified in such subpoena, or on such later date as the Attorney General may prescribe in writing. Such person may, upon written agreement between the person and the Attorney General, substitute copies for originals of all or any part of such material.

New matter indicated by italics - deletions by strikeout
(g) Interrogatories. Each interrogatory in a subpoena served under this Section shall be answered separately and fully in writing under oath and shall be submitted under a sworn certificate, in such form as the subpoena designates by:

(1) in the case of a natural person, the person to whom the subpoena is directed, or
(2) in the case of a person other than a natural person, the person or persons responsible for answering each interrogatory.

If any interrogatory is objected to, the reasons for the objection shall be stated in the certificate instead of an answer. The certificate shall state that all information required by the subpoena and in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted. To the extent that any information is not furnished, the information shall be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

(h) Oral examinations.

(1) Procedures. The examination of any person pursuant to a subpoena for oral testimony served under this Section shall be taken before an officer authorized to administer oaths and affirmations by the laws of this State or of the place where the examination is held. The officer before whom the testimony is to be taken shall put the witness on oath or affirmation and shall, personally or by someone acting under the direction of the officer and in the officer's presence, record the testimony of the witness. The testimony shall be taken stenographically and shall be transcribed. When the testimony is fully transcribed, the officer before whom the testimony is taken shall promptly transmit a certified copy of the transcript of the testimony in accordance with the instructions of the Attorney General. This subsection shall not preclude the taking of testimony by any means authorized by, and in a manner consistent with, the Code of Civil Procedure.

(2) Persons present. The investigator conducting the examination shall exclude from the place where the examination is held all persons except the person giving the testimony, the
attorney for and any other representative of the person giving the testimony, the attorney for the State, any person who may be agreed upon by the attorney for the State and the person giving the testimony, the officer before whom the testimony is to be taken, and any stenographer taking such testimony.

(3) Where testimony taken. The oral testimony of any person taken pursuant to a subpoena served under this Section shall be taken in the county within which such person resides, is found, or transacts business, or in such other place as may be agreed upon by the Attorney General and such person.

(4) Transcript of testimony. When the testimony is fully transcribed, the Attorney General or the officer before whom the testimony is taken shall afford the witness, who may be accompanied by counsel, a reasonable opportunity to review and correct the transcript, in accordance with the rules applicable to deposition witnesses in civil cases. Upon payment of reasonable charges, the Attorney General shall furnish a copy of the transcript to the witness, except that the Attorney General may, for good cause, limit the witness to inspection of the official transcript of the witness' testimony.

(5) Conduct of oral testimony.

(A) Any person compelled to appear for oral testimony under a subpoena issued under subsection (a) may be accompanied, represented, and advised by counsel, who may raise objections based on matters of privilege in accordance with the rules applicable to depositions in civil cases. If such person refuses to answer any question, a petition may be filed in circuit court under subsection (j)(1) for an order compelling such person to answer such question.

(B) If such person refuses any question on the grounds of the privilege against self-incrimination, the testimony of such person may be compelled in accordance

New matter indicated by italics - deletions by strikeout

(6) Witness fees and allowances. Any person appearing for oral testimony under a subpoena issued under subsection (a) shall be entitled to the same fees and allowances which are paid to witnesses in the circuit court.

(i) Custodians of documents, answers, and transcripts.

(1) Designation. The Attorney General or his or her delegate shall serve as custodian of documentary material, answers to interrogatories, and transcripts of oral testimony received under this Section.

(2) Except as otherwise provided in this Section, no documentary material, answers to interrogatories, or transcripts of oral testimony, or copies thereof, while in the possession of the custodian, shall be available for examination by any individual, except as determined necessary by the Attorney General and subject to the conditions imposed by him or her for effective enforcement of the laws of this State, or as otherwise provided by court order.

(3) Conditions for return of material. If any documentary material has been produced by any person in the course of any investigation pursuant to a subpoena under this Section and:

(A) any case or proceeding before the court or grand jury arising out of such investigation, or any proceeding before any State agency involving such material, has been completed, or

(B) no case or proceeding in which such material may be used has been commenced within a reasonable time after completion of the examination and analysis of all documentary material and other information assembled in the course of such investigation,

the custodian shall, upon written request of the person who produced such material, return to such person any such material which has not passed into the control of any court, grand jury, or
agency through introduction into the record of such case or proceeding.

(j) Judicial proceedings.

(1) Petition for enforcement. Whenever any person fails to comply with any subpoena issued under subsection (a), or whenever satisfactory copying or reproduction of any material requested in such demand cannot be done and such person refuses to surrender such material, the Attorney General may file, in the circuit court of any county in which such person resides, is found, or transacts business, or the circuit court of the county in which an action filed pursuant to Section 4 of this Act is pending if the action relates to the subject matter of the subpoena and serve upon such person a petition for an order of such court for the enforcement of the subpoena.

(2) Petition to modify or set aside subpoena.

(A) Any person who has received a subpoena issued under subsection (a) may file, in the circuit court of any county within which such person resides, is found, or transacts business, and serve upon the Attorney General a petition for an order of the court to modify or set aside such subpoena. In the case of a petition addressed to an express demand for any product of discovery, a petition to modify or set aside such demand may be brought only in the circuit court of the county in which the proceeding in which such discovery was obtained is or was last pending. Any petition under this subparagraph (A) must be filed:

(i) within 20 days after the date of service of the subpoena, or at any time before the return date specified in the subpoena, whichever date is earlier, or

(ii) within such longer period as may be prescribed in writing by the Attorney General.

(B) The petition shall specify each ground upon which the petitioner relies in seeking relief under

New matter indicated by italics - deletions by strikeout
subparagraph (A), and may be based upon any failure of the subpoena to comply with the provisions of this Section or upon any constitutional or other legal right or privilege of such person. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the subpoena, in whole or in part, except that the person filing the petition shall comply with any portion of the subpoena not sought to be modified or set aside.

(3) Petition to modify or set aside demand for product of discovery. In the case of any subpoena issued under subsection (a) which is an express demand for any product of discovery, the person from whom such discovery was obtained may file, in the circuit court of the county in which the proceeding in which such discovery was obtained is or was last pending, a petition for an order of such court to modify or set aside those portions of the subpoena requiring production of any such product of discovery, subject to the same terms, conditions, and limitations set forth in subparagraph (j)(2) of this Section.

(4) Jurisdiction. Whenever any petition is filed in any circuit court under this subsection (j), such court shall have jurisdiction to hear and determine the matter so presented, and to enter such orders as may be required to carry out the provisions of this Section. Any final order so entered shall be subject to appeal in the same manner as appeals of other final orders in civil matters. Any disobedience of any final order entered under this Section by any court shall be punished as a contempt of the court.

(k) Disclosure exemption. Any documentary material, answers to written interrogatories, or oral testimony provided under any subpoena issued under subsection (a) shall be exempt from disclosure under the Illinois Administrative Procedure Act.

(Source: P.A. 92-651, eff. 7-11-02; 93-579, eff. 1-1-04.)

Approved June 26, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning children.

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

Section 5. The Abandoned Newborn Infant Protection Act is amended by changing Sections 10 and 60 as follows:

(325 ILCS 2/10)

Sec. 10. Definitions. In this Act:
"Abandon" has the same meaning as in the Abused and Neglected Child Reporting Act.
"Abused child" has the same meaning as in the Abused and Neglected Child Reporting Act.
"Child-placing agency" means a licensed public or private agency that receives a child for the purpose of placing or arranging for the placement of the child in a foster family home or other facility for child care, apart from the custody of the child's parents.
"Department" or "DCFS" means the Illinois Department of Children and Family Services.
"Emergency medical facility" means a freestanding emergency center or trauma center, as defined in the Emergency Medical Services (EMS) Systems Act.
"Emergency medical professional" includes licensed physicians, and any emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, trauma nurse specialist, and pre-hospital RN, as defined in the Emergency Medical Services (EMS) Systems Act.
"Fire station" means a fire station within the State that is staffed with at least one full-time emergency medical professional.
"Hospital" has the same meaning as in the Hospital Licensing Act.

New matter indicated by italics - deletions by strikeout
"Legal custody" means the relationship created by a court order in the best interest of a newborn infant that imposes on the infant's custodian the responsibility of physical possession of the infant, the duty to protect, train, and discipline the infant, and the duty to provide the infant with food, shelter, education, and medical care, except as these are limited by parental rights and responsibilities.

"Neglected child" has the same meaning as in the Abused and Neglected Child Reporting Act.

"Newborn infant" means a child who a licensed physician reasonably believes is 7 days 72 hours old or less at the time the child is initially relinquished to a hospital, police station, fire station, or emergency medical facility, and who is not an abused or a neglected child.

"Police station" means a municipal police station or a county sheriff's office.

"Relinquish" means to bring a newborn infant, who a licensed physician reasonably believes is 7 days 72 hours old or less, to a hospital, police station, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant. In the case of a mother who gives birth to an infant in a hospital, the mother's act of leaving that newborn infant at the hospital (i) without expressing an intent to return for the infant or (ii) stating that she will not return for the infant is not a "relinquishment" under this Act.

"Temporary protective custody" means the temporary placement of a newborn infant within a hospital or other medical facility out of the custody of the infant's parent.

(Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01; 93-820, eff. 7-27-04.)

(325 ILCS 2/60)

Sec. 60. Department's duties. The Department must implement a public information program to promote safe placement alternatives for newborn infants. The public information program must inform the public of the following:

(1) The relinquishment alternative provided for in this Act,

New matter indicated by italics - deletions by strikeout
which results in the adoption of a newborn infant under 7 days 72 hours of age and which provides for the parent's anonymity, if the parent so chooses.

(2) The alternative of adoption through a public or private agency, in which the parent's identity may or may not be known to the agency, but is kept anonymous from the adoptive parents, if the birth parent so desires, and which allows the parent to be actively involved in the child's adoption plan.

The public information program may include, but need not be limited to, the following elements:

(i) Educational and informational materials in print, audio, video, electronic or other media.
(ii) Establishment of a web site.
(iii) Public service announcements and advertisements.
(iv) Establishment of toll-free telephone hotlines to provide information.

(Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01.)

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

Passed in the General Assembly April 4, 2006.
Approved June 26, 2006.

PUBLIC ACT 94-0942
(Senate Bill No. 2909)

AN ACT concerning regulation.

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

Section 5. The Wholesale Drug Distribution Licensing Act is amended by changing Sections 25 and 50 as follows:
(225 ILCS 120/25) (from Ch. 111, par. 8301-25)
(Section scheduled to be repealed on January 1, 2013)

New matter indicated by italics - deletions by strikeout
Sec. 25. Wholesale drug distributor licensing requirements. All wholesale distributors and pharmacy distributors, wherever located, who engage in wholesale distribution into, out of, or within the State shall be subject to the following requirements:

(a) No person or distribution outlet shall act as a wholesale drug distributor without first obtaining a license to do so from the Department and paying any reasonable fee required by the Department.

(b) The Department may grant a temporary license when a wholesale drug distributor first applies for a license to operate within this State. A temporary license shall only be granted after the applicant meets the inspection requirements for regular licensure and shall remain valid until the Department finds that the applicant meets or fails to meet the requirements for regular licensure. Nevertheless, no temporary license shall be valid for more than 90 days from the date of issuance. Any temporary license issued under this subsection shall be renewable for a similar period of time not to exceed 90 days under policies and procedures prescribed by the Department.

(c) No license shall be issued or renewed for a wholesale drug distributor to operate unless the wholesale drug distributor shall operate in a manner prescribed by law and according to the rules and regulations promulgated by the Department.

(d) The Department may require a separate license for each facility directly or indirectly owned or operated by the same business entity within this State, or for a parent entity with divisions, subsidiaries, and affiliate companies within this State when operations are conducted at more than one location and there exists joint ownership and control among all the entities.

(e) As a condition for receiving and renewing any wholesale drug distributor license issued under this Act, each applicant shall satisfy the Department that it has and will continuously maintain:

1. acceptable storage and handling conditions plus facilities standards;
2. minimum liability and other insurance as may be required under any applicable federal or State law;

New matter indicated by italics - deletions by strikeout
(3) a security system that includes after hours, central alarm or comparable entry detection capability; restricted premises access; adequate outside perimeter lighting; comprehensive employment applicant screening; and safeguards against employee theft;

(4) an electronic, manual, or any other reasonable system of records, describing all wholesale distributor activities governed by this Act for the 2 year period following disposition of each product and reasonably accessible during regular business hours as defined by the Department's rules in any inspection authorized by the Department;

(5) officers, directors, managers, and other persons in charge of wholesale drug distribution, storage, and handling who must at all times demonstrate and maintain their capability of conducting business according to sound financial practices as well as State and federal law;

(6) complete, updated information, to be provided the Department as a condition for obtaining and renewing a license, about each wholesale distributor to be licensed under this Act, including all pertinent licensee ownership and other key personnel and facilities information deemed necessary for enforcement of this Act. Any changes in this information shall be submitted at the time of license renewal or within 45 days from the date of the change;

(7) written policies and procedures that assure reasonable wholesale distributor preparation for, protection against and handling of any facility security or operation problems, including, but not limited to, those caused by natural disaster or government emergency; inventory inaccuracies or product shipping and receiving; outdated product or other unauthorized product control; appropriate disposition of returned goods; and product recalls;

(8) sufficient inspection procedures for all incoming and outgoing product shipments; and

(9) operations in compliance with all federal legal requirements applicable to wholesale drug distribution.

New matter indicated by italics - deletions by strikeout
(f) The Department shall consider, at a minimum, the following factors in reviewing the qualifications of persons who engage in wholesale distribution of prescription drugs in this State:

(1) any conviction of the applicant under any federal, State, or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances;

(2) any felony convictions of the applicant under federal, State, or local laws;

(3) the applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances;

(4) the furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;

(5) suspension or revocation by federal, State, or local government of any license currently or previously held by the applicant for the manufacture or distribution of any drug, including controlled substances;

(6) compliance with licensing requirements under previously granted licenses, if any;

(7) compliance with requirements to maintain and make available to the Department or to federal, State, or local law enforcement officials those records required by this Act; and

(8) any other factors or qualifications the Department considers relevant to and consistent with the public health and safety, including whether the granting of the license would not be in the public interest.

(9) All requirements set forth in this subsection shall conform to wholesale drug distributor licensing guidelines formally adopted by the U.S. Food and Drug Administration (FDA). In case of conflict between any wholesale drug distributor licensing requirement imposed by the Department and any FDA wholesale drug distributor licensing guideline, the FDA guideline shall control.

New matter indicated by italics - deletions by strikeout
(g) An agent or employee of any licensed wholesale drug distributor need not seek licensure under this Section and may lawfully possess pharmaceutical drugs when the agent or employee is acting in the usual course of business or employment.

(h) The issuance of a license under this Act shall not change or affect tax liability imposed by the State on any wholesale drug distributor.

(i) A license issued under this Act shall not be sold, transferred, or assigned in any manner.

(225 ILCS 120/50) (from Ch. 111, par. 8301-50)

Sec. 50. Inspection powers; access to records.

(a) Any pharmacy investigator authorized by the Department has the right of entry for inspection during normal business hours of premises purporting or appearing to be used by a wholesale drug distributor in this State. The duly authorized investigators shall be required to show appropriate identification before given access to a wholesale drug distributor's premises and delivery vehicles. Any wholesale drug distributor providing adequate documentation of the most recent satisfactory inspection less than 3 years old of the distributor's wholesale drug distribution activities and facilities by either the U.S. FDA, a State agency, or any person or entity lawfully designated by a State agency to perform an inspection determined to be comparable by the Department shall be exempt from further inspection for a period of time to be determined by the Department. The exemption shall not bar the Department from initiating an investigation of a public or governmental complaint received by the Department regarding a wholesale drug distributor. Wholesale drug distributors shall be given an opportunity to correct minor violations determined by these investigations.

(b) Wholesale drug distributors may keep records regarding purchase and sales transactions at a central location apart from the principal office of the wholesale drug distributor or the location at which the drugs were stored and from which they were shipped, provided that the records shall be made available for inspection within 2 working days of a

New matter indicated by italics - deletions by strikeout
request by the Department. The records may be kept in any form permissible under federal law applicable to prescription drugs record keeping.

(c) (Blank). The Department shall employ a person whose title shall be Assistant Drug Compliance Coordinator to assist the Drug Compliance Coordinator in administering and enforcing this Act.

(Source: P.A. 87-594.)

Approved June 27, 2006.
Effective January 1, 1007.

AN ACT concerning regulation.

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

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

(20 ILCS 505/5c)

Sec. 5c. Direct child welfare service employee license.

(a) By January 1, 2000, the Department, in consultation with private child welfare agencies, shall develop and implement a direct child welfare service employee license. By January 1, 2001 all child protective investigators and supervisors and child welfare specialists and supervisors employed by the Department or its contractors shall be required to demonstrate sufficient knowledge and skills to obtain and maintain the license. The Direct Child Welfare Service Employee License Board of the Department shall have the authority to revoke or suspend the license of anyone who after a hearing is found to be guilty of misfeasance. The Department shall promulgate such rules as necessary to implement this Section.

(b) If a direct child welfare service employee licensee is expected to transport a child or children with a motor vehicle in the course of
performing his or her duties, the Department must verify that the licensee meets the requirements set forth in Section 5.1 of the Child Care Act of 1969. The Department must make that verification as to each such licensee every 2 years. Upon the Department’s request, the Secretary of State shall provide the Department with the information necessary to enable the Department to make the verifications required under this subsection. If the Department discovers that a direct child welfare service employee licensee has engaged in transporting a child or children with a motor vehicle without having a valid driver’s license, the Department shall immediately revoke the individual’s direct child welfare service employee license.

(c) On or before January 1, 2000, and every year thereafter, the Department shall submit an annual report to the General Assembly on the implementation of this Section.

(Source: P.A. 92-471, eff. 8-22-01.)

Section 10. The Child Care Act of 1969 is amended by changing Section 5.1 as follows:

(225 ILCS 10/5.1) (from Ch. 23, par. 2215.1)
Sec. 5.1. (a) The Department shall ensure that no day care center, group home or child care institution as defined in this Act shall on a regular basis transport a child or children with any motor vehicle unless such vehicle is operated by a person who complies with the following requirements:

1. is 21 years of age or older;
2. currently holds a valid driver’s license, which has not been revoked or suspended for one or more traffic violations during the 3 years immediately prior to the date of application;
3. demonstrates physical fitness to operate vehicles by submitting the results of a medical examination conducted by a licensed physician;
4. has not been convicted of more than 2 offenses against traffic regulations governing the movement of vehicles within a twelve month period;

New matter indicated by italics - deletions by strikeout
5. has not been convicted of reckless driving or driving under the influence or manslaughter or reckless homicide resulting from the operation of a motor vehicle within the past 3 years;

6. has signed and submitted a written statement certifying that he has not, through the unlawful operation of a motor vehicle, caused an accident which resulted in the death of any person within the 5 years immediately prior to the date of application.

However, such day care centers, group homes and child care institutions may provide for transportation of a child or children for special outings, functions or purposes that are not scheduled on a regular basis without verification that drivers for such purposes meet the requirements of this Section.

(a-5) As a means of ensuring compliance with the requirements set forth in subsection (a), the Department shall implement appropriate measures to verify that every individual who is employed at a group home or child care institution meets those requirements.

For every individual employed at a group home or child care institution who regularly transports children in the course of performing his or her duties, the Department must make the verification every 2 years. Upon the Department's request, the Secretary of State shall provide the Department with the information necessary to enable the Department to make the verifications required under subsection (a).

In the case of an individual employed at a group home or child care institution who becomes subject to subsection (a) for the first time after the effective date of this amendatory Act of the 94th General Assembly, the Department must make that verification with the Secretary of State before the individual operates a motor vehicle to transport a child or children under the circumstances described in subsection (a).

In the case of an individual employed at a group home or child care institution who is subject to subsection (a) on the effective date of this amendatory Act of the 94th General Assembly, the Department must make that verification with the Secretary of State within 30 days after that effective date.

New matter indicated by italics - deletions by strikeout
If the Department discovers that an individual fails to meet the requirements set forth in subsection (a), the Department shall promptly notify the appropriate group home or child care institution.

(b) Any individual who holds a valid Illinois school bus driver permit issued by the Secretary of State pursuant to The Illinois Vehicle Code, and who is currently employed by a school district or parochial school, or by a contractor with a school district or parochial school, to drive a school bus transporting children to and from school, shall be deemed in compliance with the requirements of subsection (a).

(c) The Department may, pursuant to Section 8 of this Act, revoke the license of any day care center, group home or child care institution that fails to meet the requirements of this Section.

(d) A group home or child care institution that fails to meet the requirements of this Section is guilty of a petty offense and is subject to a fine of not more than $1,000. Each day that a group home or child care institution fails to meet the requirements of this Section is a separate offense.

(Source: P.A. 88-612, eff. 7-1-95.)

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.

PUBLIC ACT 94-0944
(House Bill No. 4179)

AN ACT concerning name changes.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Civil Procedure is amended by changing Section 21-101 as follows:
(735 ILCS 5/21-101) (from Ch. 110, par. 21-101)
Sec. 21-101. Proceedings; parties. If any person who is a resident of this State and has resided in this State for 6 months desires to change his or her name and to assume another name by which to be afterwards

New matter indicated by italics - deletions by strikeout
called and known, the person may file a petition in the circuit court of the county wherein he or she resides praying for that relief. If it appears to the court that the conditions hereinafter mentioned have been complied with and that there is no reason why the prayer should not be granted, the court, by an order to be entered of record, may direct and provide that the name of that person be changed in accordance with the prayer in the petition. The filing of a petition in accordance with this Section shall be the sole and exclusive means by which any person committed under the laws of this State to a penal institution may change his or her name and assume another name. However, any person convicted of a felony, misdemeanor criminal sexual abuse when the victim of the offense at the time of its commission is under 18 years of age, misdemeanor sexual exploitation of a child, misdemeanor indecent solicitation of a child, or misdemeanor indecent solicitation of an adult in this State or any other state who has not been pardoned may not file a petition for a name change until 10 years have passed since completion and discharge from his or her sentence. A person who has been convicted of identity theft, aggravated identity theft, felony or misdemeanor criminal sexual abuse when the victim of the offense at the time of its commission is under 18 years of age, felony or misdemeanor sexual exploitation of a child, felony or misdemeanor indecent solicitation of a child, or felony or misdemeanor indecent solicitation of an adult, or any other offense for which a person is required to register under the Sex Offender Registration Act in this State or any other state who has not been pardoned shall not be permitted to file a petition for a name change in the courts of Illinois. A person who is required to register as a sex offender under the Sex Offender Registration Act may not file a petition for a name change until the person is no longer under a duty to register under that Act. A petitioner may include his or her spouse and adult unmarried children, with their consent, and his or her minor children where it appears to the court that it is for their best interest, in the petition and prayer, and the court's order shall then include the spouse and children. Whenever any minor has resided in the family of any person for the space of 3 years and has been recognized and known as an
adopted child in the family of that person, the application herein provided for may be made by the person having that minor in his or her family.

An order shall be entered as to a minor only if the court finds by clear and convincing evidence that the change is necessary to serve the best interest of the child. In determining the best interest of a minor child under this Section, the court shall consider all relevant factors, including:

(1) The wishes of the child's parents and any person acting as a parent who has physical custody of the child.

(2) The wishes of the child and the reasons for those wishes. The court may interview the child in chambers to ascertain the child's wishes with respect to the change of name. Counsel shall be present at the interview unless otherwise agreed upon by the parties. The court shall cause a court reporter to be present who shall make a complete record of the interview instantaneously to be part of the record in the case.

(3) The interaction and interrelationship of the child with his or her parents or persons acting as parents who have physical custody of the child, step-parents, siblings, step-siblings, or any other person who may significantly affect the child's best interest.

(4) The child's adjustment to his or her home, school, and community.

(Source: P.A. 88-25; 89-192, eff. 1-1-96; 89-462, eff. 5-29-96.)
Approved June 27, 2006.

PUBLIC ACT 94-0945
(House Bill No. 4193)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Child Murderer and Violent Offender Against Youth Registration Act.

New matter indicated by italics - deletions by strikeout
Section 5. Definitions.
(a) As used in this Act, "violent offender against youth" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a violent offense against youth set forth in subsection (b) of this Section or the attempt to commit an included violent offense against youth, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963

New matter indicated by italics - deletions by strikeout
for the alleged violation or attempted commission of such
criminal offense; or

(2) adjudicated a juvenile delinquent as the result of
committing or attempting to commit an act which, if committed by
an adult, would constitute any of the offenses specified in
subsection (b) or (c-5) of this Section or a violation of any
substantially similar federal, Uniform Code of Military Justice,
sister state, or foreign country law, or found guilty under Article V
of the Juvenile Court Act of 1987 of committing or attempting to
commit an act which, if committed by an adult, would constitute
any of the offenses specified in subsection (b) or (c-5) of this
Section or a violation of any substantially similar federal, Uniform
Code of Military Justice, sister state, or foreign country law.
Convictions that result from or are connected with the same act, or
result from offenses committed at the same time, shall be counted for the
purpose of this Act as one conviction. Any conviction set aside pursuant to
law is not a conviction for purposes of this Act.

For purposes of this Section, "convicted" shall have the same
meaning as "adjudicated". For the purposes of this Act, a person who is
defined as a violent offender against youth as a result of being adjudicated
a juvenile delinquent under paragraph (2) of this subsection (a) upon
attaining 17 years of age shall be considered as having committed the
violent offense against youth on or after the 17th birthday of the violent
offender against youth. Registration of juveniles upon attaining 17 years of
age shall not extend the original registration of 10 years from the date of
conviction.

(b) As used in this Act, "violent offense against youth" means:

(1) A violation of any of the following Sections of the
Criminal Code of 1961, when the victim is a person under 18 years
of age, the defendant is not a parent of the victim, and the offense
was committed on or after January 1, 1996:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),

New matter indicated by italics - deletions by strikeout
10-3.1 (aggravated unlawful restraint).
An attempt to commit any of these offenses.

(2) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense.

(3) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998.

(4) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after July 1, 1999: 10-4 (forcible detention, if the victim is under 18 years of age).

(5) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (b).

(c) A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (b) and (c-5) of this Section shall constitute a conviction for the purpose of this Act.

(c-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in this subsection (c-5) shall constitute a conviction for the purpose of this Act. This subsection (c-5) applies to a person who committed the offense before June 1, 1996 only if the person is incarcerated in an Illinois Department of Corrections facility on August 20, 2004.
(d) As used in this Act, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the violent offender against youth expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(e) As used in this Act, "supervising officer" means the assigned Illinois Department of Corrections parole agent or county probation officer.

(f) As used in this Act, "out-of-state student" means any violent offender against youth who is enrolled in Illinois, on a full-time or part-time basis, in any public or private educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(g) As used in this Act, "out-of-state employee" means any violent offender against youth who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(h) As used in this Act, "school" means any public or private educational institution, including, but not limited to, any elementary or secondary school, trade or professional institution, or institution of higher education.

(i) As used in this Act, "fixed residence" means any and all places that a violent offender against youth resides for an aggregate period of time of 5 or more days in a calendar year.

Section 10. Duty to register.

New matter indicated by italics - deletions by strikeout
(a) A violent offender against youth shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the employer's telephone number, school attended, extensions of the time period for registering as provided in this Act and, if an extension was granted, the reason why the extension was granted and the date the violent offender against youth was notified of the extension. A person who has been adjudicated a juvenile delinquent for an act which, if committed by an adult, would be a violent offense against youth shall register as an adult violent offender against youth within 10 days after attaining 17 years of age. The violent offender against youth shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 5 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 5 or more days in an unincorporated area or, if incorporated, no police chief exists. If the violent offender against youth is employed at or attends an institution of higher education, he or she shall register:

(i) with the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(ii) with the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists.

For purposes of this Act, the place of residence or temporary domicile is defined as any and all places where the violent offender against youth resides for an aggregate period of time of 5 or more days during any calendar year. Any person required to register under this Act who lacks a
fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 5 days after ceasing to have a fixed residence.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The violent offender against youth shall provide accurate information as required by the Department of State Police. That information shall include the current place of employment of the violent offender against youth.

(a-5) An out-of-state student or out-of-state employee shall, within 5 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. The out-of-state student or out-of-state employee shall register:

(1) with the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

New matter indicated by italics - deletions by strikeout
(b) Any violent offender against youth regardless of any initial, prior, or other registration, shall, within 5 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Act shall be as follows:

   (1) Except as provided in paragraph (3) of this subsection (c), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 5 days of notification of his or her requirement to register. If notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

   (2) Except as provided in paragraph (3) of this subsection (c), any person convicted on or after the effective date of this Act shall register in person within 5 days after the entry of the sentencing order based upon his or her conviction.

   (3) Any person unable to comply with the registration requirements of this Act because he or she is confined, institutionalized, or imprisoned in Illinois on or after the effective date of this Act shall register in person within 5 days of discharge, parole or release.

   (4) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

   (5) The person shall pay a $20 initial registration fee and a $10 annual renewal fee. The fees shall be deposited into the Child Murderer and Violent Offender Against Youth Registration Fund. The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having
jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee.

(d) Within 5 days after obtaining or changing employment, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

Section 11. Transfer from the sex offender registry.

(a) The registration information for a person registered under the Sex Offender Registration Act who was convicted or adjudicated for an offense listed in subsection (b) of Section 5 of this Act may only be transferred to the Child Murderer and Violent Offender Against Youth Registry if all the following conditions are met:

(1) The offender's sole offense requiring registration was a conviction or adjudication for an offense or offenses listed in subsection (b) of Section 5 of this Act.

(2) The State's Attorney's Office in the county in which the offender was convicted has verified, on a form prescribed by the Illinois State Police, that the person's crime that required or requires registration was not sexually motivated as defined in Section 10 of the Sex Offender Management Board Act.

(3) The completed form has been received by the registering law enforcement agency and the Illinois State Police's Sex Offender Registration Unit.

(b) Transfer under this Section shall not extend the registration period for offenders who were registered under the Sex Offender Registration Act.

Section 15. Discharge of violent offender against youth. Discharge of violent offender against youth from Department of Corrections facility or other penal institution; duties of official in charge. Any violent offender against youth who is discharged, paroled, or released from a Department of Corrections facility, a facility where such person was placed by the Department of Corrections or another penal institution, and whose liability
for registration has not terminated under Section 40 shall, prior to discharge, parole or release from the facility or institution, be informed of his or her duty to register in person within 5 days of release by the facility or institution in which he or she was confined. The facility or institution shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 5 days after establishing the residence, beginning employment, or beginning school.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The facility shall further advise the person in writing that the failure to register or other violation of this Act shall result in revocation of parole, mandatory supervised release or conditional release. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her discharge, parole or release and shall report the information to the Department of State Police. The facility shall give one copy of the form to the person and shall send one copy to each of the law enforcement agencies having jurisdiction where the person expects to reside, work, and attend school upon his or her discharge, parole or release and retain one copy for the files. Electronic data files which includes all notification form information and photographs of violent offenders against youth being released from an Illinois Department of Corrections facility will be shared on a regular basis as determined between the Department of State Police and the Department of Corrections.

Section 20. Release of violent offender against youth; duties of the Court. Any violent offender against youth who is released on probation or discharged upon payment of a fine because of the commission of one of the offenses defined in subsection (b) of Section 5 of this Act, shall, prior to such release be informed of his or her duty to register under this Act by the Court in which he or she was convicted. The Court shall also inform

New matter indicated by italics - deletions by strikeout
any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 5 days after establishing the residence, beginning employment, or beginning school. The Court shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The Court shall further advise the person in writing that the failure to register or other violation of this Act shall result in probation revocation. The Court shall obtain information about where the person expects to reside, work, and attend school upon his or her release, and shall report the information to the Department of State Police. The Court shall give one copy of the form to the person and retain the original in the court records. The Department of State Police shall notify the law enforcement agencies having jurisdiction where the person expects to reside, work and attend school upon his or her release.

Section 25. Discharge of violent offender against youth from hospital. Discharge of violent offender against youth from a hospital or other treatment facility; duties of the official in charge. Any violent offender against youth who is discharged or released from a hospital or other treatment facility where he or she was confined shall be informed by the hospital or treatment facility in which he or she was confined, prior to discharge or release from the hospital or treatment facility, of his or her duty to register under this Act.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration have been explained to him or her and that he or she understands the duty to register and the procedure for registration. The facility shall give one copy of the form to the person, retain one copy for its records, and forward the original to the Department of State Police. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her

New matter indicated by italics - deletions by strikeout
discharge, parole, or release and shall report the information to the
Department of State Police within 3 days. The facility or institution shall
also inform any person who must register that if he or she establishes a
residence outside of the State of Illinois, is employed outside of the State
of Illinois, or attends school outside of the State of Illinois, he or she must
register in the new state within 5 days after establishing the residence,
beginning school, or beginning employment. The Department of State
Police shall notify the law enforcement agencies having jurisdiction where
the person expects to reside, work, and attend school upon his or her
release.

Section 30. Duty to report; change of address, school, or
employment; duty to inform. Any violent offender against youth who is
required to register under this Act shall report in person to the appropriate
law enforcement agency with whom he or she last registered within one
year from the date of last registration and every year thereafter and at such
other times at the request of the law enforcement agency not to exceed 4
times a year. If any person required to register under this Act lacks a fixed
residence or temporary domicile, he or she must notify, in person, the
agency of jurisdiction of his or her last known address within 5 days after
ceasing to have a fixed residence and if the offender leaves the last
jurisdiction of residence, he or she must, within 48 hours after leaving,
register in person with the new agency of jurisdiction. If any other person
required to register under this Act changes his or her residence address,
place of employment, or school, he or she shall report in person to the law
enforcement agency with whom he or she last registered of his or her new
address, change in employment, or school and register, in person, with the
appropriate law enforcement agency within the time period specified in
Section 10. The law enforcement agency shall, within 3 days of the
reporting in person by the person required to register under this Act, notify
the Department of State Police of the new place of residence, change in
employment, or school.

If any person required to register under this Act intends to establish
a residence or employment outside of the State of Illinois, at least 10 days
before establishing that residence or employment, he or she shall report in

New matter indicated by italics - deletions by strikeout
person to the law enforcement agency with which he or she last registered of his or her out-of-state intended residence or employment. The law enforcement agency with which such person last registered shall, within 3 days after the reporting in person of the person required to register under this Act of an address or employment change, notify the Department of State Police. The Department of State Police shall forward such information to the out-of-state law enforcement agency having jurisdiction in the form and manner prescribed by the Department of State Police.

Section 35. Out-of-State employee or student; duty to report change. Every out-of-state student or out-of-state employee must notify the agency having jurisdiction of any change of employment or change of educational status, in writing, within 5 days of the change. The law enforcement agency shall, within 3 days after receiving the notice, enter the appropriate changes into LEADS.

Section 40. Duration of registration. Any person who is required to register under this Act shall be required to register for a period of 10 years after conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility, and if confined, for a period of 10 years after parole, discharge or release from any such facility. A violent offender against youth who is allowed to leave a county, State, or federal facility for the purposes of work release, education, or overnight visitations shall be required to register within 5 days of beginning such a program. Liability for registration terminates at the expiration of 10 years from the date of conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility and if confined, at the expiration of 10 years from the date of parole, discharge or release from any such facility, providing such person does not, during that period, again become liable to register under the provisions of this Act. Reconfinement due to a violation of parole or other circumstances that relates to the original conviction or adjudication shall extend the period of registration to 10 years after final parole, discharge, or release. The Director of State Police, consistent with administrative rules, shall extend for 10 years the registration period of any violent offender against youth who fails to comply with the provisions of this Act. The registration period

New matter indicated by italics - deletions by strikeout
Section 45. Registration requirements. Registration as required by this Act shall consist of a statement in writing signed by the person giving the information that is required by the Department of State Police, which may include the fingerprints and must include a current photograph of the person, to be updated annually. The registration information must include whether the person is a violent offender against youth. Within 3 days, the registering law enforcement agency shall forward any required information to the Department of State Police. The registering law enforcement agency shall enter the information into the Law Enforcement Agencies Data System (LEADS) as provided in Sections 6 and 7 of the Intergovernmental Missing Child Recovery Act of 1984.

Section 50. Verification requirements.

(a) The agency having jurisdiction shall verify the address of violent offenders against youth required to register with their agency at least once per year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(b) The supervising officer shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections facility, contact the law enforcement agency in the jurisdiction which the violent offender against youth designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a violent offender...
against youth on probation, parole, or mandatory supervised release who fails to comply with the requirements of this Act.

Section 55. Public inspection of registration data. Except as provided in the Child Murderer and Violent Offender Against Youth Community Notification Law, the statements or any other information required by this Act shall not be open to inspection by the public, or by any person other than by a law enforcement officer or other individual as may be authorized by law and shall include law enforcement agencies of this State, any other state, or of the federal government. Similar information may be requested from any law enforcement agency of another state or of the federal government for purposes of this Act. It is a Class B misdemeanor to permit the unauthorized release of any information required by this Act.

Section 60. Penalty. Any person who is required to register under this Act who violates any of the provisions of this Act and any person who is required to register under this Act who seeks to change his or her name under Article 21 of the Code of Civil Procedure is guilty of a Class 3 felony. Any person who is convicted for a violation of this Act for a second or subsequent time is guilty of a Class 2 felony. Any person who is required to register under this Act who knowingly or wilfully gives material information required by this Act that is false is guilty of a Class 3 felony. Any person convicted of a violation of any provision of this Act shall, in addition to any other penalty required by law, be required to serve a minimum period of 7 days confinement in the local county jail. The court shall impose a mandatory minimum fine of $500 for failure to comply with any provision of this Act. These fines shall be deposited into the Child Murderer and Violent Offender Against Youth Registration Fund. Any violent offender against youth who violates any provision of this Act may be arrested and tried in any Illinois county where the violent offender against youth can be located. The local police department or sheriff’s office is not required to determine whether the person is living within its jurisdiction.

Section 65. Child Murderer and Violent Offender Against Youth Registration Fund. There is created the Child Murderer and Violent
Offender Against Youth Registration Fund. Moneys in the Fund shall be used to cover costs incurred by the criminal justice system to administer this Act. The Department of State Police shall establish and promulgate rules and procedures regarding the administration of this Fund. Fifty percent of the moneys in the Fund shall be allocated by the Department for sheriffs' offices and police departments. The remaining moneys in the Fund shall be allocated to the Illinois State Police for education and administration of the Act.

Section 70. Access to State of Illinois databases. The Department of State Police shall have access to State of Illinois databases containing information that may help in the identification or location of persons required to register under this Act. Interagency agreements shall be implemented, consistent with security and procedures established by the State agency and consistent with the laws governing the confidentiality of the information in the databases. Information shall be used only for administration of this Act.

Section 75. Child Murderer and Violent Offender Against Youth Community Notification Law. Sections 75 through 105 of this Act may be cited as the Child Murderer and Violent Offender Against Youth Community Notification Law.

Section 80. Definition. As used in Sections 75 through 105, the following definition applies:
"Child care facilities" has the meaning set forth in the Child Care Act of 1969, but does not include licensed foster homes.

Section 85. Child Murderer and Violent Offender Against Youth Database.
(a) The Department of State Police shall establish and maintain a Statewide Child Murderer and Violent Offender Against Youth Database for the purpose of identifying violent offenders against youth and making that information available to the persons specified in Section 95. The Database shall be created from the Law Enforcement Agencies Data System (LEADS) established under Section 6 of the Intergovernmental Missing Child Recovery Act of 1984. The Department of State Police shall examine its LEADS database for persons registered as violent offenders
against youth under this Act and shall identify those who are violent offenders against youth and shall add all the information, including photographs if available, on those violent offenders against youth to the Statewide Child Murderer and Violent Offender Against Youth Database.

(b) The Department of State Police must make the information contained in the Statewide Child Murderer and Violent Offender Against Youth Database accessible on the Internet by means of a hyperlink labeled "Child Murderer and Violent Offender Against Youth Information" on the Department's World Wide Web home page. The Department of State Police must update that information as it deems necessary.

The Department of State Police may require that a person who seeks access to the violent offender against youth information submit biographical information about himself or herself before permitting access to the violent offender against youth information. The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this subsection (b) and those rules must include procedures to ensure that the information in the database is accurate.

(c) The Department of State Police must develop and conduct training to educate all those entities involved in the Child Murderer and Violent Offender Against Youth Registration Program.

(d) The Department of State Police shall commence the duties prescribed in the Child Murderer and Violent Offender Against Youth Registration Act within 12 months after the effective date of this Act.

Section 86. Verification that offense was not sexually motivated. Any person who is convicted of any of the offenses listed in subsection (b) of Section 5 of this Act on or after the effective date of this Act, shall be required to register as an offender on the Child Murderer and Violent Offender Against Youth Registry if, at the time of sentencing, the sentencing court verifies in writing that the offense was not sexually motivated as defined in Section 10 of the Sex Offender Management Board Act. If the offense was sexually motivated, the offender shall be required to register pursuant to the Sex Offender Registration Act.

New matter indicated by italics - deletions by strikeout
Section 90. List of violent offenders against youth; list of facilities, schools, and institutions of higher education. The Department of State Police shall promulgate rules to develop a list of violent offenders against youth covered by this Act and a list of child care facilities, schools, and institutions of higher education eligible to receive notice under this Act, so that the list can be disseminated in a timely manner to law enforcement agencies having jurisdiction.

Section 95. Community notification of violent offenders against youth.

(a) The sheriff of the county, except Cook County, shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all violent offenders against youth required to register under Section 10 of this Act:

(1) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county where the violent offender against youth is required to register, resides, is employed, or is attending an institution of higher education; and

(2) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the county where the violent offender against youth is required to register or is employed; and

(3) Child care facilities located in the county where the violent offender against youth is required to register or is employed.

(a-2) The sheriff of Cook County shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all violent offenders against youth required to register under Section 10 of this Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located within the region of Cook County, as those public school districts and nonpublic schools are identified in

New matter indicated by italics - deletions by strikeout
LEADS, other than the City of Chicago, where the violent offender against youth is required to register or is employed; and

(2) Child care facilities located within the region of Cook County, as those child care facilities are identified in LEADS, other than the City of Chicago, where the violent offender against youth is required to register or is employed; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county, other than the City of Chicago, where the violent offender against youth is required to register, resides, is employed, or attending an institution of higher education.

(a-3) The Chicago Police Department shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all violent offenders against youth required to register under Section 10 of this Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the police district where the violent offender against youth is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(2) Child care facilities located in the police district where the violent offender against youth is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the police district where the violent offender against youth is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago.
(a-4) The Department of State Police shall provide a list of violent offenders against youth required to register to the Illinois Department of Children and Family Services.

(b) The Department of State Police and any law enforcement agency may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a violent offender against youth:

1. The offender's name, address, and date of birth.
2. The offense for which the offender was convicted.
3. The offender's photograph or other such information that will help identify the violent offender against youth.
4. Offender employment information, to protect public safety.

(c) The name, address, date of birth, and offense or adjudication for violent offenders against youth required to register under Section 10 of this Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all violent offenders against youth who are required to register in the municipality under this Act. The sheriff shall also make available at his or her headquarters the information on all violent offenders against youth who are required to register under this Act and who live in unincorporated areas of the county. Violent offender against youth information must be made available for public inspection to any person, no later than 72 hours or 3 business days from the date of the request. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information may be copied. A department or sheriff may charge a fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting. A department or sheriff must allow access to the information during normal public working hours. The sheriff or a municipal police department may publish the photographs of violent offenders against youth where any victim was 13 years of age or younger and who are required to register in the municipality or county under this Act in a newspaper or magazine of

New matter indicated by italics - deletions by strikeout
general circulation in the municipality or county or may disseminate the photographs of those violent offenders against youth on the Internet or on television. The law enforcement agency may make available the information on all violent offenders against youth residing within any county.

(d) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, place the information specified in subsection (b) on the Internet or in other media.

Section 100. Notification regarding juvenile offenders.
(a) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, only provide the information specified in subsection (b) of Section 95, with respect to an adjudicated juvenile delinquent, to any person when that person's safety may be compromised for some reason related to the juvenile violent offender against youth.

(b) The local law enforcement agency having jurisdiction to register the juvenile violent offender against youth shall ascertain from the juvenile violent offender against youth whether the juvenile violent offender against youth is enrolled in school; and if so, shall provide a copy of the violent offender against youth registration form only to the principal or chief administrative officer of the school and any guidance counselor designated by him or her. The registration form shall be kept separately from any and all school records maintained on behalf of the juvenile violent offender against youth.

Section 105. Special alerts. A law enforcement agency having jurisdiction may provide to the public a special alert list warning parents to be aware that violent offenders against youth may attempt to contact children during holidays involving children, such as Halloween, Christmas, and Easter and informing parents that information containing the names and addresses of registered violent offenders against youth are accessible on the Internet by means of a hyperlink labeled "Violent Offender Against Youth Information" on the Department of State Police's

New matter indicated by italics - deletions by strikeout
World Wide Web home page and are available for public inspection at the agency's headquarters.

Section 1005. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-35 as follows:

(20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

Sec. 2605-35. Division of Operations (formerly Criminal Investigation).

(a) The Division of Operations shall exercise the following functions and those in Section 2605-30:

1. Exercise the rights, powers, and duties vested by law in the Department by the Illinois Horse Racing Act of 1975.
2. Investigate the origins, activities, personnel, and incidents of crime and enforce the criminal laws of this State related thereto.
3. Enforce all laws regulating the production, sale, prescribing, manufacturing, administering, transporting, having in possession, dispensing, delivering, distributing, or use of controlled substances and cannabis.
4. Cooperate with the police of cities, villages, and incorporated towns and with the police officers of any county in enforcing the laws of the State and in making arrests and recovering property.
5. Apprehend and deliver up any person charged in this State or any other state with treason or a felony or other crime who has fled from justice and is found in this State.
6. Investigate recipients and providers under the Illinois Public Aid Code and any personnel involved in the administration of the Code who are suspected of any violation of the Code pertaining to fraud in the administration, receipt, or provision of assistance and pertaining to any violation of criminal law; and exercise the functions required under Section 2605-220 in the conduct of those investigations.
7. Conduct other investigations as provided by law.

New matter indicated by italics - deletions by strikeout
(8) Exercise the powers and perform the duties that have been vested in the Department by the Sex Offender Registration Act and the Sex Offender and Child Murderer Community Notification Law; and promulgate reasonable rules and regulations necessitated thereby.

(9) Exercise other duties that may be assigned by the Director in order to fulfill the responsibilities and achieve the purposes of the Department.

(b) There is hereby established in the Division of Operations the Office of Coordination of Gang Prevention, hereafter referred to as the Office.

The Office shall consult with units of local government and school districts to assist them in gang control activities and to administer a system of grants to units of local government and school districts that, upon application, have demonstrated a workable plan to reduce gang activity in their area. The grants shall not include reimbursement for personnel, nor shall they exceed 75% of the total request by any applicant. The grants may be calculated on a proportional basis, determined by funds available to the Department for this purpose. The Department has the authority to promulgate appropriate rules and regulations to administer this program.

The Office shall establish mobile units of trained personnel to respond to gang activities.

The Office shall also consult with and use the services of religious leaders and other celebrities to assist in gang control activities.

The Office may sponsor seminars, conferences, or any other educational activity to assist communities in their gang crime control activities.

(Source: P.A. 90-193, eff. 7-24-97; 91-239, eff. 1-1-00; 91-760, eff. 1-1-01.)

Section 1010. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Child Murderer and Violent Offender Against Youth Registration Fund.

New matter indicated by italics - deletions by strikeout
Section 1015. The School Code is amended by changing Sections 10-21.9 and 34-18.5 as follows:

(105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

Sec. 10-21.9. Criminal history records checks and checks of the Statewide Sex Offender Database.

(a) Certified and noncertified applicants for employment with a school district, except school bus driver applicants, are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department. The regional superintendent submitting the requisite information to the Department of State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational

New matter indicated by italics - deletions by strikeout
support personnel employee that the check of the applicant has been requested. The Department of State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Department shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender and Child Murderer Community Notification Law, for each applicant.

(a-6) The school district or regional superintendent shall further perform a check of the Statewide Child Murderer and Violent Offender Against Youth Database, as authorized by the Child Murderer and Violent Offender Against Youth Community Notification Law, for each applicant.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database, the school district or regional

New matter indicated by italics - deletions by strikeout
superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database as a sex offender. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database as a sex offender, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database, the applicant has not been identified in the Database as a sex offender. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute teacher in more than one such district may rely on the certificate issued by the regional superintendent to that applicant, or may initiate its own criminal history records check of the applicant through the Department of State Police and its own check of the Statewide Sex Offender Database as provided in subsection (a). Any person who releases any confidential information
concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

(c) No school board shall knowingly employ a person who has been convicted for committing attempted first degree murder or for committing or attempting to commit first degree murder or a Class X felony or any one or more of the following offenses: (i) those defined in Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the Criminal Code of 1961; (ii) those defined in the Cannabis Control Act except those defined in Sections 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the Illinois Controlled Substances Act; (iv) those defined in the Methamphetamine Control and Community Protection Act; and (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. Further, no school board shall knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

(d) No school board shall knowingly employ a person for whom a criminal history records check and a Statewide Sex Offender Database check has not been initiated.

(e) Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any certificate issued pursuant to Article 21 or Section 34-8.1 or 34-83 of the School Code, the appropriate regional superintendent of schools or the State Superintendent of Education shall initiate the certificate suspension and revocation proceedings authorized by law.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal
history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Department of State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

(105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

Sec. 34-18.5. Criminal history records checks and checks of the Statewide Sex Offender Database.

(a) Certified and noncertified applicants for employment with the school district are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, or a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the
check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department. The regional superintendent submitting the requisite information to the Department of State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Department of State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Department shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse the school district and regional superintendent for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender and Child Murderer Community Notification Law, for each applicant.

(a-6) The school district or regional superintendent shall further perform a check of the Statewide Child Murderer and Violent Offender Against Youth Database, as authorized by the Child Murderer and Violent Offender Against Youth Community Notification Law, for each applicant.

New matter indicated by italics - deletions by strikeout
(b) Any information concerning the record of convictions obtained by the president of the board of education or the regional superintendent shall be confidential and may only be transmitted to the general superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the board of education for the school district, the presidents of the appropriate board of education or school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database as a sex offender. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database as a sex offender, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any
offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database, the applicant has not been identified in the Database as a sex offender. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one such district may rely on the certificate issued by the regional superintendent to that applicant, or may initiate its own criminal history records check of the applicant through the Department of State Police and its own check of the Statewide Sex Offender Database as provided in subsection (a). Any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

(c) The board of education shall not knowingly employ a person who has been convicted for committing attempted first degree murder or for committing or attempting to commit first degree murder or a Class X felony or any one or more of the following offenses: (i) those defined in Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the Criminal Code of 1961; (ii) those defined in the Cannabis Control Act, except those defined in Sections 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the Illinois Controlled Substances Act; (iv) those defined in the Methamphetamine Control and Community Protection Act; and (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State, would have been punishable as one or more of the foregoing offenses. Further, the board of education shall not knowingly employ a person who has been found to be the perpetrator of sexual or physical

New matter indicated by italics - deletions by strikeout
abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

(d) The board of education shall not knowingly employ a person for whom a criminal history records check and a Statewide Sex Offender Database check has not been initiated.

(e) Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any certificate issued pursuant to Article 21 or Section 34-8.1 or 34-83 of the School Code, the board of education or the State Superintendent of Education shall initiate the certificate suspension and revocation proceedings authorized by law.

(f) After March 19, 1990, the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Department of State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

Section 1020. The Intergovernmental Missing Child Recovery Act of 1984 is amended by changing Section 6 as follows:

(325 ILCS 40/6) (from Ch. 23, par. 2256)

Sec. 6. The Department shall:

New matter indicated by italics - deletions by strikeout
(a) Establish and maintain a statewide Law Enforcement Agencies Data System (LEADS) for the purpose of effecting an immediate law enforcement response to reports of missing children. The Department shall implement an automated data exchange system to compile, to maintain and to make available for dissemination to Illinois and out-of-State law enforcement agencies, data which can assist appropriate agencies in recovering missing children.

(b) Establish contacts and exchange information regarding lost, missing or runaway children with nationally recognized "missing person and runaway" service organizations and monitor national research and publicize important developments.

(c) Provide a uniform reporting format for the entry of pertinent information regarding reports of missing children into LEADS.

(d) Develop and implement a policy whereby a statewide or regional alert would be used in situations relating to the disappearances of children, based on criteria and in a format established by the Department. Such a format shall include, but not be limited to, the age and physical description of the missing child and the suspected circumstances of the disappearance.

(e) Notify all law enforcement agencies that reports of missing persons shall be entered as soon as the minimum level of data specified by the Department is available to the reporting agency and that no waiting period for entry of such data exists.

(f) Provide a procedure for prompt confirmation of the receipt and entry of the missing child report into LEADS to the parent or guardian of the missing child.

(g) Compile and retain information regarding missing children in a separate data file, in a manner that allows such information to be used by law enforcement and other agencies deemed appropriate by the Director, for investigative purposes. Such files shall be updated to reflect and include information relating to the disposition of the case.

(h) Compile and maintain an historic data repository relating to missing children in order (1) to develop and improve techniques utilized by law enforcement agencies when responding to reports of missing

New matter indicated by italics - deletions by strikeout
children and (2) to provide a factual and statistical base for research that would address the problem of missing children.

(i) Create a quality control program to monitor timeliness of entries of missing children reports into LEADS and conduct performance audits of all entering agencies.

(j) Prepare a periodic information bulletin concerning missing children who it determines may be present in this State, compiling such bulletin from information contained in both the National Crime Information Center computer and from reports, alerts and other information entered into LEADS or otherwise compiled and retained by the Department pursuant to this Act. The bulletin shall indicate the name, age, physical description, suspected circumstances of disappearance if that information is available, a photograph if one is available, the name of the law enforcement agency investigating the case, and such other information as the Director considers appropriate concerning each missing child who the Department determines may be present in this State. The Department shall send a copy of each periodic information bulletin to the State Board of Education for its use in accordance with Section 2-3.48 of the School Code. The Department shall provide a copy of the bulletin, upon request, to law enforcement agencies of this or any other state or of the federal government, and may provide a copy of the bulletin, upon request, to other persons or entities, if deemed appropriate by the Director, and may establish limitations on its use and a reasonable fee for so providing the same, except that no fee shall be charged for providing the periodic information bulletin to the State Board of Education, appropriate units of local government, State agencies, or law enforcement agencies of this or any other state or of the federal government.

(k) Provide for the entry into LEADS of the names and addresses of sex offenders as defined in the Sex Offender Registration Act who are required to register under that Act. The information shall be immediately accessible to law enforcement agencies and peace officers of this State or any other state or of the federal government. Similar information may be requested from any other state or of the federal government for purposes of this Act.

New matter indicated by italics - deletions by strikeout
(1) Provide for the entry into LEADS of the names and addresses of violent offenders against youth as defined in the Child Murderer and Violent Offender Against Youth Registration Act who are required to register under that Act. The information shall be immediately accessible to law enforcement agencies and peace officers of this State or any other state or of the federal government. Similar information may be requested from any other state or of the federal government for purposes of this Act.

(Source: P.A. 88-76; 89-8, eff. 1-1-96.)

Section 1025. The Sex Offender Registration Act is amended by changing Sections 2, 8, and 9 as follows:

(730 ILCS 150/2) (from Ch. 38, par. 222)

Sec. 2. Definitions.

(A) As used in this Article, "sex offender" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a sex offense set forth in subsection (B) of this Section or the attempt to commit an included sex offense, and:

(a) is convicted of such offense or an attempt to commit such offense; or

(b) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(c) is found not guilty by reason of insanity pursuant to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(d) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(e) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal,
Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(f) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(2) certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(3) subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) adjudicated a juvenile delinquent as the result of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the

New matter indicated by italics - deletions by strikeout
purpose of this Article as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Article.

For purposes of this Section, "convicted" shall have the same meaning as "adjudicated". For the purposes of this Article, a person who is defined as a sex offender as a result of being adjudicated a juvenile delinquent under paragraph (5) of this subsection (A) upon attaining 17 years of age shall be considered as having committed the sex offense on or after the sex offender's 17th birthday. Registration of juveniles upon attaining 17 years of age shall not extend the original registration of 10 years from the date of conviction.

(B) As used in this Article, "sex offense" means:

(1) A violation of any of the following Sections of the Criminal Code of 1961:

- 11-20.1 (child pornography),
- 11-6 (indecent solicitation of a child),
- 11-9.1 (sexual exploitation of a child),
- 11-9.2 (custodial sexual misconduct),
- 11-15.1 (soliciting for a juvenile prostitute),
- 11-18.1 (patronizing a juvenile prostitute),
- 11-17.1 (keeping a place of juvenile prostitution),
- 11-19.1 (juvenile pimping),
- 11-19.2 (exploitation of a child),
- 12-13 (criminal sexual assault),
- 12-14 (aggravated criminal sexual assault),
- 12-14.1 (predatory criminal sexual assault of a child),
- 12-15 (criminal sexual abuse),
- 12-16 (aggravated criminal sexual abuse),
- 12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, the offense was sexually motivated as defined in Section 10 of the Sex Offender
Management Board Act, and the offense was committed on or after January 1, 1996:
10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses:

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961, and the offense was committed on or after June 1, 1997.

(1.9) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act.

(1.10) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after July 1, 1999:
10-4 (forcible detention, if the victim is under 18 years of age), provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act,
11-6.5 (indecent solicitation of an adult),

New matter indicated by italics - deletions by strikeout
11-15 (soliciting for a prostitute, if the victim is under 18 years of age),
11-16 (pandering, if the victim is under 18 years of age),
11-18 (patronizing a prostitute, if the victim is under 18 years of age),
11-19 (pimping, if the victim is under 18 years of age).

(1.11) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after August 22, 2002:
11-9 (public indecency for a third or subsequent conviction).

(1.12) A violation or attempted violation of Section 5.1 of the Wrongs to Children Act (permitting sexual abuse) when the offense was committed on or after August 22, 2002.

(2) A violation of any former law of this State substantially equivalent to any offense listed in subsection (B) of this Section.

(C) A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (B), (C), and (E) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person or a sexually violent person under any federal law, Uniform Code of Military Justice, or the law of another state or foreign country that is substantially equivalent to the Sexually Dangerous Persons Act or the Sexually Violent Persons Commitment Act shall constitute an adjudication for the purposes of this Article.

(C-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in

New matter indicated by italics - deletions by strikeout
subsection (C-5) of this Section shall constitute a conviction for the purpose of this Article. This subsection (C-5) applies to a person who committed the offense before June 1, 1996 only if the person is incarcerated in an Illinois Department of Corrections facility on August 20, 2004 (the effective date of Public Act 93-977).

(D) As used in this Article, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the sex offender expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(D-1) As used in this Article, "supervising officer" means the assigned Illinois Department of Corrections parole agent or county probation officer.

(E) As used in this Article, "sexual predator" means any person who, after July 1, 1999, is:

(1) Convicted for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (E) of this Section shall constitute a conviction for the purpose of this Article. Convicted of a violation or attempted violation of any of the following Sections of the Criminal Code of 1961, if the conviction occurred after July 1, 1999:
   11-17.1 (keeping a place of juvenile prostitution),
   11-19.1 (juvenile pimping),
   11-19.2 (exploitation of a child),
   11-20.1 (child pornography),
   12-13 (criminal sexual assault),
   12-14 (aggravated criminal sexual assault),
12-14.1 (predatory criminal sexual assault of a child),
12-16 (aggravated criminal sexual abuse),
12-33 (ritualized abuse of a child); or

(2) (Blank) convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense; or

(3) certified as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) convicted of a second or subsequent offense which requires registration pursuant to this Act. The conviction for the second or subsequent offense must have occurred after July 1, 1999. For purposes of this paragraph (5), "convicted" shall include a conviction under any substantially similar Illinois, federal, Uniform Code of Military Justice, sister state, or foreign country law.

(F) As used in this Article, "out-of-state student" means any sex offender, as defined in this Section, or sexual predator who is enrolled in Illinois, on a full-time or part-time basis, in any public or private educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(G) As used in this Article, "out-of-state employee" means any sex offender, as defined in this Section, or sexual predator who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who

New matter indicated by italics - deletions by strikeout
operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(H) As used in this Article, "school" means any public or private educational institution, including, but not limited to, any elementary or secondary school, trade or professional institution, or institution of higher education.

(I) As used in this Article, "fixed residence" means any and all places that a sex offender resides for an aggregate period of time of 5 or more days in a calendar year.

(Source: P.A. 93-977, eff. 8-20-04; 93-979, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

Sec. 8. Registration Requirements. Registration as required by this Article shall consist of a statement in writing signed by the person giving the information that is required by the Department of State Police, which may include the fingerprints and must include a current photograph of the person, to be updated annually. If the sex offender is a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961, he or she shall sign a statement that he or she understands that according to Illinois law as a child sex offender he or she may not reside within 500 feet of a school, park, or playground. The offender may also not reside within 500 feet of a facility providing services directed exclusively toward persons under 18 years of age unless the sex offender meets specified exemptions. The registration information must include whether the person is a sex offender as defined in the Sex Offender and Child Murderer Community Notification Law. Within 3 days, the registering law enforcement agency shall forward any required information to the Department of State Police. The registering law enforcement agency shall enter the information into the Law Enforcement Agencies Data System (LEADS) as provided in Sections 6 and 7 of the Intergovernmental Missing Child Recovery Act of 1984.

(Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06.)

(730 ILCS 150/9) (from Ch. 38, par. 229)
Sec. 9. Public inspection of registration data. Except as provided in the Sex Offender and Child Murderer Community Notification Law, the statements or any other information required by this Article shall not be open to inspection by the public, or by any person other than by a law enforcement officer or other individual as may be authorized by law and shall include law enforcement agencies of this State, any other state, or of the federal government. Similar information may be requested from any law enforcement agency of another state or of the federal government for purposes of this Act. It is a Class B misdemeanor to permit the unauthorized release of any information required by this Article.
(Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96; 90-193, eff. 7-24-97.)

Section 1030. The Sex Offender and Child Murderer Community Notification Law is amended by changing Section 101 as follows:
(730 ILCS 152/101)
Sec. 101. Short title. This Article may be cited as the Sex Offender and Child Murderer Community Notification Law.
(Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96; 90-193, eff. 7-24-97.)

Section 9999. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0946
(House Bill No. 4446)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Unified Code of Corrections is amended by adding Section 3-14-4.5 as follows:
(730 ILCS 5/3-14-4.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 3-14-4.5. Private half-way houses.
(a) As used in this Section, "half-way house" means a facility primarily designed for the residence of persons on parole or mandatory supervised release from the Department of Corrections, other than one operated by the Department of Corrections.
(b) Any person or entity who intends to establish a half-way house on or after the effective date of this amendatory Act of the 94th General Assembly shall comply with all applicable local ordinances and permitting requirements.
(c) Not more than 48 hours after the placement of a person in such a half-way house, the half-way house shall give written notice to the State's Attorney and the sheriff of the county and the proper law enforcement agency of the municipality in which the half-way house is located of the identity of the person placed in that program. The identifying information shall include, but not be limited to, the name of the individual, age, physical description, photograph, and the crime for which the person was originally sentenced to the Department of Corrections. The notice shall be given in all cases, and may be provided via facsimile at such telephone number as the receiving State's Attorney, sheriff, or law enforcement agency may direct.
(d) Failure to comply with the notification requirements of subsection (c) is a petty offense for which a $1,000 fine shall be imposed for each offense.
Approved June 27, 2006.

PUBLIC ACT 94-0947
(House Bill 4449)

AN ACT concerning consumer fraud.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Personal Information Protection Act is amended by changing Section 10 and by adding Sections 12, 25, and 30 as follows:

(815 ILCS 530/10)

Sec. 10. Notice of Breach.
(a) Any data collector that owns or licenses personal information concerning an Illinois resident shall notify the resident at no charge that there has been a breach of the security of the system data following discovery or notification of the breach. The disclosure notification shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.

(b) Any data collector that maintains computerized data that includes personal information that the data collector does not own or license shall notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person.

(b-5) The notification required by subsection (a) of this Section may be delayed if an appropriate law enforcement agency determines that notification will interfere with a criminal investigation and provides the data collector with a written request for the delay. However, the data collector must notify the Illinois resident as soon as notification will no longer interfere with the investigation.

(c) For purposes of this Section, notice to consumers may be provided by one of the following methods:

(1) written notice;

(2) electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures for notices legally required to be in writing as set forth in Section 7001 of Title 15 of the United States Code; or

(3) substitute notice, if the data collector demonstrates that the cost of providing notice would exceed $250,000 or that the affected class of subject persons to be notified exceeds 500,000, or

New matter indicated by italics - deletions by strikeout
the data collector does not have sufficient contact information. Substitute notice shall consist of all of the following: (i) email notice if the data collector has an email address for the subject persons; (ii) conspicuous posting of the notice on the data collector's web site page if the data collector maintains one; and (iii) notification to major statewide media.

(d) Notwithstanding subsection (c), a data collector that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of this Act, shall be deemed in compliance with the notification requirements of this Section if the data collector notifies subject persons in accordance with its policies in the event of a breach of the security of the system data.

(Source: P.A. 94-36, eff. 1-1-06.)

(815 ILCS 530/12 new)

Sec. 12. Notice of breach; State agency.

(a) Any State agency that collects personal information concerning an Illinois resident shall notify the resident at no charge that there has been a breach of the security of the system data or written material following discovery or notification of the breach. The disclosure notification shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.

(b) For purposes of this Section, notice to residents may be provided by one of the following methods:

(1) written notice;
(2) electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures for notices legally required to be in writing as set forth in Section 7001 of Title 15 of the United States Code; or
(3) substitute notice, if the State agency demonstrates that the cost of providing notice would exceed $250,000 or that the affected class of subject persons to be notified exceeds 500,000, or

New matter indicated by italics - deletions by strikeout
the State agency does not have sufficient contact information. Substitute notice shall consist of all of the following: (i) email notice if the State agency has an email address for the subject persons; (ii) conspicuous posting of the notice on the State agency's web site page if the State agency maintains one; and (iii) notification to major statewide media.

(c) Notwithstanding subsection (b), a State agency that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of this Act shall be deemed in compliance with the notification requirements of this Section if the State agency notifies subject persons in accordance with its policies in the event of a breach of the security of the system data or written material.

(d) If a State agency is required to notify more than 1,000 persons of a breach of security pursuant to this Section, the State agency shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined by 15 U.S.C. Section 1681a(p), of the timing, distribution, and content of the notices. Nothing in this subsection (d) shall be construed to require the State agency to provide to the consumer reporting agency the names or other personal identifying information of breach notice recipients.

(815 ILCS 530/25 new)

Sec. 25. Annual reporting. Any State agency that collects personal data and has had a breach of security of the system data or written material shall submit a report within 5 business days of the discovery or notification of the breach to the General Assembly listing the breaches and outlining any corrective measures that have been taken to prevent future breaches of the security of the system data or written material. Any State agency that has submitted a report under this Section shall submit an annual report listing all breaches of security of the system data or written materials and the corrective measures that have been taken to prevent future breaches.

(815 ILCS 530/30 new)

New matter indicated by italics - deletions by strikeout
Sec. 30. Safe disposal of information. Any State agency that collects personal data that is no longer needed or stored at the agency shall dispose of the personal data or written material it has collected in such a manner as to ensure the security and confidentiality of the material.

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

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0948
(House Bill No. 4987)

AN ACT concerning education.

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

Section 5. The School Code is amended by adding Section 14-1.09d and by changing Section 14-1.10 as follows:

(105 ILCS 5/14-1.09d new)

Sec. 14-1.09d. Behavior analyst. "Behavior analyst" means a person who is certified by the Behavior Analyst Certification Board.

(105 ILCS 5/14-1.10) (from Ch. 122, par. 14-1.10)

Sec. 14-1.10. Professional worker. "Professional worker" means a trained specialist, and is limited to speech correctionist, school social worker, school psychologist, psychologist intern, school nurse intern, school social worker intern, certificated school nurse, special administrator intern, registered therapist, professional consultant, special administrator or supervisor giving full time to special education, behavior analyst, and teacher of any class or program defined in this Article who meets the requirements of this Article, who has the required special training in the understandings, techniques, and special methods of instruction for children who because of their disabling conditions are placed in any program provided for in this Article, and who works in such program.

New matter indicated by italics - deletions by strikeout
AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 15-102 as follows:

(625 ILCS 5/15-102) (from Ch. 95 1/2, par. 15-102)
Sec. 15-102. Width of Vehicles.
(a) On Class II and non-designated State and local highways, the total outside width of any vehicle or load thereon shall not exceed 8 feet.
(b) Except during those times when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1000 feet, the following vehicles may exceed the 8 feet limitation during the period from a half hour before sunrise to a half hour after sunset:

(1) Loads of hay, straw or other similar farm products provided that the load is not more than 12 feet wide.
(2) Implements of husbandry being transported on another vehicle and the transporting vehicle while loaded.

The following requirements apply to the transportation on another vehicle of an implement of husbandry wider than 8 feet 6 inches on the National System of Interstate and Defense Highways or other highways in the system of State highways:

(A) The driver of a vehicle transporting an implement of husbandry that exceeds 8 feet 6 inches in width shall obey all traffic laws and shall check the roadways prior to making a movement in order to ensure

New matter indicated by italics - deletions by strikeout
that adequate clearance is available for the movement. It is prima facie evidence that the driver of a vehicle transporting an implement of husbandry has failed to check the roadway prior to making a movement if the vehicle is involved in a collision with a bridge, overpass, fixed structure, or properly placed traffic control device or if the vehicle blocks traffic due to its inability to proceed because of a bridge, overpass, fixed structure, or properly placed traffic control device.

(B) Flags shall be displayed so as to wave freely at the extremities of overwidth objects and at the extreme ends of all protrusions, projections, and overhangs. All flags shall be clean, bright red flags with no advertising, wording, emblem, or insignia inscribed upon them and at least 18 inches square.

(C) "OVERSIZE LOAD" signs are mandatory on the front and rear of all vehicles with loads over 10 feet wide. These signs must have 12-inch high black letters with a 2-inch stroke on a yellow sign that is 7 feet wide by 18 inches high.

(D) One civilian escort vehicle is required for a load that exceeds 14 feet 6 inches in width and 2 civilian escort vehicles are required for a load that exceeds 16 feet in width on the National System of Interstate and Defense Highways or other highways in the system of State highways.

(E) The requirements for a civilian escort vehicle and driver are as follows:

(1) The civilian escort vehicle shall be a passenger car or a second division vehicle not exceeding a gross vehicle weight of 8,000 pounds that is designed to afford clear and unobstructed vision to both front and rear.

New matter indicated by italics - deletions by strikeout
(2) The escort vehicle driver must be properly licensed to operate the vehicle.

(3) While in use, the escort vehicle must be equipped with illuminated rotating, oscillating, or flashing amber lights or flashing amber strobe lights mounted on top that are of sufficient intensity to be visible at 500 feet in normal sunlight.

(4) "OVERSIZE LOAD" signs are mandatory on all escort vehicles. The sign on an escort vehicle shall have 8-inch high black letters on a yellow sign that is 5 feet wide by 12 inches high.

(5) When only one escort vehicle is required and it is operating on a two-lane highway, the escort vehicle shall travel approximately 300 feet ahead of the load. The rotating, oscillating, or flashing lights or flashing amber strobe lights and an "OVERSIZE LOAD" sign shall be displayed on the escort vehicle and shall be visible from the front. When only one escort vehicle is required and it is operating on a multilane divided highway, the escort vehicle shall travel approximately 300 feet behind the load and the sign and lights shall be visible from the rear.

(6) When 2 escort vehicles are required, one escort shall travel approximately 300 feet ahead of the load and the second escort shall travel approximately 300 feet behind the load. The rotating, oscillating, or flashing lights or flashing amber strobe lights and an "OVERSIZE LOAD" sign shall be displayed on the escort vehicles and shall be visible from the front on the lead escort and from the rear on the trailing escort.

(7) When traveling within the corporate limits of a municipality, the escort vehicle shall maintain a reasonable and proper distance from the
oversize load, consistent with existing traffic conditions.

(8) A separate escort shall be provided for each load hauled.

(9) The driver of an escort vehicle shall obey all traffic laws.

(10) The escort vehicle must be in safe operational condition.

(11) The driver of the escort vehicle must be in radio contact with the driver of the vehicle carrying the oversize load.

(F) A transport vehicle while under load of more than 8 feet 6 inches in width must be equipped with an illuminated rotating, oscillating, or flashing amber light or lights or a flashing amber strobe light or lights mounted on the top of the cab that are of sufficient intensity to be visible at 500 feet in normal sunlight. If the load on the transport vehicle blocks the visibility of the amber lighting from the rear of the vehicle, the vehicle must also be equipped with an illuminated rotating, oscillating, or flashing amber light or lights or a flashing amber strobe light or lights mounted on the rear of the load that are of sufficient intensity to be visible at 500 feet in normal sunlight.

(G) When a flashing amber light is required on the transport vehicle under load and it is operating on a two-lane highway, the transport vehicle shall display to the rear at least one rotating, oscillating, or flashing light or a flashing amber strobe light and an "OVERSIZE LOAD" sign. When a flashing amber light is required on the transport vehicle under load and it is operating on a multilane divided highway, the sign and light shall be visible from the rear.

New matter indicated by italics - deletions by strikeout
(H) Maximum speed shall be 45 miles per hour on all such moves or 5 miles per hour above the posted minimum speed limit, whichever is greater, but the vehicle shall not at any time exceed the posted maximum speed limit.

(3) Portable buildings designed and used for agricultural and livestock raising operations that are not more than 14 feet wide and with not more than a 1 foot overhang along the left side of the hauling vehicle. However, the buildings shall not be transported more than 10 miles and not on any route that is part of the National System of Interstate and Defense Highways. All buildings when being transported shall display at least 2 red cloth flags, not less than 12 inches square, mounted as high as practicable on the left and right side of the building.

A State Police escort shall be required if it is necessary for this load to use part of the left lane when crossing any 2 lane State highway bridge.

(c) Vehicles propelled by electric power obtained from overhead trolley wires operated wholly within the corporate limits of a municipality are also exempt from the width limitation.

(d) Exemptions are also granted to vehicles designed for the carrying of more than 10 persons under the following conditions:

(1) (Blank);

(2) When operated within any public transportation service with the approval of local authorities or an appropriate public body authorized by law to provide public transportation. Any vehicle so operated may be 8 feet 6 inches in width; or

(3) When a county engineer or superintendent of highways, after giving due consideration to the mass transportation needs of the area and to the width and condition of the road, has determined that the operation of buses wider than 8 feet 6 inches in width will not pose an undue safety hazard on a particular county or township road segment, he or she may authorize buses not to exceed 8 feet 6 inches in width
on any highway under that engineer's or superintendent's jurisdiction.

(d-1) A recreational vehicle, as defined in Section 1-169, may exceed 8 feet 6 inches in width if:

(1) the excess width is attributable to appurtenances that extend 6 inches or less beyond either side of the body of the vehicle; and

(2) the roadway on which the vehicle is traveling has marked lanes for vehicular traffic that are at least 11 feet in width.

As used in this subsection (d-1) and in subsection (d-2), the term appurtenance includes (i) a retracted awning and its support hardware and (ii) any appendage that is intended to be an integral part of a recreation vehicle.

(d-2) A recreational vehicle that exceeds 8 feet 6 inches in width as provided in subsection (d-1) may travel any roadway of the State if the vehicle is being operated between a roadway permitted under subsection (d-1) and:

(1) the location where the recreation vehicle is garaged;

(2) the destination of the recreation vehicle; or

(3) a facility for food, fuel, repair, services, or rest.

(e) A vehicle and load traveling upon the National System of Interstate and Defense Highways or any other highway in the system of State highways that has been designated as a Class I or Class II highway by the Department, or any street or highway designated by local authorities, may have a total outside width of 8 feet 6 inches, provided that certain safety devices that the Department determines as necessary for the safe and efficient operation of motor vehicles shall not be included in the calculation of width.

(e-1) A vehicle and load more than 8 feet wide but not exceeding 8 feet 6 inches in width is allowed access according to the following:

(1) A vehicle and load not exceeding 73,280 pounds in weight is allowed access from any State designated highway onto any county, township, or municipal highway for a distance of 5 highway miles for the purpose of loading and unloading, provided:

New matter indicated by italics - deletions by strikeout
(A) The vehicle and load does not exceed 65 feet overall length.
(B) There is no sign prohibiting that access.
(C) The route is not being used as a thoroughfare between State designated highways.

(2) A vehicle and load not exceeding 73,280 pounds in weight is allowed access from any State designated highway onto any county or township highway for a distance of 5 highway miles or onto any municipal highway for a distance of one highway mile for the purpose of food, fuel, repairs, and rest, provided:
   (A) The vehicle and load does not exceed 65 feet overall length.
   (B) There is no sign prohibiting that access.
   (C) The route is not being used as a thoroughfare between State designated highways.

(3) A vehicle and load not exceeding 80,000 pounds in weight is allowed access from a Class I highway onto any street or highway for a distance of one highway mile for the purpose of loading, unloading, food, fuel, repairs, and rest, provided there is no sign prohibiting that access.

(4) A vehicle and load not exceeding 80,000 pounds in weight is allowed access from a Class I or Class II highway onto any State highway or any locally designated highway for a distance of 5 highway miles for the purpose of loading, unloading, food, fuel, repairs, and rest.

(5) A trailer or semi-trailer not exceeding 28 feet 6 inches in length, that was originally in combination with a truck tractor, shall have unlimited access to points of loading and unloading.

(6) All household goods carriers shall have unlimited access to points of loading and unloading.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (e).
(f) Mirrors required by Section 12-502 of this Code and other safety devices identified by the Department may project up to 14 inches beyond each side of a bus and up to 6 inches beyond each side of any other vehicle, and that projection shall not be deemed a violation of the width restrictions of this Section.

(g) Any person who is convicted of violating this Section is subject to the penalty as provided in paragraph (b) of Section 15-113.

(Source: P.A. 92-417, eff. 1-1-02; 93-177, eff. 7-11-03.)

Passed in the General Assembly April 4, 2006.

Approved June 27, 2006.


PUBLIC ACT 94-0950

(House Bill No. 5555)

AN ACT concerning regulation.

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

Section 5. The Public Utilities Act is amended by adding Section 8-306 and by changing Section 9-223 as follows:

(220 ILCS 5/8-306 new)

Sec. 8-306. Special provisions relating to water and sewer utilities.

(a) No later than 120 days after the effective date of this amendatory Act of the 94th General Assembly, the Commission shall prepare, make available to customers upon request, and post on its Internet web site information concerning the service obligations of water and sewer utilities and remedies that a customer may pursue for a violation of the customer's rights. The information shall specifically address the rights of a customer of a water or sewer utility in the following situations:

(1) The customer's water meter is replaced.

(2) The customer's bill increases by more than 50% within one billing period.

(3) The customer's water service is terminated.

New matter indicated by italics - deletions by strikeout
(4) The customer wishes to complain after receiving a termination of service notice.

(5) The customer is unable to make payment on a billing statement.

(6) A rate is filed, including without limitation a surcharge or annual reconciliation filing, that will increase the amount billed to the customer.

(7) The customer is billed for services provided prior to the date covered by the billing statement.

(8) The customer is due to receive a credit.

Each billing statement issued by a water or sewer utility shall include an Internet web site address where the customer can view the information required under this subsection (a) and a telephone number that the customer may call to request a copy of the information.

(b) A water or sewer utility may discontinue service only after it has mailed or delivered by other means a written notice of discontinuance substantially in the form of Appendix A of 83 Ill. Adm. Code 280. The notice must include the Internet web site address where the customer can view the information required under subsection (a) and a telephone number that the customer may call to request a copy of the information. Any notice required to be delivered or mailed to a customer prior to discontinuance of service shall be delivered or mailed separately from any bill. Service shall not be discontinued until at least 5 days after delivery or 8 days after the mailing of this notice. Service shall not be discontinued and shall be restored if discontinued for the reason which is the subject of a dispute or complaint during the pendency of informal or formal complaint procedures of the Illinois Commerce Commission under 83 Ill. Adm. Code 280.160 or 280.170, where the customer has complied with those rules. Service shall not be discontinued and shall be restored if discontinued where a customer has established a deferred payment agreement pursuant to 83 Ill. Adm. Code 280.110 and has not defaulted on such agreement. Residential customers who are indebted to a utility for past due utility service shall have the opportunity to make arrangements with the utility to retire the debt by periodic payments, referred to as a

New matter indicated by italics - deletions by strikeout
deferred payment agreement, unless this customer has failed to make payment under such a plan during the past 12 months. The terms and conditions of a reasonable deferred payment agreement shall be determined by the utility after consideration of the following factors, based upon information available from current utility records or provided by the customer or applicant:

1. size of the past due account;
2. customer or applicant's ability to pay;
3. customer or applicant's payment history;
4. reason for the outstanding indebtedness; and
5. any other relevant factors relating to the circumstances of the customer or applicant's service.

A residential customer shall pay a maximum of one-fourth of the amount past due and owing at the time of entering into the deferred payment agreement, and the water or sewer utility shall allow a minimum of 2 months from the date of the agreement and a maximum of 12 months for payment to be made under a deferred payment agreement. Late payment charges may be assessed against the amount owing that is the subject of a deferred payment agreement.

(c) A water or sewer utility shall provide notice as required by subsection (a) of Section 9-201 after the filing of each information sheet under a purchased water surcharge, purchased sewage treatment surcharge, or qualifying infrastructure plant surcharge. The utility also shall post notice of the filing in accordance with the requirements of 83 Ill. Adm. Code 255. Unless filed as part of a general rate increase, notice of the filing of a purchased water surcharge rider, purchased sewage treatment surcharge rider, or qualifying infrastructure plant surcharge rider also shall be given in the manner required by this subsection (c) for the filing of information sheets.

(d) Commission rules pertaining to formal and informal complaints against public utilities shall apply with full and equal force to water and sewer utilities and their customers, including provisions of 83 Ill. Adm. Code 280.170, and the Commission shall respond to each complaint by providing the consumer with a copy of the utility’s response.
to the complaint and a copy of the Commission's review of the complaint and its findings. The Commission shall also provide the consumer with all available options for recourse.

(e) Any refund shown on the billing statement of a customer of a water or sewer utility must be itemized and must state if the refund is an adjustment or credit.

(f) Water service for building construction purposes. At the request of any municipality or township within the service area of a public utility that provides water service to customers within the municipality or township, a public utility must (1) require all water service used for building construction purposes to be measured by meter and subject to approved rates and charges for metered water service and (2) prohibit the unauthorized use of water taken from hydrants or service lines installed at construction sites.

(g) Water meters.

(1) Periodic testing. Unless otherwise approved by the Commission, each service water meter shall be periodically inspected and tested in accordance with the schedule specified in 83 Ill. Adm. Code 600.340, or more frequently as the results may warrant, to insure that the meter accuracy is maintained within the limits set out in 83 Ill. Adm. Code 600.310.

(2) Meter tests requested by customer.

(A) Each utility furnishing metered water service shall, without charge, test the accuracy of any meter upon request by the customer served by such meter, provided that the meter in question has not been tested by the utility or by the Commission within 2 years previous to such request. The customer or his or her representatives shall have the privilege of witnessing the test at the option of the customer. A written report, giving the results of the test, shall be made to the customer.

(B) When a meter that has been in service less than 2 years since its last test is found to be accurate within the limits specified in 83 Ill. Adm. Code 600.310, the customer

New matter indicated by italics - deletions by strikeout
shall pay a fee to the utility not to exceed the amounts specified in 83 Ill. Adm. Code 600.350(b). Fees for testing meters not included in this Section or so located that the cost will be out of proportion to the fee specified will be determined by the Commission upon receipt of a complete description of the case.

(3) Commission referee tests. Upon written application to the Commission by any customer, a test will be made of the customer’s meter by a representative of the Commission. For such a test, a fee as provided for in subsection (g)(2) shall accompany the application. If the meter is found to be registering more than 1.5% fast on the average when tested as prescribed in 83 Ill. Adm. Code 600.310, the utility shall refund to the customer the amount of the fee. The utility shall in no way disturb the meter after a customer has made an application for a referee test until authority to do so is given by the Commission or the customer in writing.

(h) Water and sewer utilities; low usage. Each public utility that provides water and sewer service must establish a unit sewer rate, subject to review by the Commission, that applies only to those customers who use less than 1,000 gallons of water in any billing period.

(i) Water and sewer utilities; separate meters. Each public utility that provides water and sewer service must offer separate rates for water and sewer service to any commercial or residential customer who uses separate meters to measure each of those services. In order for the separate rate to apply, a combination of meters must be used to measure the amount of water that reaches the sewer system and the amount of water that does not reach the sewer system.

(j) Each water or sewer public utility must disclose on each billing statement any amount billed that is for service provided prior to the date covered by the billing statement. The disclosure must include the dates for which the prior service is being billed. Each billing statement that includes an amount billed for service provided prior to the date covered by the billing statement must disclose the dates for which that amount is billed and must include a copy of the document created under subsection...
(a) and a statement of current Commission rules concerning unbilled or misbilled service.

(k) When the customer is due a refund resulting from payment of an overcharge, the utility shall credit the customer in the amount of overpayment with interest from the date of overpayment by the customer. The rate for interest shall be at the appropriate rate determined by the Commission under 83 Ill. Adm. Code 280.70.

(l) Water and sewer public utilities; subcontractors. The Commission shall adopt rules for water and sewer public utilities to provide notice to the customers of the proper kind of identification that a subcontractor must present to the customer, to prohibit a subcontractor from soliciting or receiving payment of any kind for any service provided by the water or sewer public utility or the subcontractor, and to establish sanctions for violations.

(m) Water and sewer public utilities; unaccounted-for water. By December 31, 2006, each water public utility shall file tariffs with the Commission to establish the maximum percentage of unaccounted-for water that would be considered in the determination of any rates or surcharges. The rates or surcharges approved for a water public utility shall not include charges for unaccounted-for water in excess of this maximum percentage without well-documented support and justification for the Commission to consider in any request to recover charges in excess of the tariffed maximum percentage.

(n) Rate increases; public forums. When any public utility providing water or sewer service proposes a general rate increase, in addition to other notice requirements, the water or sewer public utility must notify its customers of their right to request a public forum. A customer or group of customers must make written request to the Commission for a public forum and must also provide written notification of the request to the customer's municipal or, for unincorporated areas, township government. The Commission, at its discretion, may schedule the public forum. If it is determined that public forums are required for multiple municipalities or townships, the Commission shall schedule these public forums, in locations within approximately 45 minutes drive time of
the municipalities or townships for which the public forums have been scheduled. The public utility must provide advance notice of 30 days for each public forum to the governing bodies of those units of local government affected by the increase. The day of each public forum shall be selected so as to encourage the greatest public participation. Each public forum will begin at 7:00 p.m. Reports and comments made during or as a result of each public forum must be made available to the hearing officials and reviewed when drafting a recommended or tentative decision, finding or order pursuant to Section 10-111 of this Act.

(220 ILCS 5/9-223) (from Ch. 111-2/3, par. 9-223)
Sec. 9-223. Fire protection charge.

(a) The Commission may authorize any public utility engaged in the production, storage, transmission, sale, delivery or furnishing of water to impose a fire protection charge, in addition to any rate authorized by this Act, sufficient to cover a reasonable portion of the cost of providing the capacity, facilities and the water necessary to meet the fire protection needs of any municipality or public fire protection district. Such fire protection charge shall be in the form of a fixed amount per bill and shall be shown separately on the utility bill of each customer of the municipality or fire protection district. Any filing by a public utility to impose such a fire protection charge or to modify a charge shall be made pursuant to Section 9-201 of this Act. Any fire protection charge imposed shall reflect the costs associated with providing fire protection service for each municipality or fire protection district. No such charge shall be imposed directly on any municipality or fire protection district for a reasonable level of fire protection services unless provided for in a separate agreement between the municipality or the fire protection district and the utility.

(b) By December 31, 2007, the Commission shall conduct at least 3 public forums to evaluate the purpose and use of each fire protection charge imposed under this Section. At least one forum must be held in northern Illinois, at least one forum must be held in central Illinois, and at least one forum must be held in southern Illinois. The Commission must invite a representative from each municipality and fire protection district affected by a fire protection charge under this Section to attend a public
The Commission shall report its findings concerning recommendations concerning the purpose and use of each fire protection charge to the General Assembly no later than the last day of the veto session in 2008.
(Source: P.A. 84-617.)

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

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0951
(Senate Bill No. 0841)

AN ACT concerning local government.

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

Section 5. The Cook County Forest Preserve District Act is amended by changing Section 14 as follows:

(70 ILCS 810/14) (from Ch. 96 1/2, par. 6417)

Sec. 14. The board, as corporate authority of a forest preserve district, shall have power to pass and enforce all necessary ordinances, rules and regulations for the management of the property and conduct of the business of such district. The president of such board shall have power to appoint a secretary and an assistant secretary, and treasurer and an assistant treasurer and such other officers and such employees as may be necessary, all of whom, excepting the treasurer and attorneys, shall be under civil service rules and regulations, as provided in Section 17 of this Act. The assistant secretary and assistant treasurer shall perform the duties of the secretary and treasurer, respectively, in case of death of said officers or when said officers are unable to perform the duties of their respective offices because of absence or inability to act. All contracts for supplies, material or work involving an expenditure by forest preserve districts in excess of $25,000 $40,000 shall be let to the lowest responsible bidder,
after due advertisement, excepting work requiring personal confidence or necessary supplies under the control of monopolies, where competitive bidding is impossible. Contracts for supplies, material or work involving an expenditure of $25,000 or less may be let without advertising for bids, but whenever practicable, at least 3 competitive bids shall be obtained before letting such contract. All contracts for supplies, material or work shall be signed by the president of the board and by any such other officer as the board in its discretion may designate. Salaries of employees shall be fixed by ordinance.

(Source: P.A. 83-1402.)

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

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0952
(Senate Bill No. 0857)

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 19-1 as follows:

(105 ILCS 5/19-1) (from Ch. 122, par. 19-1)
(Text of Section before amendment by P.A. 94-234)
Sec. 19-1. Debt limitations of school districts.
(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount,
including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by

New matter indicated by italics - deletions by strikeout
not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called

New matter indicated by italics - deletions by strikeout
by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of
mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (5) of this subsection (e) may, without referendum, incur an additional indebtedness in an amount not to exceed the lesser of $5,000,000 or 1.5% of the value of the taxable property within the district even though the amount of the additional indebtedness authorized by this subsection (e), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring that additional indebtedness, causes the aggregate indebtedness of the district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that district under subsection (a):

(1) The State Board of Education certifies the school district under Section 19-1.5 as a financially distressed district.

(2) The additional indebtedness authorized by this subsection (e) is incurred by the financially distressed district during the school year or school years in which the certification of the district as a financially distressed district continues in effect.

New matter indicated by italics - deletions by strikeout
through the issuance of bonds for the lawful school purposes of the district, pursuant to resolution of the school board and without referendum, as provided in paragraph (5) of this subsection.

(3) The aggregate amount of bonds issued by the financially distressed district during a fiscal year in which it is authorized to issue bonds under this subsection does not exceed the amount by which the aggregate expenditures of the district for operational purposes during the immediately preceding fiscal year exceeds the amount appropriated for the operational purposes of the district in the annual school budget adopted by the school board of the district for the fiscal year in which the bonds are issued.

(4) Throughout each fiscal year in which certification of the district as a financially distressed district continues in effect, the district maintains in effect a gross salary expense and gross wage expense freeze policy under which the district expenditures for total employee salaries and wages do not exceed such expenditures for the immediately preceding fiscal year. Nothing in this paragraph, however, shall be deemed to impair or to require impairment of the contractual obligations, including collective bargaining agreements, of the district or to impair or require the impairment of the vested rights of any employee of the district under the terms of any contract or agreement in effect on the effective date of this amendatory Act of 1994.

(5) Bonds issued by the financially distressed district under this subsection shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 40 years from their date of issue, and shall be signed by the president of the school board and treasurer of the school district. In order to issue bonds under this subsection, the school board shall adopt a resolution fixing the amount of the bonds, the date of the bonds, the maturities of the bonds, the rates of interest of the bonds, and their place of payment and denomination, and shall provide for the levy and collection of a direct annual tax upon all the taxable property in the district.
sufficient to pay the principal and interest on the bonds to maturity. Upon the filing in the office of the county clerk of the county in which the financially distressed district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes at any time authorized to be levied by the district. If bond proceeds from the sale of bonds include a premium or if the proceeds of the bonds are invested as authorized by law, the school board shall determine by resolution whether the interest earned on the investment of bond proceeds or the premium realized on the sale of the bonds is to be used for any of the lawful school purposes for which the bonds were issued or for the payment of the principal indebtedness and interest on the bonds. The proceeds of the bond sale shall be deposited in the educational purposes fund of the district and shall be used to pay operational expenses of the district. This subsection is cumulative and constitutes complete authority for the issuance of bonds as provided in this subsection, notwithstanding any other law to the contrary.

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in an aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

1. At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

2. The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

New matter indicated by italics - deletions by strikeout
(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less
than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

New matter indicated by italics - deletions by strikeout
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by

New matter indicated by italics - deletions by strikeout
which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

New matter indicated by italics - deletions by strikeout
(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

   (i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
   (ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
   (iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;
   (iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and
   (v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:
(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months’ average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

New matter indicated by italics - deletions by strikeout
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

   (i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

   (ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

   (iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

   (iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

   (v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

   (vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

   New matter indicated by italics - deletions by strikeout
For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.
No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and

New matter indicated by italics - deletions by strikeout
approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the
last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.
(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public
Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;
(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

   (i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;
   (ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;
   (iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and
   (iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

   New matter indicated by italics - deletions by strikeout
(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

1. the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

2. the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

New matter indicated by italics - deletions by strikeout
(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

New matter indicated by italics - deletions by strikeout
(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or
improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building

New matter indicated by italics - deletions by strikeout
additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(5 ILCS 140/7) (from Ch. 116, par. 207)
Sec. 7. Exemptions.
(1) The following shall be exempt from inspection and copying:
   (a) Information specifically prohibited from disclosure by federal or State law or rules and regulations adopted under federal or State law.
   (b) Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy. Information exempted under this subsection (b) shall include but is not limited to:
      (i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from federal agencies or public bodies;
      (ii) personnel files and personal information maintained with respect to employees, appointees or elected officials of any public body or applicants for those positions;
      (iii) files and personal information maintained with respect to any applicant, registrant or licensee by any public body cooperating with or engaged in professional or occupational registration, licensure or discipline;
      (iv) information required of any taxpayer in connection with the assessment or collection of any tax unless disclosure is otherwise required by State statute;
      (v) information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies; provided, however, that identification of witnesses to traffic accidents, traffic accident reports, and

New matter indicated by italics - deletions by strikeout
rescue reports may be provided by agencies of local
government, except in a case for which a criminal
investigation is ongoing, without constituting a clearly
unwarranted per se invasion of personal privacy under this
subsection; and

(vi) the names, addresses, or other personal
information of participants and registrants in park district,
forest preserve district, and conservation district programs.

(c) Records compiled by any public body for administrative
enforcement proceedings and any law enforcement or correctional
agency for law enforcement purposes or for internal matters of a
public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably
contemplated law enforcement proceedings conducted by
any law enforcement or correctional agency;

(ii) interfere with pending administrative
enforcement proceedings conducted by any public body;

(iii) deprive a person of a fair trial or an impartial
hearing;

(iv) unavoidably disclose the identity of a
confidential source or confidential information furnished
only by the confidential source;

(v) disclose unique or specialized investigative
techniques other than those generally used and known or
disclose internal documents of correctional agencies related
to detection, observation or investigation of incidents of
crime or misconduct;

(vi) constitute an invasion of personal privacy under
subsection (b) of this Section;

(vii) endanger the life or physical safety of law
enforcement personnel or any other person; or

(viii) obstruct an ongoing criminal investigation.

New matter indicated by italics - deletions by strikeout
(d) Criminal history record information maintained by State or local criminal justice agencies, except the following which shall be open for public inspection and copying:

(i) chronologically maintained arrest information, such as traditional arrest logs or blotters;
(ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;
(iii) court records that are public;
(iv) records that are otherwise available under State or local law; or
(v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of this Section.

"Criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption
provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, including:

(i) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(ii) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

New matter indicated by italics - deletions by strikeout
(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) Test questions, scoring keys and other examination data used to administer an academic examination or determined the qualifications of an applicant for a license or employment.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings.

(l) Library circulation and order records identifying library users with specific materials.

(m) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(n) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

New matter indicated by italics - deletions by strikeout
(o) Information received by a primary or secondary school, college or university under its procedures for the evaluation of faculty members by their academic peers.

(p) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(q) Documents or materials relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(r) Drafts, notes, recommendations and memoranda pertaining to the financing and marketing transactions of the public body. The records of ownership, registration, transfer, and exchange of municipal debt obligations, and of persons to whom payment with respect to these obligations is made.

(s) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under Article VII of the Code of Civil Procedure, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(t) Any and all proprietary information and records related to the operation of an intergovernmental risk management
association or self-insurance pool or jointly self-administered health and accident cooperative or pool.

(u) Information concerning a university's adjudication of student or employee grievance or disciplinary cases, to the extent that disclosure would reveal the identity of the student or employee and information concerning any public body's adjudication of student or employee grievances or disciplinary cases, except for the final outcome of the cases.

(v) Course materials or research materials used by faculty members.

(w) Information related solely to the internal personnel rules and practices of a public body.

(x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.

(aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(cc) Information and records held by the Department of Public Health and its authorized representatives relating to known

New matter indicated by italics - deletions by strikeout
or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.

(ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(II) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination

New matter indicated by italics - deletions by strikeout
of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(mm) Maps and other records regarding the location or security of a utility's generation, transmission, distribution, storage, gathering, treatment, or switching facilities.

(nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council under the Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.

(pp) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(qq) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (qq) (pp) shall apply until the conclusion of the trial and appeal of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(2) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.
AN ACT concerning aging.

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

Section 5. The Illinois Act on the Aging is amended by changing Sections 4.02 and 4.02e as follows:

(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

(a) home health services;
(b) home nursing services;
(c) homemaker services;
(d) chore and housekeeping services;
(e) adult care services;
(f) home-delivered meals;

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 94-0953
(Senate Bill No. 2448)

AN ACT concerning aging.

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

Section 5. The Illinois Act on the Aging is amended by changing Sections 4.02 and 4.02e as follows:

(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

(a) home health services;
(b) home nursing services;
(c) homemaker services;
(d) chore and housekeeping services;
(e) adult care services;
(f) home-delivered meals;

New matter indicated by italics - deletions by strikeout
(g) education in self-care;
(h) personal care services;
(i) adult day health services;
(j) habilitation services;
(k) respite care;
(k-5) community reintegration services;
(l) other nonmedical social services that may enable the person to become self-supporting; or
(m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the target population for whom they are to be provided. Such eligibility standards shall be based on the recipient's ability to pay for services; provided, however, that in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning July 1, 2002, the Department shall require as a condition of eligibility that all financially eligible applicants and recipients apply for medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such

New matter indicated by italics - deletions by strikeout
amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 60 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 60 day notice period. With the exception of the lengthened notice and time frame for the appeal request, the appeal process shall follow the normal procedure. In addition, each person affected regardless of the circumstances for discontinued eligibility shall be given notice and the opportunity to purchase the necessary services through the Community Care Program. If the individual does not elect to purchase services, the Department shall advise the individual of alternative services. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services Public Aid, Public Health, Veterans’ Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all chore/housekeeping and homemaker vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an

New matter indicated by italics - deletions by strikeout
administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services Public Aid, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for

New matter indicated by italics - deletions by strikeout
services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Illinois Department of Public Aid, regardless of the value of the property.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on the effective date of this Amendatory Act of 1991, no person may perform chore/housekeeping and homemaker services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of
all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as homemakers and chore housekeepers receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for homemakers and chore housekeepers. An employer that cannot ensure that the minimum wage increase is being given to homemakers and chore housekeepers shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Committee shall include, but not be limited to, representatives from the following agencies and organizations:

(a) at least 4 adult day service representatives;
(b) at least 4 case coordination unit representatives;
(c) at least 4 representatives from in-home direct care service agencies;
(d) at least 2 representatives of statewide trade or labor unions that represent in-home direct care service staff;
(e) at least 2 representatives of Area Agencies on Aging;

New matter indicated by italics - deletions by strikeout
(f) at least 2 non-provider representatives from a policy, advocacy, research, or other service organization;
(g) at least 2 representatives from a statewide membership organization for senior citizens; and
(h) at least 2 citizen members 60 years of age or older.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. At no time may a member serve more than one consecutive term in any capacity on the committee. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

New matter indicated by italics - deletions by strikeout
Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

(Source: P.A. 93-85, eff. 1-1-04; 93-902, eff. 8-10-04; 94-48, eff. 7-1-05; 94-269, eff. 7-19-05; 94-336, eff. 7-26-05; revised 12-15-05.)

(20 ILCS 105/4.02e)

Sec. 4.02e. Adult day service program certification. For the purpose of long term care insurance payouts to clients of the Department's program of services to prevent unnecessary institutionalization established in Section 4.02 of this Act, a contract with the Department for the procurement of adult day services or adult day health services shall constitute certification by the Department of the adult day services. For the purposes of this Act, "adult day services" and "adult day center" means the direct care and supervision of adults aged 60 and over in a community-based setting for the purpose of providing personal attention and promoting social, physical, and emotional well-being in a structured setting. For the purposes of this Act, "adult day health services" means the direct care and supervision of adults aged 60 and over in a community-based setting for the purpose of providing ancillary health services, as defined by administrative rule, thereby promoting social, physical, and emotional well-being in a structured setting.

(Source: P.A. 94-421, eff. 8-2-05.)

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

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0955
(Senate Bill No. 2613)

AN ACT concerning criminal law.

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

Section 1. Purpose.

(a) This Act is not intended to make any substantive change in the law. It reconciles conflicts that have arisen from multiple amendments and enactments made to Section 29B-1 of the Criminal Code of 1961 by Public Acts 94-364 and 94-556. It also makes a technical correction in subdivision (l)(3) of that Section.

(b) In this Act, the reference at the end of Section 29B-1 of the Criminal Code of 1961 indicates the sources in the Session Laws of Illinois that were used in the preparation of the text of that Section. The text of Section 29B-1 included in this Act is intended to include the different versions of that Section found in the Public Acts included in the list of sources, but may not include other versions of the Section to be found in Public Acts not included in the list of sources. The list of sources is not a part of the text of the Section. Except for the one technical correction made in subdivision (l)(3), the text of Section 29B-1 contains no striking or underscoring because no other changes are being made in the material that is being combined.

Section 5. The Criminal Code of 1961 is amended by changing Section 29B-1 as follows:

(720 ILCS 5/29B-1) (from Ch. 38, par. 29B-1)

Sec. 29B-1. (a) A person commits the offense of money laundering:

(1) when, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, he or she conducts or attempts to conduct such a financial transaction which in fact involves criminally derived property:

New matter indicated by italics - deletions by strikeout
(A) with the intent to promote the carrying on of the unlawful activity from which the criminally derived property was obtained; or

(B) where he or she knows or reasonably should know that the financial transaction is designed in whole or in part:

(i) to conceal or disguise the nature, the location, the source, the ownership or the control of the criminally derived property; or

(ii) to avoid a transaction reporting requirement under State law; or

(1.5) when he or she transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument:

(A) with the intent to promote the carrying on of the unlawful activity from which the criminally derived property was obtained; or

(B) knowing, or having reason to know, that the financial transaction is designed in whole or in part:

(i) to conceal or disguise the nature, the location, the source, the ownership or the control of the criminally derived property; or

(ii) to avoid a transaction reporting requirement under State law; or

(2) when, with the intent to:

(A) promote the carrying on of a specified criminal activity as defined in this Article; or

(B) conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of a specified criminal activity as defined by subdivision (b)(6); or

(C) avoid a transaction reporting requirement under State law,
he or she conducts or attempts to conduct a financial transaction involving property he or she believes to be the proceeds of

New matter indicated by italics - deletions by strikeout
specified criminal activity as defined by subdivision (b)(6) or property used to conduct or facilitate specified criminal activity as defined by subdivision (b)(6).

(b) As used in this Section:

(0.5) "Knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity" means that the person knew the property involved in the transaction represented proceeds from some form, though not necessarily which form, of activity that constitutes a felony under State, federal, or foreign law, regardless of whether or not such activity is specified in subdivision (b) (4).

(1) "Financial transaction" means a purchase, sale, loan, pledge, gift, transfer, delivery or other disposition utilizing criminally derived property, and with respect to financial institutions, includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of any stock, bond, certificate of deposit or other monetary instrument, use of safe deposit box, or any other payment, transfer or delivery by, through, or to a financial institution. For purposes of clause (a)(2) of this Section, the term "financial transaction" also means a transaction which without regard to whether the funds, monetary instruments, or real or personal property involved in the transaction are criminally derived, any transaction which in any way or degree: (1) involves the movement of funds by wire or any other means; (2) involves one or more monetary instruments; or (3) the transfer of title to any real or personal property. The receipt by an attorney of bona fide fees for the purpose of legal representation is not a financial transaction for purposes of this Section.

(2) "Financial institution" means any bank; saving and loan association; trust company; agency or branch of a foreign bank in the United States; currency exchange; credit union, mortgage banking institution; pawnbroker; loan or finance company; operator of a credit card system; issuer, redeemer or cashier of travelers checks, checks or money orders; dealer in precious metals.

New matter indicated by italics - deletions by strikeout
metals, stones or jewels; broker or dealer in securities or commodities; investment banker; or investment company.

(3) "Monetary instrument" means United States coins and currency; coins and currency of a foreign country; travelers checks; personal checks, bank checks, and money orders; investment securities; bearer negotiable instruments; bearer investment securities; or bearer securities and certificates of stock in such form that title thereto passes upon delivery.

(4) "Criminally derived property" means: (A) any property, real or personal, constituting or derived from proceeds obtained, directly or indirectly, pursuant to a violation of the Criminal Code of 1961, the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act; or (B) any property represented to be property constituting or derived from proceeds obtained, directly or indirectly, pursuant to a violation of this Code, the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act.

(5) "Conduct" or "conducts" includes, in addition to its ordinary meaning, initiating, concluding, or participating in initiating or concluding a transaction.

(6) "Specified criminal activity" means any violation of Section 20.5-5 (720 ILCS 5/20.5-5) and any violation of Article 29D of this Code.

(7) "Director" means the Director of State Police or his or her designated agents.

(8) "Department" means the Department of State Police of the State of Illinois or its successor agency.

(9) "Transaction reporting requirement under State law" means any violation as defined under the Currency Reporting Act.

(c) Sentence.

(1) Laundering of criminally derived property of a value not exceeding $10,000 is a Class 3 felony;
(2) Laundering of criminally derived property of a value exceeding $10,000 but not exceeding $100,000 is a Class 2 felony;
(3) Laundering of criminally derived property of a value exceeding $100,000 but not exceeding $500,000 is a Class 1 felony;
(4) Money laundering in violation of subsection (a)(2) of this Section is a Class X felony;
(5) Laundering of criminally derived property of a value exceeding $500,000 is a Class 1 non-probationable felony.

(d) Evidence. In a prosecution under this Article, either party may introduce the following evidence pertaining to the issue of whether the property or proceeds were known to be some form of criminally derived property or from some form of unlawful activity:

(1) A financial transaction was conducted or structured or attempted in violation of the reporting requirements of any State or federal law; or
(2) A financial transaction was conducted or attempted with the use of a false or fictitious name or a forged instrument; or
(3) A falsely altered or completed written instrument or a written instrument that contains any materially false personal identifying information was made, used, offered or presented, whether accepted or not, in connection with a financial transaction; or

(4) A financial transaction was structured or attempted to be structured so as to falsely report the actual consideration or value of the transaction; or
(5) A money transmitter, a person engaged in a trade or business or any employee of a money transmitter or a person engaged in a trade or business, knows or reasonably should know that false personal identifying information has been presented and incorporates the false personal identifying information into any report or record; or

(6) The criminally derived property is transported or possessed in a fashion inconsistent with the ordinary or usual
means of transportation or possession of such property and where the property is discovered in the absence of any documentation or other indicia of legitimate origin or right to such property; or

(7) A person pays or receives substantially less than face value for one or more monetary instruments; or

(8) A person engages in a transaction involving one or more monetary instruments, where the physical condition or form of the monetary instrument or instruments makes it apparent that they are not the product of bona fide business or financial transactions.

(e) Duty to enforce this Article.

(1) It is the duty of the Department of State Police, and its agents, officers, and investigators, to enforce all provisions of this Article, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, or of any state, relating to money laundering. Only an agent, officer, or investigator designated by the Director may be authorized in accordance with this Section to serve seizure notices, warrants, subpoenas, and summonses under the authority of this State.

(2) Any agent, officer, investigator, or peace officer designated by the Director may: (A) make seizure of property pursuant to the provisions of this Article; and (B) perform such other law enforcement duties as the Director designates. It is the duty of all State's Attorneys to prosecute violations of this Article and institute legal proceedings as authorized under this Article.

(f) Protective orders.

(1) Upon application of the State, the court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property described in subsection (h) for forfeiture under this Article:

(A) upon the filing of an indictment, information, or complaint charging a violation of this Article for which forfeiture may be ordered under this Article and alleging
that the property with respect to which the order is sought would be subject to forfeiture under this Article; or

(B) prior to the filing of such an indictment, information, or complaint, if, after notice to persons appearing to have an interest in the property and opportunity for a hearing, the court determines that:

(i) there is probable cause to believe that the State will prevail on the issue of forfeiture and that failure to enter the order will result in the property being destroyed, removed from the jurisdiction of the court, or otherwise made unavailable for forfeiture; and

(ii) the need to preserve the availability of the property through the entry of the requested order outweighs the hardship on any party against whom the order is to be entered.

Provided, however, that an order entered pursuant to subparagraph (B) shall be effective for not more than 90 days, unless extended by the court for good cause shown or unless an indictment, information, complaint, or administrative notice has been filed.

(2) A temporary restraining order under this subsection may be entered upon application of the State without notice or opportunity for a hearing when an indictment, information, complaint, or administrative notice has not yet been filed with respect to the property, if the State demonstrates that there is probable cause to believe that the property with respect to which the order is sought would be subject to forfeiture under this Section and that provision of notice will jeopardize the availability of the property for forfeiture. Such a temporary order shall expire not more than 30 days after the date on which it is entered, unless extended for good cause shown or unless the party against whom it is entered consents to an extension for a longer period. A hearing requested concerning an order entered under this paragraph shall be

New matter indicated by italics - deletions by strikeout
held at the earliest possible time and prior to the expiration of the temporary order.

(3) The court may receive and consider, at a hearing held pursuant to this subsection (f), evidence and information that would be inadmissible under the Illinois rules of evidence.

(4) Order to repatriate and deposit.

(A) In general. Pursuant to its authority to enter a pretrial restraining order under this Section, the court may order a defendant to repatriate any property that may be seized and forfeited and to deposit that property pending trial with the Illinois State Police or another law enforcement agency designated by the Illinois State Police.

(B) Failure to comply. Failure to comply with an order under this subsection (f) is punishable as a civil or criminal contempt of court.

(g) Warrant of seizure. The State may request the issuance of a warrant authorizing the seizure of property described in subsection (h) in the same manner as provided for a search warrant. If the court determines that there is probable cause to believe that the property to be seized would be subject to forfeiture, the court shall issue a warrant authorizing the seizure of such property.

(h) Forfeiture.

(1) The following are subject to forfeiture:

(A) any property, real or personal, constituting, derived from, or traceable to any proceeds the person obtained directly or indirectly, as a result of a violation of this Article;

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of this Article;

(C) all conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt,
possession, or concealment of property described in subparagraphs (A) and (B), but:

(i) no conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this Section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this Article;

(ii) no conveyance is subject to forfeiture under this Section by reason of any act or omission which the owner proves to have been committed or omitted without his or her knowledge or consent;

(iii) a forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he or she neither had knowledge of nor consented to the act or omission;

(D) all real property, including any right, title, and interest (including, but not limited to, any leasehold interest or the beneficial interest in a land trust) in the whole of any lot or tract of land and any appurtenances or improvements, which is used or intended to be used, in any manner or part, to commit, or in any manner to facilitate the commission of, any violation of this Article or that is the proceeds of any violation or act that constitutes a violation of this Article.

(2) Property subject to forfeiture under this Article may be seized by the Director or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property. Seizure by the Director or any peace officer without process may be made:

(A) if the seizure is incident to a seizure warrant;

(B) if the property subject to seizure has been the subject of a prior judgment in favor of the State in a
criminal proceeding, or in an injunction or forfeiture proceeding based upon this Article;

(C) if there is probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(D) if there is probable cause to believe that the property is subject to forfeiture under this Article and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable; or

(E) in accordance with the Code of Criminal Procedure of 1963.

(3) In the event of seizure pursuant to paragraph (2), forfeiture proceedings shall be instituted in accordance with subsections (i) through (r).

(4) Property taken or detained under this Section shall not be subject to replevin, but is deemed to be in the custody of the Director subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings and the decisions of the State's Attorney under this Article. When property is seized under this Article, the seizing agency shall promptly conduct an inventory of the seized property and estimate the property's value and shall forward a copy of the inventory of seized property and the estimate of the property's value to the Director. Upon receiving notice of seizure, the Director may:

(A) place the property under seal;

(B) remove the property to a place designated by the Director;

(C) keep the property in the possession of the seizing agency;

(D) remove the property to a storage area for safekeeping or, if the property is a negotiable instrument or money and is not needed for evidentiary purposes, deposit it in an interest bearing account;

New matter indicated by italics - deletions by strikeout
(E) place the property under constructive seizure by posting notice of pending forfeiture on it, by giving notice of pending forfeiture to its owners and interest holders, or by filing notice of pending forfeiture in any appropriate public record relating to the property; or

(F) provide for another agency or custodian, including an owner, secured party, or lienholder, to take custody of the property upon the terms and conditions set by the Director.

(5) When property is forfeited under this Article, the Director shall sell all such property unless such property is required by law to be destroyed or is harmful to the public, and shall distribute the proceeds of the sale, together with any moneys forfeited or seized, in accordance with paragraph (6). However, upon the application of the seizing agency or prosecutor who was responsible for the investigation, arrest or arrests and prosecution which lead to the forfeiture, the Director may return any item of forfeited property to the seizing agency or prosecutor for official use in the enforcement of laws, if the agency or prosecutor can demonstrate that the item requested would be useful to the agency or prosecutor in its enforcement efforts. When any real property returned to the seizing agency is sold by the agency or its unit of government, the proceeds of the sale shall be delivered to the Director and distributed in accordance with paragraph (6).

(6) All monies and the sale proceeds of all other property forfeited and seized under this Article shall be distributed as follows:

(A) 65% shall be distributed to the metropolitan enforcement group, local, municipal, county, or State law enforcement agency or agencies which conducted or participated in the investigation resulting in the forfeiture. The distribution shall bear a reasonable relationship to the degree of direct participation of the law enforcement agency in the effort resulting in the forfeiture, taking into

New matter indicated by italics - deletions by strikeout
account the total value of the property forfeited and the total law enforcement effort with respect to the violation of the law upon which the forfeiture is based. Amounts distributed to the agency or agencies shall be used for the enforcement of laws.

(B) (i) 12.5% shall be distributed to the Office of the State's Attorney of the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in the enforcement of laws. In counties over 3,000,000 population, 25% shall be distributed to the Office of the State's Attorney for use in the enforcement of laws. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws.

(ii) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the Narcotics Profit Forfeiture Fund of that office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases arising under laws. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with over 3,000,000 population.

(C) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

(i) Notice to owner or interest holder.

(1) Whenever notice of pending forfeiture or service of an in rem complaint is required under the provisions of this Article, such notice or service shall be given as follows:

(A) If the owner's or interest holder's name and current address are known, then by either personal service

New matter indicated by italics - deletions by strikeout
or mailing a copy of the notice by certified mail, return receipt requested, to that address. For purposes of notice under this Section, if a person has been arrested for the conduct giving rise to the forfeiture, then the address provided to the arresting agency at the time of arrest shall be deemed to be that person's known address. Provided, however, if an owner or interest holder's address changes prior to the effective date of the notice of pending forfeiture, the owner or interest holder shall promptly notify the seizing agency of the change in address or, if the owner or interest holder's address changes subsequent to the effective date of the notice of pending forfeiture, the owner or interest holder shall promptly notify the State's Attorney of the change in address; or

(B) If the property seized is a conveyance, to the address reflected in the office of the agency or official in which title or interest to the conveyance is required by law to be recorded, then by mailing a copy of the notice by certified mail, return receipt requested, to that address; or

(C) If the owner's or interest holder's address is not known, and is not on record as provided in paragraph (B), then by publication for 3 successive weeks in a newspaper of general circulation in the county in which the seizure occurred.

(2) Notice served under this Article is effective upon personal service, the last date of publication, or the mailing of written notice, whichever is earlier.

(j) Notice to State's Attorney. The law enforcement agency seizing property for forfeiture under this Article shall, within 90 days after seizure, notify the State's Attorney for the county, either where an act or omission giving rise to the forfeiture occurred or where the property was seized, of the seizure of the property and the facts and circumstances giving rise to the seizure and shall provide the State's Attorney with the inventory of the property and its estimated value. When the property seized for forfeiture is
a vehicle, the law enforcement agency seizing the property shall immediately notify the Secretary of State that forfeiture proceedings are pending regarding such vehicle.

(k) Non-judicial forfeiture. If non-real property that exceeds $20,000 in value excluding the value of any conveyance, or if real property is seized under the provisions of this Article, the State's Attorney shall institute judicial in rem forfeiture proceedings as described in subsection (l) of this Section within 45 days from receipt of notice of seizure from the seizing agency under subsection (j) of this Section. However, if non-real property that does not exceed $20,000 in value excluding the value of any conveyance is seized, the following procedure shall be used:

(1) If, after review of the facts surrounding the seizure, the State's Attorney is of the opinion that the seized property is subject to forfeiture, then within 45 days after the receipt of notice of seizure from the seizing agency, the State's Attorney shall cause notice of pending forfeiture to be given to the owner of the property and all known interest holders of the property in accordance with subsection (i) of this Section.

(2) The notice of pending forfeiture must include a description of the property, the estimated value of the property, the date and place of seizure, the conduct giving rise to forfeiture or the violation of law alleged, and a summary of procedures and procedural rights applicable to the forfeiture action.

(3)(A) Any person claiming an interest in property which is the subject of notice under paragraph (1) of this subsection (k), must, in order to preserve any rights or claims to the property, within 45 days after the effective date of notice as described in subsection (i) of this Section, file a verified claim with the State's Attorney expressing his or her interest in the property. The claim must set forth:

(i) the caption of the proceedings as set forth on the notice of pending forfeiture and the name of the claimant;
(ii) the address at which the claimant will accept mail;

New matter indicated by italics - deletions by strikeout
(iii) the nature and extent of the claimant's interest in the property;
(iv) the date, identity of the transferor, and circumstances of the claimant's acquisition of the interest in the property;
(v) the name and address of all other persons known to have an interest in the property;
(vi) the specific provision of law relied on in asserting the property is not subject to forfeiture;
(vii) all essential facts supporting each assertion; and
(viii) the relief sought.

(B) If a claimant files the claim and deposits with the State's Attorney a cost bond, in the form of a cashier's check payable to the clerk of the court, in the sum of 10% of the reasonable value of the property as alleged by the State's Attorney or the sum of $100, whichever is greater, upon condition that, in the case of forfeiture, the claimant must pay all costs and expenses of forfeiture proceedings, then the State's Attorney shall institute judicial in rem forfeiture proceedings and deposit the cost bond with the clerk of the court as described in subsection (l) of this Section within 45 days after receipt of the claim and cost bond. In lieu of a cost bond, a person claiming interest in the seized property may file, under penalty of perjury, an indigency affidavit which has been approved by a circuit court judge.

(C) If none of the seized property is forfeited in the judicial in rem proceeding, the clerk of the court shall return to the claimant, unless the court orders otherwise, 90% of the sum which has been deposited and shall retain as costs 10% of the money deposited. If any of the seized property is forfeited under the judicial forfeiture proceeding, the clerk of the court shall transfer 90% of the
sum which has been deposited to the State's Attorney prosecuting the civil forfeiture to be applied to the costs of prosecution and the clerk shall retain as costs 10% of the sum deposited.

(4) If no claim is filed or bond given within the 45 day period as described in paragraph (3) of this subsection (k), the State's Attorney shall declare the property forfeited and shall promptly notify the owner and all known interest holders of the property and the Director of State Police of the declaration of forfeiture and the Director shall dispose of the property in accordance with law.

(l) Judicial in rem procedures. If property seized under the provisions of this Article is non-real property that exceeds $20,000 in value excluding the value of any conveyance, or is real property, or a claimant has filed a claim and a cost bond under paragraph (3) of subsection (k) of this Section, the following judicial in rem procedures shall apply:

(1) If, after a review of the facts surrounding the seizure, the State's Attorney is of the opinion that the seized property is subject to forfeiture, then within 45 days of the receipt of notice of seizure by the seizing agency or the filing of the claim and cost bond, whichever is later, the State's Attorney shall institute judicial forfeiture proceedings by filing a verified complaint for forfeiture and, if the claimant has filed a claim and cost bond, by depositing the cost bond with the clerk of the court. When authorized by law, a forfeiture must be ordered by a court on an action in rem brought by a State's Attorney under a verified complaint for forfeiture.

(2) During the probable cause portion of the judicial in rem proceeding wherein the State presents its case-in-chief, the court must receive and consider, among other things, all relevant hearsay evidence and information. The laws of evidence relating to civil actions apply to all other portions of the judicial in rem proceeding.

(3) Only an owner of or interest holder in the property may file an answer asserting a claim against the property in the action in

New matter indicated by italics - deletions by strikeout
rem. For purposes of this Section, the owner or interest holder shall be referred to as claimant. Upon motion of the State, the court shall first hold a hearing, wherein any claimant must establish by a preponderance of the evidence, that he or she has a lawful, legitimate ownership interest in the property and that it was obtained through a lawful source.

(4) The answer must be signed by the owner or interest holder under penalty of perjury and must set forth:
   (A) the caption of the proceedings as set forth on the notice of pending forfeiture and the name of the claimant;
   (B) the address at which the claimant will accept mail;
   (C) the nature and extent of the claimant's interest in the property;
   (D) the date, identity of transferor, and circumstances of the claimant's acquisition of the interest in the property;
   (E) the name and address of all other persons known to have an interest in the property;
   (F) all essential facts supporting each assertion; and
   (G) the precise relief sought.

(5) The answer must be filed with the court within 45 days after service of the civil in rem complaint.

(6) The hearing must be held within 60 days after filing of the answer unless continued for good cause.

(7) The State shall show the existence of probable cause for forfeiture of the property. If the State shows probable cause, the claimant has the burden of showing by a preponderance of the evidence that the claimant's interest in the property is not subject to forfeiture.

(8) If the State does not show existence of probable cause, the court shall order the interest in the property returned or conveyed to the claimant and shall order all other property forfeited.
to the State. If the State does show existence of probable cause, the
court shall order all property forfeited to the State.

(9) A defendant convicted in any criminal proceeding is
precluded from later denying the essential allegations of the
criminal offense of which the defendant was convicted in any
proceeding under this Article regardless of the pendency of an
appeal from that conviction. However, evidence of the pendency of
an appeal is admissible.

(10) An acquittal or dismissal in a criminal proceeding does
not preclude civil proceedings under this Article; however, for
good cause shown, on a motion by the State's Attorney, the court
may stay civil forfeiture proceedings during the criminal trial for a
related criminal indictment or information alleging a money
laundering violation. Such a stay shall not be available pending an
appeal. Property subject to forfeiture under this Article shall not be
subject to return or release by a court exercising jurisdiction over a
criminal case involving the seizure of such property unless such
return or release is consented to by the State's Attorney.

(11) All property declared forfeited under this Article vests
in this State on the commission of the conduct giving rise to
forfeiture together with the proceeds of the property after that time.
Any such property or proceeds subsequently transferred to any
person remain subject to forfeiture and thereafter shall be ordered
forfeited.

(12) A civil action under this Article must be commenced
within 5 years after the last conduct giving rise to forfeiture
became known or should have become known or 5 years after the
forfeitable property is discovered, whichever is later, excluding any
time during which either the property or claimant is out of the State
or in confinement or during which criminal proceedings relating to
the same conduct are in progress.

(m) Stay of time periods. If property is seized for evidence and for
forfeiture, the time periods for instituting judicial and non-judicial

New matter indicated by italics - deletions by strikeout
forfeiture proceedings shall not begin until the property is no longer necessary for evidence.

(n) Settlement of claims. Notwithstanding other provisions of this Article, the State's Attorney and a claimant of seized property may enter into an agreed-upon settlement concerning the seized property in such an amount and upon such terms as are set out in writing in a settlement agreement.

(o) Property constituting attorney fees. Nothing in this Article applies to property which constitutes reasonable bona fide attorney's fees paid to an attorney for services rendered or to be rendered in the forfeiture proceeding or criminal proceeding relating directly thereto where such property was paid before its seizure, before the issuance of any seizure warrant or court order prohibiting transfer of the property and where the attorney, at the time he or she received the property did not know that it was property subject to forfeiture under this Article.

(p) Construction. It is the intent of the General Assembly that the forfeiture provisions of this Article be liberally construed so as to effect their remedial purpose. The forfeiture of property and other remedies hereunder shall be considered to be in addition to, and not exclusive of, any sentence or other remedy provided by law.

(q) Judicial review. If property has been declared forfeited under subsection (k) of this Section, any person who has an interest in the property declared forfeited may, within 30 days after the effective date of the notice of the declaration of forfeiture, file a claim and cost bond as described in paragraph (3) of subsection (k) of this Section. If a claim and cost bond is filed under this Section, then the procedures described in subsection (l) of this Section apply.

(r) Burden of proof of exemption or exception. It is not necessary for the State to negate any exemption or exception in this Article in any complaint, information, indictment or other pleading or in any trial, hearing, or other proceeding under this Article. The burden of proof of any exemption or exception is upon the person claiming it.

(s) Review of administrative decisions. All administrative findings, rulings, final determinations, findings, and conclusions of the State's
Attorney's Office under this Article are final and conclusive decisions of the matters involved. Any person aggrieved by the decision may obtain review of the decision pursuant to the provisions of the Administrative Review Law and the rules adopted pursuant to that Law. Pending final decision on such review, the administrative acts, orders, and rulings of the State's Attorney's Office remain in full force and effect unless modified or suspended by order of court pending final judicial decision. Pending final decision on such review, the acts, orders, and rulings of the State's Attorney's Office remain in full force and effect, unless stayed by order of court. However, no stay of any decision of the administrative agency shall issue unless the person aggrieved by the decision establishes by a preponderance of the evidence that good cause exists for the stay. In determining good cause, the court shall find that the aggrieved party has established a substantial likelihood of prevailing on the merits and that granting the stay will not have an injurious effect on the general public.

(Source: P.A. 93-520, eff. 8-6-03; 94-364, eff. 7-29-05; 94-556, eff. 9-11-05; revised 8-19-05.)

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

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0956
(Senate Bill No. 2774)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Regulatory Sunset Act is amended by changing Section 4.17 and by adding Section 4.27 as follows:

(5 ILCS 80/4.17)
Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:

New matter indicated by italics - deletions by strikeout
The Boiler and Pressure Vessel Repairer Regulation Act.
The Structural Pest Control Act.
The Clinical Psychologist Licensing Act.
The Environmental Health Practitioner Licensing Act.

(Source: P.A. 92-837, eff. 8-22-02.)

(5 ILCS 80/4.27 new)

Sec. 4.27. Act repealed on January 1, 2017. The following Act is repealed on January 1, 2017:
The Boiler and Pressure Vessel Repairer Regulation Act.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly April 4, 2006.
Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0957
(Senate Bill No. 2778)

AN ACT concerning higher education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Volunteer Emergency Worker Higher Education Protection Act.

Section 5. Definitions. For the purposes of this Section:
"Institution of higher education" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northwestern Illinois University, Northern Illinois University, Western Illinois University, the public community colleges of this State, and any

New matter indicated by italics - deletions by strikeout
other public universities, colleges, and community colleges now or hereafter established or authorized by law.

"Volunteer emergency worker" means a volunteer emergency worker as defined in the Volunteer Emergency Worker Job Protection Act.

Section 10. Accommodation policy. Each public institution of higher education must adopt a policy that reasonably accommodates any student who is a volunteer emergency worker in regard to absence from class caused by the performance of his or her duties as a volunteer emergency worker. This policy shall include a grievance procedure by which a student who believes that he or she has been unreasonably denied this accommodation may seek redress.

Section 15. Publication of policy. Each institution of higher education must publish the policy adopted under Section 10 of this Act in a handbook, manual, or other similar document regularly provided to faculty and students.

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by the Volunteer Emergency Worker Higher Education Protection Act.

Section 99. Effective date. This Act takes effect on July 1, 2006.
Approved June 27, 2006.
Effective July 1, 2006.
Section 5. The State Finance Act is amended by changing Section 6z-27 as follows:

(30 ILCS 105/6z-27)

Sec. 6z-27. All moneys in the Audit Expense Fund shall be transferred, appropriated and used only for the purposes authorized by, and subject to the limitations and conditions prescribed by, the State Auditing Act.

Within 30 days after the effective date of this amendatory Act of 2006, the State Comptroller shall order transferred and the State Treasurer shall transfer from the following funds moneys in the specified amounts for deposit into the Audit Expense Fund:

**Attorney General Court Ordered and Voluntary Compliance**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment Projects Fund</td>
<td>4,115</td>
</tr>
<tr>
<td>Agricultural Premium Fund</td>
<td>12,059/118,035</td>
</tr>
<tr>
<td>Alternate Fuels Fund</td>
<td>1,194</td>
</tr>
<tr>
<td>Anna Veterans Home Fund</td>
<td>932</td>
</tr>
<tr>
<td>Appraisal Administration Fund</td>
<td>2,007/4,782</td>
</tr>
<tr>
<td>Asbestos Abatement Fund</td>
<td>2,051</td>
</tr>
<tr>
<td>Auction Regulation Administration Fund</td>
<td>684/544</td>
</tr>
<tr>
<td>Bank and Trust Company Fund</td>
<td>55,809/82,180</td>
</tr>
<tr>
<td>Brownfields Redevelopment Fund</td>
<td>4,185</td>
</tr>
<tr>
<td>Build Illinois Capital Revolving Loan Fund</td>
<td>10,866</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>1,418</td>
</tr>
<tr>
<td>Capital Litigation Fund</td>
<td>1,162/783</td>
</tr>
<tr>
<td>Care Provider Fund for Persons with Developmental Disability</td>
<td>4,304/10,637</td>
</tr>
<tr>
<td>Career and Technical Education Fund</td>
<td>4,019</td>
</tr>
<tr>
<td>Child Labor Enforcement Fund</td>
<td>1,894</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>6,449</td>
</tr>
<tr>
<td>Clean Air Act (CAA) Permit Fund</td>
<td>12,891</td>
</tr>
<tr>
<td>Coal Technology Development Assistance Fund</td>
<td>47,117</td>
</tr>
<tr>
<td>Common School Fund</td>
<td>170,320/172,370</td>
</tr>
<tr>
<td>The Communications Revolving Fund</td>
<td>12,460/11,579</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Medicaid Trust Fund.............................. 8,661 24,799
Community Water Supply Laboratory Fund........ 1,973
Conservation 2000 Fund............................ 4,954 30,623
Conservation 2000 Projects Fund................... 2,985 14,935
Continuing Legal Education Trust Fund............. 701
Corporate Franchise Tax Refund Fund............... 1,027
Corporate Headquarters Relocation Assistance Fund... 1,755
Credit Union Fund.................................. 10,610 44,005
DCFS Children's Services Fund...................... 80,032 101,062
Department of Business Services Special
Operations Fund...................................... 640 1,107
Department of Children and Family
Services Training Fund.............................. 2,507
Department of Corrections Reimbursement
and Education Fund................................. 52,647
Design Professionals Administration and
Investigation Fund.................................. 2,291 3,330
Digital Divide Elimination Fund..................... 11,615
The Downstate Public Transportation Fund......... 3,738 4,990
Drivers Education Fund................................ 762 948
Drug Rebate Fund................................... 16,903
Drug Treatment Fund................................ 598 1,464
Drunk and Drugged Driving Prevention Fund........ 571
Drycleaner Environmental Response Trust Fund...... 19,941 18,936
The Education Assistance Fund...................... 82,304 101,329
Efficiency Initiatives Revolving Fund................ 2,053 3,977
Energy Efficiency Trust Fund........................ 3,359
Environmental Laboratory Certification Fund....... 513
Environmental Protection Permit and Inspection Fund.. 9,173
Estate Tax Collection Distributive Fund............ 878 1,117
Facilities Management Revolving Fund.............. 15,074
Fair and Exposition Fund........................... 695 7,292
Feed Control Fund.................................. 505 4,830
Fertilizer Control Fund.............................. 2,393
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Fire Prevention Fund</td>
<td>1,273,418</td>
</tr>
<tr>
<td><em>Fire Truck Revolving Loan Fund</em></td>
<td>119,754</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>111,399</td>
</tr>
<tr>
<td>The General Revenue Fund</td>
<td>15,845,725</td>
</tr>
<tr>
<td>Grade Crossing Protection Fund</td>
<td>2,514,467</td>
</tr>
<tr>
<td>Guardianship and Advocacy Fund</td>
<td>848</td>
</tr>
<tr>
<td><em>Hazardous Waste Fund</em></td>
<td>10,250</td>
</tr>
<tr>
<td><em>Hazardous Waste Research Fund</em></td>
<td>578</td>
</tr>
<tr>
<td>Home Inspector Administration Fund</td>
<td>759,963</td>
</tr>
<tr>
<td><em>Horse Racing Fund</em></td>
<td>511</td>
</tr>
<tr>
<td>ICCB Adult Education Fund</td>
<td>4,217</td>
</tr>
<tr>
<td>Illinois Affordable Housing Trust Fund</td>
<td>3,372,213</td>
</tr>
<tr>
<td><em>Illinois Aquaculture Development Fund</em></td>
<td>5,404</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund</td>
<td>2,134</td>
</tr>
<tr>
<td>Illinois Charity Bureau Fund</td>
<td>1,590</td>
</tr>
<tr>
<td>Illinois Clean Water Fund</td>
<td>6,460</td>
</tr>
<tr>
<td><em>Illinois Community College Board Contracts and Grants Fund</em></td>
<td>739</td>
</tr>
<tr>
<td>Illinois Department of Agriculture Laboratory Services Revolving Fund</td>
<td>3,836</td>
</tr>
<tr>
<td>Illinois Forestry Development Fund</td>
<td>3,387</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>2,043</td>
</tr>
<tr>
<td>Illinois Habitat Fund</td>
<td>885</td>
</tr>
<tr>
<td>Illinois Historic Sites Fund</td>
<td>8,480</td>
</tr>
<tr>
<td>Illinois Standardbred Breeders Fund</td>
<td>820,862</td>
</tr>
<tr>
<td>Illinois State Dental Disciplinary Fund</td>
<td>2,631,324</td>
</tr>
<tr>
<td>Illinois State Fair Fund</td>
<td>2,229,270</td>
</tr>
<tr>
<td>Illinois State Medical Disciplinary Fund</td>
<td>11,414,449</td>
</tr>
<tr>
<td>Illinois State Pharmacy Disciplinary Fund</td>
<td>3,713,488</td>
</tr>
<tr>
<td>Illinois Tax Increment Fund</td>
<td>1,372,906</td>
</tr>
<tr>
<td>Illinois Thoroughbred Breeders Fund</td>
<td>1,244,596</td>
</tr>
<tr>
<td>Illinois Veterans Rehabilitation Fund</td>
<td>1,176</td>
</tr>
<tr>
<td><em>Illinois Workers’ Compensation Commission Operations Fund</em></td>
<td>3,948</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>IMSA Income Fund</td>
<td>2,330</td>
</tr>
<tr>
<td>Income Tax Refund Fund</td>
<td>103,213</td>
</tr>
<tr>
<td>Industrial Commission Operations Fund</td>
<td>25,602</td>
</tr>
<tr>
<td>Insurance Financial Regulation Fund</td>
<td>49,855</td>
</tr>
<tr>
<td>Insurance Premium Tax Refund Fund</td>
<td>6,285</td>
</tr>
<tr>
<td>Insurance Producer Administration Fund</td>
<td>35,126</td>
</tr>
<tr>
<td>International Tourism Fund</td>
<td>10,753</td>
</tr>
<tr>
<td>Juvenile Accountability Incentive Block Grant Fund</td>
<td>20,278</td>
</tr>
<tr>
<td>Large Business Attraction Fund</td>
<td>1,018</td>
</tr>
<tr>
<td>LaSalle Veterans Home Fund</td>
<td>4,696</td>
</tr>
<tr>
<td>Live and Learn Fund</td>
<td>5,457</td>
</tr>
<tr>
<td>The Local Government Distributive Fund</td>
<td>73,113</td>
</tr>
<tr>
<td>The Local Initiative Fund</td>
<td>2,567</td>
</tr>
<tr>
<td>Local Tourism Fund</td>
<td>27,412</td>
</tr>
<tr>
<td>Long-Term Care Provider Fund</td>
<td>23,418</td>
</tr>
<tr>
<td>Mandatory Arbitration Fund</td>
<td>2,767</td>
</tr>
<tr>
<td>Manteno Veterans Home Fund</td>
<td>20,976</td>
</tr>
<tr>
<td>Medicaid Provider Relief Fund</td>
<td>35,469</td>
</tr>
<tr>
<td>Medical Research and Development Fund</td>
<td>524</td>
</tr>
<tr>
<td>Mental Health Fund</td>
<td>1,874</td>
</tr>
<tr>
<td>Metro-East Public Transportation Fund</td>
<td>1,504</td>
</tr>
<tr>
<td>The Motor Fuel Tax Fund</td>
<td>61,478</td>
</tr>
<tr>
<td>Motor Vehicle License Plate Fund</td>
<td>2,838</td>
</tr>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>17,889</td>
</tr>
<tr>
<td>Natural Areas Acquisition Fund</td>
<td>12,383</td>
</tr>
<tr>
<td>Nuclear Safety Emergency Preparedness Fund</td>
<td>129,658</td>
</tr>
<tr>
<td>Nursing Dedicated and Professional Fund</td>
<td>4,507</td>
</tr>
<tr>
<td>Off-Highway Vehicle Trails Fund</td>
<td>621</td>
</tr>
<tr>
<td>Open Space Lands Acquisition and Development Fund</td>
<td>22,841</td>
</tr>
<tr>
<td>Optometric Licensing and Disciplinary Board Fund</td>
<td>1,332</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>17,977</td>
</tr>
<tr>
<td>Pension Contribution Fund</td>
<td>259,341</td>
</tr>
<tr>
<td>The Personal Property Tax Replacement Fund</td>
<td>73,222</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>2022</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pesticide Control Fund</td>
<td>1,105</td>
<td>12,281</td>
</tr>
<tr>
<td>Petroleum Resources Revolving Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post-Tertiary Clinical Services Fund</td>
<td>784</td>
<td></td>
</tr>
<tr>
<td>Presidential Library and Museum Operating Fund</td>
<td>25,488</td>
<td></td>
</tr>
<tr>
<td>Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund</td>
<td>7,937</td>
<td>18,804</td>
</tr>
<tr>
<td>Professional Services Fund</td>
<td>961</td>
<td></td>
</tr>
<tr>
<td>Professions Indirect Cost Fund</td>
<td>38,982</td>
<td>54,204</td>
</tr>
<tr>
<td>Public Infrastructure Construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan Revolving Fund</td>
<td>1,831</td>
<td></td>
</tr>
<tr>
<td>Public Pension Regulation Fund</td>
<td>2,538</td>
<td>3,783</td>
</tr>
<tr>
<td>The Public Transportation Fund</td>
<td>23,515</td>
<td>19,347</td>
</tr>
<tr>
<td>Quincy Veterans Home Fund</td>
<td>28,403</td>
<td></td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>43,658</td>
<td></td>
</tr>
<tr>
<td>Radioactive Waste Facility Development and Operation Fund</td>
<td></td>
<td>5,416</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>11,045</td>
<td>17,805</td>
</tr>
<tr>
<td>Registered Certified Public Accountants' Administration and Disciplinary Fund</td>
<td>526</td>
<td></td>
</tr>
<tr>
<td>Renewable Energy Resources Trust Fund</td>
<td>6,544</td>
<td></td>
</tr>
<tr>
<td>The Road Fund</td>
<td>161,107</td>
<td>213,676</td>
</tr>
<tr>
<td>Regional Transportation Authority Occupation and Use Tax Replacement Fund</td>
<td>1,425</td>
<td>978</td>
</tr>
<tr>
<td>Savings and Residential Finance</td>
<td></td>
<td>12,459</td>
</tr>
<tr>
<td>Secretary of State DUI Administration Fund</td>
<td>598</td>
<td></td>
</tr>
<tr>
<td>Secretary of State Special Services Fund</td>
<td>5,176</td>
<td>7,829</td>
</tr>
<tr>
<td>Securities Audit and Enforcement Fund</td>
<td>1,496</td>
<td>2,174</td>
</tr>
<tr>
<td>Small Business Environmental Assistance Fund</td>
<td>612</td>
<td></td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>22,604</td>
<td></td>
</tr>
<tr>
<td>Special Education Medicaid Matching Fund</td>
<td>5,264</td>
<td></td>
</tr>
<tr>
<td>State and Local Sales Tax Reform Fund</td>
<td>2,850</td>
<td>4,957</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>11,156</td>
<td></td>
</tr>
<tr>
<td>State Construction Account Fund</td>
<td>62,923</td>
<td>51,993</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>The State Gaming Fund</td>
<td>8,683</td>
<td>5,874</td>
</tr>
<tr>
<td>The State Garage Revolving Fund</td>
<td>3,564</td>
<td>3,520</td>
</tr>
<tr>
<td>The State Lottery Fund</td>
<td>21,611</td>
<td>14,822</td>
</tr>
<tr>
<td><em>State Migratory Waterfowl Stamp Fund</em></td>
<td></td>
<td>980</td>
</tr>
<tr>
<td><em>State Parks Fund</em></td>
<td></td>
<td>11,280</td>
</tr>
<tr>
<td><em>State Pheasant Fund</em></td>
<td></td>
<td>680</td>
</tr>
<tr>
<td><em>State Rail Freight Loan Repayment Fund</em></td>
<td></td>
<td>524</td>
</tr>
<tr>
<td><em>State’s Attorneys Appellate Prosecutor’s County Fund</em></td>
<td></td>
<td>4,129</td>
</tr>
<tr>
<td><em>State Treasurer's Bank Services Trust Fund</em></td>
<td></td>
<td>518</td>
</tr>
<tr>
<td>The Statistical Services Revolving Fund</td>
<td>9,252</td>
<td>7,108</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td></td>
<td>1,432</td>
</tr>
<tr>
<td>Tobacco Settlement Recovery Fund</td>
<td>12,402</td>
<td>22,942</td>
</tr>
<tr>
<td><em>Tourism Promotion Fund</em></td>
<td></td>
<td>66,136</td>
</tr>
<tr>
<td>U of I Hospital Services Fund</td>
<td></td>
<td>7,237</td>
</tr>
<tr>
<td>Underground Storage Tank Fund</td>
<td></td>
<td>46,744</td>
</tr>
<tr>
<td>The Vehicle Inspection Fund</td>
<td>53,340</td>
<td>955</td>
</tr>
<tr>
<td><em>Violence Prevention Fund</em></td>
<td></td>
<td>8,626</td>
</tr>
<tr>
<td><em>Violent Crime Victims Assistance Fund</em></td>
<td></td>
<td>17,987</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td></td>
<td>1,099</td>
</tr>
<tr>
<td><em>Wildlife and Fish Fund</em></td>
<td></td>
<td>9,667</td>
</tr>
<tr>
<td>Wireless Carrier Reimbursement Fund</td>
<td></td>
<td>40,273</td>
</tr>
<tr>
<td>Wireless Service Emergency Fund</td>
<td></td>
<td>3,455</td>
</tr>
<tr>
<td>The Working Capital Revolving Fund</td>
<td>109,247</td>
<td>53,304</td>
</tr>
</tbody>
</table>

Notwithstanding any provision of the law to the contrary, the General Assembly hereby authorizes the use of such funds for the purposes set forth in this Section.

These provisions do not apply to funds classified by the Comptroller as federal trust funds or State trust funds. The Audit Expense Fund may receive transfers from those trust funds only as directed herein, except where prohibited by the terms of the trust fund agreement. The Auditor General shall notify the trustees of those funds of the estimated cost of the audit to be incurred under the Illinois State Auditing Act for the fund. The trustees of those funds shall direct the State Comptroller and Treasurer to transfer the estimated amount to the Audit Expense Fund.

New matter indicated by italics - deletions by strikeout
The Auditor General may bill entities that are not subject to the above transfer provisions, including private entities, related organizations and entities whose funds are locally-held, for the cost of audits, studies, and investigations incurred on their behalf. Any revenues received under this provision shall be deposited into the Audit Expense Fund.

In the event that moneys on deposit in any fund are unavailable, by reason of deficiency or any other reason preventing their lawful transfer, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount deficient or otherwise unavailable from the General Revenue Fund for deposit into the Audit Expense Fund.

On or before December 1, 1992, and each December 1 thereafter, the Auditor General shall notify the Governor's Office of Management and Budget (formerly Bureau of the Budget) of the amount estimated to be necessary to pay for audits, studies, and investigations in accordance with the Illinois State Auditing Act during the next succeeding fiscal year for each State fund for which a transfer or reimbursement is anticipated.

Beginning with fiscal year 1994 and during each fiscal year thereafter, the Auditor General may direct the State Comptroller and Treasurer to transfer moneys from funds authorized by the General Assembly for that fund. In the event funds, including federal and State trust funds but excluding the General Revenue Fund, are transferred, during fiscal year 1994 and during each fiscal year thereafter, in excess of the amount to pay actual costs attributable to audits, studies, and investigations as permitted or required by the Illinois State Auditing Act or specific action of the General Assembly, the Auditor General shall, on September 30, or as soon thereafter as is practicable, direct the State Comptroller and Treasurer to transfer the excess amount back to the fund from which it was originally transferred.

(Source: P.A. 93-452, eff. 8-7-03; 93-880, eff. 8-6-04; 94-505, eff. 8-8-05.)

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

Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0959
(Senate Bill No. 2936)

AN ACT concerning validation.

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

Section 1. Short title. This Act may be cited as the Ryan White Fund Validation Act.

Section 5. Findings; purpose; validation.

(a) The General Assembly finds and declares that:

(1) Public Act 88-669 amended Section 2c of the Communicable Disease Prevention Act, relating to the Ryan White Pediatric and Adult AIDS Fund. The amendment affected the allocation of moneys in the Fund and required grants from the Fund to be made by a competitive selection process. Public Act 88-669 also contained many other provisions.

(2) Section 2c of the Communicable Disease Prevention Act was repealed by Public Act 92-790, effective August 6, 2002.


(b) The purpose of this Act is to validate actions taken under Section 2c of the Communicable Disease Prevention Act and to minimize or prevent any problems concerning those actions that may arise from the unconstitutionality of Public Act 88-669.

(c) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions of Section 2c of the Communicable Disease Prevention Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, and all otherwise lawful grants made under that Section, are hereby New matter indicated by italics - deletions by strikeout
valid, except to the extent prohibited under the Illinois or United States Constitution.

(d) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

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

Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0960
(Senate Bill No. 2951)

AN ACT relating to the Illinois Research Park Authority Act.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Findings; purpose; validation.
(a) The General Assembly finds and declares that:
(1) Article 1 of Public Act 88-669, effective November 29, 1994, created the Illinois Research Park Authority Act. The Authority created under the Act was authorized, among other things, to issue bonds, make loans, and otherwise support and provide financing for certain projects. Public Act 88-669 also contained many other provisions.

(2) The Illinois Research Park Authority Act was repealed by Public Act 93-205, effective January 1, 2004, which transferred its powers and functions to the Illinois Finance Authority.


(b) The purpose of this Act is to validate actions taken under the Illinois Research Park Authority Act, to explicitly provide the powers and

New matter indicated by italics - deletions by strikeout
duties formerly included in that Act to the Illinois Finance Authority, and to minimize or prevent any problems concerning those actions, powers, and duties that may arise from the unconstitutionality of Public Act 88-669.

(c) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions of the Illinois Research Park Authority Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to powers or duties that were purportedly transferred from the Illinois Research Park Authority to the Illinois Finance Authority by Public Act 93-205, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(e) All otherwise lawful obligations arising out of any bonds or notes issued before the effective date of this Act under power purportedly derived directly or indirectly from the Illinois Research Park Authority Act, whether issued by the Illinois Research Park Authority or its successor, the Illinois Finance Authority, are hereby validated and affirmed.

(f) All otherwise lawful obligations arising out of any loan or other contractual agreement entered into by or on behalf of the Illinois Research Park Authority or its successor, the Illinois Finance Authority, before the effective date of this Act under power purportedly derived directly or indirectly from the Illinois Research Park Authority Act are hereby validated and affirmed.

(g) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Finance Authority Act is amended by changing Section 845-75 as follows:

(20 ILCS 3501/845-75)

Sec. 845-75. Transfer of functions from previously existing authorities to the Illinois Finance Authority.

(a) The Illinois Finance Authority created by the Illinois Finance Authority Act shall succeed to, assume and exercise all rights, powers, duties and responsibilities formerly exercised by the following Authorities and entities (herein called the "Predecessor Authorities") prior to the abolition of the Predecessor Authorities by this Act:

- The Illinois Development Finance Authority
- The Illinois Farm Development Authority
- The Illinois Health Facilities Authority
- The Illinois Educational Facilities Authority
- The Illinois Community Development Finance Corporation
- The Illinois Rural Bond Bank
- The Illinois Research Park Authority

(b) All books, records, papers, documents and pending business in any way pertaining to the Predecessor Authorities are transferred to the Illinois Finance Authority, but any rights or obligations of any person under any contract made by, or under any rules, regulations, uniform standards, criteria and guidelines established or approved by, such Predecessor Authorities shall be unaffected thereby. All bonds, notes or other evidences of indebtedness outstanding on the effective date of this Act shall be unaffected by the transfer of functions to the Illinois Finance Authority. No rule, regulation, standard, criteria or guideline promulgated, established or approved by the Predecessor Authorities pursuant to an exercise of any right, power, duty or responsibility assumed by and transferred to the Illinois Finance Authority shall be affected by this Act, and all such rules, regulations, standards, criteria and guidelines shall become those of the Illinois Finance Authority until such time as they are amended or repealed by the Illinois Finance Authority.

(c) The Illinois Finance Authority may exercise all of the rights, powers, duties, and responsibilities that were provided for the Illinois Finance Authority.
Research Park Authority under the provisions of the Illinois Research Park Authority Act, as the text of that Act existed on December 31, 2003, notwithstanding the fact that Public Act 88-669, which created the Illinois Research Park Authority Act, has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution in People v. Olender, Docket No. 98932, opinion filed December 15, 2005.

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

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

Approved June 27, 2006.
Effective June 27, 2006.

PUBLIC ACT 94-0961
(Senate Bill No. 2952)

AN ACT in relation to information technology.

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

Section 1. Findings; purpose; validation.

(a) The General Assembly finds and declares that:


(b) The purpose of this Act is to re-enact the provisions of the Illinois Geographic Information Council Act and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is not intended to supersede any other Public Act that amends the provisions

New matter indicated by italics - deletions by strikeout
re-enacted in this Act. The re-enacted material is shown in this Act as existing text (i.e., without underscoring) and may include changes made by subsequent amendments. The re-enacted material includes some revisory changes; the revisory changes are shown by striking and underscoring.

(c) The re-enactment of provisions of the Illinois Geographic Information Council Act by this Act is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions re-enacted by this Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution. This validation expressly includes the appointment of members by the Governor to the Geographic Information Council, and the members so appointed who are presently serving shall continue to serve at the pleasure of the Governor.

(e) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

Section 5. The Illinois Geographic Information Council Act is amended by re-enacting and amending Sections 5-1 and 5-5 and by re-enacting Sections 5-10, 5-15, 5-20, 5-25, and 5-30 as follows:

(20 ILCS 1128/5-1)
Sec. 5-1. Short title. This Act Article may be cited as the Illinois Geographic Information Council Act.
(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)
(20 ILCS 1128/5-5)
Sec. 5-5. Council. The Illinois Geographic Information Council, hereinafter called the "Council", is created within the Department of Natural Resources.

The Council shall consist of 17 voting members, as follows: the Illinois Secretary of State, the Illinois Secretary of Transportation, the Directors of the Illinois Departments of Agriculture, Central Management

New matter indicated by italics - deletions by strikeout
Services, Commerce and Economic Opportunity Community Affairs, Nuclear Safety, Public Health, Natural Resources, and Revenue, the Directors of the Illinois Emergency Management Agency and the Illinois Environmental Protection Agency, the President of the University of Illinois, the Chairman of the Illinois Commerce Commission, plus 4 members of the General Assembly, one each appointed by the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate. An ex officio voting member may designate another person to carry out his or her duties on the Council.

In addition to the above members, the Governor may appoint up to 10 additional voting members, representing local, regional, and federal agencies, professional organizations, academic institutions, public utilities, and the private sector.

Members appointed by the Governor shall serve at the pleasure of the Governor.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95; 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 1128/5-10)
Sec. 5-10. Chairmen; compensation.
(a) One of the members who is not an ex officio member, selected annually by the voting members, and the Director of Natural Resources shall serve as co-chairmen of the Council.

(b) Non-State employees of the Council shall serve without compensation but may be reimbursed for actual expenses incurred in the performance of their duties out of funds appropriated to the Department of Natural Resources for that purpose.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95; 89-445, eff. 2-7-96.)

(20 ILCS 1128/5-15)
Sec. 5-15. Technical and clerical assistance. The Department of Natural Resources shall provide the Council with any technical and clerical assistance or other support services that may be necessary for carrying out its duties.

(Source: P.A. 88-669, eff. 11-29-94; 89-445, eff. 2-7-96.)
Sec. 5-20. Meetings. The Council shall meet upon the call of its chairmen and shall meet at least twice a year.
(Source: P.A. 88-669, eff. 11-29-94.)

Sec. 5-25. Duties and powers. The Council shall establish a User Advisory Committee. The Committee is the technical arm of the Council. The Committee shall evaluate the Task Force recommendations and identify the most important issues, which include database development, standards, data sharing, partnerships, applications, technical considerations, and funding. The Committee shall create subcommittees addressing relevant issues. Members of the Committee shall chair and coordinate the subcommittees.
(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)

Sec. 5-30. Evaluation of proposals.
The Council shall evaluate proposals made by the User Advisory Committee and make recommendations to the Governor and General Assembly on the efficient development, use, and funding of geographic information management technology (GIMT) for Illinois' State, regional, local, and academic agencies and institutions. These include:

(1) Standards for the collection (geodetic), maintenance, dissemination, and documentation of spatial data, consistent with established and on-going development of national standards and guidelines when applicable.
(2) Funding strategies that encourage and support the use of GIMT at local levels of government.
(3) Examining the impacts of the Freedom of Information Act as it applies to digital data dissemination.
(4) Statewide basemap development.

New matter indicated by italics - deletions by strikeout
(6) The Council shall report to the Governor and the General Assembly by January 31st of each year on:
   (a) the current status of efforts to integrate GIMT into the decision making, evaluation, planning, and management activities of State and local governments;
   (b) the current status of integration of State and local government efforts with those of the federal government and the private sector; and
   (c) Council objectives for the next 12-month period.

(7) As necessary, the Council may enter into agreements with professional non-profit organizations to achieve its objectives.

(8) The Council may accept grants and gifts from corporations, for-profit or not-for-profit, or associations for the purpose of conducting research, evaluations, or demonstration projects directed towards the development of an integrated statewide system of geographic information management technology.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)

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

Approved June 27, 2006.
Effective June 27, 2006.
Sec. 17. Bedding, clothing, fuel, and medical aid; reimbursement for medical or hospital expenses. The Warden of the jail shall furnish necessary bedding, clothing, fuel and medical aid for all prisoners under his charge, and keep an accurate account of the same. When medical or hospital services are required by any person held in custody, the county, private hospital, physician or any public agency which provides such services shall be entitled to obtain reimbursement from the county or from the Arrestee's Medical Costs Fund to the extent that moneys in the Fund are available for the cost of such services. The county board of a county may adopt an ordinance or resolution providing for reimbursement for the cost of those services at the Department of Healthcare and Family Services’ Public Aid’s rates for medical assistance. To the extent that such person is reasonably able to pay for such care, including reimbursement from any insurance program or from other medical benefit programs available to such person, he or she shall reimburse the county or arresting authority. If such person has already been determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is initially detained pending trial, the cost of such services, to the extent such cost exceeds $500, shall be reimbursed by the Department of Healthcare and Family Services Public Aid under that Code. A reimbursement under any public or private program authorized by this Section shall be paid to the county or arresting authority to the same extent as would have been obtained had the services been rendered in a non-custodial environment.

An arresting authority shall be responsible for any incurred medical expenses relating to the arrestee until such time as the arrestee is placed in the custody of the sheriff. However, the arresting authority shall not be so responsible if the arrest was made pursuant to a request by the sheriff. When medical or hospital services are required by any person held in custody, the county or arresting authority shall be entitled to obtain reimbursement from the Arrestee's Medical Costs Fund to the extent moneys are available from the Fund. To the extent that the person is reasonably able to pay for that care, including reimbursement from any insurance program or from other medical benefit programs available to the person, he or she shall reimburse the county.

New matter indicated by italics - deletions by strikeout
The county shall be entitled to a $10 fee for each conviction or order of supervision for a criminal violation, other than a petty offense or business offense. The fee shall be taxed as costs to be collected from the defendant, if possible, upon conviction or entry of an order of supervision. The fee shall not be considered a part of the fine for purposes of any reduction in the fine.

All such fees collected shall be deposited by the county in a fund to be established and known as the Arrestee's Medical Costs Fund. Moneys in the Fund shall be used solely for reimbursement of costs for medical expenses relating to the arrestee while he or she is in the custody of the sheriff and administration of the Fund.

For the purposes of this Section, "arresting authority" means a unit of local government, other than a county, which employs peace officers and whose peace officers have made the arrest of a person. For the purposes of this Section, "medical expenses relating to the arrestee" means only those expenses incurred for medical care or treatment provided to an arrestee on account of an injury suffered by the arrestee during the course of his or her arrest unless such injury is self-inflicted; the term does not include any expenses incurred for medical care or treatment provided to an arrestee on account of a health condition of the arrestee which existed prior to the time of his or her arrest.

(Source: P.A. 94-494, eff. 8-8-05; revised 12-15-05.)

Approved June 27, 2006.

PUBLIC ACT 94-0963
(Senate Bill No. 1088)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Section 11-501 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

(1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local

New matter indicated by italics - deletions by strikeout
ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

(2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third or subsequent violation committed within 5 years of a previous violation of subsection (a) or a similar provision, in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1,
paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a) or Section 11-501.1, shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth or subsequent time, if the fourth or subsequent violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).
(c-3) (Blank).
(c-4) (Blank).
(c-5)(1) A person who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is subject to an additional mandatory minimum fine of

New matter indicated by italics - deletions by strikeout
$1,000, an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children, and an additional 2 days of imprisonment. The imprisonment or assignment of community service under this subdivision (c-5)(1) is not subject to suspension, nor is the person eligible for a reduced sentence.

(2) Except as provided in subdivisions (c-5)(3) and (c-5)(4) a person who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is subject to an additional 10 days of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment of community service under this subdivision (c-5)(2) is not subject to suspension, nor is the person eligible for a reduced sentence.

(3) Except as provided in subdivision (c-5)(4), any person convicted of violating subdivision (c-5)(2) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, a mandatory minimum 12 days imprisonment, an additional 40 hours of mandatory community service in a program benefiting children, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subdivision (c-5)(3) is not subject to suspension, nor is the person eligible for a reduced sentence.

(4) Any person convicted of violating subdivision (c-5)(2) or a similar provision within 5 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, an additional 80 hours of mandatory community service in a program benefiting children, an additional mandatory minimum 12 days of imprisonment, and a mandatory minimum fine of $1,750. The imprisonment or assignment of

New matter indicated by italics - deletions by strikeout
community service under this subdivision (c-5)(4) is not subject to suspension, nor is the person eligible for a reduced sentence.

(5) Any person convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory fine of $1,000, an additional mandatory 140 hours of community service, which shall include 40 hours in a program benefiting children, and a mandatory minimum 30 days of imprisonment. The imprisonment or assignment of community service under this subdivision (c-5)(5) is not subject to suspension, nor is the person eligible for a reduced sentence.

(6) Any person convicted of violating subdivision (c-5)(5) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory 40 hours of community service in a program benefiting children, an additional mandatory fine of $3,000, and a mandatory minimum 120 days of imprisonment. The imprisonment or assignment of community service under this subdivision (c-5)(6) is not subject to suspension, nor is the person eligible for a reduced sentence.

(7) Any person convicted a fourth or subsequent time for violating subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $3,000.

New matter indicated by italics - deletions by strikeout
(c-6)(1) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(2) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(3) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 4 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(4) Any person convicted of a fourth or subsequent violation of subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or
urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or
permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years. Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.
(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

New matter indicated by italics - deletions by strikeout
(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be $1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities. This shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back

New matter indicated by italics - deletions by strikeout
funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(l) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection
(a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

(Source: P.A. 92-248, eff. 8-3-01; 92-418, eff. 8-17-01; 92-420, eff. 8-17-01; 92-429, eff. 1-1-02; 92-431, eff. 1-1-02; 92-651, eff. 7-11-02; 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; 93-712, eff. 1-1-05; 93-800, eff. 1-1-05; 93-840, eff. 7-30-04; 93-1093, eff. 3-29-05.)

(Text of Section from P.A. 94-110)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful

New matter indicated by italics - deletions by strikeout
use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

(1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

(2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third or subsequent violation committed within 5 years of a previous violation of subsection (a) or a similar provision, in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

New matter indicated by italics - deletions by strikeout
(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a) or Section 11-501.1, shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth or subsequent time, if the fourth or subsequent violation occurs during a period in which his or her driving privileges are revoked

New matter indicated by italics - deletions by strikeout
or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).
(c-3) (Blank).
(c-4) (Blank).

(c-5) Except as provided in subsection (c-5.1), a person 21 years of age or older who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is subject to 6 months of imprisonment, an additional mandatory minimum fine of $1,000, and 25 days of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-5) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-5.1) A person 21 years of age or older who is convicted of violating subsection (a) of this Section a first time and who in committing that violation was involved in a motor vehicle accident that resulted in bodily harm to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury, is guilty of a Class 4 felony and is subject to one year of imprisonment, a mandatory fine of $2,500, and 25 days of community service in a program benefiting children. The imprisonment or assignment to community service under this subsection (c-5.1) shall not be subject to suspension, nor shall the person be eligible for probation in order to reduce the sentence or assignment.

(c-6) Except as provided in subsections (c-7) and (c-7.1), a person 21 years of age or older who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is subject to 6 months of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment
of community service under this subsection (c-6) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-7) Except as provided in subsection (c-7.1), any person 21 years of age or older convicted of violating subsection (c-6) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 4 felony and, in addition to any other penalty imposed, is subject to one year of imprisonment, 25 days of mandatory community service in a program benefiting children, and a mandatory fine of $2,500. The imprisonment or assignment of community service under this subsection (c-7) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-7.1) A person 21 years of age or older who is convicted of violating subsection (a) of this Section a second time within 10 years and who in committing that violation was involved in a motor vehicle accident that resulted in bodily harm to the child under the age of 16 being transported, if the violation was the proximate cause of the injury, is guilty of a Class 4 felony and is subject to 18 months of imprisonment, a mandatory fine of $5,000, and 25 days of community service in a program benefiting children. The imprisonment or assignment to community service under this subsection (c-7.1) shall not be subject to suspension, nor shall the person be eligible for probation in order to reduce the sentence or assignment.

(c-8) (Blank).

(c-9) Any person 21 years of age or older convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 4 felony and is subject to 18 months of imprisonment, a mandatory fine of $2,500, and 25 days of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-9) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-10) Any person 21 years of age or older convicted of violating subsection (c-9) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a

New matter indicated by italics - deletions by strikeout
Class 3 felony and, in addition to any other penalty imposed, is subject to 3 years of imprisonment, 25 days of community service in a program benefiting children, and a mandatory fine of $25,000. The imprisonment or assignment of community service under this subsection (c-10) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-11) Any person 21 years of age or older convicted a fourth or subsequent time for violating subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $25,000.

(c-12) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(c-13) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(c-14) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood,
breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 4 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(c-15) Any person convicted of a fourth or subsequent violation of subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to
reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years. Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of
one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall
be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be $1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys

New matter indicated by italics - deletions by strikeout
received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(l) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the

New matter indicated by italics - deletions by strikeout
Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

(Source: P.A. 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; 93-712, eff. 1-1-05; 93-800, eff. 1-1-05; 93-840, eff. 7-30-04; 94-110, eff. 1-1-06.)

(Text of Section from P.A. 94-113 and 94-609)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

New matter indicated by italics - deletions by strikeout
(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

(1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

(2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a
similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third or subsequent violation committed within 5 years of a previous violation of subsection (a) or a similar provision, in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony.

(2.1) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, subsection (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be
assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a) or Section 11-501.1, shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth or subsequent time, if the fourth or subsequent violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).
(c-3) (Blank).
(c-4) (Blank).

(c-5) A person who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is subject to an additional mandatory minimum fine of $1,000, an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children, and an additional 2 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-5) is not subject to suspension, nor is the person eligible for a reduced sentence.

New matter indicated by italics - deletions by strikeout
(c-6) Except as provided in subsections (c-7) and (c-8) a person who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is subject to an additional 10 days of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-6) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-7) Except as provided in subsection (c-8), any person convicted of violating subsection (c-6) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, a mandatory minimum 12 days imprisonment, an additional 40 hours of mandatory community service in a program benefiting children, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-7) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-8) Any person convicted of violating subsection (c-6) or a similar provision within 5 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, an additional 80 hours of mandatory community service in a program benefiting children, an additional mandatory minimum 12 days of imprisonment, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-8) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-9) Any person convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory fine of $1,000, an additional mandatory 140 hours of community service, which shall include 40 hours in a program benefiting children, and a mandatory minimum 30 days of imprisonment. The

New matter indicated by italics - deletions by strikeout
imprisonment or assignment of community service under this subsection (c-9) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-10) Any person convicted of violating subsection (c-9) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory 40 hours of community service in a program benefiting children, an additional mandatory fine of $3,000, and a mandatory minimum 120 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-10) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-11) Any person convicted a fourth or subsequent time for violating subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $3,000.

(c-12) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(c-13) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in
addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(c-14) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 4 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(c-15) Any person convicted of a fourth or subsequent violation of subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;
(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;
(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that

New matter indicated by italics - deletions by strikeout
resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.
Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services

New matter indicated by italics - deletions by strikeout
department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be $1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related

New matter indicated by italics - deletions by strikeout
criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities: This shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(l) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local

New matter indicated by italics - deletions by strikeout
ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

(Source: P.A. 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; 93-712, eff. 1-1-05; 93-800, eff. 1-1-05; 93-840, eff. 7-30-04; 94-113, eff. 1-1-06; 94-609, eff. 1-1-06.)

(Text of Section from P.A. 94-114)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

New matter indicated by italics - deletions by strikeout
(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

   (1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

   (2) under the influence of alcohol;

   (3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

   (4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

   (5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

   (6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

   (1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

   (2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).
(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third or subsequent violation committed within 5 years of a previous violation of subsection (a) or a similar provision, in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony.

(2.1) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation

New matter indicated by italics - deletions by strikeout
or suspension was for a violation of subsection (a), Section 11-501.1, subsection (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 3 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a) or Section 11-501.1, shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth or fifth time, if the fourth or fifth violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).
(c-3) (Blank).
(c-4) (Blank).
(c-5) A person who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is

New matter indicated by italics - deletions by strikeout
subject to an additional mandatory minimum fine of $1,000, an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children, and an additional 2 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-5) is not subject to suspension, nor is the person eligible for a reduced sentence. (c-6) Except as provided in subsections (c-7) and (c-8) a person who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is subject to an additional 10 days of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-6) is not subject to suspension, nor is the person eligible for a reduced sentence.

   (c-7) Except as provided in subsection (c-8), any person convicted of violating subsection (c-6) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, a mandatory minimum 12 days imprisonment, an additional 40 hours of mandatory community service in a program benefiting children, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-7) is not subject to suspension, nor is the person eligible for a reduced sentence.

   (c-8) Any person convicted of violating subsection (c-6) or a similar provision within 5 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, an additional 80 hours of mandatory community service in a program benefiting children, an additional mandatory minimum 12 days of imprisonment, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-8) is not subject to suspension, nor is the person eligible for a reduced sentence.

New matter indicated by italics - deletions by strikeout
(c-9) Any person convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory fine of $1,000, an additional mandatory 140 hours of community service, which shall include 40 hours in a program benefiting children, and a mandatory minimum 30 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-9) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-10) Any person convicted of violating subsection (c-9) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory 40 hours of community service in a program benefiting children, an additional mandatory fine of $3,000, and a mandatory minimum 120 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-10) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-11) Any person convicted a fourth or fifth time for violating subsection (a) or a similar provision, if at the time of the fourth or fifth violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $3,000.

(c-12) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

New matter indicated by italics - deletions by strikeout
(c-13) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(c-14) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 4 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(c-15) Any person convicted of a fourth or fifth violation of subsection (a) or a similar provision, if at the time of the fourth or fifth violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(c-16) Any person convicted of a sixth or subsequent violation of subsection (a) is guilty of a Class X felony.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of

New matter indicated by italics - deletions by strikeout
alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that
resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the

New matter indicated by italics - deletions by strikeout
Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be
$1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities: This shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not

New matter indicated by italics - deletions by strikeout
limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(l) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

New matter indicated by italics - deletions by strikeout
Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

New matter indicated by italics - deletions by strikeout
(1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

(2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third violation committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant is guilty of a Class 2 felony, and in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time is guilty of a Class 2 felony.
(2.1) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, subsection (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of a Class 2 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a) or Section 11-501.1, shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth time is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge.

(4) A person who violates subsection (a) a fifth or subsequent time is guilty of a Class 1 felony and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).

(c-3) (Blank).

(c-4) (Blank).

New matter indicated by italics - deletions by strikeout
(c-5) A person who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is subject to an additional mandatory minimum fine of $1,000, an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children, and an additional 2 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-5) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-6) Except as provided in subsections (c-7) and (c-8) a person who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is subject to an additional 10 days of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-6) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-7) Except as provided in subsection (c-8), any person convicted of violating subsection (c-6) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, a mandatory minimum 12 days imprisonment, an additional 40 hours of mandatory community service in a program benefiting children, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-7) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-8) Any person convicted of violating subsection (c-6) or a similar provision within 5 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, an additional 80 hours of mandatory community service in a program benefiting children, an additional mandatory minimum 12 days of imprisonment, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection
(c-8) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-9) Any person convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 2 felony and shall receive, in addition to any other penalty imposed, an additional mandatory fine of $1,000, an additional mandatory 140 hours of community service, which shall include 40 hours in a program benefiting children, and a mandatory minimum 30 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-9) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-10) Any person convicted of violating subsection (c-9) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 2 felony and shall receive, in addition to any other penalty imposed, an additional mandatory 40 hours of community service in a program benefiting children, an additional mandatory fine of $3,000, and a mandatory minimum 120 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-10) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-11) Any person convicted a fourth time for violating subsection (a) or a similar provision, if at the time of the fourth violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $3,000.

(c-12) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty

New matter indicated by italics - deletions by strikeout
that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(c-13) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

(c-14) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(c-15) Any person convicted of a fourth violation of subsection (a) or a similar provision, if at the time of the fourth violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of
alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that
resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2) and in paragraphs (3) and (4) of subsection (c-1), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years. Except as provided in paragraph (4) of subsection (c-1), aggravated driving under the influence of alcohol, other drug, or drugs, intoxicating compounds or compounds, or any combination thereof as defined in subparagraph (A) of paragraph (1) of this subsection (d) is a Class 2 felony. Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of
this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be
fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be $1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities: This shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State
Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(l) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the

New matter indicated by italics - deletions by strikeout
costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

(Source: P.A. 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; 93-712, eff. 1-1-05; 93-800, eff. 1-1-05; 93-840, eff. 7-30-04; 94-116, eff. 1-1-06.)

(Text of Section from P.A. 94-329)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

New matter indicated by italics - deletions by strikeout
(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(b-1) With regard to penalties imposed under this Section:

(1) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state that is similar to a violation of subsection (a) of this Section.

(2) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(b-2) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(b-3) In addition to any other criminal or administrative sanction for any second conviction of violating subsection (a) or a similar provision committed within 5 years of a previous violation of subsection (a) or a similar provision, the defendant shall be sentenced to a mandatory minimum of 5 days of imprisonment or assigned a mandatory minimum of 240 hours of community service as may be determined by the court.

(b-4) In the case of a third or subsequent violation committed within 5 years of a previous violation of subsection (a) or a similar provision, in addition to any other criminal or administrative sanction, a mandatory minimum term of either 10 days of imprisonment or 480 hours of community service shall be imposed.

(b-5) The imprisonment or assignment of community service under subsections (b-3) and (b-4) shall not be subject to suspension, nor shall the person be eligible for a reduced sentence.

(c) (Blank).

(c-1) (1) A person who violates subsection (a) during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of

New matter indicated by italics - deletions by strikeout
subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 is guilty of aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and is guilty of a Class 4 felony.

(2) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and is guilty of a Class 3 felony.

(2.1) A person who violates subsection (a) a third time, if the third violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, subsection (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and is guilty of a Class 3 felony; and if the person receives a term of probation or conditional discharge, he or she shall be required to serve a mandatory minimum of 10 days of imprisonment or shall be assigned a mandatory minimum of 480 hours of community service, as may be determined by the court, as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(2.2) A person who violates subsection (a), if the violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a
violation of subsection (a) or Section 11-501.1, is guilty of aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and shall also be sentenced to an additional mandatory minimum term of 30 consecutive days of imprisonment, 40 days of 24-hour periodic imprisonment, or 720 hours of community service, as may be determined by the court. This mandatory term of imprisonment or assignment of community service shall not be suspended or reduced by the court.

(3) A person who violates subsection (a) a fourth or subsequent time, if the fourth or subsequent violation occurs during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of subsection (a), Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961, is guilty of aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and is guilty of a Class 2 felony, and is not eligible for a sentence of probation or conditional discharge.

(c-2) (Blank).
(c-3) (Blank).
(c-4) (Blank).

(c-5) A person who violates subsection (a), if the person was transporting a person under the age of 16 at the time of the violation, is subject to an additional mandatory minimum fine of $1,000, an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children, and an additional 2 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-5) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-6) Except as provided in subsections (c-7) and (c-8) a person who violates subsection (a) a second time, if at the time of the second violation the person was transporting a person under the age of 16, is
subject to an additional 10 days of imprisonment, an additional mandatory minimum fine of $1,000, and an additional mandatory minimum 140 hours of community service, which shall include 40 hours of community service in a program benefiting children. The imprisonment or assignment of community service under this subsection (c-6) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-7) Except as provided in subsection (c-8), any person convicted of violating subsection (c-6) or a similar provision within 10 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, a mandatory minimum 12 days imprisonment, an additional 40 hours of mandatory community service in a program benefiting children, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-7) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-8) Any person convicted of violating subsection (c-6) or a similar provision within 5 years of a previous violation of subsection (a) or a similar provision shall receive, in addition to any other penalty imposed, an additional 80 hours of mandatory community service in a program benefiting children, an additional mandatory minimum 12 days of imprisonment, and a mandatory minimum fine of $1,750. The imprisonment or assignment of community service under this subsection (c-8) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-9) Any person convicted a third time for violating subsection (a) or a similar provision, if at the time of the third violation the person was transporting a person under the age of 16, is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory fine of $1,000, an additional mandatory 140 hours of community service, which shall include 40 hours in a program benefiting children, and a mandatory minimum 30 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-9) is not subject to suspension, nor is the person eligible for a reduced sentence.

New matter indicated by italics - deletions by strikeout
(c-10) Any person convicted of violating subsection (c-9) or a similar provision a third time within 20 years of a previous violation of subsection (a) or a similar provision is guilty of a Class 4 felony and shall receive, in addition to any other penalty imposed, an additional mandatory 40 hours of community service in a program benefiting children, an additional mandatory fine of $3,000, and a mandatory minimum 120 days of imprisonment. The imprisonment or assignment of community service under this subsection (c-10) is not subject to suspension, nor is the person eligible for a reduced sentence.

(c-11) Any person convicted a fourth or subsequent time for violating subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the person was transporting a person under the age of 16, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and is subject to a minimum fine of $3,000.

(c-12) Any person convicted of a first violation of subsection (a) or a similar provision, if the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of $500.

(c-13) Any person convicted of a second violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision committed within 10 years of a previous violation of subsection (a) or a similar provision, if at the time of the second violation of subsection (a) the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of $1,250.

New matter indicated by italics - deletions by strikeout
(c-14) Any person convicted of a third violation of subsection (a) or a similar provision within 20 years of a previous violation of subsection (a) or a similar provision, if at the time of the third violation of subsection (a) or a similar provision the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 4 felony and shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of $2,500.

(c-15) Any person convicted of a fourth or subsequent violation of subsection (a) or a similar provision, if at the time of the fourth or subsequent violation the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, and if the person's 3 prior violations of subsection (a) or a similar provision occurred while transporting a person under the age of 16 or while the alcohol concentration in his or her blood, breath, or urine was 0.16 or more based on the definition of blood, breath, or urine units in Section 11-501.2, is guilty of a Class 2 felony and is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of $2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with persons 18 years of age or younger on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

New matter indicated by italics - deletions by strikeout
(D) the person committed a violation of subsection (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;

(G) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit; or

(H) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy.

(2) Except as provided in this paragraph (2) and in paragraphs (2), (2.1), and (3) of subsection (c-1), a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or

New matter indicated by italics - deletions by strikeout
any combination thereof is guilty of a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years. Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction. Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service may not be suspended or reduced by the court.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of
court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) (Blank).

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty to violating subsection (a), including any person placed on court supervision for violating subsection (a), shall be fined $500, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating subsection (a) or a similar provision of a local ordinance, the fine shall be $1,000. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or
compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Equipment and commodities: This shall include, but are not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by this Section, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

New matter indicated by italics - deletions by strikeout
salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(I) Whenever an individual is sentenced for an offense based upon an arrest for a violation of subsection (a) or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(m) In addition to any other fine or penalty required by law, an individual convicted of a violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of subsection (a), Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response. The restitution may not exceed $1,000 per public agency for each emergency response. As used in this subsection (m), "emergency response" means any incident requiring a response by a police officer, a firefighter carried on the rolls of a regularly constituted fire department, or an ambulance.

(Source: P.A. 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; 93-712, eff. 1-1-05; 93-800, eff. 1-1-05; 93-840, eff. 7-30-04; 94-329, eff. 1-1-06.)
Section 99. Effective date. This Act takes effect upon becoming law.

Approved June 28, 2006.
Effective June 28, 2006.

PUBLIC ACT 94-0964
(Senate Bill No. 2487)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.4 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)
Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services Public Aid. The Department of Healthcare and Family Services Public Aid shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, 2006, unless

New matter indicated by italics - deletions by strikeout
specifically provided for in this Section. The changes made by this amendatory Act of the 93rd General Assembly extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus $1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus $3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by $4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on

New matter indicated by italics - deletions by strikeout
July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.
(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These

New matter indicated by italics - deletions by strikeout
rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year.
In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services Public Aid shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

(Source: P.A. 93-20, eff. 6-20-03; 93-649, eff. 1-8-04; 93-659, eff. 2-3-04; 93-841, eff. 7-30-04; 93-1087, eff. 2-28-05; 94-48, eff. 7-1-05; 94-85, eff. 6-28-05; 94-697, eff. 11-21-05; revised 12-15-05.)

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


Approved June 28, 2006.

Effective June 28, 2006.
AN ACT concerning housing.

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

Section 1. Short title. This Act may be cited as the Comprehensive Housing Planning Act.

Section 5. Definitions. In this Act:

"Authority" means the Illinois Housing Development Authority.

"Executive Committee" means the Executive Committee of the State Housing Task Force, which shall consist of 13 members of the State Housing Task Force: the Chair, the Vice-Chair, a representative of the Governor's Office, a representative of the Governor's Office of Management and Budget responsible for Bond Cap allocation in the State, the Director of Commerce and Economic Opportunity or his or her designee, the Secretary of Human Services or his or her designee, and 7 housing experts from the State Housing Task Force as designated by the Governor.

"Interagency Subcommittee" means the Interagency Subcommittee of the State Housing Task Force, which shall consist of the following members or their designees: the Executive Director of the Authority; the Secretaries of Human Services and Transportation; the Directors of the State Departments of Aging, Children and Family Services, Commerce and Economic Opportunity, Financial and Professional Regulation, Healthcare and Family Services, Human Rights, Natural Resources, Public Health, and Veterans' Affairs; the Director of the Environmental Protection Agency; a representative of the Governor's Office; and a representative of the Governor's Office of Management and Budget.

"State Housing Task Force" or "Task Force" means a task force comprised of the following persons or their designees: the Executive Director of the Authority; a representative of the Governor's Office; a representative of the Lieutenant Governor's Office; the Secretaries of Human Services and Transportation; the Directors of the State

New matter indicated by italics - deletions by strikeout
Departments of Aging, Children and Family Services, Commerce and Economic Opportunity, Financial and Professional Regulation, Healthcare and Family Services, Human Rights, Natural Resources, Public Health, and Veterans' Affairs; the Director of the Environmental Protection Agency; and a representative of the Governor's Office of Management and Budget. The Governor may also invite and appoint the following to the Task Force: a representative of the Illinois Institute for Rural Affairs of Western Illinois University; representatives of the U. S. Departments of Housing and Urban Development (HUD) and Agriculture; and up to 18 housing experts, with proportional representation from urban, suburban, and rural areas throughout the State. The Speaker of the Illinois House of Representatives, the President of the Illinois Senate, the Minority Leader of the Illinois House of Representatives, and the Minority Leader of the Illinois Senate may each appoint one representative to the Task Force. The Executive Director of the Authority shall serve as Chair of the Task Force. The Governor shall appoint a housing expert from the non-governmental sector to serve as Vice-Chair.

Section 10. Purpose. In order to maintain the economic health of its communities, the State must have a comprehensive and unified policy for the allocation of resources for affordable housing and supportive services for historically underserved populations throughout the State. Executive Order 2003-18, issued September 16, 2003, created the Illinois Housing Initiative through December 31, 2008, which led to the adoption of the first Annual Comprehensive Housing Plan for the State of Illinois. The General Assembly determines that it is now necessary to codify provisions of Executive Order 2003-18 in order to accomplish the following:

(1) address the need to make available quality housing at a variety of price points in communities throughout the State;
(2) overcome the shortage of affordable housing, which threatens the viability of many communities;
(3) meet the need for safe, sanitary, and accessible affordable housing and supportive services for people with disabilities;

New matter indicated by italics - deletions by strikeout
(4) promote a full range of quality housing choices near jobs, transit, and other amenities;

(5) meet the needs of constituencies that have been historically underserved and segregated due to barriers and trends in the existing housing market or insufficient resources;

(6) facilitate the preservation of ownership of existing homes and rental housing in communities;

(7) create new housing opportunities and, where appropriate, promote mixed-income communities; and

(8) encourage development of State incentives for communities to create a mix of housing to meet the needs of current and future residents.

Section 15. Annual Comprehensive Housing Plan.

(a) During the period from the effective date of this Act through June 30, 2016, the State of Illinois shall prepare and be guided by an annual comprehensive housing plan ("Annual Comprehensive Housing Plan") that is consistent with the affirmative fair housing provisions of the Illinois Human Rights Act and specifically addresses the following underserved populations:

(1) households earning below 50% of the area median income, with particular emphasis on households earning below 30% of the area median income;

(2) low-income senior citizens;

(3) low-income persons with any form of disability, including, but not limited to, physical disability, developmental disability, mental illness, co-occurring mental illness and substance abuse disorder, and HIV/AIDS;

(4) homeless persons and persons determined to be at risk of homelessness;

(5) low-income and moderate-income persons unable to afford housing near work or transportation; and

(6) low-income persons residing in existing affordable housing that is in danger of becoming unaffordable or being lost.

New matter indicated by italics - deletions by strikeout
(b) The Annual Comprehensive Housing Plan shall include, but need not be limited to, the following:

1. The identification of all funding sources for which the State has administrative control that are available for housing construction, rehabilitation, preservation, operating or rental subsidies, and supportive services.

2. Goals for the number and types of housing units to be constructed, preserved, or rehabilitated each year for the underserved populations identified in subsection (a) of Section 15, based on available housing resources.

3. Funding recommendations for types of programs for housing construction, preservation, rehabilitation, and supportive services, where necessary, related to the underserved populations identified in subsection (a) of Section 15, based on the Annual Comprehensive Housing Plan.

4. Specific actions needed to ensure the coordination of State government resources that can be used to build or preserve affordable housing, provide services to accompany the creation of affordable housing, and prevent homelessness.

5. Recommended State actions that promote the construction, preservation, and rehabilitation of affordable housing by private-sector, not-for-profit, and government entities and address those practices that impede such promotion.

6. Specific suggestions for incentives for counties and municipalities to develop and implement local comprehensive housing plans that would encourage a mix of housing to meet the needs of current and future residents.

7. Identification of options that counties, municipalities, and other local jurisdictions, including public housing authorities, can take to construct, rehabilitate, or preserve housing in their own communities for the underserved populations identified in Section 10 of this Act.

(c) The Interagency Subcommittee, with staff support and coordination assistance from the Authority, shall develop the Annual
Comprehensive Housing Plan. The State Housing Task Force shall provide advice and guidance to the Interagency Subcommittee in developing the Plan. The Interagency Subcommittee shall deliver the Annual Comprehensive Housing Plan to the Governor and the General Assembly by January 1 of each year or the first business day thereafter. The Authority, on behalf of the Interagency Subcommittee, shall prepare an interim report by September 30 and a final report by April 1 of the following year to the Governor and the General Assembly on the progress made toward achieving the projected goals of the Annual Comprehensive Housing Plan during the previous calendar year. These reports shall include estimates of revenues, expenditures, obligations, bond allocations, and fund balances for all programs or funds addressed in the Annual Comprehensive Housing Plan.

(d) The Authority shall provide staffing to the Interagency Subcommittee, the Task Force, and the Executive Committee of the Task Force. It shall also provide the staff support needed to help coordinate the implementation of the Annual Comprehensive Housing Plan during the course of the year. The Authority shall be eligible for reimbursement of up to $300,000 per year for such staff support costs from a designated funding source, if available, or from the Illinois Affordable Housing Trust Fund.

Section 20. Executive Committee. The Executive Committee shall:

(1) Oversee and structure the operations of the Task Force.
(2) Create necessary subcommittees and appoint subcommittee members, with the advice of the Task Force and the Interagency Subcommittee, as the Executive Committee deems necessary.
(3) Ensure adequate public input into the Annual Comprehensive Housing Plan.
(4) Involve, to the extent possible, appropriate representatives of the federal government, local governments and municipalities, public housing authorities, local continuum-of-care, for-profit, and not-for-profit developers, supportive housing providers, business, labor, lenders, advocates for the underserved populations named in this Act, and fair housing agencies.

New matter indicated by italics - deletions by strikeout
(5) Have input into the development of the Annual Comprehensive Housing Plan and the Annual Report prepared by the Authority before the Authority submits them to the Task Force.

Section 25. Interagency Subcommittee. The Interagency Subcommittee and its member agencies shall:

(1) Be responsible for providing the information needed to develop the Annual Comprehensive Housing Plan as well as the interim and final Plan reports.

(2) Develop the Annual Comprehensive Housing Plan.

(3) Oversee the implementation of the Plan by coordinating, streamlining, and prioritizing the allocation of available production, rehabilitation, preservation, financial, and service resources.

Section 30. Notice of Funding Availability. The Authority, in consultation with other participating members of the Interagency Subcommittee, shall annually issue a joint Notice of Funding Availability ("NOFA") to notify potential applicants of funding for specific programs expected to be available through State agencies to meet housing and supportive service needs identified in the Annual Comprehensive Housing Plan. Prior to issuance of this NOFA, and before October 1 of each year, each Interagency Subcommittee member shall provide the Chairman of the Interagency Subcommittee with a report of funding earmarked for the NOFA, contingent on funding availability through annual appropriation. The Authority and other members of the Interagency Subcommittee may continue to provide additional opportunities for funding available under programs they administer, apart from this joint NOFA. The joint NOFA shall indicate the target number and types of housing units to be constructed, rehabilitated, preserved, and targeted for supportive services funding for the underserved populations. A NOFA may include, but need not be limited to, information regarding:

(1) available funding for property acquisition, construction, rehabilitation, or preservation of each type of housing;

(2) available funding for operating cost subsidies, including any rental assistance;

New matter indicated by italics - deletions by strikeout
(3) projected funding for supportive services for the targeted units upon their occupancy, subject to annual appropriation of funds;
(4) the eligibility requirements for applicants;
(5) relevant program guidelines;
(6) selection criteria and the selection process; and
(7) the conditions to be met by applicants and selected respondents.

Each agency with authority for approving allocations of funds shall review proposed funding actions with the Interagency Subcommittee. Final funding decisions shall be made by the responsible agency in accordance with applicable law.

Section 90. The Illinois Private Activity Bond Allocation Act is amended by adding Section 7.5 as follows:

(30 ILCS 345/7.5 new)
Sec. 7.5. Bond issuer; annual report. The issuer of bonds utilizing bond volume cap from the Local Government Pool and the State Agency Pool shall file, if the issuer utilized the bond volume cap for any housing purpose, an annual report with the Governor and the General Assembly. The annual report from each issuer must include, but is not limited to, the following information:

(1) For multifamily rental units:
   (A) the total number of developments;
   (B) the total number of units, by income levels served;
   (C) the total number of units targeted to each particular underserved population addressed in the Annual Comprehensive Housing Plan; and
   (D) any outreach efforts undertaken to serve the targeted units.
(2) For single family homeownership units:
   (A) the total number of loans and households who achieved homeownership with issuer bond proceeds;

New matter indicated by italics - deletions by strikeout
(B) the amounts of individual loans generated by the bond proceeds;

(C) the actual and effective interest rates offered to borrowers;

(D) the total number of assisted homeowners identified as an underserved population addressed in the Annual Comprehensive Housing Plan, when available;

(E) the number of first-time homebuyers; and

(F) the number of assisted homeowners who received any homeownership counseling.

(3) For all housing units:

(A) the percentage of bond proceeds used in conjunction with the projects and loans;

(B) the total cost of issuance for the bonds issued;

(C) the amount of bond proceeds, if any, used to refund prior bonds; and

(D) the total amount of unused proceeds, if any, at the time of the report.

The Governor and the General Assembly shall utilize information readily available through existing reporting requirements to report on the State Agency Pool.

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

Passed in the General Assembly April 6, 2006.

Approved June 30, 2006.

Effective June 30, 2006.

PUBLIC ACT 94-0966
(Senate Bill No. 2885)

AN ACT concerning business incentives.

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

New matter indicated by italics - deletions by strikeout
Section 1. Short title. This Act may be cited as the Business Location Efficiency Incentive Act.

Section 5. Definitions. In this Act:
"Location efficient" means a project that maximizes the use of existing investments in infrastructure, avoids or minimizes additional government expenditures for new infrastructure, and has nearby housing affordable to the permanent workforce of the project or has accessible and affordable mass transit or its equivalent or some combination of both.

"Location efficiency report" means a report that is prepared by an applicant for increased State economic development assistance under Section 10 and follows this Act and any related Department guidelines, and that describes the existence of (i) affordable workforce housing or (ii) accessible and affordable mass transit or its equivalent.

"Employee housing or transportation remediation plan" means a plan to increase affordable housing or transportation options, or both, for employees earning up to the median annual salary of the workforce at the project. The plan may include, but is not limited to, an employer-financed or assisted housing program that can be supplemented by State or federal grants, shuttle services between the place of employment and existing transit stops or other reasonably accessible places, facilitation of employee carpooling, or similar services.

"Accessible and affordable mass transit" means access to transit stops with regular and frequent service within one mile from the project site and pedestrian access to transit stops.

"Affordable workforce housing" means owner-occupied or rental housing that costs, based on current census data for the municipality where the project is located or any municipality within 3 miles of the municipality where the project is located, no more than 35% of the median salary at the project site, exclusive of the highest 10% of the site's salaries. If the project is located in an unincorporated area, "affordable workforce housing" means no more than 35% of the median salary at the project site, excluding the highest 10% of the site's salaries, based on the median cost of rental or of owner-occupied housing in the county where the unincorporated area is located.

New matter indicated by italics - deletions by strikeout
"Department" means the Department of Commerce and Economic Opportunity (DCEO) or its successor agency.

"Applicant" means a company or its representative that negotiates or applies for economic development assistance from DCEO.

"Economic development assistance" means State tax credits and tax exemptions given as an incentive to an eligible company after certification by DCEO under the Economic Development for a Growing Economy Tax Credit Act (EDGE).

"Existence of infrastructure" means the existence within 1,500 feet of the proposed site of roads, sewers, sidewalks, and other utilities and a description of the investments or improvements, if any, that an applicant expects State or local government to make to that infrastructure.

Section 10. Economic development assistance awards.

(a) An applicant that also wants to be considered for increased economic development assistance under this Act shall submit a location efficiency report.

(b) DCEO may give an applicant an increased tax credit or extension if the applicant's location efficiency report demonstrates that the applicant is seeking assistance for a project to be located in an area that satisfies this Act's standards for affordable workforce housing or affordable and accessible mass transit. If the Department determines from the location efficiency report that the applicant is seeking assistance in an area that is not location efficient, the Department may award an increase in State economic development assistance if an applicant (i) submits, and the Department accepts, an applicant's employee housing and transportation remediation plan or (ii) creates jobs in a labor surplus area as defined by the Department of Employment Security at the end of each calendar year.

(c) Applicants locating or expanding at location-efficient sites, with approved location efficiency plans, or creating jobs in labor surplus areas may receive (i) up to 10% more than the maximum allowable tax credits for which they are eligible under the Economic Development for a Growing Economy Tax Credit Act (EDGE), but not to equal or exceed 100% of the applicant's tax liability, or (ii) such other adjustment of those

New matter indicated by italics - deletions by strikeout
tax credits, including but not limited to extensions, as the Department deems appropriate.

(d) The Department may provide technical assistance to employers requesting assistance in developing an appropriate employee housing or transportation plan.

Section 15. Summaries; progress reports.

(a) DCEO shall include summaries of the initial employee housing or transportation plans for each assisted project in the annual compilation and publication of project progress reports required under subsection (d) of Section 20 of the Corporate Accountability for Tax Expenditures Act. Companies that fail to do so or that make inadequate progress shall have their increased tax credit or extension eliminated. Applicants and submitted data are subject to all disclosure, reporting, and recapture provisions set forth in Public Act 93-552.

(b) By June 1, 2008 and by June 1 of each year thereafter through 2011, the Department shall include, when appropriate, data on the outcomes or status of approved employee housing or transportation plans in the project progress reports required under the Corporate Accountability for Tax Expenditure Act.

Section 20. Duration of incentives; report to General Assembly.

(a) Any multi-year incentive awarded under this Act shall continue for the time period called for in the agreement with the Department and shall not be altered by the repeal of this Act.

(b) By January 1, 2011, the Department shall submit to the Speaker of the House of Representatives and the President of the Senate, for assignment to the appropriate committees, a report on the incentives awarded under this Act and the Department's activities, findings, and recommendations with respect to this Act and its extension, amendment, or repeal. The report, when acted upon by those committees, shall be distributed to each member of the General Assembly.

Section 25. Repeal. This Act is repealed on December 31, 2011.

Section 99. Effective date. This Act takes effect January 1, 2007.


Approved June 30, 2006.

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 94-0967
(House Bill No. 0874)

AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Section 11-55-2 as follows:

(65 ILCS 5/11-55-2) (from Ch. 24, par. 11-55-2)
Sec. 11-55-2. No municipality with a population of less than 1,000,000, including a home rule unit, may increase the fee for a license to own or operate a vending machine or to dispense goods or services therefrom unless notice of a public hearing on the matter has been given and such hearing has been held. The amount of the increase annually shall not exceed the greater of (i) $25, (ii) the amount of the fee multiplied by 5%, or (iii) the amount of the fee multiplied by the percentage increase in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor during the 12-month calendar year preceding the year in which the fee is increased. Notice of the proposed increase shall be mailed at least 30 days before the hearing to the last known address of each person currently holding such a license. It is declared to be the law of this State, pursuant to paragraph (g) of Section 6 of Article VII of the Illinois Constitution, that this Section amendatory Act of 1986 is a denial of the power of certain home rule units to increase vending machine license fees without complying with the requirements of this Section.
(Source: P.A. 84-1479.)

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

Passed in the General Assembly April 5, 2006.
Approved June 30, 2006.
Effective June 30, 2006.
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Higher Education Student Assistance Act is amended by adding Section 65.75 as follows:

(110 ILCS 947/65.75 new)

Sec. 65.75. Grant for a person raised by a grandparent.
(a) The Commission shall, each year, receive and consider applications for grant assistance under this Section. An applicant is eligible for a grant under this Section if the Commission finds that the applicant:

(1) has been in the legal custody of his or her grandparent and received public aid assistance under the Illinois Public Aid Code for a period of at least the consecutive 12 months preceding the initial application for assistance under this Section;
(2) has graduated from high school with a cumulative grade point average of at least a 2.7 on a 4.0 scale or its equivalent;
(3) has been recommended for assistance under this Section by the principal or other appropriate administrative officer of his or her high school; and
(4) is enrolled in or plans to enroll in an institution of higher learning in this State full-time.

(b) Applicants who are determined to be eligible for assistance under this Section shall receive, subject to appropriation, a renewable grant of $1,000 to be applied to tuition and mandatory fees and paid directly to the institution of higher learning at which the applicant is enrolled. However, the total amount of assistance awarded by the Commission under this Section to an individual in any fiscal year, when added to other financial assistance awarded by the Commission to that

New matter indicated by italics - deletions by strikeout
individual for that fiscal year, must not exceed the cost of attendance at the institution of higher learning at which the student is enrolled.

(c) A grant awarded under this Section may be renewed for a total of up to 4 years of full-time enrollment. All of the following are conditions of grant renewal:

1. The student must provide the Commission with a recommendation for the grant by an academic counselor, advisor, or instructor at the student’s institution of higher learning.

2. The student must have, at the time of renewal, a cumulative grade point average of at least a 2.7 on a 4.0 scale or its equivalent at the institution of higher learning.

(d) The Commission shall make all necessary and proper rules not inconsistent with this Section for its effective implementation.

Passed in the General Assembly April 5, 2006.
Approved June 30, 2006.

PUBLIC ACT 94-0969
(House Bill No. 4438)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by changing Sections 16G-21 and 16H-1 and by adding Section 16G-13 as follows:

Sec. 16G-13. Facilitating identity theft.

(a) A person commits the offense of facilitating identity theft when he or she, in the course of his or her employment or official duties, has access to the personal information of another person in the possession of the State of Illinois, whether written, recorded, or on computer disk and knowingly, with the intent of committing identity theft, aggravated identity theft, or any violation of the Illinois Financial Crime Law, disposes of that written, recorded, or computerized information in any receptacle, trash
can, or other container that the public could gain access to, without shredding that information, destroying the recording, or wiping the computer disk so that the information is either unintelligible or destroyed.

(b) Sentence. Facilitating identity theft is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense.

(c) For purposes of this Section, "personal information" has the meaning provided in the Personal Information Protection Act.

(720 ILCS 5/16G-21)

Sec. 16G-21. Civil remedies. A person who is convicted of facilitating identity theft, identity theft, or aggravated identity theft is liable in a civil action to the person who suffered damages as a result of the violation. The person suffering damages may recover court costs, attorney's fees, lost wages, and actual damages.

(720 ILCS 5/16H-1)

Sec. 16H-1. Short title. This Article may be cited as the Illinois Financial Crime Law Act.

Passed in the General Assembly April 7, 2006.

AN ACT concerning state government.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-430 as follows:

(20 ILCS 605/605-430 new)

Sec. 605-430. Funding; study. To ensure the availability of a quality health care workforce to meet present and future health care needs

New matter indicated by italics - deletions by strikeout
within the State, the Department of Commerce and Economic Opportunity may, subject to appropriation, conduct a study of the current and projected academic training capacity in the State of Illinois specific to the nursing profession. The study shall address the current supply and demand for masters-prepared nurses as nursing school faculty and set specific goals for recruiting and training new nursing faculty throughout the region. The study shall also determine the feasibility of the State engaging in the following activities: (i) the establishment of scholarship funds and work-study programs to help recruit potential new nursing school faculty, (ii) the creation of a system to regularly review and increase nurse faculty salary and benefits to make academic practice competitive with clinical practice, and (iii) the development of career track programs for academia that offer advancement and rewards for nursing school faculty comparable to those in clinical management. The study shall include the collaborative input of hospital and other health care provider associations and public and private educational institutions from throughout the State.

Subject to the availability of State funds, the Department of Commerce and Economic Opportunity shall complete the study by July 1, 2007 and shall present its findings to the General Assembly for consideration.

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

Passed in the General Assembly April 5, 2006.
Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0971
(House Bill No. 4788)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Illinois Public Aid Code is amended by adding Section 10-17.12 as follows:

(305 ILCS 5/10-17.12 new)

Sec. 10-17.12. Compromise of assigned child support arrearages. The Department of Healthcare and Family Services may provide by rule for compromise of debt owed to the State in the form of child support arrearages and interest accrued on child support arrearages assigned to the State under Section 10-1. The rule shall establish the circumstances under which such obligations may be compromised, with due regard for the payment ability of low-income obligors and the importance of encouraging payment of current child support obligations. The rule shall provide that assigned obligations shall be compromised only in exchange for regular payment of support owed to the family and shall require that obligors considered for debt compromise demonstrate inability to pay during the time the assigned obligation accumulated. The rule shall provide for nullification of any compromise agreement and the prohibition of any future compromise agreement if the obligor fails to adhere to the compromise agreement. In addition, the rule shall establish debt compromise criteria calculated to maximize positive effects on families and the level of federal incentive payments payable to the State under Title IV, Part D of the Social Security Act and regulations promulgated thereunder.

Passed in the General Assembly April 7, 2006.
Approved June 30, 2006.

PUBLIC ACT 94-0972
(House Bill No. 5260)

AN ACT concerning finance.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Prompt Payment Act is amended by changing Sections 3-2 and 7 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 3-2. Beginning July 1, 1993, in any instance where a State official or agency is late in payment of a vendor's bill or invoice for goods or services furnished to the State, as defined in Section 1, properly approved in accordance with rules promulgated under Section 3-3, the State official or agency shall pay interest to the vendor in accordance with the following:

(1) Any bill approved for payment under this Section must be paid or the payment issued to the payee within 60 days of receipt of a proper bill or invoice. If payment is not issued to the payee within this 60 day period, an interest penalty of 1.0% of any amount approved and unpaid shall be added for each month or fraction thereof after the end of this 60 day period, until final payment is made.

(1.1) A State agency shall review in a timely manner each bill or invoice after its receipt. If the State agency determines that the bill or invoice contains a defect making it unable to process the payment request, the agency shall notify the vendor requesting payment as soon as possible after discovering the defect pursuant to rules promulgated under Section 3-3; provided, however, that the notice for construction related bills or invoices must be given not later than 30 days after the bill or invoice was first submitted. The notice shall identify the defect and any additional information necessary to correct the defect. If one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid.

(2) Where a State official or agency is late in payment of a vendor's bill or invoice properly approved in accordance with this Act, and different late payment terms are not reduced to writing as a contractual agreement, the State official or agency shall automatically pay interest penalties required by this Section amounting to $50 or more to the appropriate vendor. Each agency shall be responsible for determining whether an interest penalty is
owed and for paying the interest to the vendor. For interest of at least $5 but less than $50, the vendor must initiate a written request for the interest penalty when such interest is due and payable. The Department of Central Management Services and the State Comptroller shall jointly promulgate rules establishing the conditions under which interest of less than $5 may be claimed and paid. In the event an individual has paid a vendor for services in advance, the provisions of this Section shall apply until payment is made to that individual.

(Source: P.A. 92-384, eff. 7-1-02.)

(30 ILCS 540/7) (from Ch. 127, par. 132.407)
Sec. 7. Payments to subcontractors and material suppliers.
(a) When a State official or agency responsible for administering a contract submits a voucher to the Comptroller for payment to a contractor, that State official or agency shall promptly make available electronically the voucher number, the date of the voucher, and the amount of the voucher. The State official or agency responsible for administering the contract shall provide subcontractors and material suppliers, known to the State official or agency, with instructions on how to access the electronic information. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application, plus interest received under this Act, less any retention. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, plus interest received under this Act, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of work rejected or deemed not

New matter indicated by italics - deletions by strikeout
suitable for payment and all other subcontractors and suppliers shall be paid in full, *plus interest received under this Act*.

(b) If the contractor, without reasonable cause, fails to make full payment of amounts due under subsection (a) to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of 2% per month, calculated from the expiration of the 15-day period until fully paid. This subsection shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(1) If a contractor, without reasonable cause, fails to make payment in full as provided in subsection (a) within 15 days after receipt of payment under the public construction contract, any subcontractor or material supplier to whom payments are owed may file a written notice with the State official or agency setting forth the amount owed by the contractor and the contractor's failure to timely pay the amount owed.

(2) The State official or agency, within 15 days after receipt of a subcontractor's or material supplier's written notice of the failure to receive payment from the contractor, shall hold a hearing convened by an administrative law judge to determine whether the contractor withheld payment, without reasonable cause, from the subcontractors and material suppliers and what amount, if any, is due to the subcontractors and material suppliers. The State official or agency shall provide appropriate notice to the parties of the date, time, and location of the hearing. Each contractor, subcontractor, and material supplier has the right to be represented by counsel at the hearing and to cross-examine witnesses and challenge documents.

(3) If there is a finding by the administrative law judge that the contractor failed to make payment in full, without reasonable cause, as provided in subsection (a), then the administrative law
judge shall, in writing, direct the contractor to pay the amount owed to the subcontractors and material suppliers plus interest within 15 days after the finding.

(4) If a contractor fails to make full payment within 15 days after the administrative law judge's finding, then the contractor shall be barred from entering into a State public construction contract for a period of one year beginning on the date of the administrative law judge's finding.

(Source: P.A. 94-672, eff. 1-1-06.)

Section 10. The Local Government Prompt Payment Act is amended by changing Sections 3 and 9 as follows:

(50 ILCS 505/3) (from Ch. 85, par. 5603)

Sec. 3. The appropriate local governmental official or agency receiving goods or services must approve or disapprove a bill from a vendor or contractor for goods or services furnished the local governmental agency within 30 days after the receipt of such bill or within 30 days after the date on which the goods or services were received, whichever is later. If one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid. When safety or quality assurance testing of goods by the local governmental agency is necessary before the approval or disapproval of a bill and such testing cannot be completed within 30 days after receipt of the goods, approval or disapproval of the bill must be made immediately upon completion of the testing or within 60 days after receipt of the goods, whichever occurs first. Written notice shall be mailed to the vendor or contractor immediately if a bill is disapproved.

(Source: P.A. 87-773.)

(50 ILCS 505/9) (from Ch. 85, par. 5609)

Sec. 9. Payments to subcontractors and material suppliers; failure to make timely payments; additional amount due. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application less any retention. If the contractor receives less than the full payment due under the public

New matter indicated by italics - deletions by strikeout
construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. *All interest payments received pursuant to Section 4 also shall be disbursed to subcontractors and material suppliers to whom payment has been delayed, on a pro rata basis.* When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of the work rejected or deemed not suitable for payment and all other subcontractors and suppliers shall be paid in full.

If the contractor, without reasonable cause, fails to make any payment to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of 2% per month, calculated from the expiration of the 15-day period until fully paid. This *Section subsection* shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(Source: P.A. 87-773.)

Section 99. Effective date. This Act takes effect July 1, 2007.
Passed in the General Assembly April 5, 2006.
Approved June 30, 2006.
Effective July 1, 2007.
Section 5. The School Code is amended by changing Sections 2-3.137 (added by Public Act 94-225) and 3-14.21 as follows:

(105 ILCS 5/2-3.137)

Sec. 2-3.137. Inspection and review of school facilities; task force.

(a) The State Board of Education shall adopt rules for the documentation of school plan reviews and inspections of school facilities, including the responsible individual's signature. Such documents shall be kept on file by the regional superintendent of schools. The State Board of Education shall also adopt rules for the qualifications of persons performing the reviews and inspections, which must be consistent with the recommendations in the task force's report issued to the Governor and the General Assembly under subsection (b) of this Section. Those qualifications shall include requirements for training, education, and at least 2 years of relevant experience.

(b) The State Board of Education shall convene a task force for the purpose of reviewing the documents required under rules adopted under subsection (a) of this Section and making recommendations regarding training and accreditation of individuals performing reviews or inspections required under Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code, including regional superintendents of schools and others performing reviews or inspections under the authority of a regional superintendent (such as consultants, municipalities, and fire protection districts).

The task force shall consist of all of the following members:

(1) The Executive Director of the Capital Development Board or his or her designee and a staff representative of the Division of Building Codes and Regulations.

(2) The State Superintendent of Education or his or her designee.

(3) A person appointed by the State Board of Education.

(4) A person appointed by an organization representing school administrators.

(5) A person appointed by an organization representing suburban school administrators and school board members.

New matter indicated by italics - deletions by strikeout
(6) A person appointed by an organization representing architects.
(7) A person appointed by an organization representing regional superintendents of schools.
(8) A person appointed by an organization representing fire inspectors.
(9) A person appointed by an organization representing Code administrators.
(10) A person appointed by an organization representing plumbing inspectors.
(11) A person appointed by an organization that represents both parents and teachers.
(12) A person appointed by an organization representing municipal governments in the State.
(13) A person appointed by the State Fire Marshal from his or her office.
(14) A person appointed by an organization representing fire chiefs.
(15) The Director of Public Health or his or her designee.
(16) A person appointed by an organization representing structural engineers.
(17) A person appointed by an organization representing professional engineers.

The task force shall issue a report of its findings to the Governor and the General Assembly no later than January 1, 2006.

(Source: P.A. 94-225, eff. 7-14-05.)

(105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

Sec. 3-14.21. Inspection of schools.

(a) The regional superintendent shall inspect and survey all public schools under his or her supervision and notify the board of education, or the trustees of schools in a district with trustees, in writing before July 30, whether or not the several schools in their district have been kept as required by law, using forms provided by the State Board of Education which are based on the Health/Life Safety Code for Public Schools

New matter indicated by italics - deletions by strikeout
adopted under Section 2-3.12. The regional superintendent shall report his or her findings to the State Board of Education on forms provided by the State Board of Education.

(b) If the regional superintendent determines that a school board has failed in a timely manner to correct urgent items identified in a previous life-safety report completed under Section 2-3.12 or as otherwise previously ordered by the regional superintendent, the regional superintendent shall order the school board to adopt and submit to the regional superintendent a plan for the immediate correction of the building violations. This plan shall be adopted following a public hearing that is conducted by the school board on the violations and the plan and that is preceded by at least 7 days' prior notice of the hearing published in a newspaper of general circulation within the school district. If the regional superintendent determines in the next annual inspection that the plan has not been completed and that the violations have not been corrected, the regional superintendent shall submit a report to the State Board of Education with a recommendation that the State Board withhold from payments of general State aid due to the district an amount necessary to correct the outstanding violations. The State Board, upon notice to the school board and to the regional superintendent, shall consider the report at a meeting of the State Board, and may order that a sufficient amount of general State aid be withheld from payments due to the district to correct the violations. This amount shall be paid to the regional superintendent who shall contract on behalf of the school board for the correction of the outstanding violations.

(c) The Office of the State Fire Marshal or a qualified fire official, as defined in Section 2-3.12 of this Code, to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State. The State Fire Marshal or the fire official shall coordinate its inspections with the regional superintendent. The inspection shall be based on the fire safety code authorized in Section 2-3.12 of this Code. Any violations shall be reported in writing to the regional superintendent and school board and shall reference the specific code sections where a discrepancy has been
identified within 15 days after the inspection has been conducted. The regional superintendent shall address those violations that are not corrected in a timely manner pursuant to subsection (b) of this Section. The inspection must be at no cost to the school district.

(d) If a municipality or, in the case of an unincorporated area, a county or, if applicable, a fire protection district wishes to perform new construction inspections under the jurisdiction of a regional superintendent, then the entity must register this wish with the regional superintendent. These inspections must be based on the building code authorized in Section 2-3.12 of this Code. The inspections must be at no cost to the school district.

(Source: P.A. 94-225, eff. 7-14-05.)

Passed in the General Assembly April 7, 2006.
Approved June 30, 2006.

PUBLIC ACT 94-0974
(Senate Bill No. 0702)

AN ACT concerning revenue.

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

Section 5. The Property Tax Code is amended by changing Sections 18-165 and 18-185 and by adding Division 14 to Article 10 as follows:

(35 ILCS 200/Art. 10 Div. 14 heading new)
DIVISION 14. VALUATION OF CERTAIN LEASES OF EXEMPT PROPERTY

(35 ILCS 200/10-365 new)
Sec. 10-365. U.S. Military Public/Private Residential Developments. PPV Leases must be classified and valued as set forth in Sections 10-370 through 10-380 during the period beginning January 1, 2006 and ending with the earlier of the year 50 years after January 1, 2006 or the year in which a PPV Lease terminates.

New matter indicated by italics - deletions by strikeout
Sec. 10-370. Definitions. For the purposes of this Division 14:

(a) "PPV Lease" means a leasehold interest in property that is exempt from taxation under Section 15-50 of this Code and that is leased, pursuant to authority set forth in Chapter 10 of the United States Code, to another whose property is not exempt for the purpose of, after January 1, 2006, the design, finance, construction, renovation, management, operation, and maintenance of rental housing units and associated improvements at naval training and related naval support facilities in the State of Illinois.

(b) "Net operating income" means all revenues received minus the lesser of (i) 42% of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization.

(c) "Tax load factor" means the level of assessment, as set forth under item (b) of Section 9-145 or under Section 9-150, multiplied by the cumulative tax rate for the current taxable year.

Sec. 10-375. Valuation.

(a) A PPV Lease must be valued at its fair cash value, as provided under item (b) of Section 9-145 or under Section 9-150.

(b) The fair cash value of a PPV Lease must be determined by using an income capitalization approach.

(c) To determine the fair cash value of a PPV Lease, the net operating income is divided by (i) a rate of 7.75% plus (ii) the actual or most recently ascertainable tax load factor for the subject year.

(d) By April 15 of each year, the holder of a PPV Lease must report to the chief county assessment officer in each county in which the leasehold property is located the annual gross income and expenses derived and incurred from the PPV Lease, including the rental of leased property for each military housing facility subject to a PPV Lease.
375(c)(i) of this Division 14 in assessing and determining the value of any PPV Lease for purposes of the property tax laws of this State.

(35 ILCS 200/18-165)

Sec. 18-165. Abatement of taxes.

(a) Any taxing district, upon a majority vote of its governing authority, may, after the determination of the assessed valuation of its property, order the clerk of that county to abate any portion of its taxes on the following types of property:

(1) Commercial and industrial.

   (A) The property of any commercial or industrial firm, including but not limited to the property of (i) any firm that is used for collecting, separating, storing, or processing recyclable materials, locating within the taxing district during the immediately preceding year from another state, territory, or country, or having been newly created within this State during the immediately preceding year, or expanding an existing facility, or (ii) any firm that is used for the generation and transmission of electricity locating within the taxing district during the immediately preceding year or expanding its presence within the taxing district during the immediately preceding year by construction of a new electric generating facility that uses natural gas as its fuel, or any firm that is used for production operations at a new, expanded, or reopened coal mine within the taxing district, that has been certified as a High Impact Business by the Illinois Department of Commerce and Economic Opportunity Community Affairs. The property of any firm used for the generation and transmission of electricity shall include all property of the firm used for transmission facilities as defined in Section 5.5 of the Illinois Enterprise Zone Act. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000.
(A-5) Any property in the taxing district of a new electric generating facility, as defined in Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois. The abatement shall not exceed a period of 10 years. The abatement shall be subject to the following limitations:

(i) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $25,000,000 but less than $50,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 5% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 20% of the taxing district's taxes from the new electric generating facility;

(ii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $50,000,000 but less than $75,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 10% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 35% of the taxing district's taxes from the new electric generating facility;

(iii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $75,000,000 but less than $100,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 20% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 50% of the taxing district's taxes from the new electric generating facility;

New matter indicated by italics - deletions by strikeout
(iv) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $100,000,000 but less than $125,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 30% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(v) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $125,000,000 but less than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 40% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(vi) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 50% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility.

The abatement is not effective unless the owner of the new electric generating facility agrees to repay to the taxing district all amounts previously abated, together with interest computed at the rate and in the manner provided for delinquent taxes, in the event that the owner of the new electric generating facility closes the new electric generating facility before the expiration of the entire term of the abatement.

New matter indicated by italics - deletions by strikeout
The authorization of taxing districts to abate taxes under this subdivision (a)(1)(A-5) expires on January 1, 2010.

(B) The property of any commercial or industrial development of at least 500 acres having been created within the taxing district. The abatement shall not exceed a period of 20 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $12,000,000.

(C) The property of any commercial or industrial firm currently located in the taxing district that expands a facility or its number of employees. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000. The abatement period may be renewed at the option of the taxing districts.

(2) Horse racing. Any property in the taxing district which is used for the racing of horses and upon which capital improvements consisting of expansion, improvement or replacement of existing facilities have been made since July 1, 1987. The combined abatements for such property from all taxing districts in any county shall not exceed $5,000,000 annually and shall not exceed a period of 10 years.

(3) Auto racing. Any property designed exclusively for the racing of motor vehicles. Such abatement shall not exceed a period of 10 years.

(4) Academic or research institute. The property of any academic or research institute in the taxing district that (i) is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code, (ii) operates for the benefit of the public by actually and exclusively performing scientific research and making the results of the research available to the interested public on a non-discriminatory basis, and (iii) employs more than 100 employees. An abatement granted under this paragraph shall be for
at least 15 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $5,000,000.

(5) Housing for older persons. Any property in the taxing district that is devoted exclusively to affordable housing for older households. For purposes of this paragraph, "older households" means those households (i) living in housing provided under any State or federal program that the Department of Human Rights determines is specifically designed and operated to assist elderly persons and is solely occupied by persons 55 years of age or older and (ii) whose annual income does not exceed 80% of the area gross median income, adjusted for family size, as such gross income and median income are determined from time to time by the United States Department of Housing and Urban Development. The abatement shall not exceed a period of 15 years, and the aggregate amount of abated taxes for all taxing districts shall not exceed $3,000,000.

(6) Historical society. For assessment years 1998 through 2008, the property of an historical society qualifying as an exempt organization under Section 501(c)(3) of the federal Internal Revenue Code.

(7) Recreational facilities. Any property in the taxing district (i) that is used for a municipal airport, (ii) that is subject to a leasehold assessment under Section 9-195 of this Code and (iii) which is sublet from a park district that is leasing the property from a municipality, but only if the property is used exclusively for recreational facilities or for parking lots used exclusively for those facilities. The abatement shall not exceed a period of 10 years.

(8) Relocated corporate headquarters. If approval occurs within 5 years after the effective date of this amendatory Act of the 92nd General Assembly, any property or a portion of any property in a taxing district that is used by an eligible business for a corporate headquarters as defined in the Corporate Headquarters Relocation Act. Instead of an abatement under this paragraph (8), a taxing district may enter into an agreement with an eligible
business to make annual payments to that eligible business in an amount not to exceed the property taxes paid directly or indirectly by that eligible business to the taxing district and any other taxing districts for premises occupied pursuant to a written lease and may make those payments without the need for an annual appropriation. No school district, however, may enter into an agreement with, or abate taxes for, an eligible business unless the municipality in which the corporate headquarters is located agrees to provide funding to the school district in an amount equal to the amount abated or paid by the school district as provided in this paragraph (8). Any abatement ordered or agreement entered into under this paragraph (8) may be effective for the entire term specified by the taxing district, except the term of the abatement or annual payments may not exceed 20 years.

(9) United States Military Public/Private Residential Developments. Each building, structure, or other improvement designed, financed, constructed, renovated, managed, operated, or maintained after January 1, 2006 under a "PPV Lease", as set forth under Division 14 of Article 10, and any such PPV Lease.

(b) Upon a majority vote of its governing authority, any municipality may, after the determination of the assessed valuation of its property, order the county clerk to abate any portion of its taxes on any property that is located within the corporate limits of the municipality in accordance with Section 8-3-18 of the Illinois Municipal Code.

(Source: P.A. 92-12, eff. 7-1-01; 92-207, eff. 8-1-01; 92-247, eff. 8-3-01; 92-651, eff. 7-11-02; 93-270, eff. 7-22-03; revised 12-6-03.)

(35 ILCS 200/18-185)
Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:
"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.
"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year

New matter indicated by italics - deletions by strikeout
preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government.

New matter indicated by italics - deletions by strikeout
finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; and (n) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate
extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the
Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; and (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing

New matter indicated by italics - deletions by strikeout
district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district,

New matter indicated by italics - deletions by strikeout
excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k)
made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). The debt service extension base may be established or increased as provided under Section 18-212.

"Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

New matter indicated by italics - deletions by strikeout
"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-215 through 18-230.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the...
State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over

New matter indicated by italics - deletions by strikeout
and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property. The denominator shall not include the recovered tax increment value.

(Source: P.A. 92-547, eff. 6-13-02; 93-601, eff. 1-1-04; 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; 93-689, eff. 7-1-04; 93-690, eff. 7-1-04; 93-1049, eff. 11-17-04; revised 12-14-04.)

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

Passed in the General Assembly April 6 2006.
Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0975
(Senate Bill No. 0951)

AN ACT concerning public aid.

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

Section 5. The Illinois Public Aid Code is amended by changing Section 12-4.25 as follows:

(305 ILCS 5/12-4.25) (from Ch. 23, par. 12-4.25)
Sec. 12-4.25. Medical assistance program; vendor participation.
(A) The Illinois Department may deny, suspend or terminate the eligibility of any person, firm, corporation, association, agency, institution

New matter indicated by italics - deletions by strikeout
or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V, if after reasonable notice and opportunity for a hearing the Illinois Department finds:

(a) Such vendor is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its vendor agreement, which document shall be developed by the Department as a result of negotiations with each vendor category, including physicians, hospitals, long term care facilities, pharmacists, optometrists, podiatrists and dentists setting forth the terms and conditions applicable to the participation of each vendor group in the program; or

(b) Such vendor has failed to keep or make available for inspection, audit or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed for providing services. This section does not require vendors to make available patient records of patients for whom services are not reimbursed under this Code; or

(c) Such vendor has failed to furnish any information requested by the Department regarding payments for providing goods or services; or

(d) Such vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the medical assistance program; or

(e) Such vendor has furnished goods or services to a recipient which are (1) in excess of his or her needs, (2) harmful to the recipient, or (3) of grossly inferior quality, all of such determinations to be based upon competent medical judgment and evaluations; or

(f) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of

New matter indicated by italics - deletions by strikeout
ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

(1) was previously terminated from participation in the Illinois medical assistance program, or was terminated from participation in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code; or

(2) was a person with management responsibility for a vendor previously terminated from participation in the Illinois medical assistance program, or terminated from participation in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination; or

(3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor previously terminated from participation in the Illinois medical assistance program, or terminated from participation in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination; or

(4) was an owner of a sole proprietorship or partner of a partnership previously terminated from participation in the Illinois medical assistance program, or terminated from participation in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination; or

New matter indicated by italics - deletions by strikeout
(g) The vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either:

(1) has engaged in practices prohibited by applicable federal or State law or regulation relating to the medical assistance program; or

(2) was a person with management responsibility for a vendor at the time that such vendor engaged in practices prohibited by applicable federal or State law or regulation relating to the medical assistance program; or

(3) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation relating to the medical assistance program; or

(4) was an owner of a sole proprietorship or partner of a partnership which was a vendor at the time such vendor engaged in practices prohibited by applicable federal or State law or regulation relating to the medical assistance program; or

(h) The direct or indirect ownership of the vendor (including the ownership of a vendor that is a sole proprietorship, a partner's interest in a vendor that is a partnership, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor) has been transferred by an individual who is terminated or barred from participating as a vendor to the individual's spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

New matter indicated by italics - deletions by strikeout
(A-5) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that the vendor; a person with management responsibility for a vendor; an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship that is a vendor; or a partner in a partnership that is a vendor has been convicted of a felony offense based on fraud or willful misrepresentation related to any of the following:

1. The medical assistance program under Article V of this Code.
2. A medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code.
3. The Medicare program under Title XVIII of the Social Security Act.
4. The provision of health care services.

(A-10) The Illinois Department may deny, suspend, or terminate the eligibility of any person, firm, corporation, association, agency, institution, or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V if, after reasonable notice and opportunity for a hearing, the Illinois Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of a felony offense related to any of the following:

1. Murder.

(B) The Illinois Department shall deny, suspend or terminate the eligibility of any person, firm, corporation, association, agency, institution

New matter indicated by italics - deletions by strikeout
or other legal entity to participate as a vendor of goods or services to recipients under the medical assistance program under Article V:

(1) if such vendor is not properly licensed;

(2) within 30 days of the date when such vendor's professional license, certification or other authorization has been refused renewal or has been revoked, suspended or otherwise terminated; or

(3) if such vendor has been convicted of a violation of this Code, as provided in Article VIIIA.

(C) Upon termination of a vendor of goods or services from participation in the medical assistance program authorized by this Article, a person with management responsibility for such vendor during the time of any conduct which served as the basis for that vendor's termination is barred from participation in the medical assistance program.

Upon termination of a corporate vendor, the officers and persons owning, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in the vendor during the time of any conduct which served as the basis for that vendor's termination are barred from participation in the medical assistance program. A person who owns, directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a terminated corporate vendor may not transfer his or her ownership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Upon termination of a sole proprietorship or partnership, the owner or partners during the time of any conduct which served as the basis for that vendor's termination are barred from participation in the medical assistance program. The owner of a terminated vendor that is a sole proprietorship, and a partner in a terminated vendor that is a partnership, may not transfer his or her ownership or partnership interest in that vendor to his or her spouse, child, brother, sister, parent, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

Rules adopted by the Illinois Department to implement these provisions shall specifically include a definition of the term "management
responsibility" as used in this Section. Such definition shall include, but not be limited to, typical job titles, and duties and descriptions which will be considered as within the definition of individuals with management responsibility for a provider.

(D) If a vendor has been suspended from the medical assistance program under Article V of the Code, the Director may require that such vendor correct any deficiencies which served as the basis for the suspension. The Director shall specify in the suspension order a specific period of time, which shall not exceed one year from the date of the order, during which a suspended vendor shall not be eligible to participate. At the conclusion of the period of suspension the Director shall reinstate such vendor, unless he finds that such vendor has not corrected deficiencies upon which the suspension was based.

If a vendor has been terminated from the medical assistance program under Article V, such vendor shall be barred from participation for at least one year, except that if a vendor has been terminated based on a conviction of a violation of Article VIIA or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a medical assistance program in another state that is of the kind provided under Article V, (iii) the Medicare program under Title XVIII of the Social Security Act, or (iv) the provision of health care services, then the vendor shall be barred from participation for 5 years or for the length of the vendor's sentence for that conviction, whichever is longer. At the end of one year a vendor who has been terminated may apply for reinstatement to the program. Upon proper application to be reinstated such vendor may be deemed eligible by the Director providing that such vendor meets the requirements for eligibility under this Code. If such vendor is deemed not eligible for reinstatement, he shall be barred from again applying for reinstatement for one year from the date his application for reinstatement is denied.

A vendor whose termination from participation in the Illinois medical assistance program under Article V was based solely on an action by a governmental entity other than the Illinois Department may, upon reinstatement by that governmental entity or upon reversal of the
termination, apply for rescission of the termination from participation in the Illinois medical assistance program. Upon proper application for rescission, the vendor may be deemed eligible by the Director if the vendor meets the requirements for eligibility under this Code.

If a vendor has been terminated and reinstated to the medical assistance program under Article V and the vendor is terminated a second or subsequent time from the medical assistance program, the vendor shall be barred from participation for at least 2 years, except that if a vendor has been terminated a second time based on a conviction of a violation of Article VII A or a conviction of a felony based on fraud or a willful misrepresentation related to (i) the medical assistance program under Article V, (ii) a medical assistance program in another state that is of the kind provided under Article V, (iii) the Medicare program under Title XVIII of the Social Security Act, or (iv) the provision of health care services, then the vendor shall be barred from participation for life. At the end of 2 years, a vendor who has been terminated may apply for reinstatement to the program. Upon application to be reinstated, the vendor may be deemed eligible if the vendor meets the requirements for eligibility under this Code. If the vendor is deemed not eligible for reinstatement, the vendor shall be barred from again applying for reinstatement for 2 years from the date the vendor's application for reinstatement is denied.

(E) The Illinois Department may recover money improperly or erroneously paid, or overpayments, either by setoff, crediting against future billings or by requiring direct repayment to the Illinois Department.

If the Illinois Department establishes through an administrative hearing that the overpayments resulted from the vendor or alternate payee willfully making, or causing to be made, a false statement or misrepresentation of a material fact in connection with billings and payments under the medical assistance program under Article V, the Department may recover interest on the amount of the overpayments at the rate of 5% per annum. For purposes of this paragraph, "willfully" means that a person makes a statement or representation with actual knowledge that it was false, or makes a statement or representation with knowledge of

New matter indicated by italics - deletions by strikeout
facts or information that would cause one to be aware that the statement or representation was false when made.

(F) The Illinois Department may withhold payments to any vendor or alternate payee during the pendency of any proceeding under this Section. The Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be withheld during the pendency of any proceeding under this Section. Payments may be denied for bills submitted with service dates occurring during the pendency of a proceeding where the final administrative decision is to terminate eligibility to participate in the medical assistance program. The Illinois Department shall state by rule with as much specificity as practicable the conditions under which payments will not be denied for such bills. The Illinois Department of Public Aid shall state by rule a process and criteria by which a vendor or alternate payee may request full or partial release of payments withheld under this subsection. The Department must complete a proceeding under this Section in a timely manner.

(F-5) The Illinois Department may temporarily withhold payments to a vendor or alternate payee if any of the following individuals have been indicted or otherwise charged under a law of the United States or this or any other state with a felony offense that is based on alleged fraud or willful misrepresentation on the part of the individual related to (i) the medical assistance program under Article V of this Code, (ii) a medical assistance program provided in another state which is of the kind provided under Article V of this Code, (iii) the Medicare program under Title XVIII of the Social Security Act, or (iv) the provision of health care services:

(1) If the vendor or alternate payee is a corporation: an officer of the corporation or an individual who owns, either directly or indirectly, 5% or more of the shares of stock or other evidence of ownership of the corporation.

(2) If the vendor is a sole proprietorship: the owner of the sole proprietorship.

(3) If the vendor or alternate payee is a partnership: a partner in the partnership.
(4) If the vendor or alternate payee is any other business entity authorized by law to transact business in this State: an officer of the entity or an individual who owns, either directly or indirectly, 5% or more of the evidences of ownership of the entity. If the Illinois Department withholds payments to a vendor or alternate payee under this subsection, the Department shall not release those payments to the vendor or alternate payee while any criminal proceeding related to the indictment or charge is pending unless the Department determines that there is good cause to release the payments before completion of the proceeding. If the indictment or charge results in the individual's conviction, the Illinois Department shall retain all withheld payments, which shall be considered forfeited to the Department. If the indictment or charge does not result in the individual's conviction, the Illinois Department shall release to the vendor or alternate payee all withheld payments.

(G) The provisions of the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Illinois Department under this Section. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(G-5) Non-emergency transportation.

(1) Notwithstanding any other provision in this Section, for non-emergency transportation vendors, the Department may terminate the vendor from participation in the medical assistance program prior to an evidentiary hearing but after reasonable notice and opportunity to respond as established by the Department by rule.

(2) Vendors of non-emergency medical transportation services, as defined by the Department by rule, shall submit to a fingerprint-based criminal background check on current and future information available in the State system and current information available through the Federal Bureau of Investigation's system by submitting all necessary fees and information in the form and

New matter indicated by italics - deletions by strikeout
manner prescribed by the Department of State Police. The following individuals shall be subject to the check:

(A) In the case of a vendor that is a corporation, every shareholder who owns, directly or indirectly, 5% or more of the outstanding shares of the corporation.

(B) In the case of a vendor that is a partnership, every partner.

(C) In the case of a vendor that is a sole proprietorship, the sole proprietor.

(D) Each officer or manager of the vendor.

Each such vendor shall be responsible for payment of the cost of the criminal background check.

(3) Vendors of non-emergency medical transportation services may be required to post a surety bond. The Department shall establish, by rule, the criteria and requirements for determining when a surety bond must be posted and the value of the bond.

(4) The Department, or its agents, may refuse to accept requests for non-emergency transportation authorizations, including prior-approval and post-approval requests, for a specific non-emergency transportation vendor if:

(A) the Department has initiated a notice of termination of the vendor from participation in the medical assistance program; or

(B) the Department has issued notification of its withholding of payments pursuant to subsection (F-5) of this Section; or

(C) the Department has issued a notification of its withholding of payments due to reliable evidence of fraud or willful misrepresentation pending investigation.

(H) Nothing contained in this Code shall in any way limit or otherwise impair the authority or power of any State agency responsible for licensing of vendors.

New matter indicated by italics - deletions by strikeout
Based on a finding of noncompliance on the part of a nursing home with any requirement for certification under Title XVIII or XIX of the Social Security Act (42 U.S.C. Sec. 1395 et seq. or 42 U.S.C. Sec. 1396 et seq.), the Illinois Department may impose one or more of the following remedies after notice to the facility:

1. Termination of the provider agreement.
2. Temporary management.
3. Denial of payment for new admissions.
4. Civil money penalties.
5. Closure of the facility in emergency situations or transfer of residents, or both.
7. Denial of all payments when the Health Care Finance Administration has imposed this sanction.

The Illinois Department shall by rule establish criteria governing continued payments to a nursing facility subsequent to termination of the facility's provider agreement if, in the sole discretion of the Illinois Department, circumstances affecting the health, safety, and welfare of the facility's residents require those continued payments. The Illinois Department may condition those continued payments on the appointment of temporary management, sale of the facility to new owners or operators, or other arrangements that the Illinois Department determines best serve the needs of the facility's residents.

Except in the case of a facility that has a right to a hearing on the finding of noncompliance before an agency of the federal government, a facility may request a hearing before a State agency on any finding of noncompliance within 60 days after the notice of the intent to impose a remedy. Except in the case of civil money penalties, a request for a hearing shall not delay imposition of the penalty. The choice of remedies is not appealable at a hearing. The level of noncompliance may be challenged only in the case of a civil money penalty. The Illinois Department shall provide by rule for the State agency that will conduct the evidentiary hearings.

New matter indicated by italics - deletions by strikeout
The Illinois Department may collect interest on unpaid civil money penalties.

The Illinois Department may adopt all rules necessary to implement this subsection (I).

(J) The Illinois Department, by rule, may permit individual practitioners to designate that Department payments that may be due the practitioner be made to an alternate payee or alternate payees.

   (a) Such alternate payee or alternate payees shall be required to register as an alternate payee in the Medical Assistance Program with the Illinois Department.

   (b) If a practitioner designates an alternate payee, the alternate payee and practitioner shall be jointly and severally liable to the Department for payments made to the alternate payee. Pursuant to subsection (E) of this Section, any Department action to recover money or overpayments from an alternate payee shall be subject to an administrative hearing.

   (c) Registration as an alternate payee or alternate payees in the Illinois Medical Assistance Program shall be conditional. At any time, the Illinois Department may deny or cancel any alternate payee's registration in the Illinois Medical Assistance Program without cause. Any such denial or cancellation is not subject to an administrative hearing.

   (d) The Illinois Department may seek a revocation of any alternate payee, and all owners, officers, and individuals with management responsibility for such alternate payee shall be permanently prohibited from participating as an owner, an officer, or an individual with management responsibility with an alternate payee in the Illinois Medical Assistance Program, if after reasonable notice and opportunity for a hearing the Illinois Department finds that:

      (1) the alternate payee is not complying with the Department's policy or rules and regulations, or with the terms and conditions prescribed by the Illinois Department in its alternate payee registration agreement; or

New matter indicated by italics - deletions by strikeout
(2) the alternate payee has failed to keep or make available for inspection, audit, or copying, after receiving a written request from the Illinois Department, such records regarding payments claimed as an alternate payee; or

(3) the alternate payee has failed to furnish any information requested by the Illinois Department regarding payments claimed as an alternate payee; or

(4) the alternate payee has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the Illinois Medical Assistance Program; or

(5) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) was previously terminated from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code; or

(b) was a person with management responsibility for a vendor previously terminated from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated from participation as a vendor in a medical assistance program in another state that is of the same kind as
the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination or alternate payee's revocation; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor previously terminated from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination; or

(d) was an owner of a sole proprietorship or partner in a partnership previously terminated from participation as a vendor in the Illinois Medical Assistance Program, or was previously revoked as an alternate payee in the Illinois Medical Assistance Program, or was terminated from participation as a vendor in a medical assistance program in another state that is of the same kind as the program of medical assistance provided under Article V of this Code, during the time of conduct which was the basis for that vendor's termination or alternate payee's revocation; or

(6) the alternate payee, a person with management responsibility for an alternate payee, an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a

New matter indicated by italics - deletions by strikeout
corporate alternate payee, or a partner in a partnership which is an alternate payee:

(a) has engaged in conduct prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(b) was a person with management responsibility for a vendor or alternate payee at the time that the vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(c) was an officer, or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(d) was an owner of a sole proprietorship or partner in a partnership which was a vendor or alternate payee at the time such vendor or alternate payee engaged in practices prohibited by applicable federal or State law or regulation relating to the Illinois Medical Assistance Program; or

(7) the direct or indirect ownership of the vendor or alternate payee (including the ownership of a vendor or alternate payee that is a partner's interest in a vendor or alternate payee, or ownership of 5% or more of the shares of stock or other evidences of ownership in a corporate vendor or alternate payee) has been transferred by an individual who is terminated or barred from participating as a vendor or is prohibited or revoked as an alternate payee to the individual's spouse, child, brother, sister, parent,

New matter indicated by italics - deletions by strikeout
grandparent, grandchild, uncle, aunt, niece, nephew, cousin, or relative by marriage.

(K) The Illinois Department of Healthcare and Family Services may withhold payments, in whole or in part, to a provider or alternate payee upon receipt of evidence, received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit and determined by the Department to be credible, that the circumstances giving rise to the need for a withholding of payments may involve fraud or willful misrepresentation under the Illinois Medical Assistance program. The Department shall by rule define what constitutes "credible" evidence for purposes of this subsection. The Department may withhold payments without first notifying the provider or alternate payee of its intention to withhold such payments. A provider or alternate payee may request a reconsideration of payment withholding, and the Department must grant such a request. The Department shall by rule a process and criteria by which a provider or alternate payee may request full or partial release of payments withheld under this subsection. This request may be made at any time after the Department first withholds such payments.

(a) The Illinois Department must send notice of its withholding of program payments within 5 days of taking such action. The notice must set forth the general allegations as to the nature of the withholding action, but need not disclose any specific information concerning its ongoing investigation. The notice must do all of the following:

(1) State that payments are being withheld in accordance with this subsection.

(2) State that the withholding is for a temporary period, as stated in paragraph (b) of this subsection, and cite the circumstances under which withholding will be terminated.

(3) Specify, when appropriate, which type or types of Medicaid claims withholding is effective.
(4) Inform the provider or alternate payee of the right to submit written evidence for reconsideration of the withholding by the Illinois Department.

(5) Inform the provider or alternate payee that a written request may be made to the Illinois Department for full or partial release of withheld payments and that such requests may be made at any time after the Department first withholds such payments.

(b) All withholding-of-payment actions under this subsection shall be temporary and shall not continue after any of the following:

(1) The Illinois Department or the prosecuting authorities determine that there is insufficient evidence of fraud or willful misrepresentation by the provider or alternate payee.

(2) Legal proceedings related to the provider's or alternate payee's alleged fraud, willful misrepresentation, violations of this Act, or violations of the Illinois Department's administrative rules are completed.

(3) The withholding of payments for a period of 3 years.

(c) The Illinois Department may adopt all rules necessary to implement this subsection (K).

(Source: P.A. 94-265, eff. 1-1-06; revised 12-15-05.)

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

Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Sections 18-125, 18-185, 18-190, 18-205, and 18-230 as follows:

(35 ILCS 200/18-125)
Sec. 18-125. Rate limit referenda. Referenda initiated under Section 18-120 shall be subject to the provisions and limitations of the general election law.

The question of adopting a maximum tax rate other than that applicable shall be in substantially the following form for all elections held after March 21, 2006:

Shall the maximum tax rate for . . . purposes of . . . (insert legal name, number, if any, and county or counties of taxing district), Illinois, be established at . . . % of the equalized assessed value of the taxable property therein instead of . . . %, the maximum rate otherwise applicable to the next taxes to be extended?

The votes must be recorded as "Yes" or "No".

-------------------------------------------------------------
Shall the maximum tax rate for the . . . fund of . . . . . (identify taxing district) be "YES" established at . . . percent on the equalized assessed value instead of . . . percent, the maximum rate otherwise "NO" applicable to the next taxes to be extended?

The ballot shall have printed thereon, but not as a part of the proposition submitted, (i) a statement of the purpose or reason for the proposed change in the tax rate, (ii) an estimate of the approximate amount extendable under the proposed rate and of the approximate amount extendable under the current rate applicable to the next taxes extended,

New matter indicated by italics - deletions by strikeout
such amounts being computed upon the last known equalized assessed value, and (iii) the approximate amount of the tax extendable against property containing a single family residence and having a fair market value of $100,000 at the current maximum rate and at the proposed rate. The approximate amount of the tax extendable against property containing a single family residence shall be calculated (i) without regard to any property tax exemptions and (ii) based upon the percentage level of assessment prescribed for such property by statute or by ordinance of the county board in counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Constitution. Any error, miscalculation or inaccuracy in computing such amounts that is not deliberate shall not invalidate or affect the validity of any maximum tax rate so adopted.

If a majority of all ballots cast on the proposition are in favor of the proposition, the maximum tax rate so established shall become effective with the levy next following the referendum. It is the duty of the county clerk to reduce, if necessary, the amount of any taxes levied thereafter. Nothing in this Section shall be construed as precluding the extension of taxes at rates less than that authorized by the referendum.

(Source: P.A. 86-1253; 88-455.)

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994
levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds
issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; and (n) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay

New matter indicated by italics - deletions by strikeout
interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act
for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; and (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources

New matter indicated by italics - deletions by strikeout
for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds

New matter indicated by italics - deletions by strikeout
issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum Act, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

New matter indicated by italics - deletions by strikeout
"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not.

New matter indicated by italics - deletions by strikeout
The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-215 through 18-230.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established

New matter indicated by italics - deletions by strikeout
under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the

New matter indicated by italics - deletions by strikeout
highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or - The denominator shall not include the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided.

(Source: P.A. 92-547, eff. 6-13-02; 93-601, eff. 1-1-04; 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; 93-689, eff. 7-1-04; 93-690, eff. 7-1-04; 93-1049, eff. 11-17-04; revised 12-14-04.)

(35 ILCS 200/18-190)

Sec. 18-190. Direct referendum; new rate or increased limiting rate.

(a) If a new rate or a rate increase is authorized by statute to be imposed without referendum or is subject to a backdoor referendum, as defined in Section 28-2 of the Election Code, the governing body of the affected taxing district before levying the new rate or rate increase shall submit the new rate or rate increase to direct referendum under the provisions of this Section and of Article 28 of the Election Code. Notwithstanding the provisions, requirements, or limitations of any other law, any tax levied for the 2005 levy year and all subsequent levy years by any taxing district subject to this Law may be extended at a rate exceeding the rate established for that tax by referendum or statute, provided that the rate does not exceed the statutory ceiling above which the tax is not authorized to be further increased either by referendum or in any other manner. Notwithstanding the provisions, requirements, or limitations of any other law, all taxing districts subject to this Law shall follow the provisions of this Section whenever seeking referenda approval after March 21, 2006 to (i) levy a new tax rate authorized by statute or (ii) increase the limiting rate applicable to the taxing district. All taxing
districts subject to this Law are authorized to seek referendum approval of each proposition described and set forth in this Section.

The proposition seeking to obtain referendum approval to levy a new tax rate as authorized in clause (i) shall be in substantially the following form:

Shall ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be authorized to levy a new tax for ... purposes and have an additional tax of ...% of the equalized assessed value of the taxable property therein extended for such purposes?

The votes must be recorded as "Yes" or "No".

The proposition seeking to obtain referendum approval to increase the limiting rate as authorized in clause (ii) shall be in substantially the following form:

Shall the limiting rate under the Property Tax Extension Limitation Law for ... (insert legal name, number, if any, and county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased by an additional amount equal to ...% above the limiting rate for levy year ... (insert the most recent levy year for which the limiting rate of the taxing district is known at the time the submission of the proposition is initiated by the taxing district) and be equal to ...% of the equalized assessed value of the taxable property therein for levy year(s) (insert each levy year for which the increase will be applicable, which years must be consecutive and may not exceed 4)?

The votes must be recorded as "Yes" or "No".

The ballot for any proposition submitted pursuant to this Section shall have printed thereon, but not as a part of the proposition submitted, only the following supplemental information (which shall be supplied to
the election authority by the taxing district) in substantially the following form:

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is $..., and the approximate amount of taxes extendable if the proposition is approved is $....

(2) For the ... (insert the first levy year for which the new rate or increased limiting rate will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(3) Based upon an average annual percentage increase (or decrease) in the market value of such property of %... (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the proposition is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $ ....

(4) If the proposition is approved, the aggregate extension for ... (insert each levy year for which the increase will apply) will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The approximate amount of taxes extendable shown in paragraph (1) shall be computed upon the last known equalized assessed value of taxable property in the taxing district (at the time the submission of the proposition is initiated by the taxing district). Paragraph (3) shall be included only if the increased limiting rate will be applicable for more than one levy year and shall list each levy year for which the increased limiting rate will be applicable. The additional tax shown for each levy

New matter indicated by italics - deletions by strikeout
year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the proposition is initiated by the taxing district. The approximate amount of the additional taxes extendable shall be calculated (i) without regard to any property tax exemptions and (ii) based upon the percentage level of assessment prescribed for such property by statute or by ordinance of the county board in counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Constitution. Paragraph (4) shall be included if the proposition concerns a limiting rate increase but shall not be included if the proposition concerns a new rate. Any notice required to be published in connection with the submission of the proposition shall also contain this supplemental information and shall not contain any other supplemental information regarding the proposition. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot and in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the proposition shall be initiated as provided by law.

If a majority of all ballots cast on the proposition are in favor of the proposition, the following provisions shall be applicable to the extension of taxes for the taxing district:

(A) a new tax rate shall be first effective for the levy year in which the new rate is approved;

(B) if the proposition provides for a new tax rate, the taxing district is authorized to levy a tax after the canvass of the results of the referendum by the election authority for the purposes for which the tax is authorized;

(C) a limiting rate increase shall be first effective for the levy year in which the limiting rate increase is approved, provided that the taxing district may elect to have a limiting rate increase be effective for the levy year prior to the levy year in which the limiting rate increase is approved unless the extension of taxes for the prior levy year occurs 30 days or less after the canvass of the

New matter indicated by italics - deletions by strikeout
results of the referendum by the election authority in any county in which the taxing district is located;

(D) in order for the limiting rate increase to be first effective for the levy year prior to the levy year of the referendum, the taxing district must certify its election to have the limiting rate increase be effective for the prior levy year to the clerk of each county in which the taxing district is located not more than 2 days after the date the results of the referendum are canvassed by the election authority; and

(E) if the proposition provides for a limiting rate increase, the increase may be effective regardless of whether the proposition is approved before or after the taxing district adopts or files its levy for any levy year. Rates required to extend taxes on levies subject to a backdoor referendum in each year there is a levy are not new rates or rate increases under this Section if a levy has been made for the fund in one or more of the preceding 3 levy years. Changes made by this amendatory Act of 1997 to this Section in reference to rates required to extend taxes on levies subject to a backdoor referendum in each year there is a levy are declarative of existing law and not a new enactment.

(b) Whenever other applicable law authorizes a taxing district subject to the limitation with respect to its aggregate extension provided for in this Law to issue bonds or other obligations either without referendum or subject to backdoor referendum, the taxing district may elect for each separate bond issuance to submit the question of the issuance of the bonds or obligations directly to the voters of the taxing district, and if the referendum passes the taxing district is not required to comply with any backdoor referendum procedures or requirements set forth in the other applicable law. The direct referendum shall be initiated by ordinance or resolution of the governing body of the taxing district, and the question shall be certified to the proper election authorities in accordance with the provisions of the Election Code.

(Source: P.A. 88-455; 88-670, eff. 12-2-94; 89-385, eff. 8-18-95; 89-718, eff. 3-7-97.)
(35 ILCS 200/18-205)
Sec. 18-205. Referendum to increase the extension limitation. A taxing district is limited to an extension limitation increase of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less. A taxing district may increase its extension limitation for one or more levy years at current levy year if that taxing district holds a referendum before the levy date for the first levy year at which a majority of voters voting on the issue approves adoption of a higher extension limitation. Referenda shall be conducted at a regularly scheduled election in accordance with the Election Code provided that notice of the referendum, if held before July 1, 1999, has been given in accordance with the provisions of Section 12-5 of the Election Code in effect at the time of the bond referendum, at least 10 and not more than 45 days before the date of the election; notwithstanding the time for publication otherwise imposed by Section 12-5. Notices required in connection with the submission of public questions on or after July 1, 1999 shall be as set forth in Section 12-5 of the Election Code. The question shall be presented in substantially the following manner for all elections held after March 21, 2006:

Shall the extension limitation under the Property Tax Extension Limitation Law for (insert the legal name, number, if any, and county or counties of the taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased from the lesser of 5% or the percentage increase in the Consumer Price Index over the prior levy year to (insert the percentage of the proposed increase)% per year for (insert each levy year for which the increased extension limitation will apply)?

The votes must be recorded as "Yes" or "No".

================================================================================

Shall the extension limitation under the Property Tax Extension Limitation Law for ...(taxing YES district name)... be increased from...
...(the lesser of 5% or the increase in the Consumer Price Index over the prior levy year)...% to ...(percentage of proposed increase)...% for the ...(levy year)... levy year?

If a majority of voters voting on the issue approves the adoption of the increase, the increase shall be applicable for each the levy year specified.

The ballot for any question submitted pursuant to this Section shall have printed thereon, but not as a part of the question submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

(1) For the (insert the first levy year for which the increased extension limitation will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(2) Based upon an average annual percentage increase (or decrease) in the market value of such property of ...% (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the question is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $....

Paragraph (2) shall be included only if the increased extension limitation will be applicable for more than one year and shall list each levy year for which the increased extension limitation will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently estimated to be $...
completed extension at the time the submission of the question is initiated by the taxing district. The approximate amount of the additional tax extendable shall be calculated by using (A) the lesser of 5% or the percentage increase in the Consumer Price Index for the prior levy year (or an estimate of the percentage increase for the prior levy year if the increase is unavailable at the time the submission of the question is initiated by the taxing district), (B) the percentage increase proposed in the question, and (C) the last known equalized assessed value and aggregate extension base of the taxing district at the time the submission of the question is initiated by the taxing district. The approximate amount of the tax extendable shall be calculated (i) without regard to any property tax exemptions and (ii) based upon the percentage level of assessment prescribed for such property by statute or by ordinance of the county board in counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Constitution. Any notice required to be published in connection with the submission of the question shall also contain this supplemental information and shall not contain any other supplemental information. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot or in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the question shall be initiated as provided by law.

(Source: P.A. 90-812, eff. 1-26-99; 91-57, eff. 6-30-99.)

(35 ILCS 200/18-230)

Sec. 18-230. Rate increase or decrease factor. Only when a new rate or a rate increase or decrease first effective for the current levy year has been approved by referendum held prior to March 22, 2006, the aggregate extension base, as adjusted in Section Sections 18-215 and 18-220, shall be multiplied by a rate increase (or decrease) factor. The numerator of the rate increase (or decrease) factor is the total combined rate for the funds that made up the aggregate extension for the taxing district for the prior year plus the rate increase approved or minus the rate decrease approved. The denominator of the rate increase or decrease factor

New matter indicated by italics - deletions by strikeout
is the total combined rate for the funds that made up the aggregate extension for the prior year. For those taxing districts for which a new rate or a rate increase has been approved by referendum held after December 31, 1988 and prior to March 22, 2006, and that did not increase their rate to the new maximum rate for that fund, the rate increase factor shall be adjusted for 4 levy years after the year of the referendum (unless the governing body of a taxing district to which this Law applied before the 1995 levy year that approved a tax rate increase at a general election held after 2002 directs the county clerk or clerks by resolution to make such adjustment for a lesser number of years) by a factor the numerator of which is the portion of the new or increased rate for which taxes were not extended plus the aggregate rate in effect for the levy year prior to the levy year in which the referendum was passed and the denominator of which is the aggregate rate in effect for the levy year prior to the levy year in which the referendum was passed.

(Source: P.A. 87-17; 88-455.)

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

Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0977
(Senate Bill No. 1705)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Public Utilities Act is amended by changing Sections 16-101A, 16-102, and 16-107 as follows:

(220 ILCS 5/16-101A)
Sec. 16-101A. Legislative findings.
(a) The citizens and businesses of the State of Illinois have been well-served by a comprehensive electrical utility system which has

New matter indicated by italics - deletions by strikeout
provided safe, reliable, and affordable service. The electrical utility system in the State of Illinois has historically been subject to State and federal regulation, aimed at assuring the citizens and businesses of the State of safe, reliable, and affordable service, while at the same time assuring the utility system of a return on its investment.

(b) Competitive forces are affecting the market for electricity as a result of recent federal regulatory and statutory changes and the activities of other states. Competition in the electric services market may create opportunities for new products and services for customers and lower costs for users of electricity. Long-standing regulatory relationships need to be altered to accommodate the competition that could fundamentally alter the structure of the electric services market.

c) With the advent of increasing competition in this industry, the State has a continued interest in assuring that the safety, reliability, and affordability of electrical power is not sacrificed to competitive pressures, and to that end, intends to implement safeguards to assure that the industry continues to operate the electrical system in a manner that will serve the public's interest. Under the existing regulatory framework, the industry has been encouraged to undertake certain investments in its physical plant and personnel to enhance its efficient operation, the cost of which it has been permitted to pass on to consumers. The State has an interest in providing the existing utilities a reasonable opportunity to obtain a return on certain investments on which they depended in undertaking those commitments in the first instance while, at the same time, not permitting new entrants into the industry to take unreasonable advantage of the investments made by the formerly regulated industry.

d) A competitive wholesale and retail market must benefit all Illinois citizens. The Illinois Commerce Commission should act to promote the development of an effectively competitive electricity market that operates efficiently and is equitable to all consumers. Consumer protections must be in place to ensure that all customers continue to receive safe, reliable, affordable, and environmentally safe electric service.

e) All consumers must benefit in an equitable and timely fashion from the lower costs for electricity that result from retail and wholesale

New matter indicated by italics - deletions by strikeout
competition and receive sufficient information to make informed choices among suppliers and services. The use of renewable resources and energy efficiency resources should be encouraged in competitive markets.

(f) The efficiency of electric markets depends both upon the competitiveness of supply and upon the price-responsiveness of the demand for service. Therefore, to ensure the lowest total cost of service and to enhance the reliability of service, all classes of the electricity customers of electric utilities should have access to and be able to voluntarily use real-time pricing and other price-response and demand-response mechanisms.

(Source: P.A. 90-561, eff. 12-16-97.)

(220 ILCS 5/16-102)

Sec. 16-102. Definitions. For the purposes of this Article the following terms shall be defined as set forth in this Section.

"Alternative retail electric supplier" means every person, cooperative, corporation, municipal corporation, company, association, joint stock company or association, firm, partnership, individual, or other entity, their lessees, trustees, or receivers appointed by any court whatsoever, that offers electric power or energy for sale, lease or in exchange for other value received to one or more retail customers, or that engages in the delivery or furnishing of electric power or energy to such retail customers, and shall include, without limitation, resellers, aggregators and power marketers, but shall not include (i) electric utilities (or any agent of the electric utility to the extent the electric utility provides tariffed services to retail customers through that agent), (ii) any electric cooperative or municipal system as defined in Section 17-100 to the extent that the electric cooperative or municipal system is serving retail customers within any area in which it is or would be entitled to provide service under the law in effect immediately prior to the effective date of this amendatory Act of 1997, (iii) a public utility that is owned and operated by any public institution of higher education of this State, or a public utility that is owned by such public institution of higher education and operated by any of its lessees or operating agents, within any area in which it is or would be entitled to provide service under the law in effect.
immediately prior to the effective date of this amendatory Act of 1997, (iv) a retail customer to the extent that customer obtains its electric power and energy from that customer's own cogeneration or self-generation facilities, (v) an entity that owns, operates, sells, or arranges for the installation of a customer's own cogeneration or self-generation facilities, but only to the extent the entity is engaged in owning, selling or arranging for the installation of such facility, or operating the facility on behalf of such customer, provided however that any such third party owner or operator of a facility built after January 1, 1999, complies with the labor provisions of Section 16-128(a) as though such third party were an alternative retail electric supplier, or (vi) an industrial or manufacturing customer that owns its own distribution facilities, to the extent that the customer provides service from that distribution system to a third-party contractor located on the customer's premises that is integrally and predominantly engaged in the customer's industrial or manufacturing process; provided, that if the industrial or manufacturing customer has elected delivery services, the customer shall pay transition charges applicable to the electric power and energy consumed by the third-party contractor unless such charges are otherwise paid by the third party contractor, which shall be calculated based on the usage of, and the base rates or the contract rates applicable to, the third-party contractor in accordance with Section 16-102.

"Base rates" means the rates for those tariffed services that the electric utility is required to offer pursuant to subsection (a) of Section 16-103 and that were identified in a rate order for collection of the electric utility's base rate revenue requirement, excluding (i) separate automatic rate adjustment riders then in effect, (ii) special or negotiated contract rates, (iii) delivery services tariffs filed pursuant to Section 16-108, (iv) real-time pricing, or (v) tariffs that were in effect prior to October 1, 1996 and that based charges for services on an index or average of other utilities' charges, but including (vi) any subsequent redesign of such rates for tariffed services that is authorized by the Commission after notice and hearing.

"Competitive service" includes (i) any service that has been declared to be competitive pursuant to Section 16-113 of this Act, (ii)
contract service, and (iii) services, other than tariffed services, that are
related to, but not necessary for, the provision of electric power and energy
or delivery services.

"Contract service" means (1) services, including the provision of
electric power and energy or other services, that are provided by mutual
agreement between an electric utility and a retail customer that is located
in the electric utility's service area, provided that, delivery services shall
not be a contract service until such services are declared competitive
pursuant to Section 16-113; and also means (2) the provision of electric
power and energy by an electric utility to retail customers outside the
electric utility's service area pursuant to Section 16-116. Provided,
however, contract service does not include electric utility services
provided pursuant to (i) contracts that retail customers are required to
execute as a condition of receiving tariffed services, or (ii) special or
negotiated rate contracts for electric utility services that were entered into
between an electric utility and a retail customer prior to the effective date
of this amendatory Act of 1997 and filed with the Commission.

"Delivery services" means those services provided by the electric
utility that are necessary in order for the transmission and distribution
systems to function so that retail customers located in the electric utility's
service area can receive electric power and energy from suppliers other
than the electric utility, and shall include, without limitation, standard
metering and billing services.

"Electric utility" means a public utility, as defined in Section 3-105
of this Act, that has a franchise, license, permit or right to furnish or sell
electricity to retail customers within a service area.

"Mandatory transition period" means the period from the effective
date of this amendatory Act of 1997 through January 1, 2007.

"Municipal system" shall have the meaning set forth in Section 17-100.

"Real-time pricing" means tariffed retail charges for delivered
electric power and energy that vary on an hour-to-hour basis for nonresidential retail customers
and that vary on a periodic basis during the day for residential retail customers.

"Retail customer" means a single entity using electric power or energy at a single premises and that (A) either (i) is receiving or is eligible to receive tariffed services from an electric utility, or (ii) that is served by a municipal system or electric cooperative within any area in which the municipal system or electric cooperative is or would be entitled to provide service under the law in effect immediately prior to the effective date of this amendatory Act of 1997, or (B) an entity which on the effective date of this Act was receiving electric service from a public utility and (i) was engaged in the practice of resale and redistribution of such electricity within a building prior to January 2, 1957, or (ii) was providing lighting services to tenants in a multi-occupancy building, but only to the extent such resale, redistribution or lighting service is authorized by the electric utility's tariffs that were on file with the Commission on the effective date of this Act.

"Service area" means (i) the geographic area within which an electric utility was lawfully entitled to provide electric power and energy to retail customers as of the effective date of this amendatory Act of 1997, and includes (ii) the location of any retail customer to which the electric utility was lawfully providing electric utility services on such effective date.

"Small commercial retail customer" means those nonresidential retail customers of an electric utility consuming 15,000 kilowatt-hours or less of electricity annually in its service area.

"Tariffed service" means services provided to retail customers by an electric utility as defined by its rates on file with the Commission pursuant to the provisions of Article IX of this Act, but shall not include competitive services.

"Transition charge" means a charge expressed in cents per kilowatt-hour that is calculated for a customer or class of customers as follows for each year in which an electric utility is entitled to recover transition charges as provided in Section 16-108:

New matter indicated by italics - deletions by strikeout
(1) the amount of revenue that an electric utility would receive from the retail customer or customers if it were serving such customers' electric power and energy requirements as a tariffed service based on (A) all of the customers' actual usage during the 3 years ending 90 days prior to the date on which such customers were first eligible for delivery services pursuant to Section 16-104, and (B) on (i) the base rates in effect on October 1, 1996 (adjusted for the reductions required by subsection (b) of Section 16-111, for any reduction resulting from a rate decrease under Section 16-101(b), for any restatement of base rates made in conjunction with an elimination of the fuel adjustment clause pursuant to subsection (b), (d), or (f) of Section 9-220 and for any removal of decommissioning costs from base rates pursuant to Section 16-114) and any separate automatic rate adjustment riders (other than a decommissioning rate as defined in Section 16-114) under which the customers were receiving or, had they been customers, would have received electric power and energy from the electric utility during the year immediately preceding the date on which such customers were first eligible for delivery service pursuant to Section 16-104, or (ii) to the extent applicable, any contract rates, including contracts or rates for consolidated or aggregated billing, under which such customers were receiving electric power and energy from the electric utility during such year;

(2) less the amount of revenue, other than revenue from transition charges and decommissioning rates, that the electric utility would receive from such retail customers for delivery services provided by the electric utility, assuming such customers were taking delivery services for all of their usage, based on the delivery services tariffs in effect during the year for which the transition charge is being calculated and on the usage identified in paragraph (1);

(3) less the market value for the electric power and energy that the electric utility would have used to supply all of such customers' electric power and energy requirements, as a tariffed power and energy requirements.
service, based on the usage identified in paragraph (1), with such market value determined in accordance with Section 16-112 of this Act;

(4) less the following amount which represents the amount to be attributed to new revenue sources and cost reductions by the electric utility through the end of the period for which transition costs are recovered pursuant to Section 16-108, referred to in this Article XVI as a "mitigation factor":

   (A) for nonresidential retail customers, an amount equal to the greater of (i) 0.5 cents per kilowatt-hour during the period October 1, 1999 through December 31, 2004, 0.6 cents per kilowatt-hour in calendar year 2005, and 0.9 cents per kilowatt-hour in calendar year 2006, multiplied in each year by the usage identified in paragraph (1), or (ii) an amount equal to the following percentages of the amount produced by applying the applicable base rates (adjusted as described in subparagraph (1)(B)) or contract rate to the usage identified in paragraph (1): 8% for the period October 1, 1999 through December 31, 2002, 10% in calendar years 2003 and 2004, 11% in calendar year 2005 and 12% in calendar year 2006; and

   (B) for residential retail customers, an amount equal to the following percentages of the amount produced by applying the base rates in effect on October 1, 1996 (adjusted as described in subparagraph (1)(B)) to the usage identified in paragraph (1): (i) 6% from May 1, 2002 through December 31, 2002, (ii) 7% in calendar years 2003 and 2004, (iii) 8% in calendar year 2005, and (iv) 10% in calendar year 2006;

(5) divided by the usage of such customers identified in paragraph (1),

provided that the transition charge shall never be less than zero.

New matter indicated by italics - deletions by strikeout
"Unbundled service" means a component or constituent part of a tariffed service which the electric utility subsequently offers separately to its customers.
(Source: P.A. 91-50, eff. 6-30-99; 92-537, eff. 6-6-02.)
(220 ILCS 5/16-107)
Sec. 16-107. Real-time pricing.
(a) Each electric utility shall file, on or before May 1, 1998, a tariff or tariffs which allow nonresidential retail customers in the electric utility's service area to elect real-time pricing beginning October 1, 1998.
(b) Each electric utility shall file, on or before May 1, 2000, a tariff or tariffs which allow residential retail customers in the electric utility's service area to elect real-time pricing beginning October 1, 2000.
(b-5) Each electric utility shall file a tariff or tariffs allowing residential retail customers in the electric utility's service area to elect real-time pricing beginning January 2, 2007. A customer who elects real-time pricing shall remain on such rate for a minimum of 12 months. The Commission may, after notice and hearing, approve the tariff or tariffs, provided that the Commission finds that the potential for demand reductions will result in net economic benefits to all residential customers of the electric utility. In examining economic benefits from demand reductions, the Commission shall, at a minimum, consider the following: improvements to system reliability and power quality, reduction in wholesale market prices and price volatility, electric utility cost avoidance and reductions, market power mitigation, and other benefits of demand reductions, but only to the extent that the effects of reduced demand can be demonstrated to lower the cost of electricity delivered to residential customers. A tariff or tariffs approved pursuant to this subsection (b-5) shall, at a minimum, describe (i) the methodology for determining the market price of energy to be reflected in the real-time rate and (ii) the manner in which customers who elect real-time pricing will be provided with ready access to hourly market prices, including, but not limited to, day-ahead hourly energy prices.
A proceeding under this subsection (b-5) may not exceed 120 days in length.

New matter indicated by italics - deletions by strikeout
(b-10) Each electric utility providing real-time pricing pursuant to subsection (b-5) shall install a meter capable of recording hourly interval energy use at the service location of each customer that elects real-time pricing pursuant to this subsection.

(b-15) If the Commission issues an order pursuant to subsection (b-5), the affected electric utility shall contract with an entity not affiliated with the electric utility to serve as a program administrator to develop and implement a program to provide consumer outreach, enrollment, and education concerning real-time pricing and to establish and administer an information system and technical and other customer assistance that is necessary to enable customers to manage electricity use. The program administrator: (i) shall be selected and compensated by the electric utility, subject to Commission approval; (ii) shall have demonstrated technical and managerial competence in the development and administration of demand management programs; and (iii) may develop and implement risk management, energy efficiency, and other services related to energy use management for which the program administrator shall be compensated by participants in the program receiving such services. The electric utility shall provide the program administrator with all information and assistance necessary to perform the program administrator's duties, including, but not limited to, customer, account, and energy use data. The electric utility shall permit the program administrator to include inserts in residential customer bills 2 times per year to assist with customer outreach and enrollment.

The program administrator shall submit an annual report to the electric utility no later than April 1 of each year describing the operation and results of the program, including information concerning the number and types of customers using real-time pricing, changes in customers' energy use patterns, an assessment of the value of the program to both participants and non-participants, and recommendations concerning modification of the program and the tariff or tariffs filed under subsection (b-5). This report shall be filed by the electric utility with the Commission within 30 days of receipt and shall be available to the public on the Commission's web site.

New matter indicated by italics - deletions by strikeout
(b-20) The Commission shall monitor the performance of programs established pursuant to subsection (b-15) and shall order the termination or modification of a program if it determines that the program is not, after a reasonable period of time for development not to exceed 4 years, resulting in net benefits to the residential customers of the electric utility.

(b-25) An electric utility shall be entitled to recover reasonable costs incurred in complying with this Section, provided that recovery of the costs is fairly apportioned among its residential customers as provided in this subsection (b-25). The electric utility may apportion greater costs on the residential customers who elect real-time pricing, but may also impose some of the costs of real-time pricing on customers who do not elect real-time pricing, provided that the Commission determines that the cost savings resulting from real-time pricing will exceed the costs imposed on customers for maintaining the program.

(c) The electric utility's tariff or tariffs filed pursuant to this Section shall be subject to Article IX.

(d) This Section does not apply to any electric utility providing service to 100,000 or fewer customers.

(Source: P.A. 90-561, eff. 12-16-97.)

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

Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.
Sec. 20-155. Solicitation and contract documents. After award of a contract and subject to provisions of the Freedom of Information Act, the procuring agency shall make available for public inspection and copying all pre-award, post-award, administration, and close-out documents relating to that particular contract.

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

Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Grow Our Own Teacher Education Act is amended by changing Sections 1, 5, 10, 15, 20, 25, 30, and 35 as follows:
(110 ILCS 48/1)
Sec. 1. Short title. This Act may be cited as the Grow Your Own Teacher Education Act.
(Source: P.A. 93-802, eff. 1-1-05.)
(110 ILCS 48/5)
Sec. 5. Purpose. The Grow Your Own Teacher preparation programs established under this Act shall comprise a major new statewide initiative, known as the Grow Your Own Teacher Education Initiative, to prepare highly skilled, committed teachers who will teach in hard-to-staff schools and hard-to-staff teaching positions and who will remain in these schools for substantial periods of time.

The Grow Your Own Teacher Education Initiative shall effectively recruit and prepare parent and community leaders and paraeducators to become effective teachers statewide.

New matter indicated by italics - deletions by strikeout
in hard-to-staff schools and hard-to-staff teaching positions in schools serving a substantial percentage of low-income students. Further, the Initiative shall increase the diversity of teachers, including diversity based on race, ethnicity, and disability.

The Grow Your Own Teacher Education Initiative shall ensure educational rigor by effectively preparing candidates in accredited bachelor's degree programs in teaching, through which graduates shall meet the requirements to secure an Illinois initial standard teaching certificate.

The goal of the Grow Your Own Teacher Education Initiative is to add 1,000 teachers to low-income and other hard-to-staff Illinois schools by 2016 with an average retention period of 7 years, as opposed to the current rate of 2.5 years for new teachers in such areas.

(Source: P.A. 93-802, eff. 1-1-05.)

(110 ILCS 48/10)

Sec. 10. Definitions. In this Act:

"Accredited teacher preparation program" means a State or regionally accredited higher education program authorized to prepare individuals to fulfill all of the requirements to receive an Illinois initial standard teaching certificate.

"Developmental classes" means classes in basic skill areas, such as mathematics and language arts that are prerequisite to, but not counted towards, degree requirements of a teacher preparation program.

"Hard-to-staff school" means an elementary or secondary school that, based on data compiled by the State Board of Education, ranks in the upper third of schools in this State on a combined index measuring the percentage of the school's teachers who are not fully certified and the percentage of the school's teachers who leave their positions annually.

"Hard-to-staff teaching position" means a teaching category (such as special education, mathematics, or science) in which statewide data compiled by the State Board of Education indicates a multi-year pattern of substantial teacher shortage or that has been identified as a critical need by the local school board.

New matter indicated by italics - deletions by strikeout
"Initiative" means the Grow Your Own Teacher Education Initiative created under this Act.

"Paraeducators" means individuals with a history of demonstrated accomplishments in school staff positions (such as teacher assistants, school-community liaisons, school clerks, and security aides) in schools serving a substantial percentage of low-income students.

"Parent and community leaders" means individuals with a significant history of working to improve involvement in improving schools serving a substantial percentage of low-income students, including membership in a community organization.

"Community organization" means a nonprofit organization that has a demonstrated capacity to train, develop, and organize parents and community leaders into a constituency that will hold the school and the school district accountable for achieving high academic standards; in addition to organizations with a geographic focus, "community organization" includes general parent organizations, organizations of special education or bilingual education parents, and school employee unions.

"Program" means a Grow Your Own Teacher preparation program established by a consortium under this Act.

"Schools serving a substantial percentage of low-income students" means schools that maintain any of grades pre-kindergarten through 8, in which at least 35% of the students are eligible to receive free or reduced-price lunches and schools that maintain any of grades 9 through 12, in which at least 25% of the students are eligible to receive free or reduced price lunches is at or above the district-average percentage.

"State Board" means the State Board of Education.

(Source: P.A. 93-802, eff. 1-1-05.)

(110 ILCS 48/15)

Sec. 15. Creation of Initiative. The Grow Your Own Teacher Education Initiative is created. The State Board shall administer the Initiative as a grant competition to fund consortia that will carry out Grow Your Own Teacher preparation programs.

New matter indicated by italics - deletions by strikeout
Sec. 20. Selection of grantees. The State Board shall award grants to up to 10 qualified consortia that reflect the distribution and diversity of target hard-to-staff schools and hard-to-staff positions across this State. In awarding grants, the State Board shall select programs that successfully address Initiative criteria and that reflect a diversity of strategies in terms of serving urban areas, serving rural areas, the nature of the participating institutions of higher education, whether participants will be trained at the baccalaureate or master's level, and the nature of hard-to-staff schools and hard-to-staff teaching positions on which a program is focused.

The State Board shall select consortia that meet the following requirements:

(1) A consortium shall be composed of at least one 4-year institution of higher education with an accredited teacher preparation program, at least one school district or group of schools, and one or more community organizations. The consortium may also include a 2-year institution of higher education or a school employee union or both.

(2) The 4-year institution of higher education participating in the consortium shall have past, demonstrated success in preparing teachers for elementary or secondary schools serving a substantial percentage of low-income students.

(3) The consortium shall focus on a clearly defined set of target schools serving a substantial percentage of low-income students that will be the primary focus of the program. The consortium shall articulate the steps that it will carry out in preparing teachers for its target hard-to-staff schools and in preparing teachers for one or more hard-to-staff teaching positions in its target schools.

(4) Candidate Student participants in a program under the Initiative must hold a high school diploma or its equivalent and must meet either the definition of "parent and community leaders"
or the definition of "paraeducators" contained in Section 10 of this Act.

(5) The consortium shall employ effective procedures for teaching the skills and knowledge needed to prepare highly competent teachers. Professional preparation instruction shall include on-going direct experience in target schools and evaluation analysis of this experience.

(6) The consortium shall offer the program to cohorts of candidates students who begin by moving through the program together. The program shall be offered on a schedule that enables candidates students to work full time while participating in the program and allows paraeducators to continue in their current positions. The consortium shall guarantee that support will be available to an admitted cohort through the cohort's full period of training. At the beginning of the Initiative, programs that are already operating and existing cohorts of candidates students under this model shall be eligible for funding.

(7) The institutions of higher education participating in the consortium shall document and agree to expend the same amount of funds in implementing the program that these institutions spend per student on similar educational programs. Grants received by the consortium shall supplement and not supplant these amounts.

(8) The State Board shall establish additional criteria for review of proposals, including criteria that address the following issues:

(A) Previous experience of the institutions of higher education in preparing candidates students for hard-to-staff schools and positions and in working with students with non-traditional backgrounds.

(B) The quality of the implementation plan, including strategies for overcoming institutional barriers to the progress of non-traditional candidates students.

(C) If a community college is a participant, the nature and extent of existing articulation agreements and

New matter indicated by italics - deletions by strikeout
guarantees between the community college and the 4-year institution of higher education.

(D) The number of candidates participants to be trained in the planned current cohort or cohorts and the capacity of the consortium for adding cohorts in future cycles.

(E) Experience of the community organization or organizations in organizing parents and community leaders to achieve school improvement and a strong relational school culture.

(F) The qualifications of the person or persons designated by the 4-year institution of higher education to be responsible for cohort support and the development of a shared learning and social environment among candidates participants.

(G) The consortium's plan for collective consortium decision-making, including mechanisms for community and candidate participant input.

(H) The consortium's plan for direct impact of the program on the quality of education in the target schools.

(I) The relevance of the curriculum to the needs of targeted schools and positions, and the use in curriculum and instructional planning of principles for effective education for adults adult education.

(J) The availability of classes under the program in places and times accessible to the candidates participants.

(K) Provision of a level of performance to be maintained by candidates participants as a condition of continuing in the program.

(L) The plan of the 4-year institution of higher education to ensure that candidates students take advantage of existing financial aid resources before using the loan funds described in Section 25 of this Act.
(M) The availability of supportive services, including counseling, tutoring, and child care.

(N) A plan for continued participation of graduates of the program in a program of support for at least 2 years, including mentoring and group meetings.

(O) A plan for testing and qualitative evaluation of candidates' participants' teaching skills that ensures that graduates of the program are as prepared for teaching as other individuals completing the institution of higher education's preparation program for the certificate sought those from the conventional teacher training program of the 4-year institution of higher education.

(P) A plan for internal evaluation that provides reports at least yearly on the progress of candidates participants towards graduation and the impact of the program on the target schools and their communities.

(Q) Contributions from schools, school districts, and other consortia members to the program, including stipends for candidates participants during their student teaching.

(R) Consortium commitment for sustaining the program over time, as evidenced by plans for reduced requirements for external funding in subsequent cycles.

(S) The inclusion in the planned program of strategies derived from community organizing that will help candidates develop tools for working with parents and other community members.

(Source: P.A. 93-802, eff. 1-1-05.)

(110 ILCS 48/25)

Sec. 25. Expenditures under the Initiative.

(a) Every program under the Initiative shall implement and manage a program of forgivable loans to cover any portion of tuition and direct expenses of candidates students under the program in excess of grants-in-aid and other forgivable loans received. All students admitted to a cohort

New matter indicated by italics - deletions by strikeout
shall be eligible for such loans. Loans shall be fully forgiven if a graduate completes 5 years of service in a hard-to-staff schools school or hard-to-staff teaching positions, with partial forgiveness for shorter periods of service. The State Board shall establish standards for the approval of requests from programs to waive this obligation for individual candidates and for deferral of repayment for work interruptions after certification. The State Board shall also define standards for the fiscal management of these loan funds position.

(b) Grants under the Initiative shall be awarded in such a way as to provide the required support for a cohort of candidates students for the cohort's entire training period. Program budgets must show expenditures for the entire period that candidates participants are expected to be enrolled.

(c) No funds under the Initiative may be used to supplant the average per-capita expenditures by the institution of higher education for candidates students in regular education degree programs.

(d) Where necessary, program budgets shall include the costs of child care to permit candidates parents to maintain a full class schedule. Child care may be provided by the community organization or organizations or be independently contracted for.

(e) The institution of higher education may expend grant funds to cover the salary of a site-based cohort coordinator and the additional costs of offering classes in community settings and for tutoring services.

(f) The community organization or organizations may receive a portion of the grant money for the expenses of recruitment, community orientation, and counseling of potential candidates participants, for providing space in the community, and for working with school personnel to facilitate individual work experiences and support of candidates participants.

(g) The school district or school employee union or both may receive a portion of the grant money for expenses of supporting the work experiences of candidates participants and providing mentors for graduates. Notwithstanding the provisions of Section 10-20.15 of the School Code, school districts may also use these or other applicable

New matter indicated by italics - deletions by strikeout
public funds to pay participants in programs under the Initiative for student teaching required by an accredited teacher preparation program.

(h) One member of the consortium may expend funds to cover the salary of a site-based cohort coordinator.

(i) Grant funds may also be expended to pay directly for required developmental classes for candidates beginning a program.

(Source: P.A. 93-802, eff. 1-1-05.)

(110 ILCS 48/30)

Sec. 30. Implementation of Initiative. The State Board shall develop guidelines and application procedures for the Initiative in fiscal year 2005. The State Board may, if it chooses, award a small number of planning grants during any fiscal year 2005 to potential consortia using existing resources. Other than existing cohorts, the first programs under the Initiative shall be awarded grants in such a way as to allow candidates to begin their work at the beginning of the 2006-2007 school year.

(Source: P.A. 93-802, eff. 1-1-05.)

(110 ILCS 48/35)

Sec. 35. Independent program evaluation. The State Board shall contract for an independent evaluation of program implementation by each of its participating consortia and of the impact of each program, including the extent of candidate persistence in program enrollment, acceptance as an education major in a 4-year institution of higher education, completion of a bachelor's degree in teaching, obtaining a teaching position in a target school or similar school, subsequent effectiveness as a teacher, and persistence in teaching in a target school or similar school. The evaluation shall assess the Initiative's overall effectiveness and shall identify particular program strategies that are especially effective.

(Source: P.A. 93-802, eff. 1-1-05.)

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

Passed in the General Assembly April 6, 2006.

Approved June 30, 2006.
AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Section 5-1101 as follows:

(55 ILCS 5/5-1101) (from Ch. 34, par. 5-1101)
Sec. 5-1101. Additional fees to finance court system. A county board may enact by ordinance or resolution the following fees:

(a) A $5 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of the Illinois Vehicle Code other than Section 11-501 or violations of similar provisions contained in county or municipal ordinances committed in the county, and up to a $30 fee to be paid by the defendant on a judgment of guilty or a grant of supervision for violation of Section 11-501 of the Illinois Vehicle Code or a violation of a similar provision contained in county or municipal ordinances committed in the county.

(b) In the case of a county having a population of 1,000,000 or less, a $5 fee to be collected in all civil cases by the clerk of the circuit court.

(c) A fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections, as follows:

(1) for a felony, $50;
(2) for a class A misdemeanor, $25;
(3) for a class B or class C misdemeanor, $15;
(4) for a petty offense, $10;
(5) for a business offense, $10.

(d) A $100 fee for the second and subsequent violations of Section 11-501 of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county. The
proceeds of this fee shall be placed in the county general fund and used to finance education programs related to driving under the influence of alcohol or drugs.

(d-5) A $10 fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections to be placed in the county general fund and used to finance the county mental health court.

(e) In each county in which a teen court, peer court, peer jury, youth court, or other youth diversion program has been created, a county may adopt a mandatory fee of up to $5 to be assessed as provided in this subsection. Assessments collected by the clerk of the circuit court pursuant to this subsection must be deposited into an account specifically for the operation and administration of a teen court, peer court, peer jury, youth court, or other youth diversion program. The clerk of the circuit court shall collect the fees established in this subsection and must remit the fees to the teen court, peer court, peer jury, youth court, or other youth diversion program monthly, less 5%, which is to be retained as fee income to the office of the clerk of the circuit court. The fees are to be paid as follows:

(1) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision for violation of the Illinois Vehicle Code or violations of similar provisions contained in county or municipal ordinances committed in the county;

(2) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense.

(f) In each county in which a drug court has been created, the county may adopt a mandatory fee of up to $5 to be assessed as provided in this subsection. Assessments collected by the clerk of the circuit court pursuant to this subsection must be deposited into an account specifically for the operation and administration of the drug court. The clerk of the circuit court shall collect the fees established in this subsection and must remit the fees to the drug court, less 5%, which is to be retained as fee income to the office of the clerk of the circuit court.
income to the office of the clerk of the circuit court. The fees are to be paid as follows:

(1) a fee of up to $5 paid by the defendant on a judgment of guilty or grant of supervision for a violation of the Illinois Vehicle Code or a violation of a similar provision contained in a county or municipal ordinance committed in the county; or

(2) a fee of up to $5 paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense.

The clerk of the circuit court shall deposit the 5% retained under this subsection into the Circuit Court Clerk Operation and Administrative Fund to be used to defray the costs of collection and disbursement of the drug court fee.

(g) The proceeds of all fees enacted under this Section must, except as provided in subsections (d), and (d-5), and (e), and (f) be placed in the county general fund and used to finance the court system in the county, unless the fee is subject to disbursement by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(Source: P.A. 93-892, eff. 1-1-05; 93-992, eff. 1-1-05; revised 10-14-04.)

Section 5. The Clerks of Courts Act is amended by adding Section 27.3d as follows:

(705 ILCS 105/27.3d new)
Sec. 27.3d. Circuit Court Clerk Operation and Administrative Fund. Each circuit court clerk shall create a Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law. The circuit court clerk shall be the custodian, ex officio, of this Fund and shall use the Fund to perform the duties required by the office. The Fund shall be audited by an auditor retained by the clerk for the purpose of conducting an annual audit. Expenditures shall be made from the Fund by the circuit court clerk for expenses related to the cost of collection for and disbursement to entities of State and local government.

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.
Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0981
(Senate Bill No. 2336)

AN ACT concerning schools.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Breakfast and Lunch Program Act is amended by changing Sections 2.5 and 4 as follows:

(105 ILCS 125/2.5)
Sec. 2.5. Breakfast incentive program. The State Board of Education shall fund a breakfast incentive program comprised of the components described in paragraphs (1), (2), and (3) of this Section, provided that a separate appropriation is made for the purposes of this Section. The State Board of Education may allocate the appropriation among the program components in whatever manner the State Board of Education finds will best serve the goal of increasing participation in school breakfast programs. If the amount of the appropriation allocated under paragraph (1), (2), or (3) of this Section is insufficient to fund all claims submitted under that particular paragraph, the claims under that paragraph shall be prorated.

(1) The State Board of Education may reimburse each sponsor of a school breakfast program at least an additional $0.10 for each free, reduced-price, and paid breakfast served over and above the number of such breakfasts served in the same month during the preceding year, provided that the number of breakfasts served in a participating school building in that month is at least 10% greater than the number of breakfasts served in the same month during the preceding year.

New matter indicated by italics - deletions by strikeout
(2) The State Board of Education may make grants to school boards and welfare centers that agree to start a school breakfast program in one or more schools or other sites. First priority for these grants shall be given to schools in which 40% or more of their students are eligible for free and reduced price meals under the National School Lunch Act (42 U.S.C. 1751 et seq.). Depending on the availability of funds and the rate at which funds are being utilized, the State Board of Education is authorized to allow additional schools or other sites to receive these grants. In making additional grants, the State Board of Education shall provide for priority to be given to schools with the highest percentage of students eligible for free and reduced price lunches under the National School Lunch Act. The amount of the grant shall be $3,500 for each qualifying school or site in which a school breakfast program is started. The grants shall be used to pay the start-up costs for the school breakfast program, including equipment, supplies, and program promotion, but shall not be used for food, labor, or other recurring operational costs. Applications for the grants shall be made to the State Board of Education on forms designated by the State Board of Education. Any grantee that fails to operate a school breakfast program for at least 3 years after receipt of a grant shall refund the amount of the grant to the State Board of Education.

(3) The State Board of Education may reimburse a school board for each free, reduced-price, or paid breakfast served in a school breakfast program located in a school in which 80% or more of the students are eligible to receive free or reduced price lunches under the National School Lunch Act (42 U.S.C. 1751 et seq.) in an amount equal to the difference between (i) the current amount reimbursed by the federal government for a free breakfast and (ii) the amount actually reimbursed by the federal government for that free, reduced-price, or paid breakfast. A school board that receives reimbursement under this paragraph (3) shall not be
eligible in the same year to receive reimbursement under paragraph (1) of this Section.

(Source: P.A. 93-1086, eff. 2-15-05.)

(105 ILCS 125/4) (from Ch. 122, par. 712.4)

Sec. 4. Accounts; copies of menus served; free lunch program required; report. School boards and welfare centers shall keep an accurate, detailed and separate account of all moneys expended for school breakfast programs, school lunch programs, free breakfast programs, free lunch programs, and summer food service programs, and of the amounts for which they are reimbursed by any governmental agency, moneys received from students and from any other contributors to the program. School boards and welfare centers shall also keep on file a copy of all menus served under the programs, which together with all records of receipts and disbursements, shall be made available to representatives of the State Board of Education at any time.

Every public school must have a free lunch program.

In 2001 and in each subsequent year, the State Board of Education shall provide to the Governor and the General Assembly, by a date not later than March 1, a report that provides all of the following:

(1) A list by school district of all schools, the total student enrollment, and the number of children eligible for free, reduced price, and paid breakfasts and lunches.

(2) A list of schools that have started breakfast programs during the past year along with information on which schools have utilized the $3,500 start-up grants and the additional $0.10 per meal increased participation incentives established under Section 2.5 of this Act.

(3) A list of schools that have used the school breakfast program option outlined in this Act, a list of schools that have exercised Provision Two or Provision Three under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and a list of schools that have dropped either school lunch or school breakfast programs during the past year and the reasons why, and a list of

New matter indicated by italics - deletions by strikeout
school districts and schools granted an exemption from a regional superintendent of schools.

In 2007, 2009, and 2011 the report required by this Section shall also include information that documents the results of surveys designed to identify parental interest in school breakfast programs and documents barriers to establishing school breakfast programs. To develop the surveys for school administrators and for parents, the State Board of Education shall work with in coordination with the State Board of Education's Child Nutrition Advisory Council and local committees that involve parents, teachers, principals, superintendents, business, and anti-hunger advocates, organized by the State Board of Education to foster community involvement. The State Board of Education is authorized to distribute the surveys in all schools where there are no school breakfast programs.

(Source: P.A. 93-1086, eff. 2-15-05.)

Section 10. The Childhood Hunger Relief Act is amended by changing Section 15 as follows:

(a) Within 90 days after the effective date of this amendatory Act of the 93rd General Assembly and then each school year thereafter, the board of education of each school district in this State shall implement and operate a school breakfast program, if a breakfast program does not currently exist, in accordance with federal guidelines in each school building within its district in which at least 40% or more of the students are eligible for free or reduced-price lunches based upon the count on October 31 of the previous year (for those schools that participate in the National School Lunch Program) or in which at least 40% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (for those schools that do not participate in the National School Lunch Program).

Using the data from the previous school year, the board of education of each school district in the State shall determine which schools within their districts will be required to implement and operate a school breakfast program.

New matter indicated by italics - deletions by strikeout
(b) School districts may charge students who do not meet federal criteria for free school meals for the breakfasts served to these students within the allowable limits set by federal regulations.

(c) School breakfast programs established under this Section shall be supported entirely by federal funds and commodities, charges to students and other participants, and other available State and local resources, including under the School Breakfast and Lunch Program Act. Allowable costs for reimbursement to school districts, in accordance with the United States Department of Agriculture, include compensation of employees for the time devoted and identified specifically to implement the school breakfast program; the cost of materials acquired, consumed, or expended specifically to implement the school breakfast program; equipment and other approved capital expenditures necessary to implement the school breakfast program; and transportation expenses incurred specifically to implement and operate the school breakfast program.

(d) A school district shall be allowed to opt out of the school breakfast program requirement of this Section if it is determined that, due to circumstances specific to that school district, the expense reimbursement would not fully cover the costs of implementing and operating a school breakfast program. The school district shall petition its regional superintendent of schools by November 15 of each year to request to be exempt from the school breakfast program requirement. The petition shall include all legitimate costs associated with implementing and operating a school breakfast program, the estimated reimbursement from State and federal sources, and any unique circumstances the school district can verify that exist that would cause the implementation and operation of such a program to be cost prohibitive.

The regional superintendent of schools shall review the petition. In accordance with the Open Meetings Act, he or she shall convene a public hearing to hear testimony from the school district and interested community members. The regional superintendent shall, by December 15, inform the school district of his or her decision, along with the reasons why the exemption was granted or denied, in writing. If the regional
superintendent grants an exemption to the school district, then the school district is relieved from the requirement to establish and implement a school breakfast program for that school year.

If the regional superintendent of schools does not grant an exemption to the school district, then the school district shall implement and operate a school breakfast program in accordance with this Section by September 1 of the subsequent school year. However, the school district or a resident of the school district may appeal the decision of the regional superintendent to the State Superintendent of Education. No later than February 15 of each year, the State Superintendent shall hear appeals on the decisions of regional superintendents of schools. The State Superintendent shall make a final decision at the conclusion of the hearing on the school district's request for an exemption from the school breakfast program requirement. If the State Superintendent grants an exemption to the school district, then the school district is relieved from the requirement to implement and operate a school breakfast program for that school year. If the State Superintendent does not grant an exemption to the school district, then the school district shall implement and operate a school breakfast program in accordance with this Section by September 1 of the subsequent school year.

A school district may not attempt to opt out of the school breakfast program requirement of this Section by requesting a waiver under Section 2-3.25g of the School Code.

(Source: P.A. 93-1086, eff. 2-15-05.)

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

Passed in the General Assembly April 7, 2006.
Approved June 30, 2006.
Effective June 30, 2006.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 10. The Illinois Pension Code is amended by changing Section 15-125 as follows:

(40 ILCS 5/15-125) (from Ch. 108 1/2, par. 15-125)

Sec. 15-125. "Prescribed Rate of Interest; Effective Rate of Interest":

(1) "Prescribed rate of interest": The rate of interest to be used in actuarial valuations and in development of actuarial tables as determined by the board on the basis of the probable average effective rate of interest on a long term basis.

(2) "Effective rate of interest": The interest rate for all or any part of a fiscal year that is determined by the board based on factors including the system's past and expected investment experience; historical and expected fluctuations in the market value of investments; the desirability of minimizing volatility in the effective rate of interest from year to year; and the provision of reserves for anticipated losses upon sales, redemptions, or other disposition of investments and for variations in interest experience; except that for the purpose of determining the accumulated normal contributions used in calculating retirement annuities under Rule 2 of Section 15-136, the effective rate of interest shall be determined by the State Comptroller rather than the board. The State Comptroller shall determine the effective rate of interest to be used for this purpose using the factors listed above, and shall certify to the board and the Commission on Government Forecasting and Accountability the rate to be used for this purpose for fiscal year 2006 as soon as possible after the effective date of this amendatory Act of the 94th General Assembly, and for each fiscal year thereafter no later than the January 31 immediately preceding the start of that fiscal year.

(3) The change made to this Section by Public Acts 90-65 and 90-511 is a clarification of existing law.

(Source: P.A. 94-4, eff. 6-1-05; revised 10-11-05.)

Section 15. The Liquor Control Act of 1934 is amended by changing Section 6-21 as follows:

New matter indicated by italics - deletions by strikeout
(235 ILCS 5/6-21) (from Ch. 43, par. 135)
Sec. 6-21. (a) Every person who is injured within this State, in person or property, by any intoxicated person has a right of action in his or her own name, severally or jointly, against any person, licensed under the laws of this State or of any other state to sell alcoholic liquor, who, by selling or giving alcoholic liquor, within or without the territorial limits of this State, causes the intoxication of such person. Any person at least 21 years of age who pays for a hotel or motel room or facility knowing that the room or facility is to be used by any person under 21 years of age for the unlawful consumption of alcoholic liquors and such consumption causes the intoxication of the person under 21 years of age, shall be liable to any person who is injured in person or property by the intoxicated person under 21 years of age. Any person owning, renting, leasing or permitting the occupation of any building or premises with knowledge that alcoholic liquors are to be sold therein, or who having leased the same for other purposes, shall knowingly permit therein the sale of any alcoholic liquors that have caused the intoxication of any person, shall be liable, severally or jointly, with the person selling or giving the liquors. However, if such building or premises belong to a minor or other person under guardianship the guardian of such person shall be held liable instead of the ward. A married woman has the same right to bring the action and to control it and the amount recovered as an unmarried woman. All damages recovered by a minor under this Act shall be paid either to the minor, or to his or her parent, guardian or next friend as the court shall direct. The unlawful sale or gift of alcoholic liquor works a forfeiture of all rights of the lessee or tenant under any lease or contract of rent upon the premises where the unlawful sale or gift takes place. All actions for damages under this Act may be by any appropriate action in the circuit court. An action shall lie for injuries to either means of support or loss of society, but not both, caused by an intoxicated person or in consequence of the intoxication of any person resulting as hereinabove set out. "Loss of society" means the mutual benefits that each family member receives from the other's continued existence, including love, affection, care, attention, companionship, comfort, guidance, and protection. "Family" includes

New matter indicated by italics - deletions by strikeout
spouse, children, parents, brothers, and sisters. The action, if the person from whom support or society was furnished is living, shall be brought by any person injured in means of support or society in his or her name for his or her benefit and the benefit of all other persons injured in means of support or society. However, any person claiming to be injured in means of support or society and not included in any action brought hereunder may join by motion made within the times herein provided for bringing such action or the personal representative of the deceased person from whom such support or society was furnished may so join. In every such action the jury shall determine the amount of damages to be recovered without regard to and with no special instructions as to the dollar limits on recovery imposed by this Section. The amount recovered in every such action is for the exclusive benefit of the person injured in loss of support or society and shall be distributed to such persons in the proportions determined by the verdict rendered or judgment entered in the action. If the right of action is settled by agreement with the personal representative of a deceased person from whom support or society was furnished, the court having jurisdiction of the estate of the deceased person shall distribute the amount of the settlement to the person injured in loss of support or society in the proportion, as determined by the court, that the percentage of dependency of each such person upon the deceased person bears to the sum of the percentages of dependency of all such persons upon the deceased person. For all causes of action involving persons injured, killed, or incurring property damage before September 12, 1985, in no event shall the judgment or recovery under this Act for injury to the person or to the property of any person as hereinabove set out exceed $15,000, and recovery under this Act for loss of means of support resulting from the death or injury of any person, as hereinabove set out, shall not exceed $20,000. For all causes of action involving persons injured, killed, or incurring property damage after September 12, 1985 but before July 1, 1998, in no event shall the judgment or recovery for injury to the person or property of any person exceed $30,000 for each person incurring damages, and recovery under this Act for loss of means of support resulting from the death or injury of any person shall not exceed $40,000. For all causes of

New matter indicated by italics - deletions by strikeout
action involving persons injured, killed, or incurring property damage on or after July 1, 1998, in no event shall the judgment or recovery for injury to the person or property of any person exceed $45,000 for each person incurring damages, and recovery under this Act for either loss of means of support or loss of society resulting from the death or injury of any person shall not exceed $55,000. Beginning in 1999, every January 20, these liability limits shall automatically be increased or decreased, as applicable, by a percentage equal to the percentage change in the consumer price index-u during the preceding 12-month calendar year. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Comptroller and made available via the Comptroller's official website by January 31 of every year and to the chief judge of each judicial circuit. The liability limits at the time at which damages subject to such limits are awarded by final judgment or settlement shall be utilized by the courts. Nothing in this Section bars any person from making separate claims which, in the aggregate, exceed any one limit where such person incurs more than one type of compensable damage, including personal injury, property damage, and loss to means of support or society. However, all persons claiming loss to means of support or society shall be limited to an aggregate recovery not to exceed the single limitation set forth herein for the death or injury of each person from whom support or society is claimed.

Nothing in this Act shall be construed to confer a cause of action for injuries to the person or property of the intoxicated person himself, nor shall anything in this Act be construed to confer a cause of action for loss of means of support or society on the intoxicated person himself or on any person claiming to be supported by such intoxicated person or claiming the society of such person. In conformance with the rule of statutory construction enunciated in the general Illinois saving provision in Section 4 of "An Act to revise the law in relation to the construction of the statutes", approved March 5, 1874, as amended, no amendment of this
Section purporting to abolish or having the effect of abolishing a cause of action shall be applied to invalidate a cause of action accruing before its effective date, irrespective of whether the amendment was passed before or after the effective date of this amendatory Act of 1986.

Each action hereunder shall be barred unless commenced within one year next after the cause of action accrued.

However, a licensed distributor or brewer whose only connection with the furnishing of alcoholic liquor which is alleged to have caused intoxication was the furnishing or maintaining of any apparatus for the dispensing or cooling of beer is not liable under this Section, and if such licensee is named as a defendant, a proper motion to dismiss shall be granted.

(b) Any person licensed under any state or local law to sell alcoholic liquor, whether or not a citizen or resident of this State, who in person or through an agent causes the intoxication, by the sale or gift of alcoholic liquor, of any person who, while intoxicated, causes injury to any person or property in the State of Illinois thereby submits such licensed person, and, if an individual, his or her personal representative, to the jurisdiction of the courts of this State for a cause of action arising under subsection (a) above.

Service of process upon any person who is subject to the jurisdiction of the courts of this State, as provided in this subsection, may be made by personally serving the summons upon the defendant outside this State, as provided in the Code of Civil Procedure, as now or hereafter amended, with the same force and effect as though summons had been personally served within this State.

Only causes of action arising under subsection (a) above may be asserted against a defendant in an action in which jurisdiction over him or her is based upon this subsection.

Nothing herein contained limits or affects the right to serve any process in any other manner now or hereafter provided by law.

(Source: P.A. 90-111, eff. 7-14-97.)

Section 20. The Code of Civil Procedure is amended by changing Section 8-2006 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 8-2006. Copying fees; adjustment for inflation. Beginning in 2003, every January 20, the copying fee limits established in Sections 8-2001, 8-2003, 8-2004, and 8-2005 shall automatically be increased or decreased, as applicable, by a percentage equal to the percentage change in the consumer price index-u during the preceding 12-month calendar year. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Comptroller and made available to the public via the Comptroller's official website by January 31 of every year or January 20 of every year.

(Source: P.A. 92-228, eff. 9-1-01.)

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

Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.

AN ACT concerning health facilities.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Health Facilities Planning Act is amended by changing Sections 12, 13, and 19.6 as follows:
(20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)
Sec. 12. Powers and duties of State Board. For purposes of this Act, the State Board shall exercise the following powers and duties:
(1) Prescribe rules, regulations, standards, criteria, procedures or reviews which may vary according to the purpose for which a particular

New matter indicated by italics - deletions by strikeout
review is being conducted or the type of project reviewed and which are required to carry out the provisions and purposes of this Act.

(2) Adopt procedures for public notice and hearing on all proposed rules, regulations, standards, criteria, and plans required to carry out the provisions of this Act.

(3) Prescribe criteria for recognition for areawide health planning organizations, including, but not limited to, standards for evaluating the scientific bases for judgments on need and procedure for making these determinations.

(4) Develop criteria and standards for health care facilities planning, conduct statewide inventories of health care facilities, maintain an updated inventory on the Department's web site reflecting the most recent bed and service changes and updated need determinations when new census data become available or new need formulae are adopted, and develop health care facility plans which shall be utilized in the review of applications for permit under this Act. Such health facility plans shall be coordinated by the Agency with the health care facility plans areawide health planning organizations and with other pertinent State Plans.

Inventories pursuant to this Section of skilled or intermediate care facilities licensed under the Nursing Home Care Act or nursing homes licensed under the Hospital Licensing Act shall be conducted on an annual basis no later than July 1 of each year and shall include among the information requested a list of all services provided by a facility to its residents and to the community at large and differentiate between active and inactive beds.

In developing health care facility plans, the State Board shall consider, but shall not be limited to, the following:

(a) The size, composition and growth of the population of the area to be served;

(b) The number of existing and planned facilities offering similar programs;

(c) The extent of utilization of existing facilities;

(d) The availability of facilities which may serve as alternatives or substitutes;

New matter indicated by italics - deletions by strikeout
(e) The availability of personnel necessary to the operation of the facility;

(f) Multi-institutional planning and the establishment of multi-institutional systems where feasible;

(g) The financial and economic feasibility of proposed construction or modification; and

(h) In the case of health care facilities established by a religious body or denomination, the needs of the members of such religious body or denomination may be considered to be public need.

The health care facility plans which are developed and adopted in accordance with this Section shall form the basis for the plan of the State to deal most effectively with statewide health needs in regard to health care facilities.

(5) Coordinate with other state agencies having responsibilities affecting health care facilities, including those of licensure and cost reporting.

(6) Solicit, accept, hold and administer on behalf of the State any grants or bequests of money, securities or property for use by the State Board or recognized areawide health planning organizations in the administration of this Act; and enter into contracts consistent with the appropriations for purposes enumerated in this Act.

(7) The State Board shall prescribe, in consultation with the recognized areawide health planning organizations, procedures for review, standards, and criteria which shall be utilized to make periodic areawide reviews and determinations of the appropriateness of any existing health services being rendered by health care facilities subject to the Act. The State Board shall consider recommendations of the areawide health planning organization and the Agency in making its determinations.

(8) Prescribe, in consultation with the recognized areawide health planning organizations, rules, regulations, standards, and criteria for the conduct of an expeditious review of applications for permits for projects of construction or modification of a health care facility, which projects are non-substantive in nature. Such rules shall not abridge the right of
areawide health planning organizations to make recommendations on the classification and approval of projects, nor shall such rules prevent the conduct of a public hearing upon the timely request of an interested party. Such reviews shall not exceed 60 days from the date the application is declared to be complete by the Agency.

(9) Prescribe rules, regulations, standards, and criteria pertaining to the granting of permits for construction and modifications which are emergent in nature and must be undertaken immediately to prevent or correct structural deficiencies or hazardous conditions that may harm or injure persons using the facility, as defined in the rules and regulations of the State Board. This procedure is exempt from public hearing requirements of this Act.

(10) Prescribe rules, regulations, standards and criteria for the conduct of an expeditious review, not exceeding 60 days, of applications for permits for projects to construct or modify health care facilities which are needed for the care and treatment of persons who have acquired immunodeficiency syndrome (AIDS) or related conditions.  
(Source: P.A. 93-41, eff. 6-27-03.)

(20 ILCS 3960/13) (from Ch. 111 1/2, par. 1163)
(Section scheduled to be repealed on July 1, 2006)
Sec. 13. Investigation of applications for permits and certificates of recognition. The Agency or the State Board shall make or cause to be made such investigations as it or the State Board deems necessary in connection with an application for a permit or an application for a certificate of recognition, or in connection with a determination of whether or not construction or modification which has been commenced is in accord with the permit issued by the State Board or whether construction or modification has been commenced without a permit having been obtained. The State Board may issue subpoenas duces tecum requiring the production of records and may administer oaths to such witnesses.

Any circuit court of this State, upon the application of the State Board or upon the application of any party to such proceedings, may, in its discretion, compel the attendance of witnesses, the production of books, papers, records, or memoranda and the giving of testimony before the

New matter indicated by italics - deletions by strikeout
State Board, by a proceeding as for contempt, or otherwise, in the same manner as production of evidence may be compelled before the court.

The State Board shall require all health facilities operating in this State to provide such reasonable reports at such times and containing such information as is needed by it to carry out the purposes and provisions of this Act. Prior to collecting information from health facilities, the State Board shall make reasonable efforts through a public process to consult with health facilities and associations that represent them to determine whether data and information requests will result in useful information for health planning, whether sufficient information is available from other sources, and whether data requested is routinely collected by health facilities and is available without retrospective record review. Data and information requests shall not impose undue paperwork burdens on health care facilities and personnel. Health facilities not complying with this requirement shall be reported to licensing, accrediting, certifying, or payment agencies as being in violation of State law. Health care facilities and other parties at interest shall have reasonable access, under rules established by the State Board, to all planning information submitted in accord with this Act pertaining to their area.

Among the reports to be required by the State Board are facility questionnaires for health care facilities licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, the Nursing Home Care Act, or the End Stage Renal Disease Facility Act. These questionnaires shall be conducted on an annual basis and compiled by the Agency. For health care facilities licensed under the Nursing Home Care Act, these reports shall include, but not be limited to, the identification of specialty services provided by the facility to patients, residents, and the community at large. For health care facilities that contain long term care beds, the reports shall also include the number of staffed long term care beds, physical capacity for long term care beds at the facility, and long term care beds available for immediate occupancy. For purposes of this paragraph, "long term care beds" means beds (i) licensed under the Nursing Home Care Act or (ii) licensed under the Hospital Licensing Act
and certified as skilled nursing or nursing facility beds under Medicaid or Medicare.

(Source: P.A. 93-41, eff. 6-27-03.)

(20 ILCS 3960/19.6)

(Sec. 19.6. Repeal. This Act is repealed on April 1, 2007 July 1, 2006.

(Source: P.A. 93-41, eff. 6-27-03; 93-889, eff. 8-9-04.)

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

Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0984
(Senate Bill No. 2680)

AN ACT concerning law enforcement.

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

Section 5. The Peace Officer Firearm Training Act is amended by changing Section 2 as follows:

(50 ILCS 710/2) (from Ch. 85, par. 516)

Sec. 2. Training course for peace officers.

(a) Successful completion of a 40 hour course of training in use of a suitable type firearm shall be a condition precedent to the possession and use of that respective firearm by any peace officer in this State in connection with the officer's official duties. The training must be approved by the Illinois Law Enforcement Training Standards Board ("the Board") and may be given in logical segments but must be completed within 6 months from the date of the officer's initial employment. To satisfy the requirements of this Act, the training must include the following:

(1) Instruction in the dangers of misuse of the firearm, safety rules, and care and cleaning of the firearm.

New matter indicated by italics - deletions by strikeout
(2) Practice firing on a range and qualification with the firearm in accordance with the standards established by the Board.

(3) Instruction in the legal use of firearms under the Criminal Code of 1961 and relevant court decisions.

(4) A forceful presentation of the ethical and moral considerations assumed by any person who uses a firearm.

(b) Any officer who successfully completes the Basic Training Course prescribed for recruits by the Board shall be presumed to have satisfied the requirements of this Act.

(c) The Board shall cause the training courses to be conducted twice each year within each of the Mobile Team Regions, but no training course need be held when there are no police officers requiring the training.

(d) (Blank). This Act shall not apply to auxiliary policemen authorized by Section 3.1-30-20 of the Illinois Municipal Code, except that the training course provided for in that Section shall contain a presentation of the ethical, moral, and legal considerations to be taken into account by any person who uses a firearm.

(e) The Board may waive, or may conditionally waive, the 40 hour course of training if, in the Board's opinion, the officer has previously successfully completed a course of similar content and duration. In cases of waiver, the officer shall demonstrate his or her knowledge and proficiency by passing the written examination on firearms and by successfully passing the range qualification portion of the prescribed course of training.

(Source: P.A. 90-646, eff. 7-24-98.)

Section 10. The Counties Code is amended by changing Section 3-6013 as follows:

(55 ILCS 5/3-6013) (from Ch. 34, par. 3-6013)

Sec. 3-6013. Duties, training and compensation of auxiliary deputies. Auxiliary deputies shall not supplement members of the regular county police department or regular deputies in the performance of their assigned and normal duties, except as provided herein. Auxiliary deputies
may be assigned and directed by the sheriff to perform the following duties in the county:

To aid or direct traffic within the county, to aid in control of natural or human made disasters, to aid in case of civil disorder as assigned and directed by the sheriff, provided, that in emergency cases which render it impractical for members of the regular county police department or regular deputies to perform their assigned and normal duties, the sheriff is hereby authorized to assign and direct auxiliary deputies to perform such regular and normal duties. Identification symbols worn by such auxiliary deputies shall be different and distinct from those used by members of the regular county police department or regular deputies. Such auxiliary deputies shall at all times during the performance of their duties be subject to the direction and control of the sheriff of the county. Such auxiliary deputies shall not carry firearms, except with the permission of the sheriff, and only while in uniform and in the performance of their assigned duties.

Auxiliary deputies, prior to entering upon any of their duties, shall receive a course of training in the use of weapons and other police procedures as shall be appropriate in the exercise of the powers conferred upon them under this Division, which training and course of study shall be determined and provided by the sheriff of each county utilizing auxiliary deputies, provided that, before being permitted to carry a firearm an auxiliary deputy must have the same course of training as required of peace officers in Section 2 of the Peace Officer Firearm Training Act. The county authorities shall require that all auxiliary deputies be residents of the county served by them. Prior to the appointment of any auxiliary deputy his or her fingerprints shall be taken and no person shall be appointed as such auxiliary deputy if he or she has been convicted of a felony or other crime involving moral turpitude.

Auxiliary deputies may not be paid a salary, except as provided in Section 3-6036, but may be reimbursed for actual expenses incurred in performing their assigned duty. The County Board must approve such actual expenses and arrange for payment.
Nothing in this Division shall preclude an auxiliary deputy from holding a simultaneous appointment as an auxiliary *police officer* pursuant to Section 3-6-5 of the Illinois Municipal Code.
(Source: P.A. 86-972; 86-1475; 87-895.)

Section 15. The Township Code is amended by changing Section 100-10 as follows:

(60 ILCS 1/100-10)
Sec. 100-10. Township enforcement officer.
(a) The township board may appoint a township enforcement officer to serve for a term of one year and may remove the officer for cause. Every person appointed to the office of township enforcement officer, before entering on the duties of the office and within 10 days after being notified of the appointment, shall cause to be filed in the office of the township clerk a notice signifying his or her acceptance of the office. A neglect to cause the notice to be filed shall be deemed a refusal to serve.

(b) The sheriff of the county in which the township is situated may disapprove the appointment within 30 days after the notice is filed. The disapproval precludes that person from serving as the township enforcement officer, and the township board may appoint another person to that position subject to approval by the sheriff.

(c) Every person appointed to the office of township enforcement officer, before entering upon the duties of the office, shall execute, with sufficient sureties to be approved by the supervisor or clerk of the township, an instrument in writing by which the township enforcement officer and his or her sureties shall jointly and severally agree to pay to each and every person who may be entitled thereto all sums of money as the township enforcement officer may become liable to pay on account of any neglect or default of the township enforcement officer or on account of any misfeasance of the township enforcement officer in the discharge of, or failure to faithfully perform, any of the duties of the office.

(d) The township enforcement officer shall have the same power and authority within the township as a deputy sheriff but only for the purpose of enforcing township ordinances. The township enforcement officer shall not carry firearms and will not be required to comply with the
Peace Officer Firearm Training Act. The officer shall attend law enforcement training classes conducted by the Illinois Law Enforcement Training Standards Board. The township board shall appropriate all necessary monies for the training.

(d-5) (1) Except as provided in paragraph (2) of this subsection, in all actions for the violation of any township ordinance, the township enforcement officer shall be authorized to issue and to serve upon any person who the township enforcement officer has reasonable grounds to believe is guilty of a violation of a township ordinance a notice of violation that shall constitute a summons and complaint. A copy of such notice of violation shall be forwarded to the circuit court having jurisdiction over the township where the violation is alleged to have been committed. Every person who has been issued a summons shall appear for trial, and the action shall be prosecuted in the corporate name of the township.

(2) In all actions for violation of any township ordinance when the fine would not be in excess of $500 and no jail term could be imposed, service of summons may be made by the township clerk by certified mail, return receipt requested, whether service is to be within or without the State.

(e) The township enforcement officer shall carry an identification document provided by the township board identifying him or her as the township enforcement officer. The officer shall notify the township clerk of any violations of township ordinances.

(f) Nothing in this Code precludes a county auxiliary deputy or deputy sheriff, or a municipal policeman or auxiliary police officer policeman from serving as a township enforcement officer during off-duty hours.

(g) The township board may provide compensation for the township enforcement officer on either a per diem or a salary basis.

(h) (Blank).

(Source: P.A. 88-62; 88-586, eff. 8-12-94; 89-589, eff. 1-1-97.)

New matter indicated by italics - deletions by strikeout
Section 20. The Illinois Municipal Code is amended by changing Sections 3.1-30-5, 3.1-30-20, 10-1-7, 10-2.1-4, 10-2.1-6, and 10-3-1 as follows:

(65 ILCS 5/3.1-30-5) (from Ch. 24, par. 3.1-30-5)
Sec. 3.1-30-5. Appointed officers in all municipalities.

(a) The mayor or president, as the case may be, by and with the advice and consent of the city council or the board of trustees, may appoint (1) a treasurer (if the treasurer is not an elected position in the municipality), (2) a collector, (3) a comptroller, (4) a marshal, (5) an attorney or a corporation counsel, (6) one or more purchasing agents and deputies, (7) the number of auxiliary police officers policemen determined necessary by the corporate authorities, (8) police matrons, (9) a commissioner of public works, (10) a budget director or a budget officer, and (11) other officers necessary to carry into effect the powers conferred upon municipalities.

(b) By ordinance or resolution to take effect at the end of the current fiscal year, the corporate authorities, by a two-thirds vote, may discontinue any appointed office and devolve the duties of that office on any other municipal officer. After discontinuance, no officer filling the office before its discontinuance shall have any claim against the municipality for salary alleged to accrue after the date of discontinuance.

(c) Vacancies in all appointed municipal offices may be filled in the same manner as appointments are made under subsection (a). The city council or board of trustees of a municipality, by ordinance not inconsistent with this Code, may prescribe the duties, define the powers, and fix the term of office of all appointed officers of the municipality; but the term of office, except as otherwise expressly provided in this Code, shall not exceed that of the mayor or president of the municipality.

(d) An appointed officer of a municipality may resign from his or her office. If an appointed officer resigns, he or she shall continue in office until a successor has been chosen and has qualified. If there is a failure to appoint a municipal officer, or the person appointed fails to qualify, the person filling the office shall continue in office until a successor has been chosen and has qualified. If an appointed municipal officer ceases to

New matter indicated by italics - deletions by strikeout
perform the duties of or to hold the office by reason of death, permanent physical or mental disability, conviction of a disqualifying crime, or dismissal from or abandonment of office, the mayor or president of the municipality may appoint a temporary successor to the officer.

(Source: P.A. 87-1119; 88-537.)

(65 ILCS 5/3.1-30-20) (from Ch. 24, par. 3.1-30-20)

Sec. 3.1-30-20. Auxiliary police officers policemen.

(a) Auxiliary police officers policemen shall not be members of the regular police department of the municipality. Auxiliary police officers policemen shall not supplement members of the regular police department of any municipality in the performance of their assigned and normal duties, except as otherwise provided in this Code. Auxiliary police officers policemen shall only be assigned to perform the following duties in a municipality: (i) to aid or direct traffic within the municipality, (ii) to aid in control of natural or man made disasters, and (iii) to aid in case of civil disorder as directed by the chief of police. When it is impractical for members of the regular police department to perform those normal and regular police duties, however, the chief of police of the regular police department may assign auxiliary police officers policemen to perform those normal and regular police duties. Identification symbols worn by auxiliary police officers policemen shall be different and distinct from those used by members of the regular police department. Auxiliary police officers policemen shall at all times during the performance of their duties be subject to the direction and control of the chief of police of the municipality. Auxiliary police officers policemen shall not carry firearms, except with the permission of the chief of police and while in uniform and in the performance of their duties. Auxiliary police officers policemen, when on duty, shall also be conservators of the peace and shall have the powers specified in Section 3.1-15-25.

(b) Auxiliary police officers policemen, before entering upon any of their duties, shall receive a course of training in the use of weapons and other police procedures appropriate for the exercise of the powers conferred upon them under this Code. The training and course of study shall be determined and provided by the corporate authorities of each
municipality employing auxiliary police officers policemen. Before being permitted to carry a firearm, however, an auxiliary police officer must have the same course of training as required of peace officers under Section 2 of the Peace Officer Firearm Training Act. The municipal authorities may require that all auxiliary police officers policemen be residents of the municipality served by them. Before the appointment of an auxiliary police officer policeman, the person's fingerprints shall be taken, and no person shall be appointed as an auxiliary police officer policeman if that person has been convicted of a felony or other crime involving moral turpitude.

(c) The Line of Duty Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Members, Paramedics and Firemen Compensation Acts shall be applicable to auxiliary police officers policemen upon their death in the line of duty described in this Code.

(Source: P.A. 87-1119; revised 11-15-04.)

(65 ILCS 5/10-1-7) (from Ch. 24, par. 10-1-7)

Sec. 10-1-7. Examination of applicants; disqualifications.

(a) All applicants for offices or places in the classified service, except those mentioned in Section 10-1-17, are subject to examination. The examination shall be public, competitive, and open to all citizens of the United States, with specified limitations as to residence, age, health, habits and moral character.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section 24-1 of the Criminal Code of 1961 or arrested for any cause but not convicted on that cause shall be disqualified from taking the
examination on grounds of habits or moral character, unless the person is attempting to qualify for a position on the police department, in which case the conviction or arrest may be considered as a factor in determining the person's habits or moral character.

(d) Persons entitled to military preference under Section 10-1-16 shall not be subject to limitations specifying age unless they are applicants for a position as a fireman or a policeman having no previous employment status as a fireman or policeman in the regularly constituted fire or police department of the municipality, in which case they must not have attained their 35th birthday, except any person who has served as an auxiliary police officer policeman under Section 3.1-30-20 for at least 5 years and is under 40 years of age.

(e) All employees of a municipality of less than 500,000 population (except those who would be excluded from the classified service as provided in this Division 1) who are holding that employment as of the date a municipality adopts this Division 1, or as of July 17, 1959, whichever date is the later, and who have held that employment for at least 2 years immediately before that later date, and all firemen and policemen regardless of length of service who were either appointed to their respective positions by the board of fire and police commissioners under the provisions of Division 2 of this Article or who are serving in a position (except as a temporary employee) in the fire or police department in the municipality on the date a municipality adopts this Division 1, or as of July 17, 1959, whichever date is the later, shall become members of the classified civil service of the municipality without examination.

(f) The examinations shall be practical in their character, and shall relate to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed. The examinations shall include tests of physical qualifications, health, and (when appropriate) manual skill. If an applicant is unable to pass the physical examination solely as the result of an injury received by the applicant as the result of the performance of an act of duty while working as a temporary employee in the position for which he or she is being examined, however, the physical examination shall be waived and
the applicant shall be considered to have passed the examination. No questions in any examination shall relate to political or religious opinions or affiliations. Results of examinations and the eligible registers prepared from the results shall be published by the commission within 60 days after any examinations are held.

(g) The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the municipality, to be examiners. The examiners shall conduct the examinations as directed by the commission and shall make a return or report of the examinations to the commission. If the appointed examiners are in the official service of the municipality, the examiners shall not receive extra compensation for conducting the examinations. The commission may at any time substitute any other person, whether or not in the service of the municipality, in the place of any one selected as an examiner. The commission members may themselves at any time act as examiners without appointing examiners. The examiners at any examination shall not all be members of the same political party.

(h) In municipalities of 500,000 or more population, no person who has attained his or her 35th birthday shall be eligible to take an examination for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(i) In municipalities of more than 5,000 but not more than 200,000 inhabitants, no person who has attained his or her 35th birthday shall be eligible to take an examination for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(j) In all municipalities, applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department. An applicant described in this

New matter indicated by italics - deletions by strikeout
subsection (j) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(k) In municipalities of more than 500,000 population, applications for examination for and appointment to positions as firefighters or police shall be made available at various branches of the public library of the municipality.

(l) No municipality having a population less than 1,000,000 shall require that any fireman appointed to the lowest rank serve a probationary employment period of longer than one year. The limitation on periods of probationary employment provided in this amendatory Act of 1989 is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule municipality having a population less than 1,000,000 must comply with this limitation on periods of probationary employment, which is a denial and limitation of home rule powers. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

(Source: P.A. 94-135, eff. 7-7-05.)

(65 ILCS 5/10-2.1-4) (from Ch. 24, par. 10-2.1-4)
Sec. 10-2.1-4. Fire and police departments; Appointment of members; Certificates of appointments.

The board of fire and police commissioners shall appoint all officers and members of the fire and police departments of the municipality, including the chief of police and the chief of the fire department, unless the council or board of trustees shall by ordinance as to them otherwise provide; except as otherwise provided in this Section, and except that in any municipality which adopts or has adopted this Division 2.1 and also adopts or has adopted Article 5 of this Code, the chief of police and the chief of the fire department shall be appointed by the municipal manager, if it is provided by ordinance in such municipality that

New matter indicated by italics - deletions by strikeout
such chiefs, or either of them, shall not be appointed by the board of fire and police commissioners.

If the chief of the fire department or the chief of the police department or both of them are appointed in the manner provided by ordinance, they may be removed or discharged by the appointing authority. In such case the appointing authority shall file with the corporate authorities the reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the corporate authorities.

If a member of the department is appointed chief of police or chief of the fire department prior to being eligible to retire on pension, he shall be considered as on furlough from the rank he held immediately prior to his appointment as chief. If he resigns as chief or is discharged as chief prior to attaining eligibility to retire on pension, he shall revert to and be established in whatever rank he currently holds, except for previously appointed positions, and thereafter be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.

All appointments to each department other than that of the lowest rank, however, shall be from the rank next below that to which the appointment is made except as otherwise provided in this Section, and except that the chief of police and the chief of the fire department may be appointed from among members of the police and fire departments, respectively, regardless of rank, unless the council or board of trustees shall have by ordinance as to them otherwise provided. A chief of police or the chief of the fire department, having been appointed from among members of the police or fire department, respectively, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as chief of police or chief of the fire department.

The sole authority to issue certificates of appointment shall be vested in the Board of Fire and Police Commissioners and all certificates of appointments issued to any officer or member of the fire or police department of a municipality shall be signed by the chairman and secretary.

New matter indicated by italics - deletions by strikeout
respectively of the board of fire and police commissioners of such municipality, upon appointment of such officer or member of the fire and police department of such municipality by action of the board of fire and police commissioners.

The term "policemen" as used in this Division does not include auxiliary police officers except as provided for in Section 10-2.1-6.

Any full time member of a regular fire or police department of any municipality which comes under the provisions of this Division or adopts this Division 2.1 or which has adopted any of the prior Acts pertaining to fire and police commissioners, is a city officer.

Notwithstanding any other provision of this Section, the Chief of Police of a department in a non-homerule municipality of more than 130,000 inhabitants may, without the advice or consent of the Board of Fire and Police Commissioners, appoint up to 6 officers who shall be known as deputy chiefs or assistant deputy chiefs, and whose rank shall be immediately below that of Chief. The deputy or assistant deputy chiefs may be appointed from any rank of sworn officers of that municipality, but no person who is not such a sworn officer may be so appointed. Such deputy chief or assistant deputy chief shall have the authority to direct and issue orders to all employees of the Department holding the rank of captain or any lower rank. A deputy chief of police or assistant deputy chief of police, having been appointed from any rank of sworn officers of that municipality, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as deputy chief of police or assistant deputy chief of police.

Notwithstanding any other provision of this Section, a non-homerule municipality of 130,000 or fewer inhabitants, through its council or board of trustees, may, by ordinance, provide for a position of deputy chief to be appointed by the chief of the police department. The ordinance shall provide for no more than one deputy chief position if the police department has fewer than 25 full-time police officers and for no more than 2 deputy chief positions if the police department has 25 or more full-
time police officers. The deputy chief position shall be an exempt rank immediately below that of Chief. The deputy chief may be appointed from any rank of sworn, full-time officers of the municipality's police department, but must have at least 5 years of full-time service as a police officer in that department. A deputy chief shall serve at the discretion of the Chief and, if removed from the position, shall revert to the rank currently held, without regard as to whether a vacancy exists in that rank. A deputy chief of police, having been appointed from any rank of sworn full-time officers of that municipality's police department, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as deputy chief of police.

No municipality having a population less than 1,000,000 shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year. The limitation on periods of probationary employment provided in this amendatory Act of 1989 is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule municipality having a population less than 1,000,000 must comply with this limitation on periods of probationary employment, which is a denial and limitation of home rule powers. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic certification.

(Source: P.A. 93-486, eff. 8-8-03; 94-135, eff. 7-7-05.)

(65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

Sec. 10-2.1-6. Examination of applicants; disqualifications.

(a) All applicants for a position in either the fire or police department of the municipality shall be under 35 years of age, shall be subject to an examination that shall be public, competitive, and open to all applicants (unless the council or board of trustees by ordinance limit applicants to electors of the municipality, county, state or nation) and shall
be subject to reasonable limitations as to residence, health, habits, and moral character. The municipality may not charge or collect any fee from an applicant who has met all prequalification standards established by the municipality for any such position.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section 24-1 of the Criminal Code of 1961 or arrested for any cause but not convicted on that cause shall be disqualified from taking the examination to qualify for a position in the fire department on grounds of habits or moral character.

(d) The age limitation in subsection (a) does not apply (i) to any person previously employed as a policeman or fireman in a regularly constituted police or fire department of (I) any municipality or (II) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, (ii) to any person who has served a municipality as a regularly enrolled volunteer fireman for 5 years immediately preceding the time that municipality begins to use full time firemen to provide all or part of its fire protection service, or (iii) to any person who has served as an auxiliary police officer policeman under Section 3.1-30-20 for at least 5 years and is under 40 years of age, (iv) to any person who has served as a deputy under Section 3-6008 of the Counties Code and otherwise meets necessary training requirements, or (v) to any person who has served as a sworn officer as a member of the Illinois Department of State Police.

(e) Applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or

New matter indicated by italics - deletions by strikeout
university may be considered for appointment to active duty with the police department. An applicant described in this subsection (e) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(f) Applicants who are 18 years of age and who have successfully completed 2 years of study in fire techniques, amounting to a total of 4 high school credits, within the cadet program of a municipality may be considered for appointment to active duty with the fire department of any municipality.

(g) The council or board of trustees may by ordinance provide that persons residing outside the municipality are eligible to take the examination.

(h) The examinations shall be practical in character and relate to those matters that will fairly test the capacity of the persons examined to discharge the duties of the positions to which they seek appointment. No person shall be appointed to the police or fire department if he or she does not possess a high school diploma or an equivalent high school education. A board of fire and police commissioners may, by its rules, require police applicants to have obtained an associate's degree or a bachelor's degree as a prerequisite for employment. The examinations shall include tests of physical qualifications and health. No person shall be appointed to the police or fire department if he or she has suffered the amputation of any limb unless the applicant's duties will be only clerical or as a radio operator. No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the board of fire and police commissioners of the municipality as provided in this Division 2.1.

(i) No person who is classified by his local selective service draft board as a conscientious objector, or who has ever been so classified, may be appointed to the police department.

(j) No person shall be appointed to the police or fire department unless he or she is a person of good character and not an habitual drunkard, gambler, or a person who has been convicted of a felony or a

New matter indicated by italics - deletions by strikeout
crime involving moral turpitude. No person, however, shall be disqualified from appointment to the fire department because of his or her record of misdemeanor convictions except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section 24-1 of the Criminal Code of 1961 or arrest for any cause without conviction on that cause. Any such person who is in the department may be removed on charges brought and after a trial as provided in this Division 2.1.

(Source: P.A. 94-29, eff. 6-14-05.)

(65 ILCS 5/10-3-1) (from Ch. 24, par. 10-3-1)

Sec. 10-3-1. The salary to be paid to a policeman in any municipality with 5,000 or more inhabitants but with less than 25,000 inhabitants, shall be not less than $500 per month. The salary to be paid to a policeman in any municipality with 25,000 or more inhabitants but with less than 50,000 inhabitants shall be not less than $550 per month. The salary to be paid to a policeman in any municipality with 50,000 or more inhabitants but with less than 250,000 inhabitants shall be not less than $600 per month.

In this Section 10-3-1 "policeman" means any member of a regularly constituted police department of a municipality, sworn and commissioned to perform police duties, and includes the chief of police, assistant chief of police, chief of detectives, captains, lieutenants, sergeants, plain clothes men and patrolmen. The term "policeman" as used in this Section 10-3-1 does not include any of the following persons: Part time policemen, special policemen, auxiliary police officers policemen, policemen serving initial probationary periods, night watchmen, temporary employees, clerks or other civilian employees of a police department, traffic guards, civilian parking meter and parking facilities personnel or so-called auxiliary police officers policemen specially appointed to aid or direct traffic at or near schools or public functions, or to aid in civilian defense, or special policemen temporarily employed or commissioned as police officers.

(Source: Laws 1968, p. 76.)

New matter indicated by italics - deletions by strikeout
Section 25. The Criminal Code of 1961 is amended by changing Section 17-2 as follows:

(720 ILCS 5/17-2) (from Ch. 38, par. 17-2)

Sec. 17-2. False personation; use of title; solicitation; certain entities.

(a) A person commits a false personation when he or she falsely represents himself or herself to be a member or representative of any veterans' or public safety personnel organization or a representative of any charitable organization, or when any person exhibits or uses in any manner any decal, badge or insignia of any charitable, public safety personnel, or veterans' organization when not authorized to do so by the charitable, public safety personnel, or veterans' organization. "Public safety personnel organization" has the meaning ascribed to that term in Section 1 of the Solicitation for Charity Act.

(a-5) A person commits a false personation when he or she falsely represents himself or herself to be a veteran in seeking employment or public office. In this subsection, "veteran" means a person who has served in the Armed Services or Reserved Forces of the United States.

(b) No person shall use the words "Chicago Police," "Chicago Police Department," "Chicago Patrolman," "Chicago Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or any other words to the same effect in the title of any organization, magazine, or other publication without the express approval of the Chicago Police Board.

(b-5) No person shall use the words "Cook County Sheriff's Police" or "Cook County Sheriff" or any other words to the same effect in the title of any organization, magazine, or other publication without the express approval of the office of the Cook County Sheriff's Merit Board. The references to names and titles in this Section may not be construed as authorizing use of the names and titles of other organizations or public safety personnel organizations otherwise prohibited by this Section or the Solicitation for Charity Act.

(b-10) No person may use, in the title of any organization, magazine, or other publication, the words "officer", "peace officer", "police", "law enforcement", "trooper", "sheriff", "deputy", "deputy
sheriff", or "state police" in combination with the name of any state, state agency, public university, or unit of local government without the express written authorization of that state, state agency, or unit of local government.

(c) (Blank).

(c-1) No person may claim or represent that he or she is acting on behalf of any police department, chief of a police department, fire department, chief of a fire department, sheriff's department, or sheriff when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements unless the chief of the police department, fire department, and the corporate or municipal authority thereof, or the sheriff has first entered into a written agreement with the person or with an organization with which the person is affiliated and the agreement permits the activity.

(c-2) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements may claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes "officer", "peace officer", "police", "law enforcement", "trooper", "sheriff", "deputy", "deputy sheriff", "State police", or any other word or words which would reasonably be understood to imply that the organization is composed of law enforcement personnel unless the person is actually representing or acting on behalf of the nongovernmental organization, and the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty peace officers, retired peace officers, or injured peace officers and before commencing the solicitation or the sale or the offers to sell any merchandise, goods, services, memberships, or advertisements, a written contract between the soliciting or selling person and the nongovernmental organization has been entered into.

(c-3) No person may solicit financial contributions or sell or deliver or offer to sell or deliver any merchandise, goods, services, memberships, or advertisements on behalf of a police, sheriff, or other law

New matter indicated by italics - deletions by strikeout
enforcement department unless that person is actually representing or acting on behalf of the department or governmental organization and has entered into a written contract with the police chief, or head of the law enforcement department, and the corporate or municipal authority thereof, or the sheriff, which specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used.

(c-4) No person, when soliciting financial contributions or selling or delivering or offering to sell or deliver any merchandise, goods, services, memberships, or advertisements, may claim or represent that he or she is representing or acting on behalf of any nongovernmental organization by any name which includes the term "fireman", "firefighter", "paramedic", or any other word or words which would reasonably be understood to imply that the organization is composed of firefighter or paramedic personnel unless the person is actually representing or acting on behalf of the nongovernmental organization, and the nongovernmental organization is controlled by and governed by a membership of and represents a group or association of active duty, retired, or injured firefighters (for the purposes of this Section, "firefighter" has the meaning ascribed to that term in Section 2 of the Illinois Fire Protection Training Act) or active duty, retired, or injured emergency medical technicians - ambulance, emergency medical technicians - intermediate, emergency medical technicians - paramedic, ambulance drivers, or other medical assistance or first aid personnel, and before commencing the solicitation or the sale or delivery or the offers to sell or deliver any merchandise, goods, services, memberships, or advertisements, a written contract between the soliciting or selling person and the nongovernmental organization has been entered into.

(c-5) No person may solicit financial contributions or sell or deliver or offer to sell or deliver any merchandise, goods, services, memberships, or advertisements on behalf of a department or departments of firefighters unless that person is actually representing or acting on behalf of the department or departments and has entered into a written contract with the department chief and corporate or municipal authority
thereof which specifies and states clearly and fully the purposes for which the proceeds of the solicitation, contribution, or sale will be used.

(c-6) No person may claim or represent that he or she is an airman, airline employee, airport employee, or contractor at an airport in order to obtain the uniform, identification card, license, or other identification paraphernalia of an airman, airline employee, airport employee, or contractor at an airport.

(d) Sentence. False personation, unapproved use of a name or title, or solicitation in violation of subsection (a), (b), or (b-5), or (b-10) of this Section is a Class C misdemeanor. False personation in violation of subsections (a-5) and (c-6) is a Class A misdemeanor. Engaging in any activity in violation of subsection (c-1), (c-2), (c-3), (c-4), or (c-5) of this Section is a Class 4 felony.

(Source: P.A. 94-548, eff. 8-11-05.)

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

Passed in the General Assembly April 6, 2006.
Approved June 30, 2006.
Effective June 30, 2006.

PUBLIC ACT 94-0985
(Senate Bill No. 2971)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Criminal Code of 1961 is amended by changing Sections 32-5 and 32-5.2 as follows:
(720 ILCS 5/32-5) (from Ch. 38, par. 32-5)
Sec. 32-5. False personation of attorney, judicial, or governmental officials.
(a) A person who falsely represents himself or herself to be an attorney authorized to practice law for purposes of compensation or consideration commits a Class 4 felony. This subsection (a) does not apply

New matter indicated by italics - deletions by strikeout
to a person who unintentionally fails to pay attorney registration fees established by Supreme Court Rule.

(b) A person who falsely represents himself or herself to be a public officer or a public employee or an official or employee of the federal government commits a Class B misdemeanor.

(Source: P.A. 90-293, eff. 1-1-98.)

(720 ILCS 5/32-5.2) (from Ch. 38, par. 32-5.2)

Sec. 32-5.2. Aggravated False Personation of a Peace Officer. A person who knowingly and falsely represents himself or herself to be a peace officer of any jurisdiction in attempting or committing a felony commits a Class 2 ½ felony. A person who knowingly and falsely represents himself or herself to be a peace officer of any jurisdiction in attempting or committing a forcible felony commits a Class 1 felony.

(Source: P.A. 85-741.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-8-4 as follows:

(730 ILCS 5/5-8-4) (from Ch. 38, par. 1005-8-4)

Sec. 5-8-4. Concurrent and Consecutive Terms of Imprisonment.

(a) When multiple sentences of imprisonment are imposed on a defendant at the same time, or when a term of imprisonment is imposed on a defendant who is already subject to sentence in this State or in another state, or for a sentence imposed by any district court of the United States, the sentences shall run concurrently or consecutively as determined by the court. When one of the offenses for which a defendant was convicted was a violation of Section 32-5.2 of the Criminal Code of 1961 and the offense was committed in attempting or committing a forcible felony, the court may impose consecutive sentences. When a term of imprisonment is imposed on a defendant by an Illinois circuit court and the defendant is subsequently sentenced to a term of imprisonment by another state or by a district court of the United States, the Illinois circuit court which imposed the sentence may order that the Illinois sentence be made concurrent with the sentence imposed by the other state or district court of the United States. The defendant must apply to the circuit court within 30 days after
the defendant's sentence imposed by the other state or district of the United States is finalized. The court shall impose consecutive sentences if:

(i) one of the offenses for which defendant was convicted was first degree murder or a Class X or Class 1 felony and the defendant inflicted severe bodily injury, or

(ii) the defendant was convicted of a violation of Section 12-13, 12-14, or 12-14.1 of the Criminal Code of 1961, or

(iii) the defendant was convicted of armed violence based upon the predicate offense of solicitation of murder, solicitation of murder for hire, heinous battery, aggravated battery of a senior citizen, criminal sexual assault, a violation of subsection (g) of Section 5 of the Cannabis Control Act, cannabis trafficking, a violation of subsection (a) of Section 401 of the Illinois Controlled Substances Act, controlled substance trafficking involving a Class X felony amount of controlled substance under Section 401 of the Illinois Controlled Substances Act, a violation of the Methamphetamine Control and Community Protection Act, calculated criminal drug conspiracy, or streetgang criminal drug conspiracy, or

(iv) the defendant was convicted of the offense of leaving the scene of a motor vehicle accident involving death or personal injuries under Section 11-401 and either: (A) aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof under Section 11-501 of the Illinois Vehicle Code, or (B) reckless homicide under Section 9-3 of the Criminal Code of 1961, or both an offense described in subdivision (A) and an offense described in subdivision (B), or

(v) the defendant was convicted of a violation of Section 9-3.1 (concealment of homicidal death) or Section 12-20.5 (dismembering a human body) of the Criminal Code of 1961, in which event the court shall enter sentences to run consecutively. Sentences shall run concurrently unless otherwise specified by the court.

New matter indicated by italics - deletions by strikeout
(b) Except in cases where consecutive sentences are mandated, the court shall impose concurrent sentences unless, having regard to the nature and circumstances of the offense and the history and character of the defendant, it is of the opinion that consecutive sentences are required to protect the public from further criminal conduct by the defendant, the basis for which the court shall set forth in the record.

(c) (1) For sentences imposed under law in effect prior to February 1, 1978 the aggregate maximum of consecutive sentences shall not exceed the maximum term authorized under Section 5-8-1 for the 2 most serious felonies involved. The aggregate minimum period of consecutive sentences shall not exceed the highest minimum term authorized under Section 5-8-1 for the 2 most serious felonies involved. When sentenced only for misdemeanors, a defendant shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(2) For sentences imposed under the law in effect on or after February 1, 1978, the aggregate of consecutive sentences for offenses that were committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective shall not exceed the sum of the maximum terms authorized under Section 5-8-2 for the 2 most serious felonies involved, but no such limitation shall apply for offenses that were not committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective. When sentenced only for misdemeanors, a defendant shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(d) An offender serving a sentence for a misdemeanor who is convicted of a felony and sentenced to imprisonment shall be transferred to the Department of Corrections, and the misdemeanor sentence shall be merged in and run concurrently with the felony sentence.

(e) In determining the manner in which consecutive sentences of imprisonment, one or more of which is for a felony, will be served, the

New matter indicated by italics - deletions by strikeout
Department of Corrections shall treat the offender as though he had been committed for a single term with the following incidents:

(1) the maximum period of a term of imprisonment shall consist of the aggregate of the maximums of the imposed indeterminate terms, if any, plus the aggregate of the imposed determinate sentences for felonies plus the aggregate of the imposed determinate sentences for misdemeanors subject to paragraph (c) of this Section;

(2) the parole or mandatory supervised release term shall be as provided in paragraph (e) of Section 5-8-1 of this Code for the most serious of the offenses involved;

(3) the minimum period of imprisonment shall be the aggregate of the minimum and determinate periods of imprisonment imposed by the court, subject to paragraph (c) of this Section; and

(4) the offender shall be awarded credit against the aggregate maximum term and the aggregate minimum term of imprisonment for all time served in an institution since the commission of the offense or offenses and as a consequence thereof at the rate specified in Section 3-6-3 of this Code.

(f) A sentence of an offender committed to the Department of Corrections at the time of the commission of the offense shall be served consecutive to the sentence under which he is held by the Department of Corrections. However, in case such offender shall be sentenced to punishment by death, the sentence shall be executed at such time as the court may fix without regard to the sentence under which such offender may be held by the Department.

(g) A sentence under Section 3-6-4 for escape or attempted escape shall be served consecutive to the terms under which the offender is held by the Department of Corrections.

(h) If a person charged with a felony commits a separate felony while on pre-trial release or in pretrial detention in a county jail facility or county detention facility, the sentences imposed upon conviction of these

New matter indicated by italics - deletions by strikeout
felonies shall be served consecutively regardless of the order in which the judgments of conviction are entered.

(i) If a person admitted to bail following conviction of a felony commits a separate felony while free on bond or if a person detained in a county jail facility or county detention facility following conviction of a felony commits a separate felony while in detention, any sentence following conviction of the separate felony shall be consecutive to that of the original sentence for which the defendant was on bond or detained.

(Source: P.A. 93-160, eff. 7-10-03; 93-768, eff. 7-20-04; 94-556, eff. 9-11-05.)

Approved June 30, 2006.

PUBLIC ACT 94-0986
(Senate Bill No. 2998)

AN ACT in relation to charitable games.

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

Section 1. Findings; purpose; validation.

(a) The General Assembly finds and declares that:


(b) The purpose of this Act is to re-enact the provisions of the Charitable Games Act affected by Public Act 88-669 and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is

New matter indicated by italics - deletions by strikeout
not intended to supersede any other Public Act that amends the provisions re-enacted in this Act. The re-enacted material is shown in this Act as existing text (i.e., without underscoring) and may include changes made by subsequent amendments.

(c) This re-enactment of provisions of the Charitable Games Act by this Act is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions re-enacted by this Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(e) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

Section 5. The Charitable Games Act is amended by re-enacting Sections 2, 4, 5, 5.1, 6, 7, 8, 10, 11, and 12 as follows:

(230 ILCS 30/2) (from Ch. 120, par. 1122)

Sec. 2. Definitions. For purposes of this Act, the following definitions apply:

"Organization": A corporation, agency, partnership, institution, association, firm or other entity consisting of 2 or more persons joined by a common interest or purpose.

"Sponsoring organization": A qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of this Act.

"Qualified organization":

(a) a charitable, religious, fraternal, veterans, labor or educational organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and which is exempt from federal income

New matter indicated by italics - deletions by strikeout
taxation under Sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8),
501(c)(10) or 501(c)(19) of the Internal Revenue Code;

(b) a veterans organization as defined in Section 1 of the
"Bingo License and Tax Act", approved July 22, 1971, as
amended, organized and conducted on a not-for-profit basis with
no personal profit inuring to anyone as a result of the operation; or

(c) An auxiliary organization of a veterans organization.

"Fraternal organization": A civic, service or charitable organization
in this State except a college or high school fraternity or sorority, not for
pecuniary profit, which is a branch, lodge or chapter of a national or State
organization and exists for the common business, brotherhood, or other
interest of its members.

"Veterans organization": An organization comprised of members
of which substantially all are individuals who are veterans or spouses,
widows, or widowers of veterans, the primary purpose of which is to
promote the welfare of its members and to provide assistance to the
general public in such a way as to confer a public benefit.

"Labor organization": An organization composed of labor unions
or workers organized with the objective of betterment of the conditions of
those engaged in such pursuit and the development of a higher degree of
efficiency in their respective occupations.

"Department": The Department of Revenue.

"Volunteer": A person recruited by the sponsoring organization
who voluntarily performs services at a charitable games event, including
participation in the management or operation of a game, as defined in
Section 8.

"Person": Any natural individual, a corporation, a partnership, a
limited liability company, an organization as defined in this Section, a
qualified organization, a sponsoring organization, any other licensee under
this Act, or a volunteer.

(Source: P.A. 87-758; 88-669, eff. 11-29-94.)

(230 ILCS 30/4) (from Ch. 120, par. 1124)

Sec. 4. Licensing Restrictions. Licensing for the conducting of
charitable games is subject to the following restrictions:

New matter indicated by italics - deletions by strikeout
(1) The license application, when submitted to the Department of Revenue, must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization. The application shall contain the name of the person in charge of and primarily responsible for the conduct of the charitable games. The person so designated shall be present on the premises continuously during charitable games. Any wilful misstatements contained in such application constitute perjury.

(2) The application for license shall be prepared by the prospective licensee organization or its duly authorized representative in accordance with the rules of the Department of Revenue.

(2.1) The application for a license shall contain a list of the names, addresses, social security numbers, and dates of birth of all persons who will participate in the management or operation of the games, along with a sworn statement made under penalties of perjury, signed by the presiding officer and secretary of the applicant, that the persons listed as participating in the management or operation of the games are bona fide members, volunteers as defined in Section 2, or employees of the applicant, that these persons have not participated in the management or operation of more than 4 charitable games events conducted by any licensee in the calendar year, and that these persons will receive no remuneration or compensation, directly or indirectly from any source, for participating in the management or operation of the games. Any amendments to this listing must contain an identical sworn statement.

(2.2) The application shall be signed by the presiding officer and the secretary of the applicant organization, who shall attest under penalties of perjury that the information contained in the application is true, correct, and complete.

New matter indicated by italics - deletions by strikeout
(3) Each license shall state which day of the week, hours and at what locations the licensee is permitted to conduct charitable games.

(4) Each licensee shall file a copy of the license with each police department or, if in unincorporated areas, each sheriff's office whose jurisdiction includes the premises on which the charitable games are authorized under the license.

(5) The licensee shall display the license in a prominent place in the area where it is to conduct charitable games.

(6) The proceeds from the license fee imposed by this Act shall be paid into the Illinois Gaming Law Enforcement Fund of the State Treasury.

(7) Each licensee shall obtain and maintain a bond for the benefit of participants in games conducted by the licensee to insure payment to the winners of such games. Such bond shall be in an amount established by rule by the Department of Revenue. In a county with fewer than 60,000 inhabitants, the Department may waive the bond requirement upon a showing by a licensee that it has sufficient funds on deposit to insure payment to the winners of such games.

(8) A license is not assignable or transferable.

(9) Unless the premises for conducting charitable games are provided by a municipality, the Department shall not issue a license permitting a person, firm or corporation to sponsor a charitable games night if the premises for the conduct of the charitable games has been previously used for 8 charitable games nights during the previous 12 months.

(10) Auxiliary organizations of a licensee shall not be eligible for a license to conduct charitable games, except for auxiliary organizations of veterans organizations as authorized in Section 2.

(11) Charitable games must be conducted in accordance with local building and fire code requirements.

New matter indicated by italics - deletions by strikeout
(12) The licensee shall consent to allowing the Department's employees to be present on the premises wherein the charitable games are conducted and to inspect or test equipment, devices and supplies used in the conduct of the game.

Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers' license in accordance with Section 5.1. The maximum number of charitable games events that may be held in any one premises is limited to 8 charitable games events per calendar year.

(Source: P.A. 87-758; 88-563, eff. 1-1-95; 88-669, eff. 11-29-94.)

(230 ILCS 30/5) (from Ch. 120, par. 1125)

Sec. 5. Providers' License. The Department shall issue a providers' license permitting a person, firm or corporation to provide premises for the conduct of charitable games. No person, firm or corporation may rent or otherwise provide premises without having first obtained a license therefor upon written application made, verified and filed with the Department in the form prescribed by the rules and regulations of the Department. Each providers' license is valid for one year from the date of issuance, unless suspended or revoked by Department action before that date. The annual fee for such providers' license is $50. A provider may receive reasonable compensation for the provision of the premises. The compensation shall not be based upon a percentage of the gross proceeds from the charitable games. A provider, other than a municipality, may not provide the same premises for conducting more than 8 charitable games nights per year. A provider shall not have any interest in any suppliers' business, either direct or indirect. A municipality may provide the same premises for conducting 16 charitable games nights during a 12-month period. No employee, officer, or owner of a provider may participate in the management or operation of a charitable games event, even if the employee, officer, or owner is also a member, volunteer, or employee of the charitable games licensee. A provider may not promote or solicit a charitable games event on behalf of a charitable games licensee or qualified organization. Any qualified organization licensed to conduct a charitable game need not

New matter indicated by italics - deletions by strikeout
obtain a providers' license if such games are to be conducted on the organization's premises.
(Source: P.A. 85-1412; 88-563, eff. 1-1-95; 88-669, eff. 11-29-94.)
(230 ILCS 30/5.1) (from Ch. 120, par. 1125.1)
Sec. 5.1. If a licensee conducts charitable games on its own premises, the licensee may also obtain a providers' license in accordance with Section 5 to allow the licensee to rent or otherwise provide its premises to another licensee for the conducting of an additional 4 charitable games events. The maximum number of charitable games events that may be held at any one premises is limited to 8 charitable games events per calendar year.
(Source: P.A. 87-758; 88-669, eff. 11-29-94.)
(230 ILCS 30/6) (from Ch. 120, par. 1126)
Sec. 6. Supplier's license. The Department shall issue a supplier's license permitting a person, firm or corporation to sell, lease, lend or distribute to any organization licensed to conduct charitable games, supplies, devices and other equipment designed for use in the playing of charitable games. No person, firm or corporation shall sell, lease or distribute charitable games supplies or equipment without having first obtained a license therefor upon written application made, verified and filed with the Department in the form prescribed by the rules and regulations of the Department. Each supplier's license is valid for a period of one year from the date of issuance, unless suspended or revoked by Department action before that date. The annual fee for such license is $500. The Department may require by rule for the provision of surety bonds by suppliers. A supplier shall furnish the Department with a list of all products and equipment offered for sale or lease to any organization licensed to conduct charitable games, and all such products and equipment shall be sold or leased at the prices on file with the Department. A supplier shall keep all such products and equipment segregated and separate from any other products, materials or equipment that it might own, sell or lease. A supplier must include in its application for a license the exact location of the storage of the products, materials or equipment. A supplier, as a condition of licensure, must consent to permitting the Department's
employees to enter supplier's premises to inspect and test all equipment and devices. A supplier shall keep books and records for the furnishing of products and equipment to charitable games separate and distinct from any other business the supplier might operate. All products and equipment supplied must be in accord with the Department's rules and regulations. A supplier shall not alter or modify any equipment or supplies, or possess any equipment or supplies so altered or modified, so as to allow the possessor or operator of the equipment to obtain a greater chance of winning a game other than as under normal rules of play of such games. The supplier shall not require an organization to pay a percentage of the proceeds from the charitable games for the use of the products or equipment. The supplier shall file a quarterly return with the Department listing all sales or leases for such quarter and the gross proceeds from such sales or leases. A supplier shall permanently affix his name to all charitable games equipment, supplies and pull tabs. A supplier shall not have any interest in any providers' business, either direct or indirect. If the supplier leases his equipment for use at an unlicensed charitable games or to an unlicensed sponsoring group, all equipment so leased is forfeited to the State.

No person, firm or corporation shall sell, lease or distribute for compensation within this State, or possess with intent to sell, lease or distribute for compensation within this State, any chips, representations of money, wheels or any devices or equipment designed for use or used in the play of charitable games without first having obtained a license to do so from the Department of Revenue. Any person, firm or corporation which knowingly violates this paragraph shall be guilty of a Class A misdemeanor, the fine for which shall not exceed $50,000.

Organizations licensed to conduct charitable games may own their own equipment. Such organizations must apply to the Department for an ownership permit. Any such application must be accompanied by a $50 fee. Such organizations shall file an annual report listing their inventory of charitable games equipment. Such organizations may lend such equipment without compensation to other licensed organizations without applying for a suppliers license.

New matter indicated by italics - deletions by strikeout
No employee, owner, or officer of a supplier may participate in the management or operation of a charitable games event, even if the employee, owner, or officer is also a member, volunteer, or employee of the charitable games licensee. A supplier may not promote or solicit a charitable games event on behalf of a charitable games licensee or qualified organization.

(Source: P.A. 88-669, eff. 11-29-94.)

(230 ILCS 30/7) (from Ch. 120, par. 1127)

Sec. 7. Ineligible Persons. The following are ineligible for any license under this Act:

(a) any person who has been convicted of a felony within 10 years of the date of the application;

(b) any person who has been convicted of a violation of Article 28 of the Criminal Code of 1961;

(c) any person who has had a bingo, pull tabs, or charitable games license revoked by the Department;

(d) any person who is or has been a professional gambler;

(d-1) any person found gambling in a manner not authorized by this Act, participating in such gambling, or knowingly permitting such gambling on premises where an authorized charitable games event is being or has been conducted;

(e) any business or organization in which a person defined in (a), (b), (c), (d), or (d-1) has a proprietary, equitable, or credit interest, or in which the person is active or employed;

(f) any business or organization in which a person defined in (a), (b), (c), (d), or (d-1) is an officer, director, or employee, whether compensated or not;

(g) any organization in which a person defined in (a), (b), (c), (d), or (d-1) is to participate in the management or operation of charitable games.

The Department of State Police shall provide the criminal background of any person requested by the Department of Revenue.

(Source: P.A. 88-669, eff. 11-29-94.)

(230 ILCS 30/8) (from Ch. 120, par. 1128)
Sec. 8. The conducting of charitable games is subject to the following restrictions:

(1) The entire net proceeds from charitable games must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(2) No person except a bona fide member or employee of the sponsoring organization, or a volunteer recruited by the sponsoring organization, may participate in the management or operation of the game. A person participates in the management or operation of a charitable game when he or she sells admission tickets at the event; sells, redeems, or in any way assists in the selling or redeeming of chips, scrip, or play money; participates in the conducting of any of the games played during the event, or supervises, directs or instructs anyone conducting a game; or at any time during the hours of the charitable games event counts, handles, or supervises anyone counting or handling any of the proceeds or chips, scrip, or play money at the event. A person who is present to ensure that the games are being conducted in conformance with the rules established by the licensed organization or is present to insure that the equipment is working properly is considered to be participating in the management or operation of a game. Setting up, cleaning up, selling food and drink, or providing security for persons or property at the event does not constitute participation in the management or operation of the game.

Only bona fide members, volunteers as defined in Section 2 of this Act, and employees of the sponsoring organization may participate in the management or operation of the games. A person who participates in the management or operation of the games and who is not a bona fide member, volunteer as defined in Section 2 of this Act, or employee of the sponsoring organization, or who receives remuneration or other compensation either directly or indirectly from any source for participating in the management or operation of the games, or who has participated in the management

New matter indicated by italics - deletions by strikeout
or operation of more than 4 charitable games events in the calendar year, commits a violation of this Act. In addition, a licensed organization that utilizes any person described in the preceding sentence commits a violation of this Act.

(3) No person may receive any remuneration or compensation either directly or indirectly from any source for participating in the management or operation of the game.

(4) No single bet at any game may exceed $10.

(5) A bank shall be established on the premises to convert currency into chips, scrip, or other form of play money which shall then be used to play at games of chance which the participant chooses. Chips, scrip, or play money must be monogrammed with the logo of the licensed organization or of the supplier. Each participant must be issued a receipt indicating the amount of chips, scrip, or play money purchased.

(6) At the conclusion of the event or when the participant leaves, he may cash in his chips, scrip, or play money in exchange for currency not to exceed $250 or noncash prizes. Each participant shall sign for any receipt of prizes. The licensee shall provide the Department of Revenue with a listing of all prizes awarded.

(7) Each licensee shall be permitted to conduct charitable games on not more than 4 days each year.

(8) Unless the provider of the premises is a municipality, the provider of the premises may not rent or otherwise provide the premises for the conducting of more than 8 charitable games nights per year.

(9) Charitable games may not be played between the hours of 2:00 a.m. and noon.

(10) No person under the age of 18 years may play or participate in the conducting of charitable games. Any person under the age of 18 years may be within the area where charitable games are being played only when accompanied by his parent or guardian.
(11) No one other than the sponsoring organization of charitable games must have a proprietary interest in the game promoted.

(12) Raffles or other forms of gambling prohibited by law shall not be conducted on the premises where charitable games are being conducted.

(13) Such games are not expressly prohibited by county ordinance for charitable games conducted in the unincorporated areas of the county or municipal ordinance for charitable games conducted in the municipality and the ordinance is filed with the Department of Revenue. The Department shall provide each county or municipality with a list of organizations licensed or subsequently authorized by the Department to conduct charitable games in their jurisdiction.

(14) The sale of tangible personal property at charitable games is subject to all State and local taxes and obligations.

(15) Each licensee may offer or conduct only the games listed below, which must be conducted in accordance with rules posted by the organization. The organization sponsoring charitable games shall promulgate rules, and make printed copies available to participants, for the following games: (a) roulette; (b) blackjack; (c) poker; (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer; (h) big six; (i) gin rummy; (j) five card stud poker; (k) chuck-a-luck; (l) keno; (m) hold-em poker; and (n) merchandise wheel. A licensee need not offer or conduct every game permitted by law. The conducting of games not listed above is prohibited by this Act.

(16) No slot machines or coin-in-the-slot-operated devices that allow a participant to play games of chance based upon cards or dice shall be permitted to be used at the location and during the time at which the charitable games are being conducted.

(17) No cards, dice, wheels, or other equipment may be modified or altered so as to give the licensee a greater advantage in winning, other than as provided under the normal rules of play of a particular game.

New matter indicated by italics - deletions by strikeout
(18) No credit shall be extended to any of the participants.

(19) No person may participate in the management or operation of games at more than 4 charitable games events in any calendar year.

(20) A supplier may have only one representative present at the charitable games event, for the exclusive purpose of ensuring that its equipment is not damaged.

(21) No employee, owner, or officer of a consultant service hired by a licensed organization to perform services at the event including, but not limited to, security for persons or property at the event or services before the event including, but not limited to, training for volunteers or advertising may participate in the management or operation of the games.

(22) Volunteers as defined in Section 2 of this Act and bona fide members and employees of a sponsoring organization may not receive remuneration or compensation, either directly or indirectly from any source, for participating in the management or operation of games. They may participate in the management or operation of no more than 4 charitable games events, either of the sponsoring organization or any other licensed organization, during a calendar year.

Nothing in this Section shall be construed to prohibit a licensee that conducts charitable games on its own premises from also obtaining a providers’ license in accordance with Section 5.1.

(Source: P.A. 87-758; 87-1271; 88-480; 88-563, eff. 1-1-95; 88-669, eff. 11-29-94; 88-670, eff. 12-2-94.)

(230 ILCS 30/10) (from Ch. 120, par. 1130)

Sec. 10. Each licensee must keep a complete record of charitable games conducted within the previous 3 years. Such record shall be open to inspection by any employee of the Department of Revenue during reasonable business hours. Any employee of the Department may visit the premises and inspect such record during, and for a reasonable time before and after, charitable games. Gross proceeds of charitable games shall be

New matter indicated by italics - deletions by strikeout
segregated from other revenues of the licensee, including bingo receipts, and shall be placed in a separate account.

The Department may require that any person, organization or corporation licensed under this Act obtain from an Illinois certified public accounting firm at its own expense a certified and unqualified financial statement and verification of records of such organization. Failure of a charitable games licensee to comply with this requirement within 90 days of receiving notice from the Department may result in suspension or revocation of the licensee's license and forfeiture of all proceeds.

The Department of Revenue shall revoke any license when it finds that the licensee or any person connected therewith has violated or is violating the provisions of this Act or any rule promulgated under this Act. However, in his or her discretion, the Director may review the offenses subjecting the licensee to revocation and may issue a suspension. The decision to reduce a revocation to a suspension, and the duration of the suspension, shall be made by taking into account factors that include, but are not limited to, the licensee's previous history of compliance with the Act and its rules, the number, seriousness, and duration of the violations, and the licensee's cooperation in discontinuing and correcting the violations. Violations of Sections 4, 5, 6, 7, and subsection (2) of Section 8 of this Act are considered to be more serious in nature than other violations under this Act. A revocation or suspension shall be in addition to, and not in lieu of, any other civil penalties or assessments that are authorized by this Act. No licensee under this Act, while a charitable game is being conducted, shall knowingly permit the entry into any part of the licensed premises by any person who has been convicted of a violation of Article 28 of the Criminal Code of 1961.

(Source: P.A. 88-669, eff. 11-29-94.)

(230 ILCS 30/11) (from Ch. 120, par. 1131)

Sec. 11. Any organization which conducts charitable games without first obtaining a license to do so, or which continues to conduct such games after revocation of its charitable games license, or any organization licensed to conduct charitable games which allows any form of illegal gambling to be conducted on the premises where charitable

New matter indicated by italics - deletions by strikeout
games are being conducted shall, in addition to other penalties provided, be subject to a civil penalty equal to the amount of gross proceeds derived on that day from charitable games and any other illegal game that may have been conducted as well as confiscation and forfeiture of the gross proceeds derived from such games and any other illegal games and confiscation and forfeiture of all charitable games equipment used in the conduct of unlicensed games.

Any person who violates any provision of this Act or knowingly violates any rule of the Department for the administration of this Act, shall, in addition to other penalties provided, be subject to a civil penalty in the amount of $250 for each separate violation. Persons subject to this provision include, but are not limited to, sponsoring organizations, volunteers, any licensee under this Act, or any other person or organization.

(Source: P.A. 88-669, eff. 11-29-94.)

(230 ILCS 30/12) (from Ch. 120, par. 1132)

Sec. 12. Any person who conducts or knowingly participates in an unlicensed charitable game commits the offense of gambling in violation of Section 28-1 of the Criminal Code of 1961, as amended. Any person who violates any provision of this Act, or any person who fails to file a charitable games return or who files a fraudulent return or application under this Act, or any person who knowingly violates any rule or regulation of the Department for the administration and enforcement of this Act, or any officer or agent of an organization or a corporation licensed under this Act who signs a fraudulent return or application filed on behalf of such an organization or corporation, is guilty of a Class A misdemeanor. Any second or subsequent violation of this Act constitutes a Class 4 felony.

(Source: P.A. 88-669, eff. 11-29-94.)

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

Approved June 30, 2006
Effective June 30, 2006.
AN ACT concerning law enforcement.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 1. Short title. This Act may be cited as the Law
Enforcement Camera Grant Act.

Section 5. Definitions. As used in this Act:
"Board" means the Illinois Law Enforcement Training Standards
Board created by the Illinois Police Training Act.
"Law enforcement officer" or "officer" means any person employed
by a county, municipality or township as a policeman, peace officer or in
some like position involving the enforcement of the law and protection of
the public interest at the risk of that person's life.

Section 10. Law Enforcement Camera Grant Fund; creation, rules.
(a) The Law Enforcement Camera Grant Fund is created as a
special fund in the State treasury. From appropriations to the Board from
the Fund, the Board must make grants to units of local government in
Illinois for the purpose of installing video cameras in law enforcement
vehicles and training law enforcement officers in the operation of the
cameras.

Moneys received for the purposes of this Section, including,
without limitation, fee receipts and gifts, grants, and awards from any
public or private entity, must be deposited into the Fund. Any interest
earned on moneys in the Fund must be deposited into the Fund.

(b) The Board may set requirements for the distribution of grant
moneys and determine which law enforcement agencies are eligible.

(c) The Board shall develop model rules to be adopted by law
enforcement agencies that receive grants under this Section. The rules
shall include the following requirements:

(1) Cameras must be installed in the law enforcement vehicles.

New matter indicated by italics - deletions by strikeout
(2) Videotaping must provide audio of the officer when the officer is outside of the vehicle.

(3) Camera access must be restricted to the supervisors of the officer in the vehicle.

(4) Cameras must be turned on continuously throughout the officer's shift.

(5) A copy of the videotape must be made available upon request to personnel of the law enforcement agency, the local State's Attorney, and any persons depicted in the video. Procedures for distribution of the videotape must include safeguards to protect the identities of individuals who are not a party to the requested stop.

(6) Law enforcement agencies that receive moneys under this grant shall provide for storage of the tapes for a period of not less than 2 years.

(d) Any law enforcement agency receiving moneys under this Section must provide an annual report to the Board, the Governor, and the General Assembly, which will be due on May 1 of the year following the receipt of the grant and each May 1 thereafter during the period of the grant. The report shall include (i) the number of cameras received by the law enforcement agency, (ii) the number of cameras actually installed in law enforcement vehicles, (iii) a brief description of the review process used by supervisors within the law enforcement agency, (iv) a list of any criminal, traffic, ordinance, and civil cases where video recordings were used, including party names, case numbers, offenses charged, and disposition of the matter, (this item applies, but is not limited to, court proceedings, coroner's inquests, grand jury proceedings, and plea bargains), and (v) any other information relevant to the administration of the program.

(e) No applications for grant money under this Section shall be accepted before January 1, 2007 or after January 1, 2011.

Section 40. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. Law Enforcement Camera Grant Fund.

Section 60. The Unified Code of Corrections is amended by changing Section 5-9-1 as follows:

(730 ILCS 5/5-9-1) (from Ch. 38, par. 1005-9-1)

Sec. 5-9-1. Authorized fines.

(a) An offender may be sentenced to pay a fine which shall not exceed for each offense:

1) for a felony, $25,000 or the amount specified in the offense, whichever is greater, or where the offender is a corporation, $50,000 or the amount specified in the offense, whichever is greater;
2) for a Class A misdemeanor, $2,500 or the amount specified in the offense, whichever is greater;
3) for a Class B or Class C misdemeanor, $1,500;
4) for a petty offense, $1,000 or the amount specified in the offense, whichever is less;
5) for a business offense, the amount specified in the statute defining that offense.

(b) A fine may be imposed in addition to a sentence of conditional discharge, probation, periodic imprisonment, or imprisonment.

(c) There shall be added to every fine imposed in sentencing for a criminal or traffic offense, except an offense relating to parking or registration, or offense by a pedestrian, an additional penalty of $10 for each $40, or fraction thereof, of fine imposed. The additional penalty of $10 for each $40, or fraction thereof, of fine imposed, if not otherwise assessed, shall also be added to every fine imposed upon a plea of guilty, stipulation of facts or findings of guilty, resulting in a judgment of conviction, or order of supervision in criminal, traffic, local ordinance, county ordinance, and conservation cases (except parking, registration, or pedestrian violations), or upon a sentence of probation without entry of judgment under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act.

New matter indicated by italics - deletions by strikeout
Such additional amounts shall be assessed by the court imposing the fine and shall be collected by the Circuit Clerk in addition to the fine and costs in the case. Each such additional penalty shall be remitted by the Circuit Clerk within one month after receipt to the State Treasurer. The State Treasurer shall deposit $1 for each $40, or fraction thereof, of fine imposed into the LEADS Maintenance Fund. The State Treasurer shall deposit $1 for each $40, or fraction thereof, of fine imposed into the Law Enforcement Camera Grant Fund. The remaining surcharge amount shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, unless the fine, costs or additional amounts are subject to disbursement by the circuit clerk under Section 27.5 of the Clerks of Courts Act. Such additional penalty shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection (c) during the preceding calendar year. Except as otherwise provided by Supreme Court Rules, if a court in imposing a fine against an offender levies a gross amount for fine, costs, fees and penalties, the amount of the additional penalty provided for herein shall be computed on the amount remaining after deducting from the gross amount levied all fees of the Circuit Clerk, the State's Attorney and the Sheriff. After deducting from the gross amount levied the fees and additional penalty provided for herein, less any other additional penalties provided by law, the clerk shall remit the net balance remaining to the entity authorized by law to receive the fine imposed in the case. For purposes of this Section "fees of the Circuit Clerk" shall include, if applicable, the fee provided for under Section 27.3a of the Clerks of Courts Act and the fee, if applicable, payable to the county in which the violation occurred pursuant to Section 5-1101 of the Counties Code.

(c-5) In addition to the fines imposed by subsection (c), any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional $100 fee to the clerk. This additional fee, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer.
within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection (c-5) during the preceding calendar year.

The Circuit Clerk may accept payment of fines and costs by credit card from an offender who has been convicted of a traffic offense, petty offense or misdemeanor and may charge the service fee permitted where fines and costs are paid by credit card provided for in Section 27.3b of the Clerks of Courts Act.

(c-7) In addition to the fines imposed by subsection (c), any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional $5 fee to the clerk. This additional fee, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection (c-7) during the preceding calendar year.

(c-9) (Blank). ; or Section 70 of the Methamphetamine Control and Community Protection Act

(d) In determining the amount and method of payment of a fine, except for those fines established for violations of Chapter 15 of the Illinois Vehicle Code, the court shall consider:

(1) the financial resources and future ability of the offender to pay the fine; and

(2) whether the fine will prevent the offender from making court ordered restitution or reparation to the victim of the offense; and

New matter indicated by italics - deletions by strikeout
(3) in a case where the accused is a dissolved corporation and the court has appointed counsel to represent the corporation, the costs incurred either by the county or the State for such representation.

(e) The court may order the fine to be paid forthwith or within a specified period of time or in installments.

(f) All fines, costs and additional amounts imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(20 ILCS 2630/8) (from Ch. 38, par. 206-8)

Sec. 8. Crime statistics; sex offenders.

(a) The Department shall be a central repository and custodian of crime statistics for the State and it shall have all power incident thereto to carry out the purposes of this Act, including the power to demand and receive cooperation in the submission of crime statistics from all units of

New matter indicated by italics - deletions by strikeout
government. On an annual basis, the Illinois Criminal Justice Information Authority shall make available compilations published by the Authority of crime statistics required to be reported by each policing body of the State, the clerks of the circuit court of each county, the Illinois Department of Corrections, the Sheriff of each county, and the State's Attorney of each county, including, but not limited to, criminal arrest, charge and disposition information.

(b) The Department shall develop information relating to the number of sex offenders and sexual predators as defined in Section 2 of the Sex Offender Registration Act who are placed on parole, mandatory supervised release, or extended mandatory supervised release and who are subject to electronic monitoring. 

(Source: P.A. 86-701.)

Section 10. The Unified Code of Corrections is amended by changing Section 3-3-7 and by adding Section 5-8A-6 as follows:

(730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

Sec. 3-3-7. Conditions of Parole or Mandatory Supervised Release.

(a) The conditions of parole or mandatory supervised release shall be such as the Prisoner Review Board deems necessary to assist the subject in leading a law-abiding life. The conditions of every parole and mandatory supervised release are that the subject:

(1) not violate any criminal statute of any jurisdiction during the parole or release term;
(2) refrain from possessing a firearm or other dangerous weapon;
(3) report to an agent of the Department of Corrections;
(4) permit the agent to visit him or her at his or her home, employment, or elsewhere to the extent necessary for the agent to discharge his or her duties;
(5) attend or reside in a facility established for the instruction or residence of persons on parole or mandatory supervised release;
(6) secure permission before visiting or writing a committed person in an Illinois Department of Corrections facility;

New matter indicated by italics - deletions by strikeout
(7) report all arrests to an agent of the Department of Corrections as soon as permitted by the arresting authority but in no event later than 24 hours after release from custody;

(7.5) if convicted of a sex offense as defined in the Sex Offender Management Board Act, the individual shall undergo and successfully complete sex offender treatment conducted in conformance with the standards developed by the Sex Offender Management Board Act by a treatment provider approved by the Board;

(7.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders, or is in any facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or is in any licensed medical facility;

(7.7) if convicted for an offense that would qualify the accused as a sexual predator under the Sex Offender Registration Act on or after the effective date of this amendatory Act of the 94th General Assembly, wear an approved electronic monitoring device as defined in Section 5-8A-2 for the duration of the person’s parole, mandatory supervised release term, or extended mandatory supervised release term, provided funding is appropriated by the General Assembly;

(8) obtain permission of an agent of the Department of Corrections before leaving the State of Illinois;

(9) obtain permission of an agent of the Department of Corrections before changing his or her residence or employment;

New matter indicated by italics - deletions by strikeout
(10) consent to a search of his or her person, property, or residence under his or her control;

(11) refrain from the use or possession of narcotics or other controlled substances in any form, or both, or any paraphernalia related to those substances and submit to a urinalysis test as instructed by a parole agent of the Department of Corrections;

(12) not frequent places where controlled substances are illegally sold, used, distributed, or administered;

(13) not knowingly associate with other persons on parole or mandatory supervised release without prior written permission of his or her parole agent and not associate with persons who are members of an organized gang as that term is defined in the Illinois Streetgang Terrorism Omnibus Prevention Act;

(14) provide true and accurate information, as it relates to his or her adjustment in the community while on parole or mandatory supervised release or to his or her conduct while incarcerated, in response to inquiries by his or her parole agent or of the Department of Corrections;

(15) follow any specific instructions provided by the parole agent that are consistent with furthering conditions set and approved by the Prisoner Review Board or by law, exclusive of placement on electronic detention, to achieve the goals and objectives of his or her parole or mandatory supervised release or to protect the public. These instructions by the parole agent may be modified at any time, as the agent deems appropriate; and

(16) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter.

New matter indicated by italics - deletions by strikeout
(b) The Board may in addition to other conditions require that the subject:

(1) work or pursue a course of study or vocational training;
(2) undergo medical or psychiatric treatment, or treatment for drug addiction or alcoholism;
(3) attend or reside in a facility established for the instruction or residence of persons on probation or parole;
(4) support his dependents;
(5) (blank);
(6) (blank);
(7) comply with the terms and conditions of an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986, enacted by the 84th General Assembly, or an order of protection issued by the court of another state, tribe, or United States territory; and
(8) in addition, if a minor:

(i) reside with his parents or in a foster home;
(ii) attend school;
(iii) attend a non-residential program for youth; or
(iv) contribute to his own support at home or in a foster home.

(b-1) In addition to the conditions set forth in subsections (a) and (b), persons required to register as sex offenders pursuant to the Sex Offender Registration Act, upon release from the custody of the Illinois Department of Corrections, may be required by the Board to comply with the following specific conditions of release:

(1) reside only at a Department approved location;
(2) comply with all requirements of the Sex Offender Registration Act;
(3) notify third parties of the risks that may be occasioned by his or her criminal record;
(4) obtain the approval of an agent of the Department of Corrections prior to accepting employment or pursuing a course of

New matter indicated by italics - deletions by strikeout
study or vocational training and notify the Department prior to any change in employment, study, or training;

(5) not be employed or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by an agent of the Department of Corrections;

(6) be electronically monitored for a minimum of 12 months from the date of release as determined by the Board;

(7) refrain from entering into a designated geographic area except upon terms approved in advance by an agent of the Department of Corrections. The terms may include consideration of the purpose of the entry, the time of day, and others accompanying the person;

(8) refrain from having any contact, including written or oral communications, directly or indirectly, personally or by telephone, letter, or through a third party with certain specified persons including, but not limited to, the victim or the victim's family without the prior written approval of an agent of the Department of Corrections;

(9) refrain from all contact, directly or indirectly, personally, by telephone, letter, or through a third party, with minor children without prior identification and approval of an agent of the Department of Corrections;

(10) neither possess or have under his or her control any material that is sexually oriented, sexually stimulating, or that shows male or female sex organs or any pictures depicting children under 18 years of age nude or any written or audio material describing sexual intercourse or that depicts or alludes to sexual activity, including but not limited to visual, auditory, telephonic, or electronic media, or any matter obtained through access to any computer or material linked to computer access use;

(11) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers;

New matter indicated by italics - deletions by strikeout
(12) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of an agent of the Department of Corrections and immediately report any incidental contact with minor children to the Department;

(13) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending as determined by an agent of the Department of Corrections;

(14) may be required to provide a written daily log of activities if directed by an agent of the Department of Corrections;

(15) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access to potential victims.

(c) The conditions under which the parole or mandatory supervised release is to be served shall be communicated to the person in writing prior to his release, and he shall sign the same before release. A signed copy of these conditions, including a copy of an order of protection where one had been issued by the criminal court, shall be retained by the person and another copy forwarded to the officer in charge of his supervision.

(d) After a hearing under Section 3-3-9, the Prisoner Review Board may modify or enlarge the conditions of parole or mandatory supervised release.

(e) The Department shall inform all offenders committed to the Department of the optional services available to them upon release and shall assist inmates in availing themselves of such optional services upon their release on a voluntary basis.

(Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159, eff. 7-11-05; 94-161, eff. 7-11-05; revised 8-19-05.)

(730 ILCS 5/5-8A-6 new)

Sec. 5-8A-6. Electronic monitoring of certain sex offenders. For a sexual predator subject to electronic home monitoring under paragraph (7.7) of subsection (a) of Section 3-3-7, the Department of Corrections

New matter indicated by italics - deletions by strikeout
must use a system that actively monitors and identifies the offender's current location and timely reports or records the offender's presence and that alerts the Department of the offender's presence within a prohibited area described in Sections 11-9.3 and 11-9.4 of the Criminal Code of 1961, in a court order, or as a condition of the offender's parole, mandatory supervised release, or extended mandatory supervised release and the offender's departure from specified geographic limitations, provided funding is appropriated by the General Assembly for this purpose.

Section 15. The Sex Offender Registration Act is amended by changing Sections 8-5 and 10 as follows:

(730 ILCS 150/8-5)
Sec. 8-5. Verification requirements.
(a) Address verification. The agency having jurisdiction shall verify the address of sex offenders, as defined in Section 2 of this Act, or sexual predators required to register with their agency at least once per year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(b) Registration verification. The supervising officer shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections facility, contact the law enforcement agency in the jurisdiction in which the sex offender or sexual predator designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a sex offender or sexual predator on probation, parole, or mandatory supervised release who fails to comply with the requirements of this Act.

(c) In an effort to ensure that sexual predators and sex offenders who fail to respond to address-verification attempts or who otherwise abscond from registration are located in a timely manner, the Department of State Police shall share information with local law enforcement agencies. The Department shall use analytical resources to assist local law enforcement agencies to determine the potential whereabouts of any sexual predator or sex offender who fails to respond to address-verification attempts or who otherwise absconds from registration. The
Department shall review and analyze all available information concerning any such predator or offender who fails to respond to address-verification attempts or who otherwise absconds from registration and provide the information to local law enforcement agencies in order to assist the agencies in locating and apprehending the sexual predator or sex offender.

(Source: P.A. 92-828, eff. 8-22-02; 93-979, eff. 8-20-04.)

(730 ILCS 150/10) (from Ch. 38, par. 230)

Sec. 10. Penalty.

(a) Any person who is required to register under this Article who violates any of the provisions of this Article and any person who is required to register under this Article who seeks to change his or her name under Article 21 of the Code of Civil Procedure is guilty of a Class 3 felony. Any person who is convicted for a violation of this Act for a second or subsequent time is guilty of a Class 2 felony. Any person who is required to register under this Article who knowingly or wilfully gives material information required by this Article that is false is guilty of a Class 3 felony. Any person convicted of a violation of any provision of this Article shall, in addition to any other penalty required by law, be required to serve a minimum period of 7 days confinement in the local county jail. The court shall impose a mandatory minimum fine of $500 for failure to comply with any provision of this Article. These fines shall be deposited in the Sex Offender Registration Fund. Any sex offender, as defined in Section 2 of this Act, or sexual predator who violates any provision of this Article may be arrested and tried in any Illinois county where the sex offender can be located. The local police department or sheriff's office is not required to determine whether the person is living within its jurisdiction.

(b) Any person, not covered by privilege under Part 8 of Article VIII of the Code of Civil Procedure or the Illinois Supreme Court's Rules of Professional Conduct, who has reason to believe that a sexual predator is not complying, or has not complied, with the requirements of this Article and who, with the intent to assist the sexual predator in eluding a law enforcement agency that is seeking to find the sexual predator to question

New matter indicated by italics - deletions by strikeout
the sexual predator about, or to arrest the sexual predator for, his or her noncompliance with the requirements of this Article is guilty of a Class 3 felony if he or she:

(1) provides false information to the law enforcement agency having jurisdiction about the sexual predator’s noncompliance with the requirements of this Article, and, if known, the whereabouts of the sexual predator;

(2) harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the sexual predator; or

(3) conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sexual predator.  
(c) Subsection (b) does not apply if the sexual predator is incarcerated in or is in the custody of a State correctional facility, a private correctional facility, a county or municipal jail, a State mental health facility or a State treatment and detention facility, or a federal correctional facility.

(Source: P.A. 93-979, eff. 8-20-04; 94-168, eff. 1-1-06.)
Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.
Effective January 1 2007.
(2) That every state in the nation has a sex offender registration law.

(3) That Illinois, as well as other states in the nation, including Iowa and Missouri, have laws restricting where convicted or registered sex offenders may reside.

(4) That the residency restrictions are not consistent between states.

(5) That the disparity in residency restrictions and registration requirements is of concern to communities and law enforcement in Illinois.

(6) That it would benefit Illinois, its citizens, and its border states, including Iowa and Missouri, for a task force to be created to analyze the impact of the disparity between states regarding registration requirements and residency restrictions on convicted or registered sex offenders, or both.

Section 10. Interstate Sex Offender Task Force.

(a) The Interstate Sex Offender Task Force is created.

(b) The Interstate Sex Offender Task Force shall convene and initially meet not later than 30 days after the effective date of this Act and shall meet thereafter as frequently as necessary to carry out its duties as required by this Act.

(c) The Task Force shall consist of members representing the Illinois Department of Corrections, the Illinois State Police, the Office of the Illinois Attorney General, statewide sexual assault victim service providers, and such other criminal justice and law enforcement entities and organizations as deemed appropriate by the Illinois State Police.

(d) The Task Force shall coordinate its meetings and studies with such representatives of similar organizations in the other states as may be appropriate, including but not limited to those in Iowa, Wisconsin, Indiana, Kentucky, and Missouri.

(e) The Task Force shall examine the following:

   (1) The systems of communication between states regarding the interstate movement of registered sex offenders.

   (2) The laws of Illinois and its border states that restrict and affect where convicted or registered sex offenders may reside.

New matter indicated by italics - deletions by strikeout
(3) The extent to which law enforcement resources are affected by residency restrictions.

(4) The impact of residency restrictions on the parole, mandatory supervised release, and probation systems in Illinois.

(f) The Illinois Department of Corrections shall provide staff and administrative support services to the Task Force.

(g) The Task Force shall report its findings and recommendations to the Governor, the Attorney General, and the General Assembly no later than January 1, 2007.

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

Approved July 3, 2006.

PUBLIC ACT 94-0990
(House Bill No. 4606)

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 1961 is amended by changing Section 3-6 as follows:

(720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person

New matter indicated by italics - deletions by strikeout
who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(c) Except as otherwise provided in subsection (a) of Section 3-5 of this Code and subdivision (i) or (j) of this Section, a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 12-12 of this Code, where the victim and defendant are family members, as defined in Section 12-12 of this Code, may be commenced within one year of the victim attaining the age of 18 years.

(d) A prosecution for child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping or exploitation of a child may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense. When the victim is under 18 years of age, a prosecution for criminal sexual abuse may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 12-12 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the

New matter indicated by italics - deletions by strikeout
offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the "Environmental Protection Act", approved June 29, 1970, as amended, may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16G-15 or 16G-20 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 ½ years after the commission of the offense.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(Source: P.A. 93-356, eff. 7-24-03; 94-253, eff. 1-1-06.)

Passed in the General Assembly April 5, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The School Code is amended by changing Section 21-23
as follows:

(105 ILCS 5/21-23) (from Ch. 122, par. 21-23)
Sec. 21-23. Suspension or revocation of certificate.
(a) Any certificate issued pursuant to this Article, including but not
limited to any administrative certificate or endorsement, may be suspended
for a period not to exceed one calendar year by the regional superintendent
or for a period not to exceed 5 calendar years by the State Superintendent
of Education upon evidence of immorality, a condition of health
detrimental to the welfare of pupils, incompetency, unprofessional conduct
(which includes the failure to disclose on an employment application any
previous conviction for a sex offense, as defined in Section 21-23a of this
Code, or any other offense committed in any other state or against the
laws of the United States that, if committed in this State, would be
punishable as a sex offense, as defined in Section 21-23a of this Code), the
neglect of any professional duty, willful failure to report an instance of
suspected child abuse or neglect as required by the Abused and Neglected
Child Reporting Act, failure to establish satisfactory repayment on an
educational loan guaranteed by the Illinois Student Assistance
Commission, or other just cause. Unprofessional conduct shall include
refusal to attend or participate in, institutes, teachers' meetings,
professional readings, or to meet other reasonable requirements of the
regional superintendent or State Superintendent of Education.
Unprofessional conduct also includes conduct that violates the standards,
ethics, or rules applicable to the security, administration, monitoring, or

New matter indicated by italics - deletions by strikeout
scoring of, or the reporting of scores from, any assessment test or the Prairie State Achievement Examination administered under Section 2-3.64 or that is known or intended to produce or report manipulated or artificial, rather than actual, assessment or achievement results or gains from the administration of those tests or examinations. It shall also include neglect or unnecessary delay in making of statistical and other reports required by school officers. The regional superintendent or State Superintendent of Education shall upon receipt of evidence of immorality, a condition of health detrimental to the welfare of pupils, incompetency, unprofessional conduct, the neglect of any professional duty or other just cause serve written notice to the individual and afford the individual opportunity for a hearing prior to suspension. If a hearing is requested within 10 days of notice of opportunity for hearing it shall act as a stay of proceedings not to exceed 30 days, unless the individual requests a delay. In such an instance, the stay of proceedings must be continued for another 30 days. No certificate shall be suspended until the teacher has an opportunity for a hearing at the educational service region. When a certificate is suspended, the right of appeal shall lie to the State Teacher Certification Board. When an appeal is taken within 10 days after notice of suspension it shall act as a stay of proceedings not to exceed 120 days. If a certificate is suspended for a period greater than one year, the State Superintendent of Education shall review the suspension prior to the expiration of that period to determine whether the cause for the suspension has been remedied or continues to exist. Upon determining that the cause for suspension has not abated, the State Superintendent of Education may order that the suspension be continued for an appropriate period. Nothing in this Section prohibits the continuance of such a suspension for an indefinite period if the State Superintendent determines that the cause for the suspension remains unabated. Any certificate may be revoked for the same reasons as for suspension by the State Superintendent of Education. No certificate shall be revoked until the teacher has an opportunity for a hearing before the State Teacher Certification Board, which hearing must be held within 120 days from the date the appeal is taken, unless the State Teacher Certification Board requests a delay. In such an instance, the stay of the

New matter indicated by italics - deletions by strikeout
revocation proceedings must be continued until the completion of the proceedings.

The State Board may refuse to issue or may suspend the certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(b) Any certificate issued pursuant to this Article may be suspended for an appropriate length of time as determined by either the regional superintendent or State Superintendent of Education upon evidence that the holder of the certificate has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act, approved June 26, 1975, as amended, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

The regional superintendent or State Superintendent of Education shall, upon receipt of evidence that the certificate holder has been named a perpetrator in any indicated report, serve written notice to the individual and afford the individual opportunity for a hearing prior to suspension. If a hearing is requested within 10 days of notice of opportunity for hearing, it shall act as a stay of proceedings not to exceed 30 days, unless the individual requests a delay. In such an instance, the stay of proceedings must be continued for another 30 days. No certificate shall be suspended until the teacher has an opportunity for a hearing at the educational service region. When a certificate is suspended, the right of appeal shall lie to the State Teacher Certification Board. When an appeal is taken within 10 days after notice of suspension it shall act as a stay of proceedings not to exceed 120 days. The State Superintendent may revoke any certificate upon proof at hearing by clear and convincing evidence that the certificate holder has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act. No certificate shall be revoked until the teacher has an opportunity for a hearing before the State

New matter indicated by italics - deletions by strikeout
Teacher Certification Board, which hearing must be held within 120 days from the date the appeal is taken, unless the teacher or the hearing officer appointed by the State Teacher Certification Board requests a delay. In such an instance, the stay of the revocation proceedings must be continued until the completion of the proceedings.

(c) The State Superintendent of Education or a person designated by him shall have the power to administer oaths to witnesses at any hearing conducted before the State Teacher Certification Board pursuant to this Section. The State Superintendent of Education or a person designated by him is authorized to subpoena and bring before the State Teacher Certification Board any person in this State and to take testimony either orally or by deposition or by exhibit, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in the civil cases in circuit courts of this State.

Any circuit court, upon the application of the State Superintendent of Education, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers at any hearing the State Superintendent of Education is authorized to conduct pursuant to this Section, and the court may compel obedience to its orders by proceedings for contempt.

(d) As used in this Section, "teacher" means any school district employee regularly required to be certified, as provided in this Article, in order to teach or supervise in the public schools.

(Source: P.A. 93-679, eff. 6-30-04.)

Approved July 3, 2006.

PUBLIC ACT 94-0992
(Senate Bill No. 2873)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Sexually Violent Persons Commitment Act is amended by changing Section 15 and by adding Section 9 as follows:

(725 ILCS 207/9 new)

Sec. 9. Sexually violent person review; written notification to State's Attorney. The Illinois Department of Corrections or the Department of Juvenile Justice, not later than 6 months prior to the anticipated release from imprisonment or the anticipated entry into mandatory supervised release of a person who has been convicted or adjudicated delinquent of a sexually violent offense, shall send written notice to the State's Attorney in the county in which the person was convicted or adjudicated delinquent of the sexually violent offense informing the State's Attorney of the person's anticipated release date and that the person will be considered for commitment under this Act prior to that release date.

(725 ILCS 207/15)

Sec. 15. Sexually violent person petition; contents; filing.

(a) A petition alleging that a person is a sexually violent person may be filed by:

(1) The Attorney General, at the request of the agency with jurisdiction over the person, as defined in subsection (a) of Section 10 of this Act, or on his or her own motion. If the Attorney General, after consulting with and advising the State's Attorney of the county referenced in paragraph (a)(2) of this Section, decides to file a petition under this Section, he or she shall file the petition before the date of the release or discharge of the person or within 30 days of placement onto parole or mandatory supervised release for an offense enumerated in paragraph (e) of Section 5 of this Act.

(2) If the Attorney General does not file a petition under this Section, the State's Attorney of the county in which the person was convicted of a sexually violent offense, adjudicated delinquent for a sexually violent offense or found not guilty of or not responsible for a sexually violent offense by reason of insanity, mental disease, or mental defect may file a petition.

New matter indicated by italics - deletions by strikeout
(3) The Attorney General and the State's Attorney referenced in paragraph (a)(2) of this Section jointly.

(b) A petition filed under this Section shall allege that all of the following apply to the person alleged to be a sexually violent person:

(1) The person satisfies any of the following criteria:
   (A) The person has been convicted of a sexually violent offense;
   (B) The person has been found delinquent for a sexually violent offense; or
   (C) The person has been found not guilty of a sexually violent offense by reason of insanity, mental disease, or mental defect.

(2) (Blank).

(3) (Blank).

(4) The person has a mental disorder.

(5) The person is dangerous to others because the person's mental disorder creates a substantial probability that he or she will engage in acts of sexual violence.

(b-5) The petition must be filed no (1) No more than 90 days before discharge or entry into mandatory supervised release from a Department of Corrections or the Department of Juvenile Justice correctional facility for a sentence that was imposed upon a conviction for a sexually violent offense. For inmates sentenced under the law in effect prior to February 1, 1978, the petition shall be filed no more than 90 days after the Prisoner Review Board's order granting parole pursuant to Section 3-3-5 of the Unified Code of Corrections. or for a sentence that is being served concurrently or consecutively with a sexually violent offense, and no more than 30 days after the person's entry into parole or mandatory supervised release; or

(b-6) The petition must be filed no (2) No more than 90 days before discharge or release:

(1) (A) from a Department of Juvenile Justice juvenile correctional facility if the person was placed in the facility for being adjudicated delinquent under Section 5-20 of the Juvenile

New matter indicated by italics - deletions by strikeout
Court Act of 1987 or found guilty under Section 5-620 of that Act on the basis of a sexually violent offense; or

(2) from a commitment order that was entered as a result of a sexually violent offense.

(b-7) A person convicted of a sexually violent offense remains eligible for commitment as a sexually violent person pursuant to this Act under the following circumstances: (1) the person is in custody for a sentence that is being served concurrently or consecutively with a sexually violent offense; (2) the person returns to the custody of the Illinois Department of Corrections or the Department of Juvenile Justice for any reason during the term of parole or mandatory supervised release being served for a sexually violent offense; or (3) the person is convicted or adjudicated delinquent for any offense committed during the term of parole or mandatory supervised release being served for a sexually violent offense, regardless of whether that conviction or adjudication was for a sexually violent offense.

(c) A petition filed under this Section shall state with particularity essential facts to establish probable cause to believe the person is a sexually violent person. If the petition alleges that a sexually violent offense or act that is a basis for the allegation under paragraph (b)(1) of this Section was an act that was sexually motivated as provided under paragraph (e)(2) of Section 5 of this Act, the petition shall state the grounds on which the offense or act is alleged to be sexually motivated.

(d) A petition under this Section shall be filed in either of the following:

(1) The circuit court for the county in which the person was convicted of a sexually violent offense, adjudicated delinquent for a sexually violent offense or found not guilty of a sexually violent offense by reason of insanity, mental disease or mental defect.

(2) The circuit court for the county in which the person is in custody under a sentence, a placement to a Department of Corrections correctional facility or a Department of Juvenile Justice juvenile correctional facility, or a commitment order.

New matter indicated by italics - deletions by strikeout
(e) The filing of a petition under this Act shall toll the running of the term of parole or mandatory supervised release until:

(1) dismissal of the petition filed under this Act;
(2) a finding by a judge or jury that the respondent is not a sexually violent person; or
(3) the sexually violent person is discharged under Section 65 of this Act, unless the person has successfully completed a period of conditional release pursuant to Section 60 of this Act.

(Source: P.A. 94-696, eff. 6-1-06.)
Passed in the General Assembly April 6, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-0993
(Senate Bill No. 2962)

AN ACT concerning driving privileges.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing Sections 6-101, 6-115, and 6-201 as follows:

(625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)
Sec. 6-101. Drivers must have licenses or permits.
(a) No person, except those expressly exempted by Section 6-102, shall drive any motor vehicle upon a highway in this State unless such person has a valid license or permit, or a restricted driving permit, issued under the provisions of this Act.
(b) No person shall drive a motor vehicle unless he holds a valid license or permit, or a restricted driving permit issued under the provisions of Section 6-205, 6-206, or 6-113 of this Act. Any person to whom a license is issued under the provisions of this Act must surrender to the Secretary of State all valid licenses or permits. No drivers license shall be issued to any person who holds a valid Foreign State license, identification
except such person first surrenders to the Secretary of State any such valid Foreign State license, identification card, or permit.

(b-5) Any person who commits a violation of subsection (a) or (b) of this Section is guilty of a Class A misdemeanor, if at the time of the violation the person's driver's license or permit was cancelled under clause (a) of Section 6-201 of this Code.

(c) Any person licensed as a driver hereunder shall not be required by any city, village, incorporated town or other municipal corporation to obtain any other license to exercise the privilege thereby granted.

(d) In addition to other penalties imposed under this Section, any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the motor vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(e) In addition to other penalties imposed under this Section, the vehicle of any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements and who, in violating this Section, has caused death or personal injury to another person is subject to forfeiture under Sections 36-1 and 36-2 of the Criminal Code of 1961. For the purposes of this Section, a personal injury shall include any type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(Source: P.A. 93-187, eff. 7-11-03; 93-895, eff. 1-1-05.)

(625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

Sec. 6-115. Expiration of driver's license.

(a) Except as provided elsewhere in this Section, every driver's license issued under the provisions of this Code shall expire 4 years from

New matter indicated by italics - deletions by strikeout
the date of its issuance, or at such later date, as the Secretary of State may by proper rule and regulation designate, not to exceed 12 calendar months; in the event that an applicant for renewal of a driver's license fails to apply prior to the expiration date of the previous driver's license, the renewal driver's license shall expire 4 years from the expiration date of the previous driver's license, or at such later date as the Secretary of State may by proper rule and regulation designate, not to exceed 12 calendar months.

The Secretary of State may, however, issue to a person not previously licensed as a driver in Illinois a driver's license which will expire not less than 4 years nor more than 5 years from date of issuance, except as provided elsewhere in this Section.

The Secretary of State is authorized to issue driver's licenses during the years 1984 through 1987 which shall expire not less than 3 years nor more than 5 years from the date of issuance, except as provided elsewhere in this Section, for the purpose of converting all driver's licenses issued under this Code to a 4 year expiration. Provided that all original driver's licenses, except as provided elsewhere in this Section, shall expire not less than 4 years nor more than 5 years from the date of issuance.

(b) Before the expiration of a driver's license, except those licenses expiring on the individual's 21st birthday, or 3 months after the individual's 21st birthday, the holder thereof may apply for a renewal thereof, subject to all the provisions of Section 6-103, and the Secretary of State may require an examination of the applicant. A licensee whose driver's license expires on his 21st birthday, or 3 months after his 21st birthday, may not apply for a renewal of his driving privileges until he reaches the age of 21.

(c) The Secretary of State shall, 30 days prior to the expiration of a driver's license, forward to each person whose license is to expire a notification of the expiration of said license which may be presented at the time of renewal of said license.

There may be included with such notification information explaining the anatomical gift and Emergency Medical Information Card provisions of Section 6-110. The format and text of such information shall be prescribed by the Secretary.

New matter indicated by italics - deletions by strikeout
There shall be included with such notification, for a period of 4 years beginning January 1, 2000 information regarding the Illinois Adoption Registry and Medical Information Exchange established in Section 18.1 of the Adoption Act.

(d) The Secretary may defer the expiration of the driver's license of a licensee, spouse, and dependent children who are living with such licensee while on active duty, serving in the Armed Forces of the United States outside of the State of Illinois, and 45 days thereafter, upon such terms and conditions as the Secretary may prescribe.

(e) The Secretary of State may decline to process a renewal of a driver's license of any person who has not paid any fee or tax due under this Code and is not paid upon reasonable notice and demand.

(f) The Secretary shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall expire 3 months after the licensee's 21st birthday. Persons whose current driver's licenses expire on their 21st birthday on or after January 1, 1986 shall not renew their driver's license before their 21st birthday, and their current driver's license will be extended for an additional term of 3 months beyond their 21st birthday. Thereafter, the expiration and term of the driver's license shall be governed by subsection (a) hereof.

(g) The Secretary shall provide that each original or renewal driver's license issued to a licensee 81 years of age through age 86 shall expire 2 years from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months. The Secretary shall also provide that each original or renewal driver's license issued to a licensee 87 years of age or older shall expire 12 months from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months.

(h) The Secretary of State shall provide that each special restricted driver's license issued under subsection (g) of Section 6-113 of this Code shall expire 12 months from the date of issuance. The Secretary shall adopt rules defining renewal requirements.
(i) The Secretary of State shall provide that each driver's license issued to a person convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall expire 12 months from the date of issuance or at such date as the Secretary may by rule designate, not to exceed an additional 12 calendar months. The Secretary may adopt rules defining renewal requirements.

(Source: P.A. 91-417, eff. 1-1-00; 92-274, eff. 1-1-02.)

(625 ILCS 5/6-201) (from Ch. 95 1/2, par. 6-201)
Sec. 6-201. Authority to cancel licenses and permits.

(a) The Secretary of State is authorized to cancel any license or permit upon determining that the holder thereof:

1. was not entitled to the issuance thereof hereunder; or
2. failed to give the required or correct information in his application; or
3. failed to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due under this Act and upon reasonable notice and demand; or
4. committed any fraud in the making of such application; or

5. is ineligible therefor under the provisions of Section 6-103 of this Act, as amended; or
6. has refused or neglected to submit an alcohol, drug, and intoxicating compound evaluation or to submit to examination or re-examination as required under this Act; or
7. has been convicted of violating the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Use of Intoxicating Compounds Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle,

New matter indicated by italics - deletions by strikeout
shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such. After the cancellation, the Secretary of State shall not issue a new license or permit for a period of one year after the date of cancellation. However, upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety, or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle between the person's residence and person's place of employment or within the scope of the person's employment related duties, or to allow transportation for the person or a household member of the person's family for the receipt of necessary medical care or, if the professional evaluation indicates, provide transportation for the petitioner for alcohol remedial or rehabilitative activity, or for the person to attend classes, as a student, in an accredited educational institution; if the person is able to demonstrate that no alternative means of transportation is reasonably available; provided that the Secretary's discretion shall be limited to cases where undue hardship would result from a failure to issue such restricted driving permit. In each case the Secretary of State may issue such restricted driving permit for such period as he deems appropriate, except that such permit shall expire within one year from the date of issuance. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license issued hereunder may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a driver remedial or rehabilitative program; or

New matter indicated by italics - deletions by strikeout
8. failed to submit a report as required by Section 6-116.5 of this Code; or

9. has been convicted of a sex offense as defined in the Sex Offender Registration Act. The driver's license shall remain cancelled until the driver registers as a sex offender as required by the Sex Offender Registration Act. proof of the registration is furnished to the Secretary of State and the sex offender provides proof of current address to the Secretary.

(b) Upon such cancellation the licensee or permittee must surrender the license or permit so cancelled to the Secretary of State.

(c) Except as provided in Sections 6-206.1 and 7-702.1, the Secretary of State shall have exclusive authority to grant, issue, deny, cancel, suspend and revoke driving privileges, drivers' licenses and restricted driving permits.

(d) The Secretary of State may adopt rules to implement this Section.

(Source: P.A. 94-556, eff. 9-11-05.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-5-3 as follows:

(730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)

Sec. 5-5-3. Disposition.

(a) Except as provided in Section 11-501 of the Illinois Vehicle Code, every person convicted of an offense shall be sentenced as provided in this Section.

(b) The following options shall be appropriate dispositions, alone or in combination, for all felonies and misdemeanors other than those identified in subsection (c) of this Section:

(1) A period of probation.

(2) A term of periodic imprisonment.

(3) A term of conditional discharge.

(4) A term of imprisonment.

(5) An order directing the offender to clean up and repair the damage, if the offender was convicted under paragraph (h) of Section 21-1 of the Criminal Code of 1961 (now repealed).

New matter indicated by italics - deletions by strikeout
(6) A fine.
(7) An order directing the offender to make restitution to the victim under Section 5-5-6 of this Code.
(8) A sentence of participation in a county impact incarceration program under Section 5-8-1.2 of this Code.
(9) A term of imprisonment in combination with a term of probation when the offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act.

Neither a fine nor restitution shall be the sole disposition for a felony and either or both may be imposed only in conjunction with another disposition.

(c) (1) When a defendant is found guilty of first degree murder the State may either seek a sentence of imprisonment under Section 5-8-1 of this Code, or where appropriate seek a sentence of death under Section 9-1 of the Criminal Code of 1961.

(2) A period of probation, a term of periodic imprisonment or conditional discharge shall not be imposed for the following offenses. The court shall sentence the offender to not less than the minimum term of imprisonment set forth in this Code for the following offenses, and may order a fine or restitution or both in conjunction with such term of imprisonment:
   (A) First degree murder where the death penalty is not imposed.
   (B) Attempted first degree murder.
   (C) A Class X felony.
   (D) A violation of Section 401.1 or 407 of the Illinois Controlled Substances Act, or a violation of subdivision (c)(1) or (c)(2) of Section 401 of that Act which relates to more than 5 grams of a substance containing heroin or cocaine or an analog thereof.
   (E) A violation of Section 5.1 or 9 of the Cannabis Control Act.
   (F) A Class 2 or greater felony if the offender had been convicted of a Class 2 or greater felony within 10 years.

New matter indicated by italics - deletions by strikeout
years of the date on which the offender committed the offense for which he or she is being sentenced, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of the Criminal Code of 1961 for which imprisonment is prescribed in those Sections.

(G) Residential burglary, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(H) Criminal sexual assault.

(I) Aggravated battery of a senior citizen.

(J) A forcible felony if the offense was related to the activities of an organized gang.

Before July 1, 1994, for the purposes of this paragraph, "organized gang" means an association of 5 or more persons, with an established hierarchy, that encourages members of the association to perpetrate crimes or provides support to the members of the association who do commit crimes.

Beginning July 1, 1994, for the purposes of this paragraph, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(K) Vehicular hijacking.

(L) A second or subsequent conviction for the offense of hate crime when the underlying offense upon which the hate crime is based is felony aggravated assault or felony mob action.

(M) A second or subsequent conviction for the offense of institutional vandalism if the damage to the property exceeds $300.
(N) A Class 3 felony violation of paragraph (1) of subsection (a) of Section 2 of the Firearm Owners Identification Card Act.


(P) A violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961.

(Q) A violation of Section 20-1.2 or 20-1.3 of the Criminal Code of 1961.


(S) (Blank).

(T) A second or subsequent violation of the Methamphetamine Control and Community Protection Act.

(3) (Blank).

(4) A minimum term of imprisonment of not less than 10 consecutive days or 30 days of community service shall be imposed for a violation of paragraph (c) of Section 6-303 of the Illinois Vehicle Code.

(4.1) (Blank).

(4.2) Except as provided in paragraph (4.3) of this subsection (c), a minimum of 100 hours of community service shall be imposed for a second violation of Section 6-303 of the Illinois Vehicle Code.

(4.3) A minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a second violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.4) Except as provided in paragraph (4.5) and paragraph (4.6) of this subsection (c), a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a third or subsequent violation of Section 6-303 of the Illinois Vehicle Code.

New matter indicated by italics - deletions by strikeout
(4.5) A minimum term of imprisonment of 30 days shall be imposed for a third violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.6) A minimum term of imprisonment of 180 days shall be imposed for a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(5) The court may sentence an offender convicted of a business offense or a petty offense or a corporation or unincorporated association convicted of any offense to:

(A) a period of conditional discharge;
(B) a fine;
(C) make restitution to the victim under Section 5-5-6 of this Code.

(5.1) In addition to any penalties imposed under paragraph (5) of this subsection (c), and except as provided in paragraph (5.2) or (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at least 90 days but not more than one year, if the violation resulted in damage to the property of another person.

(5.2) In addition to any penalties imposed under paragraph (5) of this subsection (c), and except as provided in paragraph (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at least 180 days but not more than 2 years, if the violation resulted in injury to another person.

(5.3) In addition to any penalties imposed under paragraph (5) of this subsection (c), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for 2 years, if the violation resulted in the death of another person.

(6) In no case shall an offender be eligible for a disposition of probation or conditional discharge for a Class I felony.
committed while he was serving a term of probation or conditional discharge for a felony.

(7) When a defendant is adjudged a habitual criminal under Article 33B of the Criminal Code of 1961, the court shall sentence the defendant to a term of natural life imprisonment.

(8) When a defendant, over the age of 21 years, is convicted of a Class 1 or Class 2 felony, after having twice been convicted in any state or federal court of an offense that contains the same elements as an offense now classified in Illinois as a Class 2 or greater Class felony and such charges are separately brought and tried and arise out of different series of acts, such defendant shall be sentenced as a Class X offender. This paragraph shall not apply unless (1) the first felony was committed after the effective date of this amendatory Act of 1977; and (2) the second felony was committed after conviction on the first; and (3) the third felony was committed after conviction on the second. A person sentenced as a Class X offender under this paragraph is not eligible to apply for treatment as a condition of probation as provided by Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(9) A defendant convicted of a second or subsequent offense of ritualized abuse of a child may be sentenced to a term of natural life imprisonment.

(10) (Blank).

(11) The court shall impose a minimum fine of $1,000 for a first offense and $2,000 for a second or subsequent offense upon a person convicted of or placed on supervision for battery when the individual harmed was a sports official or coach at any level of competition and the act causing harm to the sports official or coach occurred within an athletic facility or within the immediate vicinity of the athletic facility at which the sports official or coach was an active participant of the athletic contest held at the athletic facility. For the purposes of this paragraph (11), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; "athletic facility" means an indoor or

New matter indicated by italics - deletions by strikeout
outdoor playing field or recreational area where sports activities are conducted; and "coach" means a person recognized as a coach by the sanctioning authority that conducted the sporting event.

(12) A person may not receive a disposition of court supervision for a violation of Section 5-16 of the Boat Registration and Safety Act if that person has previously received a disposition of court supervision for a violation of that Section.

(d) In any case in which a sentence originally imposed is vacated, the case shall be remanded to the trial court. The trial court shall hold a hearing under Section 5-4-1 of the Unified Code of Corrections which may include evidence of the defendant's life, moral character and occupation during the time since the original sentence was passed. The trial court shall then impose sentence upon the defendant. The trial court may impose any sentence which could have been imposed at the original trial subject to Section 5-5-4 of the Unified Code of Corrections. If a sentence is vacated on appeal or on collateral attack due to the failure of the trier of fact at trial to determine beyond a reasonable doubt the existence of a fact (other than a prior conviction) necessary to increase the punishment for the offense beyond the statutory maximum otherwise applicable, either the defendant may be re-sentenced to a term within the range otherwise provided or, if the State files notice of its intention to again seek the extended sentence, the defendant shall be afforded a new trial.

(e) In cases where prosecution for aggravated criminal sexual abuse under Section 12-16 of the Criminal Code of 1961 results in conviction of a defendant who was a family member of the victim at the time of the commission of the offense, the court shall consider the safety and welfare of the victim and may impose a sentence of probation only where:

(1) the court finds (A) or (B) or both are appropriate:

(A) the defendant is willing to undergo a court approved counseling program for a minimum duration of 2 years; or

(B) the defendant is willing to participate in a court approved plan including but not limited to the defendant's:

New matter indicated by italics - deletions by strikeout
(i) removal from the household;
(ii) restricted contact with the victim;
(iii) continued financial support of the family;
(iv) restitution for harm done to the victim; and
(v) compliance with any other measures that the court may deem appropriate; and

(2) the court orders the defendant to pay for the victim's counseling services, to the extent that the court finds, after considering the defendant's income and assets, that the defendant is financially capable of paying for such services, if the victim was under 18 years of age at the time the offense was committed and requires counseling as a result of the offense.

Probation may be revoked or modified pursuant to Section 5-6-4; except where the court determines at the hearing that the defendant violated a condition of his or her probation restricting contact with the victim or other family members or commits another offense with the victim or other family members, the court shall revoke the defendant's probation and impose a term of imprisonment.

For the purposes of this Section, "family member" and "victim" shall have the meanings ascribed to them in Section 12-12 of the Criminal Code of 1961.

(f) This Article shall not deprive a court in other proceedings to order a forfeiture of property, to suspend or cancel a license, to remove a person from office, or to impose any other civil penalty.

(g) Whenever a defendant is convicted of an offense under Sections 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961, the defendant shall undergo medical testing to determine whether the defendant has any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Any such medical test shall be performed only by appropriately
licensed medical practitioners and may include an analysis of any bodily fluids as well as an examination of the defendant's person. Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of the test results. The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or legal guardian of the test results. The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-16.2 of the Criminal Code of 1961 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(g-5) When an inmate is tested for an airborn communicable disease, as determined by the Illinois Department of Public Health including but not limited to tuberculosis, the results of the test shall be personally delivered by the warden or his or her designee in a sealed envelope to the judge of the court in which the inmate must appear for the judge's inspection in camera if requested by the judge. Acting in accordance with the best interests of those in the courtroom, the judge shall have the discretion to determine what if any precautions need to be taken to prevent transmission of the disease in the courtroom.

(h) Whenever a defendant is convicted of an offense under Section 1 or 2 of the Hypodermic Syringes and Needles Act, the defendant shall
undergo medical testing to determine whether the defendant has been exposed to human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of a positive test showing an infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-16.2 of the Criminal Code of 1961 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(i) All fines and penalties imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(j) In cases when prosecution for any violation of Section 11-6, 11-8, 11-9, 11-11, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961, any violation of the Illinois Controlled Substances Act, any violation of the Cannabis Control Act, or any violation of the Methamphetamine Control and Community Protection Act results in conviction, a disposition of court supervision, or an order of
probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substance Act, or Section 70 of the Methamphetamine Control and Community Protection Act of a defendant, the court shall determine whether the defendant is employed by a facility or center as defined under the Child Care Act of 1969, a public or private elementary or secondary school, or otherwise works with children under 18 years of age on a daily basis. When a defendant is so employed, the court shall order the Clerk of the Court to send a copy of the judgment of conviction or order of supervision or probation to the defendant's employer by certified mail. If the employer of the defendant is a school, the Clerk of the Court shall direct the mailing of a copy of the judgment of conviction or order of supervision or probation to the appropriate regional superintendent of schools. The regional superintendent of schools shall notify the State Board of Education of any notification under this subsection.

(j-5) A defendant at least 17 years of age who is convicted of a felony and who has not been previously convicted of a misdemeanor or felony and who is sentenced to a term of imprisonment in the Illinois Department of Corrections shall as a condition of his or her sentence be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program offered by the Department of Corrections. If a defendant fails to complete the educational training required by his or her sentence during the term of incarceration, the Prisoner Review Board shall, as a condition of mandatory supervised release, require the defendant, at his or her own expense, to pursue a course of study toward a high school diploma or passage of the GED test. The Prisoner Review Board shall revoke the mandatory supervised release of a defendant who wilfully fails to comply with this subsection (j-5) upon his or her release from confinement in a penal institution while serving a mandatory supervised release term; however, the inability of the defendant after making a good faith effort to obtain financial aid or pay for the educational

New matter indicated by italics - deletions by strikeout
training shall not be deemed a wilful failure to comply. The Prisoner Review Board shall recommit the defendant whose mandatory supervised release term has been revoked under this subsection (j-5) as provided in Section 3-3-9. This subsection (j-5) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (j-5) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(k) A court may not impose a sentence or disposition for a felony or misdemeanor that requires the defendant to be implanted or injected with or to use any form of birth control.

(l) (A) Except as provided in paragraph (C) of subsection (l), whenever a defendant, who is an alien as defined by the Immigration and Nationality Act, is convicted of any felony or misdemeanor offense, the court after sentencing the defendant may, upon motion of the State's Attorney, hold sentence in abeyance and remand the defendant to the custody of the Attorney General of the United States or his or her designated agent to be deported when:

1. a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and
2. the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

Otherwise, the defendant shall be sentenced as provided in this Chapter V.

(B) If the defendant has already been sentenced for a felony or misdemeanor offense, or has been placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act, the court may, upon motion of the State's Attorney to suspend the sentence imposed, commit the defendant to the custody of the Attorney General of the United States or his or her designated agent when:

New matter indicated by italics - deletions by strikeout
(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

(C) This subsection (l) does not apply to offenders who are subject to the provisions of paragraph (2) of subsection (a) of Section 3-6-3.

(D) Upon motion of the State's Attorney, if a defendant sentenced under this Section returns to the jurisdiction of the United States, the defendant shall be recommitted to the custody of the county from which he or she was sentenced. Thereafter, the defendant shall be brought before the sentencing court, which may impose any sentence that was available under Section 5-5-3 at the time of initial sentencing. In addition, the defendant shall not be eligible for additional good conduct credit for meritorious service as provided under Section 3-6-6.

(m) A person convicted of criminal defacement of property under Section 21-1.3 of the Criminal Code of 1961, in which the property damage exceeds $300 and the property damaged is a school building, shall be ordered to perform community service that may include cleanup, removal, or painting over the defacement.

(n) The court may sentence a person convicted of a violation of Section 12-19, 12-21, or 16-1.3 of the Criminal Code of 1961 (i) to an impact incarceration program if the person is otherwise eligible for that program under Section 5-8-1.1, (ii) to community service, or (iii) if the person is an addict or alcoholic, as defined in the Alcoholism and Other Drug Abuse and Dependency Act, to a substance or alcohol abuse program licensed under that Act.

(o) Whenever a person is convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act, the defendant's driver's license or permit shall be subject to renewal on an annual basis in

New matter indicated by italics - deletions by strikeout
accordance with the provisions of license renewal established by the Secretary of State.
(Source: P.A. 93-44, eff. 7-1-03; 93-156, eff. 1-1-04; 93-169, eff. 7-10-03; 93-301, eff. 1-1-04; 93-419, eff. 1-1-04; 93-546, eff. 1-1-04; 93-694, eff. 7-9-04; 93-782, eff. 1-1-05; 93-800, eff. 1-1-05; 93-1014, eff. 1-1-05; 94-72, eff. 1-1-06; 94-556, eff. 9-11-05; revised 8-19-05.)

Section 99. Effective date. This Act takes effect on January 1, 2007.
Passed in the General Assembly April 6, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-0994
(Senate Bill No. 3016)

AN ACT concerning sex offenders.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Sex Offender Registration Act is amended by changing Section 3 as follows:
(730 ILCS 150/3) (from Ch. 38, par. 223)
Sec. 3. Duty to register.
(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the employer's telephone number, school attended, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the offense.

New matter indicated by italics - deletions by strikeout
commission of the offense, and any distinguishing marks located on the body of the sex offender. A person who has been adjudicated a juvenile delinquent for an act which, if committed by an adult, would be a sex offense shall register as an adult sex offender within 10 days after attaining 17 years of age. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 5 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 5 or more days in an unincorporated area or, if incorporated, no police chief exists.

If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall register:

(i) with the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(ii) with the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 5 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 5 days after ceasing to have a fixed residence.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each
weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 5 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. The out-of-state student or out-of-state employee shall register:

(1) with the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 5 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

New matter indicated by italics - deletions by strikeout
(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 5 days of notification of his or her requirement to register. If notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 5 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within 5 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a $20 initial registration fee and a $10 annual renewal fee. The fees shall be used by the registering agency for official purposes. The agency shall establish procedures

New matter indicated by italics - deletions by strikeout
to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Ten dollars for the initial registration fee and $5 of the annual renewal fee shall be used by the registering agency for official purposes. Ten dollars of the initial registration fee and $5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used to fund practices endorsed or required by the Sex Offender Management Board Act including but not limited to sex offenders evaluation, treatment, or monitoring programs that are or may be developed, as well as for administrative costs, including staff, incurred by the Board.

(d) Within 5 days after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

Section 10. The Sex Offender and Child Murderer Community Notification Law is amended by changing Sections 115 and 120 as follows:

(730 ILCS 152/115)
Sec. 115. Sex offender database.
(a) The Department of State Police shall establish and maintain a Statewide Sex Offender Database for the purpose of identifying sex offenders and making that information available to the persons specified in Sections 120 and 125 of this Law. The Database shall be created from the Law Enforcement Agencies Data System (LEADS) established under

New matter indicated by italics - deletions by strikeout
Section 6 of the Intergovernmental Missing Child Recovery Act of 1984. The Department of State Police shall examine its LEADS database for persons registered as sex offenders under the Sex Offender Registration Act and shall identify those who are sex offenders and shall add all the information, including photographs if available, on those sex offenders to the Statewide Sex Offender Database.

(b) The Department of State Police must make the information contained in the Statewide Sex Offender Database accessible on the Internet by means of a hyperlink labeled "Sex Offender Information" on the Department's World Wide Web home page. The Department must make the information contained in the Statewide Sex Offender Database searchable via a mapping system which identifies registered sex offenders living within 5 miles of an identified address. The Department of State Police must update that information as it deems necessary.

The Department of State Police may require that a person who seeks access to the sex offender information submit biographical information about himself or herself before permitting access to the sex offender information. The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this subsection (b) and those rules must include procedures to ensure that the information in the database is accurate.

(c) The Department of State Police, Sex Offender Registration Unit, must develop and conduct training to educate all those entities involved in the Sex Offender Registration Program.

(730 ILCS 152/120)
Sec. 120. Community notification of sex offenders.
(a) The sheriff of the county, except Cook County, shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county where the sex offender is

New matter indicated by italics - deletions by strikeout
required to register, resides, is employed, or is attending an institution of higher education; and

(2) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the county where the sex offender is required to register or is employed; and

(3) Child care facilities located in the county where the sex offender is required to register or is employed.

(a-2) The sheriff of Cook County shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located within the region of Cook County, as those public school districts and nonpublic schools are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; and

(2) Child care facilities located within the region of Cook County, as those child care facilities are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education.

(a-3) The Chicago Police Department shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the police district where the sex

New matter indicated by italics - deletions by strikeout
offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(2) Child care facilities located in the police district where the sex offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago.

(a-4) The Department of State Police shall provide a list of sex offenders required to register to the Illinois Department of Children and Family Services.

(b) The Department of State Police and any law enforcement agency may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a sex offender, or sexual predator:

(1) The offender's name, address, and date of birth.
(2) The offense for which the offender was convicted.
(3) Adjudication as a sexually dangerous person.
(4) The offender's photograph or other such information that will help identify the sex offender.
(5) Offender employment information, to protect public safety.

(c) The name, address, date of birth, and offense or adjudication, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender for sex offenders required to register under Section 3 of the Sex Offender Registration Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all

New matter indicated by italics - deletions by strikeout
sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The sheriff shall also make available at his or her headquarters the information on all sex offenders who are required to register under that Act and who live in unincorporated areas of the county. Sex offender information must be made available for public inspection to any person, no later than 72 hours or 3 business days from the date of the request. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information may be copied. A department or sheriff may charge a fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting. A department or sheriff must allow access to the information during normal public working hours. The sheriff or a municipal police department may publish the photographs of sex offenders where any victim was 13 years of age or younger and who are required to register in the municipality or county under the Sex Offender Registration Act in a newspaper or magazine of general circulation in the municipality or county or may disseminate the photographs of those sex offenders on the Internet or on television. The law enforcement agency may make available the information on all sex offenders residing within any county.

(d) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, place the information specified in subsection (b) on the Internet or in other media.

(e) (Blank).

(f) The administrator of a transitional housing facility for sex offenders shall comply with the notification procedures established in paragraph (4) of subsection (b) of Section 3-17-5 of the Unified Code of Corrections.

(g) A principal or teacher of a public or private elementary or secondary school shall notify the parents of children attending the school during school registration or during parent-teacher conferences that information about sex offenders is available to the public as provided in this Act.

New matter indicated by italics - deletions by strikeout
AN ACT in relation to economic development.

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

Section 1. Short title. This Act may be cited as the Central Illinois Economic Development Authority Act.

Section 5. Findings. The General Assembly determines and declares the following:

(1) that labor surplus areas currently exist in central Illinois;

(2) that the economic burdens resulting from involuntary unemployment fall, in part, upon the State in the form of increased need for public assistance and reduced tax revenues and, in the event that the unemployed worker and his or her family migrate elsewhere to find work, the burden may also fall upon the municipalities and other taxing districts within the areas of unemployment in the form of reduced tax revenues, thereby endangering their financial ability to support necessary governmental services for their remaining inhabitants;

(3) that the State has a responsibility to help create a favorable climate for new and improved job opportunities for its citizens by encouraging the development of commercial and service businesses and industrial and manufacturing plants within central Illinois;

(4) that a lack of decent housing contributes to urban blight, crime, anti-social behavior, disease, a higher need for public assistance, reduced tax revenues, and the migration of workers and their families away from areas which fail to offer adequate, decent, and affordable housing, leading to the disconnection of younger generations from their elderly relations;

New matter indicated by italics - deletions by strikeout
that decent, affordable housing is a necessary ingredient of life
affording each citizen basic human dignity, a sense of self-worth,
confidence, and a firm foundation upon which to build a family, educate
children, and live out their elderly years in dignity;

(6) that in order to foster civic and neighborhood pride, citizens
require access to educational institutions, recreation, parks and open
spaces, entertainment, sports, a reliable transportation network, cultural
facilities, and theaters; and

(7) that the main purpose of this Act is to promote industrial,
commercial, residential, service, transportation, and recreational activities
and facilities, thereby reducing the evils attendant upon unemployment and
enhancing the public health, safety, morals, happiness, and general welfare
of the State.

Section 10. Definitions. In this Act:
"Authority" means the Central Illinois Economic Development
Authority.

"Governmental agency" means any federal, State, or local
governmental body and any agency or instrumentality thereof, corporate or
otherwise.

"Person" means any natural person, firm, partnership, corporation,
both domestic and foreign, company, association or joint stock association
and includes any trustee, receiver, assignee or personal representative
thereof.

"Revenue bond" means any bond issued by the Authority, the
principal and interest of which is payable solely from revenues or income
derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Central Illinois
Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

"City" means any city, village, incorporated town, or township
within the geographical territory of the Authority.

"Industrial project" means the following:
(1) a capital project, including one or more buildings and other
structures, improvements, machinery and equipment whether or not on the

New matter indicated by italics - deletions by strikeout
same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or

New matter indicated by italics - deletions by strikeout
corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;

(2) financing charges;

(3) interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;

(4) engineering and legal expenses; and
(5) the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

Section 15. Creation.
(a) There is created a political subdivision, body politic, and municipal corporation named the Central Illinois Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of the following counties: Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 15 members as follows:

(1) Ex officio members. The Director of Commerce and Economic Opportunity, or a designee of that Department, shall serve as an ex officio member.

(2) Public members. Three members shall be appointed by the Governor with the advice and consent of the Senate. The county board chairperson of the following counties shall each appoint one member: Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey. All public members shall reside within the territorial jurisdiction of the Authority. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, state or local government, commercial agriculture, small business management, real estate development, community development, venture finance, organized labor, or civic or community organization.

(c) 8 members shall constitute a quorum.

New matter indicated by italics - deletions by strikeout
(d) The chairperson of the Authority shall be elected annually by
the Board and must be a public member that resides within the territorial
jurisdiction of the Authority.

(e) The terms of all initial members of the Authority shall begin 30
days after the effective date of this Act. Of the 3 original public members
appointed by the Governor, 1 shall serve until the third Monday in
January, 2007; 1 shall serve until the third Monday in January, 2008; 1
shall serve until the third Monday in January, 2009. The initial terms of
the original public members appointed by the county board chairpersons
shall be determined by lot, according to the following schedule: (i) 3 shall
serve until the third Monday in January, 2007, (ii) 3 shall serve until the
third Monday in January, 2008, (iii) 3 shall serve until the third Monday in
January, 2009, and (iv) 2 shall serve until the third Monday in January,
2010. All successors to these original public members shall be appointed
by the original appointing authority and all appointments made by the
Governor shall be made with the advice and consent of the Senate,
pursuant to subsection (b), and shall hold office for a term of 6 years
commencing the third Monday in January of the year in which their term
commences, except in the case of an appointment to fill a vacancy.

Vacancies occurring among the public members shall be filled for the
remainer of the term. In case of vacancy in a Governor-appointed
membership when the Senate is not in session, the Governor may make a
temporary appointment until the next meeting of the Senate when a person
shall be nominated to fill the office and, upon confirmation by the Senate,
he or she shall hold office during the remainder of the term and until a
successor is appointed and qualified. Members of the Authority are not
entitled to compensation for their services as members but are entitled to
reimbursement for all necessary expenses incurred in connection with the
performance of their duties as members.

(f) The Governor may remove any public member of the Authority
appointed by the Governor or a predecessor Governor in case of
incompetence, neglect of duty, or malfeasance in office. The chairperson
of a county board may remove any public member appointed by that

New matter indicated by italics - deletions by strikeout
chairperson or a predecessor county board chairperson in case of incompetence, neglect of duty, or malfeasance in office.

(g) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate, or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, perform such other duties as may be prescribed from time to time by the members, and receive compensation fixed by the Authority. The Department of Commerce and Economic Opportunity shall pay the compensation of the Executive Director from appropriations received for that purpose. The Executive Director shall hold all meetings of the Authority. However, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of the Illinois Finance Authority, attorneys, appraisers, engineers, accountants, credit analysts, and other consultants if the Central Illinois Economic Development Authority deems it advisable.

Section 20. Duty. All official acts of the Authority shall require the approval of at least 8 members. It shall be the duty of the Authority to promote development within the geographic confines of Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey counties. The Authority shall use the powers conferred upon it to assist in the development, construction, and acquisition of industrial, commercial, housing, or residential projects within its territorial jurisdiction.

Section 25. Powers.

(a) The Authority possesses all the powers of a body corporate necessary and convenient to accomplish the purposes of this Act, including, without any intended limitation upon the general powers hereby conferred, the following powers:

New matter indicated by italics - deletions by strikeout
(1) to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;
   (2) to sue and be sued;
   (3) to utilize services of the Illinois Finance Authority necessary to carry out its purposes;
   (4) to have and use a common seal and to alter the seal at its discretion;
   (5) to adopt all needful ordinances, resolutions, bylaws, rules, and regulations for the conduct of its business and affairs and for the management and use of the projects developed, constructed, acquired, and improved in furtherance of its purposes;
   (6) to designate the fiscal year for the Authority;
   (7) to accept and expend appropriations;
   (8) to acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated on that real property and in personal property necessary to fulfill the purposes of the Authority;
   (9) to engage in any activity or operation which is incidental to and in furtherance of efficient operation to accomplish the Authority's primary purpose;
   (10) to acquire, own, construct, lease, operate, and maintain bridges, terminals, terminal facilities, and port facilities and to fix and collect just, reasonable, and nondiscriminatory charges for the use of such facilities. These charges shall be used to defray the reasonable expenses of the Authority and to pay the principal and interest of any revenue bonds issued by the Authority;
   (11) subject to any applicable condition imposed by this Act, to locate, establish and maintain a public airport, public airports, and public airport facilities within its corporate limits or within or upon any body of water adjacent thereto and to construct, develop, expand, extend, and improve any such airport or airport facility; and

New matter indicated by italics - deletions by strikeout
(12) to have and exercise all powers and be subject to all duties usually incident to boards of directors of corporations.

(b) The Authority shall not issue any bonds relating to the financing of a project located within the planning and subdivision control jurisdiction of any municipality or county unless: (i) notice, including a description of the proposed project and the financing for that project, is submitted to the corporate authorities of the municipality or, in the case of a proposed project in an unincorporated area, to the county board and (ii) the corporate authorities of the municipality do not, or the county board does not, adopt a resolution disapproving the project within 45 days after receipt of the notice.

(c) If any of the powers set forth in this Act are exercised within the jurisdictional limits of any municipality, all ordinances of the municipality remain in full force and effect and are controlling.

Section 30. Tax avoidance. Notwithstanding any other provision of law, the Authority shall not enter into any agreement providing for the purchase and lease of tangible personal property which results in the avoidance of taxation under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, or the Service Occupation Tax Act, without the prior written consent of the Governor.

Section 35. Bonds.

(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount not to exceed $250,000,000 for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; and (iii) acquisition and improvement of any property necessary and useful in connection therewith. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also
from time to time issue and dispose of such bonds, notes, or other
evidences of indebtedness to refund, at maturity, at a redemption date or in
advance of either, any bonds, notes, or other evidences of indebtedness
pursuant to redemption provisions or at any time before maturity. All such
bonds, notes, or other evidences of indebtedness shall be payable solely
and only from the revenues or income to be derived from loans made with
respect to projects, from the leasing or sale of the projects, or from any
other funds available to the Authority for such purposes. The bonds, notes,
or other evidences of indebtedness may bear such date or dates, may
mature at such time or times not exceeding 40 years from their respective
dates, may bear interest at such rate or rates not exceeding the maximum
rate permitted by the Bond Authorization Act, may be in such form, may
carry such registration privileges, may be executed in such manner, may be
payable at such place or places, may be made subject to redemption in
such manner and upon such terms, with or without premium, as is stated
on the face thereof, may be authenticated in such manner and may contain
such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of
indebtedness issued by the Authority may bring suits at law or proceedings
in equity to compel the performance and observance by any corporation or
person or by the Authority or any of its agents or employees of any
contract or covenant made with the holders of the bonds, notes, or other
evidences of indebtedness, to compel such corporation, person, the
Authority, and any of its agents or employees to perform any duties
required to be performed for the benefit of the holders of the bonds, notes,
or other evidences of indebtedness by the provision of the resolution
authorizing their issuance and to enjoin the corporation, person, the
Authority, and any of its agents or employees from taking any action in
conflict with any contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of
the bonds or premium, if any, as the bond becomes due, a civil action to
compel payment may be instituted in the appropriate circuit court by the
holder or holders of the bonds on which the default of payment exists or
by an indenture trustee acting on behalf of the holders. Delivery of a

New matter indicated by italics - deletions by strikeout
summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or
security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

Section 40. Bonds and notes; exemption from taxation. The creation of the Authority is in all respects for the benefit of the people of Illinois and for the improvement of their health, safety, welfare, comfort, and security, and its purposes are public purposes. In consideration thereof, the notes and bonds of the Authority issued pursuant to this Act and the income from these notes and bonds may be free from all taxation by the State or its political subdivisions, except for estate, transfer, and
inheriting

The exemption from taxation provided by the preceding sentence shall apply to the income on any notes or bonds of the Authority only if the Authority in its sole judgment determines that the exemption enhances the marketability of the bonds or notes or reduces the interest rates that would otherwise be borne by the bonds or notes. For purposes of Section 250 of the Illinois Income Tax Act, the exemption of the Authority shall terminate after all of the bonds have been paid. The amount of such income that shall be added and then subtracted on the Illinois income tax return of a taxpayer, subject to Section 203 of the Illinois Income Tax Act, from federal adjusted gross income or federal taxable income in computing Illinois base income shall be the interest net of any bond premium amortization.

Section 45. Acquisition.
(a) The Authority may, but need not, acquire title to any project with respect to which it exercises its authority.
(b) The Authority shall have power to acquire by purchase, lease, gift, or otherwise any property or rights therein from any person or persons, the State of Illinois, any municipal corporation, any local unit of government, the government of the United States and any agency or instrumentality of the United States, any body politic, or any county useful for its purposes, whether improved for the purposes of any prospective project or unimproved. The Authority may also accept any donation of funds for its purposes from any of these sources.
(c) The Authority shall have power to develop, construct, and improve, either under its own direction or through collaboration with any approved applicant, or to acquire, through purchase or otherwise, any project, using for this purpose the proceeds derived from its sale of revenue bonds, notes, or other evidences of indebtedness or governmental loans or grants and shall have the power to hold title to those projects in the name of the Authority.
(d) The Authority shall have the power to enter into intergovernmental agreements with the State of Illinois, the counties of Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey, the Illinois Finance Authority,
the Illinois Housing Development Authority, the United States government and any agency or instrumentality of the United States, any unit of local government located within the territory of the Authority, or any other unit of government to the extent allowed by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act.

(e) The Authority shall have the power to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois, and agencies or personnel of any unit of local government.

(f) The Authority shall have the power to exercise powers and issue bonds as if it were a municipality so authorized in Divisions 12.1, 74, 74.1, 74.3, and 74.5 of Article 11 of the Illinois Municipal Code.

Section 55. Designation of depository. The Authority shall biennially designate a national or State bank or banks as depositories of its money. Such depositories shall be designated only within the State and upon condition that bonds approved as to form and surety by the Authority and at least equal in amount to the maximum sum expected to be on deposit at any one time shall be first given by such depositories to the Authority, such bonds to be conditioned for the safe keeping and prompt repayment of such deposits. When any of the funds of the Authority shall be deposited by the treasurer in any such depository, the treasurer and the sureties on his or her official bond shall, to such extent, be exempt from liability for the loss of any such deposited funds by reason of the failure, bankruptcy, or any other act or default of such depository; provided that the Authority may accept assignments of collateral by any depository of its funds to secure such deposits to the same extent and conditioned in the same manner as assignments of collateral are permitted by law to secure deposits of the funds of any city.

Section 60. Taxation prohibited. The Authority shall have no right or authority to levy any tax or special assessment, to pledge the credit of the State or any other subdivision or municipal corporation thereof, or to incur any obligation enforceable upon any property, either within or without the territory of the Authority.
Section 65. Fees. The Authority may collect fees and charges in connection with its loans, commitments, and servicing and may provide technical assistance in the development of the region.

Section 70. Reports. The Authority shall annually submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly.

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

Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-0996
(Senate Bill No. 2360)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Mississippi River Coordinating Council Act.

Section 5. Legislative Purpose. The Mississippi River is the primary water artery for the economic development of the United States. The restoration and conservation of the Mississippi River and its tributaries is in the economic and ecological interest of the citizens of this State. It is further in the public interest to establish, implement and monitor water management projects run by local, state, federal and not-for-profit entities.

Section 10. Mississippi River Coordinating Council.
(a) There is established the Mississippi River Coordinating Council (Council), consisting of 13 voting members to be appointed by the Governor. One member shall be the Lieutenant Governor who shall serve as a voting member and as chairperson of the Council. The agency members of the Council shall include the Directors, or their designees, of the following: the Department of Agriculture, the Department of
Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Department of Natural Resources, and the Department of Transportation. In addition, the Council shall include one member representing Soil and Water Conservation Districts located in the proximity of the Mississippi River and its tributaries, and 6 members representing local communities, not-for-profit organizations working to protect the Mississippi River and its tributaries, businesses, agriculture, recreation, conservation, and the environment.

(b) The Governor may appoint, as ex-officio members, individuals representing the interests of the states who border the Mississippi River and individuals representing federal agencies.

(c) Members of the Council shall serve 2-year terms, except that of the initial appointments, 5 members shall be appointed to serve 3-year terms and 4 members to serve one-year terms.

(d) The Council shall meet at least quarterly.

(e) The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council's activities. The Office may reimburse members of the Council for travel expenses.

(f) This Section is subject to the provisions of Section 405-500 of the Department of Central Management Services Law.

Section 15. Duties of the Council. The Council shall:

(1) periodically review activities and programs administered by State and federal agencies that directly impact the Mississippi River and its tributaries;

(2) work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices;

(3) work with State and federal agencies to optimize the expenditure of funds affecting the Mississippi River and its tributaries;

New matter indicated by italics - deletions by strikeout
(4) advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Mississippi River and its tributaries;

(5) encourage local communities to develop water management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management, and conservation of the Mississippi River and its tributaries, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and

(6) help identify possible sources of additional funding for Mississippi River water management projects.

Section 20. Agency duties. State agencies represented on the Council shall provide to the Council, on request, information concerning agency programs, data, and activities that impact the restoration and preservation of the Mississippi River and its tributaries.

Passed in the General Assembly April 6, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-0997
(Senate Bill No. 2368)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Racial Profiling Prevention and Data Oversight Act.

Section 5. Legislative purpose. The purpose of this Act is to identify and address bias-based policing through the monitoring, review,
and improvement of the collection of racial profiling information collected under the Illinois Traffic Stop Statistical Study. Through this data collection and review, a more accurate understanding of this problem can be obtained, thus allowing the concerns of the motoring public to be better addressed, resources such as specialized training to be provided, the honest efforts of Illinois' law enforcement professionals to be demonstrated, and the civil rights of all Illinois citizens to be protected.

Section 10. Definitions. As used in this Act:
(a) "Oversight Board" means the Racial Profiling Prevention and Data Oversight Board established under this Act.
(b) "Department" means the Illinois Department of Transportation.
(c) "Traffic Stop Statistical Study Act" means Section 11-212 of the Illinois Vehicle Code.

Section 15. Oversight Board.
(a) There is created within the Department a Racial Profiling Prevention and Data Oversight Board, consisting of 15 members, which shall independently exercise its powers, duties, and responsibilities. The Board shall have the authority to allow additional participation from various groups that the Board deems necessary for additional input.
(b) The membership of the Oversight Board shall consist of:
   (1) 4 legislators appointed by the General Assembly leadership equally apportioned between the 2 houses and political parties;
   (2) the Attorney General or his or her designee;
   (3) the Secretary of the Illinois Department of Transportation or his or her designee;
   (4) the Director of the Illinois State Police or his or her designee;
   (5) 3 members of county or city law enforcement agencies, representing jurisdictions of varied size and geography, appointed by the Governor;
   (6) 4 members of community organizations representing minority interests, appointed by the Governor; and

New matter indicated by italics - deletions by strikeout
(7) one member of the Illinois academic community with specific expertise in both statistical analysis and law enforcement, appointed by the Governor.

(c) All members shall serve 2 years and until their successors are appointed. Members may be reappointed for an unlimited number of terms. The Oversight Board shall meet at least quarterly.

Section 20. Chairpersons. From the membership of the Board, the Governor shall designate the chair and vice chair, who shall serve at the discretion of the Governor. Chairpersons shall serve in that capacity for a term not to exceed 2 years.

Section 25. Funding. Funding to implement this Act shall be appropriated by the General Assembly to the Department.

Section 30. Compensation. Members of the Oversight Board shall serve without compensation. Members may be reimbursed by the Department for reasonable expenses incurred in connection with their duties.

Section 35. Staffing. The Secretary of the Department shall employ or assign, in accordance with the provisions of the Illinois Personnel Code, the administrative, professional, clerical, and other personnel required and may organize his or her staff as may be appropriate to effectuate the purposes, powers, duties, and responsibilities contained in this Act.

Section 40. Powers and Duties of the Oversight Board. The Oversight Board shall have the following powers, duties, and responsibilities:

(a) To operate purely as an advisory body. Any changes to rules and policy promoted by the Oversight Board are only recommendations, which may be reported to the Governor, the Secretary of State, and the General Assembly or to appropriate law enforcement agencies.

(b) To coordinate the development, adoption, and implementation of plans and strategies to eliminate racial profiling in Illinois and to coordinate the development, adoption, and implementation of plans and strategies to create public awareness programs in minority communities, designed to educate individuals regarding racial profiling and their civil rights.

New matter indicated by italics - deletions by strikeout
(c) To promulgate model policies for police agencies that are designed to protect individuals' civil rights related to police traffic enforcement and to recommend to law enforcement agencies model rules as may be necessary to effectuate training regarding data collection and mechanisms to engage those agencies who willfully fail to comply with the requirements of the Traffic Stop Statistical Study Act.

(d) To study and to issue reports and recommendations to the Governor, the Secretary of State, and the General Assembly regarding the following subjects by the following dates:

(1) no later than July 1, 2008, regarding strategies to improve the benchmark data available to identify the race, ethnicity, and geographical residence of the Illinois driving population, beginning on August 1, 2008, with the collection of race and ethnicity data on new and renewal applicants for driver's licenses. This data shall be available for statistical benchmark comparison purposes only;

(2) no later than January 1, 2009, regarding data collection requirements with respect to additional race and ethnicity categories to be added to the traffic stop statistical study in order to improve data collection among unreported and under-reported minority populations. The Board shall study, and recommend if required, at a minimum, data collection strategies, categories, and benchmarks for persons of Middle-Eastern origin. The Board shall also study stops lasting over 30 minutes and define categorical reasons for the extended stops;

(3) no later than July 1, 2009, regarding technological solutions to aid in the identification, elimination, and prevention of racial profiling and to recommend funding sources for statewide implementation of the technological solutions;

(4) no later than January 1, 2010, regarding whether Illinois should continue the mandatory data collection required under this Act, as well as the best practices of data collection as related to the identification, elimination, and prevention of bias-based policing; and

New matter indicated by italics - deletions by strikeout
(5) on or before April 1 of each year, regarding the
Oversight Board's activities during the previous fiscal year.
Section 90. The Illinois Vehicle Code is amended by changing
Section 11-212 as follows:
(625 ILCS 5/11-212)
Sec. 11-212. Traffic stop statistical study.
(a) Whenever From January 1, 2004 until December 31, 2007,
whenever a State or local law enforcement officer issues a uniform traffic
citation or warning citation for an alleged violation of the Illinois Vehicle
Code, he or she shall record at least the following:
(1) the name, address, gender, and the officer's subjective
determination of the race of the person stopped; the person's race
shall be selected from the following list: Caucasian, African-
American, Hispanic, Native American/Alaska Native, or
Asian/Pacific Islander;
(2) the alleged traffic violation that led to the stop of the
motorist;
(3) the make and year of the vehicle stopped;
(4) the date and time of the stop, beginning when the
vehicle was stopped and ending when the driver is free to leave or
taken into physical custody;
(5) the location of the traffic stop;
(5.5) whether or not a consent search contemporaneous to
the stop was requested of the vehicle, driver, passenger, or
passengers; and, if so, whether consent was given or denied;
(6) whether or not a search contemporaneous to the stop
was conducted of the vehicle, driver, passenger, or passengers; and,
if so, whether it was with consent or by other means; and
(6.5) whether or not contraband was found during a
search; and, if so, the type and amount of contraband seized; and
(7) the name and badge number of the issuing officer.
(b) Whenever From January 1, 2004 until December 31, 2007,
whenever a State or local law enforcement officer stops a motorist for an
alleged violation of the Illinois Vehicle Code and does not issue a uniform

New matter indicated by italics - deletions by strikeout
traffic citation or warning citation for an alleged violation of the Illinois Vehicle Code, he or she shall complete a uniform stop card, which includes field contact cards, or any other existing form currently used by law enforcement containing information required pursuant to this Act, that records at least the following:

(1) the name, address, gender, and the officer's subjective determination of the race of the person stopped; the person's race shall be selected from the following list: Caucasian, African-American, Hispanic, Native American/Alaska Native, or Asian/Pacific Islander;

(2) the reason that led to the stop of the motorist;

(3) the make and year of the vehicle stopped;

(4) the date and time of the stop, beginning when the vehicle was stopped and ending when the driver is free to leave or taken into physical custody;

(5) the location of the traffic stop;

(5.5) whether or not a consent search contemporaneous to the stop was requested of the vehicle, driver, passenger, or passengers; and, if so, whether consent was given or denied;

(6) whether or not a search contemporaneous to the stop was conducted of the vehicle, driver, passenger, or passengers; and, if so, whether it was with consent or by other means; and

(6.5) whether or not contraband was found during a search; and, if so, the type and amount of contraband seized; and

(7) the name and badge number of the issuing officer.

(c) The Illinois Department of Transportation shall provide a standardized law enforcement data compilation form on its website.

(d) Every law enforcement agency shall, by March 1 with regard to data collected during July through December of the previous calendar year and by August 1 with regard to data collected during January through June of the current calendar year in each of the years 2004, 2005, 2006, and 2007, compile the data described in subsections (a) and (b) on the standardized law enforcement data compilation form provided by the
Illinois Department of Transportation and transmit the data to the Department.

(e) The Illinois Department of Transportation shall analyze the data provided by law enforcement agencies required by this Section and submit a report of the previous year's findings to the Governor, the General Assembly, the Racial Profiling Prevention and Data Oversight Board, and each law enforcement agency no later than July 1 of each year in each of the years 2005, 2006, 2007, and 2008. The Illinois Department of Transportation may contract with an outside entity for the analysis of the data provided. In analyzing the data collected under this Section, the analyzing entity shall scrutinize the data for evidence of statistically significant aberrations. The following list, which is illustrative, and not exclusive, contains examples of areas in which statistically significant aberrations may be found:

(1) The percentage of minority drivers or passengers being stopped in a given area is substantially higher than the proportion of the overall population in or traveling through the area that the minority constitutes.

(2) A substantial number of false stops including stops not resulting in the issuance of a traffic ticket or the making of an arrest.

(3) A disparity between the proportion of citations issued to minorities and proportion of minorities in the population.

(4) A disparity among the officers of the same law enforcement agency with regard to the number of minority drivers or passengers being stopped in a given area.

(5) A disparity between the frequency of searches performed on minority drivers and the frequency of searches performed on non-minority drivers.

(f) Any law enforcement officer identification information or driver identification information that is compiled by any law enforcement agency or the Illinois Department of Transportation pursuant to this Act for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided

New matter indicated by italics - deletions by strikeout
under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section. This Section shall not exempt those materials that, prior to the effective date of this amendatory Act of the 93rd General Assembly, were available under the Freedom of Information Act.

(g) Funding to implement this Section shall come from federal highway safety funds available to Illinois, as directed by the Governor.

(h) The Illinois Department of Transportation, in consultation with law enforcement agencies, officials, and organizations, including Illinois chiefs of police, the Department of State Police, the Illinois Sheriffs Association, and the Chicago Police Department, and community groups and other experts, shall undertake a study to determine the best use of technology to collect, compile, and analyze the traffic stop statistical study data required by this Section. The Department shall report its findings and recommendations to the Governor and the General Assembly by March 1, 2004.

(i) This Section is repealed on July 1, 2010.
(Source: P.A. 93-209, eff. 7-18-03.)

Approved July 3, 2006.
Effective January 1, 2008.
Section 5. Purpose. The purpose of this Act is to allow persons who have been or who are subjected to the sex trade to seek civil damages and remedies from individuals and entities that recruited, harmed, profited from, or maintained them in the sex trade.

Section 10. Definitions. As used in this Act:
"Sex trade" means any act, which if proven beyond a reasonable doubt could support a conviction for a violation or attempted violation of any of the following Sections of the Criminal Code of 1961: 11-15 (soliciting for a prostitute); 11-15.1 (soliciting for a juvenile prostitute); 11-16 (pandering); 11-17 (keeping a place of prostitution); 11-17.1 (keeping a place of juvenile prostitution); 11-19 (pimping); 11-19.1 (juvenile pimping and aggravated juvenile pimping); 11-19.2 (exploitation of a child); 11-20 (obscenity); or 11-20.1 (child pornography); or Article 10A of the Criminal Code of 1961 (trafficking of persons and involuntary servitude).

"Sex trade" activity may involve adults and youth of all genders and sexual orientations.

"Victim of the sex trade" means, for the following sex trade acts, the person or persons indicated:
(1) soliciting for a prostitute: the prostitute who is the object of the solicitation;
(2) soliciting for a juvenile prostitute: the juvenile prostitute, or severely or profoundly mentally retarded person, who is the object of the solicitation;
(3) pandering: the person intended or compelled to act as a prostitute;
(4) keeping a place of prostitution: any person intended or compelled to act as a prostitute, while present at the place, during the time period in question;
(5) keeping a place of juvenile prostitution: any juvenile intended or compelled to act as a prostitute, while present at the place, during the time period in question;
(6) pimping: the prostitute from whom anything of value is received;

New matter indicated by italics - deletions by strikeout
(7) juvenile pimping and aggravated juvenile pimping: the juvenile, or severely or profoundly mentally retarded person, from whom anything of value is received for that person's act of prostitution;

(8) exploitation of a child: the juvenile, or severely or profoundly mentally retarded person, intended or compelled to act as a prostitute or from whom anything of value is received for that person's act of prostitution;

(9) obscenity: any person who appears in or is described or depicted in the offending conduct or material;

(10) child pornography: any child, or severely or profoundly mentally retarded person, who appears in or is described or depicted in the offending conduct or material; or


Section 15. Cause of action.
(a) Violations of this Act are actionable in civil court.
(b) A victim of the sex trade has a cause of action against a person or entity who:

(1) recruits, profits from, or maintains the victim in any sex trade act;

(2) intentionally abuses, as defined in Section 103 of the Illinois Domestic Violence Act of 1986, or causes bodily harm, as defined in Section 12-12 of the Criminal Code of 1961, to the victim in any sex trade act; or

(3) knowingly advertises or publishes advertisements for purposes of recruitment into sex trade activity.

(c) This Section shall not be construed to create liability to any person or entity who provides goods or services to the general public, who also provides those goods or services to persons who would be liable under subsection (b) of this Section, absent a showing that the person or entity either:

New matter indicated by italics - deletions by strikeout
(1) knowingly markets or provides its goods or services primarily to persons or entities liable under subsection (b) of this Section;
(2) knowingly receives a higher level of compensation from persons or entities liable under subsection (b) of this Section than it generally receives from customers; or
(3) supervises or exercises control over persons or entities liable under subsection (b) of this Section.

Section 20. Relief.
(a) A prevailing victim of the sex trade shall be entitled to all relief that would make him or her whole. This includes, but is not limited to:
(1) declaratory relief;
(2) injunctive relief;
(3) recovery of costs and attorney fees including, but not limited to, costs for expert testimony and witness fees;
(4) compensatory damages including, but not limited to:
   (A) economic loss, including damage, destruction, or loss of use of personal property, and loss of past or future earning capacity; and
   (B) damages for death, personal injury, disease, and mental and emotional harm, including medical, rehabilitation, burial expenses, pain and suffering, and physical impairment;
(5) punitive damages; and
(6) damages in the amount of the gross revenues received by the defendant from, or related to, the sex trade activities of the plaintiff.

Section 25. Non-defenses.
(a) It is not a defense to an action brought under this Act that:
(1) the victim of the sex trade and the defendant had a marital or consenting sexual relationship;
(2) the defendant is related to the victim of the sex trade by blood or marriage, or has lived with the defendant in any formal or informal household arrangement;

New matter indicated by italics - deletions by strikeout
(3) the victim of the sex trade was paid or otherwise compensated for sex trade activity;

(4) the victim of the sex trade engaged in sex trade activity prior to any involvement with the defendant;

(5) the victim of the sex trade made no attempt to escape, flee, or otherwise terminate contact with the defendant;

(6) the victim of the sex trade consented to engage in acts of the sex trade;

(7) it was a single incident of activity; or

(8) there was no physical contact involved.

(b) Any illegality of the sex trade activity on the part of the victim of the sex trade shall not be an affirmative defense to any action brought under this Act.

Section 30. Evidence. Related to a cause of action under this Act, the fact that a plaintiff or other witness has testified under oath or given evidence relating to an act that may be a violation of any provision of the Criminal Code of 1961 shall not be construed to require the State's Attorney to criminally charge any person for such violation.

Section 35. Remedies preserved. This Act does not affect the right of any person to bring an action or use any remedy available under other law, including common law, to recover damages arising out of the use of the victim of the sex trade in the sex trade nor does this Act limit or restrict the liability of any person under other law. This Act does not reflect a determination of a policy regarding the applicability of strict liability to activities relating to the sex trade.

Section 40. Double recovery prohibited. Any person who recovers damages under this Act may not recover the same costs or damages under any other Act. A person who recovers damages under any other Act may not recover for the same costs or damages under this Act.

Section 45. No avoidance of liability. No person may avoid liability under this Act by means of any conveyance of any right, title, or interest in real property, or by any indemnification, hold harmless agreement, or similar agreement that purports to show consent of the victim of the sex trade.

New matter indicated by italics - deletions by strikeout
Section 55. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or its application does not affect other provisions or application of this Act that can be given effect without the invalid provision or application.

Section 80. The Code of Civil Procedure is amended by adding Section 13-225 as follows:

(735 ILCS 5/13-225 new)

Sec. 13-225. Predator accountability.

(a) In this Section, "sex trade" and "victim of the sex trade" have the meanings ascribed to them in Section 10 of the Predator Accountability Act.

(b) Subject to both subsections (e) and (f) and notwithstanding any other provision of law, an action under the Predator Accountability Act must be commenced within 10 years of the date the limitation period begins to run under subsection (d) or within 10 years of the date the plaintiff discovers or through the use of reasonable diligence should discover both (i) that the sex trade act occurred, and (ii) that the defendant caused, was responsible for, or profited from the sex trade act. The fact that the plaintiff discovers or through the use of reasonable diligence should discover that the sex trade act occurred is not, by itself, sufficient to start the discovery period under this subsection (b).

(c) If the injury is caused by 2 or more acts that are part of a continuing series of sex trade acts by the same defendant, then the discovery period under subsection (b) shall be computed from the date the person abused discovers or through the use of reasonable diligence should discover (i) that the last sex trade act in the continuing series occurred, and (ii) that the defendant caused, was responsible for, or profited from the series of sex trade acts. The fact that the plaintiff discovers or through the use of reasonable diligence should discover that the last sex trade act in the continuing series occurred is not, by itself, sufficient to start the discovery period under subsection (b).

(d) The limitation periods in subsection (b) do not begin to run before the plaintiff attains the age of 18 years; and, if at the time the
plaintiff attains the age of 18 years he or she is under other legal disability, the limitation periods under subsection (b) do not begin to run until the removal of the disability.

(e) The limitation periods in subsection (b) do not run during a time period when the plaintiff is subject to threats, intimidation, manipulation, or fraud perpetrated by the defendant or by any person acting in the interest of the defendant.

(f) The limitation periods in subsection (b) do not commence running until the expiration of all limitations periods applicable to the criminal prosecution of the plaintiff for any acts which form the basis of a cause of action under the Predator Accountability Act.

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

Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-0999
(House Bill No. 4719)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2XX as follows:
(815 ILCS 505/2XX new)
Sec. 2XX. Work-at-home solicitations. No person shall advertise, represent or imply that any person can earn money working at home by stuffing envelopes, addressing envelopes, mailing circulars, clipping newspaper and magazine articles, assembling products, bill processing, or performing similar work, unless the person making the advertisement or representation:

(1) actually pays the advertised wage, salary, set fee, or commission to others for performing the represented tasks;

New matter indicated by italics - deletions by strikeout
(2) at no time requires the person who will perform the represented tasks to purchase instructional booklets, brochures, kits, programs, materials, mailing lists, directories, memberships in cooperative associations, or other similar items or services;

(3) discloses the legal name under which business is conducted and the complete street address from which business is actually conducted in all advertising and promotional materials, including order blanks and forms; and

(4) discloses in writing to the person who will perform the represented tasks an exact description of the work to be performed, the amount of any wage, salary, set fee, or commission to be paid for the performance of the represented tasks, and all terms and conditions for earning such wage, salary, set fee, or commission.

No person shall require an individual to solicit or induce other individuals to participate in a work-at-home program.

A person who violates this Section commits an unlawful practice within the meaning of this Act.

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

Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-1000
(Senate Bill No. 1445)

AN ACT concerning elections.

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


New matter indicated by italics - deletions by strikeout
24C-9, 24C-13, 24C-15, and 24C-16 and by adding Sections 1-9, 1A-35, 19-20, 19A-21, and 20-20 as follows:

(10 ILCS 5/1-9 new)

Sec. 1-9. Central counting of grace period, early, absentee, and provisional ballots. Notwithstanding any statutory provision to the contrary enacted before the effective date of this amendatory Act of the 94th General Assembly, all grace period ballots, early voting ballots, absentee ballots, and provisional ballots to be counted shall be delivered to and counted at an election authority's central ballot counting location and not in precincts. References in this Code enacted before the effective date of this amendatory Act of the 94th General Assembly to delivery and counting of grace period ballots, early voting ballots, absentee ballots, or provisional ballots to or at a precinct polling place or to the proper polling place shall be construed as references to delivery and counting of those ballots to and at the election authority's central ballot counting location.

(10 ILCS 5/1A-35 new)

Sec. 1A-35. Early and grace period voting education. Subject to appropriation, the State Board of Elections must develop and implement an educational program to inform the public about early voting and grace period voting. The State Board shall conduct the program beginning August 1, 2006, and until the 2006 general election.

(10 ILCS 5/4-50)

Sec. 4-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 14th day before the primary or election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. The election authority shall register that individual, or change a registered voter's address, in the same
manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting, either in person in the office of the election authority or at a location specifically designated for this purpose by the election authority, or by mail, at the discretion of the election authority. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, the election authority shall transmit the voter's name, street address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 93-1082, eff. 7-1-05.)

(10 ILCS 5/5-50)

Sec. 5-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 14th day before the primary or election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter

New matter indicated by italics - deletions by strikeout
may submit a change of address form, in person in the office of the
election authority or at a voter registration location specifically designated
for this purpose by the election authority. The election authority shall
register that individual, or change a registered voter's address, in the same
manner as otherwise provided by this Article for registration and change of
address.

If a voter who registers or changes address during this grace period
wishes to vote at the first election or primary occurring after the grace
period, he or she must do so by grace period voting, either in person in the
office of the election authority or at a location specifically designated for
this purpose by the election authority, or by mail, at the discretion of the
election authority. Grace period voting shall be in a manner substantially
similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, the
election authority shall transmit the voter's name, street address, and
precinct, ward, township, and district numbers, as the case may be, to the
State Board of Elections, which shall maintain those names and that
information in an electronic format on its website, arranged by county and
accessible to State and local political committees. The name of each
person issued a grace period ballot shall also be placed on the
appropriate precinct list of persons to whom absentee and early ballots
have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to
revoke that ballot and vote another ballot with respect to that primary or
election. Ballots cast by persons who register or change address during the
grace period must be transmitted to and counted at the election authority's
central ballot counting location and shall not be transmitted to and counted
at precinct polling places. The grace period ballots determined to be valid
shall be added to the vote totals for the precincts for which they were cast
in the order in which the ballots were opened.

(Source: P.A. 93-1082, eff. 7-1-05.)

(10 ILCS 5/6-100)

Sec. 6-100. Grace period. Notwithstanding any other provision of
this Code to the contrary, each election authority shall establish procedures
for the registration of voters and for change of address during the period from the close of registration for a primary or election and until the 14th day before the primary or election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority or at a voter registration location specifically designated for this purpose by the election authority. The election authority shall register that individual, or change a registered voter's address, in the same manner as otherwise provided by this Article for registration and change of address.

If a voter who registers or changes address during this grace period wishes to vote at the first election or primary occurring after the grace period, he or she must do so by grace period voting, either in person in the office of the election authority or at a location specifically designated for this purpose by the election authority, or by mail, at the discretion of the election authority. Grace period voting shall be in a manner substantially similar to voting under Article 19.

Within one day after a voter casts a grace period ballot, the election authority shall transmit the voter's name, street address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The name of each person issued a grace period ballot shall also be placed on the appropriate precinct list of persons to whom absentee and early ballots have been issued, for use as provided in Sections 17-9 and 18-5.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or election. Ballots cast by persons who register or change address during the grace period must be transmitted to and counted at the election authority's central ballot counting location and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.
(Source: P.A. 93-1082, eff. 7-1-05.)

(10 ILCS 5/7-60) (from Ch. 46, par. 7-60)

Sec. 7-60. Not less than 67 days before the date of the general election, the State Board of Elections shall certify to the county clerks the names of each of the candidates who have been nominated as shown by the proclamation of the State Board of Elections as a canvassing board or who have been nominated to fill a vacancy in nomination and direct the election authority to place upon the official ballot for the general election the names of such candidates in the same manner and in the same order as shown upon the certification, except as otherwise provided in this Section.

Not less than 61 days before the date of the general election, each county clerk shall certify the names of each of the candidates for county offices who have been nominated as shown by the proclamation of the county election authority or who have been nominated to fill a vacancy in nomination and declare that the names of such candidates for the respective offices shall be placed upon the official ballot for the general election in the same manner and in the same order as shown upon the certification, except as otherwise provided by this Section. Each county clerk shall place a copy of the certification on file in his or her office and at the same time issue to the State Board of Elections a copy of such certification. In addition, each county clerk in whose county there is a board of election commissioners shall, not less than 61 days before the date of the general election, issue to such board a copy of the certification that has been filed in the county clerk's office, together with a copy of the certification that has been issued to the clerk by the State Board of Elections, with directions to the board of election commissioners to place upon the official ballot for the general election in that election jurisdiction the names of all candidates that are listed on such certifications, in the same manner and in the same order as shown upon such certifications, except as otherwise provided in this Section.

Whenever there are two or more persons nominated by the same political party for multiple offices for any board, the name of the candidate of such party receiving the highest number of votes in the primary election as a candidate for such office, as shown by the official election returns of

New matter indicated by italics - deletions by strikeout
the primary, shall be certified first under the name of such offices, and the names of the remaining candidates of such party for such offices shall follow in the order of the number of votes received by them respectively at the primary election as shown by the official election results.

No person who is shown by the final election authority's proclamation to have been nominated or elected at the primary as a write-in candidate shall have his or her name certified unless such person shall have filed with the certifying office or board within 10 days after the election authority's proclamation a statement of candidacy pursuant to Section 7-10, a statement pursuant to Section 7-10.1, and a receipt for the filing of a statement of economic interests in relation to the unit of government to which he or she has been elected or nominated.

Each county clerk and board of election commissioners shall determine by a fair and impartial method of random selection the order of placement of established political party candidates for the general election ballot. Such determination shall be made within 30 days following the canvass and proclamation of the results of the general primary in the office of the county clerk or board of election commissioners and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given, by each such election authority, to the County Chairman of each established political party, and to each organization of citizens within the election jurisdiction which was entitled, under this Article, at the next preceding election, to have pollwatchers present on the day of election. Each election authority shall post in a conspicuous, open and public place, at the entrance of the election authority office, notice of the time and place of such lottery. However, a board of election commissioners may elect to place established political party candidates on the general election ballot in the same order determined by the county clerk of the county in which the city under the jurisdiction of such board is located.

Each certification shall indicate, where applicable, the following:

1. The political party affiliation of the candidates for the respective offices;

New matter indicated by italics - deletions by strikeout
(2) If there is to be more than one candidate elected to an office from the State, political subdivision or district;

(3) If the voter has the right to vote for more than one candidate for an office;

(4) The term of office, if a vacancy is to be filled for less than a full term or if the offices to be filled in a political subdivision are for different terms.

The State Board of Elections or the county clerk, as the case may be, shall issue an amended certification whenever it is discovered that the original certification is in error.

(Source: P.A. 94-645, eff. 8-22-05; 94-647, eff. 1-1-06; revised 8-29-05.)

(10 ILCS 5/9-9.5)

Sec. 9-9.5. Disclosures in political communications.

(a) Any political committee, organized under the Election Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and mentioning the name of a candidate in the next upcoming election shall ensure that the name of the political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication as the payor. This subsection does not apply to items that are too small to contain the required disclosure. Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

Whenever any vendor or other person provides any of the services listed in this subsection, other than any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy, the vendor or person shall keep and maintain records showing the name and address of the person who purchased or requested the services and the amount paid for the services. The records required by this subsection
Section shall be kept for a period of one year after the date upon which payment was received for the services.

(b) Any political committee, organized under this Code, that makes an expenditure for a pamphlet, circular, handbill, Internet or telephone communication, radio, television, or print advertisement, or other communication directed at voters and (i) mentioning the name of a candidate in the next upcoming election, without that candidate's permission, and (ii) advocating for or against a public policy position shall ensure that the name of the political committee paying for any part of the communication, including, but not limited to, its preparation and distribution, is identified clearly within the communication. Nothing in this subsection shall require disclosure on any telephone communication using random sampling or other scientific survey methods to gauge public opinion for or against any candidate or question of public policy.

(c) A political committee organized under this Code shall not make an expenditure for any unsolicited telephone call to the line of a residential telephone customer in this State using any method to block or otherwise circumvent that customer's use of a caller identification service.

(Source: P.A. 93-615, eff. 11-19-03; 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

(10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

Sec. 13-1. In counties not under township organization, the county board of commissioners shall at its meeting in July in each even-numbered year appoint in each election precinct 5 capable and discreet persons meeting the qualifications of Section 13-4 to be judges of election. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 13-6.2, shall count the vote after the
closing of the polls. However, the County Board of Commissioners may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election.

In addition to such precinct judges, the county board of commissioners shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulations of the State Board of Elections which shall base the required numbers of special panels on the number of registered voters in the jurisdiction or the number of absentee ballots voted at recent elections, or any combination of such factors.

Such appointment shall be confirmed by the court as provided in Section 13-3 of this Article. No more than 3 persons of the same political party shall be appointed judges of the same election precinct or election judge panel. The appointment shall be made in the following manner: The county board of commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the County Central Committee of the first leading political party in such precinct; and the county board of commissioners shall also select and approve 2 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the County Central Committee of the second leading political party. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding

New matter indicated by italics - deletions by strikeout
sentences with regard to 5 election judges in each precinct. Such certified list shall be filed with the county clerk not less than 10 days before the annual meeting of the county board of commissioners. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The county board of commissioners shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is filed or such list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board of commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. The election judges shall hold their office for 2 years from their appointment, and until their successors are duly appointed in the manner provided in this Act. The county board of commissioners shall fill all vacancies in the office of judge of election at any time in the manner provided in this Act.

(Source: P.A. 91-352, eff. 1-1-00.)

(10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

Sec. 13-2. In counties under the township organization the county board shall at its meeting in July in each even-numbered year except in counties containing a population of 3,000,000 inhabitants or over and except when such judges are appointed by election commissioners, select in each election precinct in the county, 5 capable and discreet persons to be judges of election who shall possess the qualifications required by this Act for such judges. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action

New matter indicated by italics - deletions by strikeout
necessary or desirable in view of the number of voters, and shall for
general elections for any precinct containing more than 600 registered
voters, appoint in addition to the 5 judges of election a team of 5 tally
judges. In such precincts the judges of election shall preside over the
election during the hours the polls are open, and the tally judges, with the
assistance of the holdover judges designated pursuant to Section 13-6.2,
shall count the vote after the closing of the polls. The tally judges shall
possess the same qualifications and shall be appointed in the same manner
and with the same division between political parties as is provided for
judges of election.

However, the county board may appoint 3 judges of election to
serve in lieu of the 5 judges of election otherwise required by this Section
to serve in any emergency referendum, or in any odd-year regular election
or in any special primary or special election called for the purpose of
filling a vacancy in the office of representative in the United States
Congress or to nominate candidates for such purpose.

In addition to such precinct judges, the county board shall appoint
special panels of 3 judges each, who shall possess the same qualifications
and shall be appointed in the same manner and with the same division
between political parties as is provided for other judges of election. The
number of such panels of judges required shall be determined by
regulations of the State Board of Elections, which shall base the required
number of special panels on the number of registered voters in the
jurisdiction or the number of absentee ballots voted at recent elections or
any combination of such factors.

No more than 3 persons of the same political party shall be
appointed judges in the same election district or undivided precinct. The
election of the judges of election in the various election precincts shall be
made in the following manner: The county board shall select and approve
3 of the election judges in each precinct from a certified list furnished by
the chairman of the County Central Committee of the first leading political
party in such election precinct and shall also select and approve 2 judges
of election in each election precinct from a certified list furnished by the
chairman of the County Central Committee of the second leading political

New matter indicated by italics - deletions by strikeout
party in such election precinct. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding sentences with regard to 5 election judges in each precinct. The respective County Central Committee chairman shall notify the county board by June 1 of each odd-numbered year immediately preceding the annual meeting of the county board whether or not such certified list will be filed by such chairman. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. Such certified list, if filed, shall be filed with the county clerk not less than 20 days before the annual meeting of the county board. The county board shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is filed or the list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. Provided, further, that in any case where a township has been or shall be redistricted, in whole or in part, subsequent to one general election for Governor, and prior to the next, the judges of election to be selected for all new or altered precincts shall be selected in that one of the methods above detailed, which shall be applicable according to the facts and circumstances of the particular case, but the majority of such judges for each such precinct shall be selected from the first leading political party, and the minority judges from the second
leading political party. Provided, further, that in counties having a population of 1,000,000 inhabitants or over the selection of judges of election shall be made in the same manner in all respects as in other counties, except that the provisions relating to tally judges are inapplicable to such counties and except that the county board shall meet during the month of January for the purpose of making such selection and the chairman of each county central committee shall notify the county board by the preceding October 1 whether or not the certified list will be filed. Such judges of election shall hold their office for 2 years from their appointment and until their successors are duly appointed in the manner provided in this Act. The county board shall fill all vacancies in the office of judges of elections at any time in the manner herein provided.

Such selections under this Section shall be confirmed by the circuit court as provided in Section 13-3 of this Article.
(Source: P.A. 91-352, eff. 1-1-00.)

(10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)
Sec. 14-3.1. The board of election commissioners shall, during the month of July of each even-numbered year, select for each election precinct within the jurisdiction of the board 5 persons to be judges of election who shall possess the qualifications required by this Act for such judges. The selection shall be made by a county board of election commissioners in the following manner: the county board of election commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the first leading political party in that precinct; the county board of election commissioners also shall select and approve 2 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the second leading political party in that precinct. The selection by a municipal board of election commissioners shall be made in the following manner: for each precinct, 3 judges shall be selected from one of the 2 leading political parties and the other 2 judges shall be selected from the other leading political party; the parties entitled to 3 and 2 judges, respectively, in the several precincts shall be determined as provided in

New matter indicated by italics - deletions by strikeout
Section 14-4. However, a Board of Election Commissioners may appoint three judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose.

If only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct, and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined as set forth in this Section for a county board of election commissioners' selection of 5 election judges in each precinct or in Section 14-4 for a municipal board of election commissioners' selection of election judges in each precinct, whichever is appropriate. In addition to such precinct judges, the board of election commissioners shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulation of the State Board of Elections, which shall base the required number of special panels on the number of registered voters in the jurisdiction or the number of absentee ballots voted at recent elections or any combination of such factors. A municipal board of election commissioners shall make the selections of persons qualified under Section 14-1 from certified lists furnished by the chairman of the respective county central committees of the 2 leading political parties. Lists furnished by chairmen of county central committees under this Section shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his
party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The board of election commissioners shall no later than March 1 of each even-numbered year notify the chairmen of the respective county central committees of their responsibility to furnish such lists, and each such chairman shall furnish the board of election commissioners with the list for his party on or before May 1 of each even-numbered year. The board of election commissioners shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is furnished or if no names or an insufficient number of names are furnished for certain precincts, the board of election commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 14-3.2. Judges of election shall hold their office for 2 years from their appointment and until their successors are duly appointed in the manner herein provided. The board of election commissioners shall, subject to the provisions of Section 14-3.2, fill all vacancies in the office of judges of election at any time in the manner herein provided. Such selections under this Section shall be confirmed by the court as provided in Section 14-5.
(Source: P.A. 89-471, eff. 6-13-96.)

(10 ILCS 5/17-9) (from Ch. 46, par. 17-9)
Sec. 17-9. Any person desiring to vote shall give his name and, if required to do so, his residence to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear, and audible; the judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period, absentee, or early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers. A voter applying to vote in the precinct on election day whose name appears on the list as having been issued a grace period, an absentee, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom an absentee ballot was issued may vote in the precinct if the voter submits to the election judges that absentee

New matter indicated by italics - deletions by strikeout
ballot for cancellation. If the voter is unable to submit the absentee ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the absentee ballot if the absentee ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received an absentee ballot or (B) the voter completed and returned an absentee ballot and was informed that the election authority did not receive that absentee ballot. All applicable provisions of Articles 4, 5 or 6 shall be complied with and if such name is found on the register of voters by the officer having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter within the proximity of the voting booths, as above provided. One of the judges shall give the voter one, and only one of each ballot to be voted at the election, on the back of which ballots such judge shall indorse his initials in such manner that they may be seen when each such ballot is properly folded, and the voter's name shall be immediately checked on the register list. In those election jurisdictions where perforated ballot cards are utilized of the type on which write-in votes can be cast above the perforation, the election authority shall provide a space both above and below the perforation for the judge's initials, and the judge shall endorse his or her initials in both spaces. Whenever a proposal for a constitutional amendment or for the calling of a constitutional convention is to be voted upon at the election, the separate blue ballot or ballots pertaining thereto shall, when being handed to the voter, be placed on top of the other ballots to be voted at the election in such manner that the legend appearing on the back thereof, as prescribed in Section 16-6 of this Act, shall be plainly visible to the voter. At all elections, when a registry may be required, if the name of any person so desiring to vote at such election is not found on the register of voters, he or she shall not receive a ballot until he or she shall have complied with the law prescribing the manner and conditions of voting by unregistered voters. If any person desiring to vote at any election shall be challenged, he or she shall not receive a ballot until he or she shall have established his right to vote in the manner provided hereinafter; and if he or she shall be challenged after he has received his ballot, he shall not be permitted to vote until he or she has fully complied with such requirements of the law.

New matter indicated by italics - deletions by strikeout
upon being challenged. Besides the election officer, not more than 2 voters in excess of the whole number of voting booths provided shall be allowed within the proximity of the voting booths at one time. The provisions of this Act, so far as they require the registration of voters as a condition to their being allowed to vote shall not apply to persons otherwise entitled to vote, who are, at the time of the election, or at any time within 60 days prior to such election have been engaged in the military or naval service of the United States, and who appear personally at the polling place on election day and produce to the judges of election satisfactory evidence thereof, but such persons, if otherwise qualified to vote, shall be permitted to vote at such election without previous registration.

All such persons shall also make an affidavit which shall be in substantially the following form:

State of Illinois,)

) ss.
County of .......)

............... Precinct ........ Ward

I, ...., do solemnly swear (or affirm) that I am a citizen of the United States, of the age of 18 years or over, and that within the past 60 days prior to the date of this election at which I am applying to vote, I have been engaged in the .... (military or naval) service of the United States; and I am qualified to vote under and by virtue of the Constitution and laws of the State of Illinois, and that I am a legally qualified voter of this precinct and ward except that I have, because of such service, been unable to register as a voter; that I now reside at .... (insert street and number, if any) in this precinct and ward; that I have maintained a legal residence in this precinct and ward for 30 days and in this State 30 days next preceding this election.

Subscribed and sworn to before me on (insert date).

Judge of Election.

New matter indicated by italics - deletions by strikeout
The affidavit of any such person shall be supported by the affidavit of a resident and qualified voter of any such precinct and ward, which affidavit shall be in substantially the following form:

State of Illinois,)
    ) ss.
County of .......

......... Precinct ......... Ward

I, ...., do solemnly swear (or affirm), that I am a resident of this precinct and ward and entitled to vote at this election; that I am acquainted with .... (name of the applicant); that I verily believe him to be an actual bona fide resident of this precinct and ward and that I verily believe that he or she has maintained a legal residence therein 30 days and in this State 30 days next preceding this election.

Subscribed and sworn to before me on (insert date).

Judge of Election.

All affidavits made under the provisions of this Section shall be enclosed in a separate envelope securely sealed, and shall be transmitted with the returns of the elections to the county clerk or to the board of election commissioners, who shall preserve the said affidavits for the period of 6 months, during which period such affidavits shall be deemed public records and shall be freely open to examination as such.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

Sec. 18-5. Any person desiring to vote and whose name is found upon the register of voters by the person having charge thereof, shall then be questioned by one of the judges as to his nativity, his term of residence at present address, precinct, State and United States, his age, whether naturalized and if so the date of naturalization papers and court from which secured, and he shall be asked to state his residence when last previously registered and the date of the election for which he then registered. The judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period,
absentee, and early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by poll watchers. A voter applying to vote in the precinct on election day whose name appears on the list as having been issued a grace period, an absentee, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom an absentee ballot was issued may vote in the precinct if the voter submits to the election judges that absentee ballot for cancellation. If the voter is unable to submit the absentee ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the absentee ballot if the absentee ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received an absentee ballot or (B) the voter completed and returned an absentee ballot and was informed that the election authority did not receive that absentee ballot. If such person so registered shall be challenged as disqualified, the party challenging shall assign his reasons therefor, and thereupon one of the judges shall administer to him an oath to answer questions, and if he shall take the oath he shall then be questioned by the judge or judges touching such cause of challenge, and touching any other cause of disqualification. And he may also be questioned by the person challenging him in regard to his qualifications and identity. But if a majority of the judges are of the opinion that he is the person so registered and a qualified voter, his vote shall then be received accordingly. But if his vote be rejected by such judges, such person may afterward produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of the judges, in which it shall be stated how long he has resided in such precinct, and state; that he is a citizen of the United States, and is a duly qualified voter in such precinct, and that he is the identical person so registered. In addition to such an affidavit, the person so challenged shall provide to the judges of election proof of residence by producing 2 forms of identification showing the person's current residence address, provided that such identification to the person at his current residence address and postmarked not earlier than 30 days prior to the date of the election, or the person shall procure a witness personally known to the judges of election, and resident in the precinct (or district), or

New matter indicated by italics - deletions by strikeout
who shall be proved by some legal voter of such precinct or district, known to the judges to be such, who shall take the oath following, viz:

I do solemnly swear (or affirm) that I am a resident of this election precinct (or district), and entitled to vote at this election, and that I have been a resident of this State for 30 days last past, and am well acquainted with the person whose vote is now offered; that he is an actual and bona fide resident of this election precinct (or district), and has resided herein 30 days, and as I verily believe, in this State, 30 days next preceding this election.

The oath in each case may be administered by one of the judges of election, or by any officer, resident in the precinct or district, authorized by law to administer oaths. Also supported by an affidavit by a registered voter residing in such precinct, stating his own residence, and that he knows such person; and that he does reside at the place mentioned and has resided in such precinct and state for the length of time as stated by such person, which shall be subscribed and sworn to in the same way. Whereupon the vote of such person shall be received, and entered as other votes. But such judges, having charge of such registers, shall state in their respective books the facts in such case, and the affidavits, so delivered to the judges, shall be preserved and returned to the office of the commissioners of election. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oaths without criticism. Such oaths, if administered by any other officer than such judge of election, shall not be received. Whenever a proposal for a constitutional amendment or for the calling of a constitutional convention is to be voted upon at the election, the separate blue ballot or ballots pertaining thereto shall be placed on top of the other ballots to be voted at the election in such manner that the legend appearing on the back thereof, as prescribed in Section 16-6 of this Act, shall be plainly visible to the voter, and in this fashion the ballots shall be handed to the voter by the judge.

The voter shall, upon quitting the voting booth, deliver to one of the judges of election all of the ballots, properly folded, which he received. The judge of election to whom the voter delivers his ballots shall not
accept the same unless all of the ballots given to the voter are returned by him. If a voter delivers less than all of the ballots given to him, the judge to whom the same are offered shall advise him in a voice clearly audible to the other judges of election that the voter must return the remainder of the ballots. The statement of the judge to the voter shall clearly express the fact that the voter is not required to vote such remaining ballots but that whether or not he votes them he must fold and deliver them to the judge. In making such statement the judge of election shall not indicate by word, gesture or intonation of voice that the unreturned ballots shall be voted in any particular manner. No new voter shall be permitted to enter the voting booth of a voter who has failed to deliver the total number of ballots received by him until such voter has returned to the voting booth pursuant to the judge's request and again quit the booth with all of the ballots required to be returned by him. Upon receipt of all such ballots the judges of election shall enter the name of the voter, and his number, as above provided in this Section, and the judge to whom the ballots are delivered shall immediately put the ballots into the ballot box. If any voter who has failed to deliver all the ballots received by him refuses to return to the voting booth after being advised by the judge of election as herein provided, the judge shall inform the other judges of such refusal, and thereupon the ballot or ballots returned to the judge shall be deposited in the ballot box, the voter shall be permitted to depart from the polling place, and a new voter shall be permitted to enter the voting booth.

The judge of election who receives the ballot or ballots from the voter shall announce the residence and name of such voter in a loud voice. The judge shall put the ballot or ballots received from the voter into the ballot box in the presence of the voter and the judges of election, and in plain view of the public. The judges having charge of such registers shall then, in a column prepared thereon, in the same line of, the name of the voter, mark "Voted" or the letter "V".

No judge of election shall accept from any voter less than the full number of ballots received by such voter without first advising the voter in the manner above provided of the necessity of returning all of the ballots, nor shall any such judge advise such voter in a manner contrary to that
which is herein permitted, or in any other manner violate the provisions of this Section; provided, that the acceptance by a judge of election of less than the full number of ballots delivered to a voter who refuses to return to the voting booth after being properly advised by such judge shall not be a violation of this Section.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/18A-15)

Sec. 18A-15. Validating and counting provisional ballots.

(a) The county clerk or board of election commissioners shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. The county clerk or board of election commissioners shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The State Board of Elections shall complete within 31 calendar days of the election or sooner if all the returns are received, its final canvass of the vote for all public offices.

(b) If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote:

(1) The provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority;

(2) The affidavit executed by the provisional voter pursuant to subsection (b)(2) of Section 18A-5 contains, at a minimum, the provisional voter's first and last name, house number and street name, and signature or mark; and

(3) the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from any of the following:

   i. the provisional voter;
   ii. an election judge;

New matter indicated by italics - deletions by strikeout
iii. the statewide voter registration database maintained by the State Board of Elections;
iv. the records of the county clerk or board of election commissioners' database; or
v. the records of the Secretary of State.

(c) With respect to subsection (b)(3) of this Section, the county clerk or board of election commissioners shall investigate and record whether or not the specified information is available from each of the 5 identified sources. If the information is available from one or more of the identified sources, then the county clerk or board of election commissioners shall seek to obtain the information from each of those sources until satisfied, with information from at least one of those sources, that the provisional voter is registered and entitled to vote. The county clerk or board of election commissioners shall use any information it obtains as the basis for determining the voter registration status of the provisional voter. If a conflict exists among the information available to the county clerk or board of election commissioners as to the registration status of the provisional voter, then the county clerk or board of election commissioners shall make a determination based on the totality of the circumstances. In a case where the above information equally supports or opposes the registration status of the voter, the county clerk or board of election commissioners shall decide in favor of the provisional voter as being duly registered to vote. If the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is registered to vote, but the county clerk's or board of election commissioners' voter registration database indicates that the provisional voter is not registered to vote, then the information found in the statewide voter registration database shall control the matter and the provisional voter shall be deemed to be registered to vote. If the records of the county clerk or board of election commissioners indicates that the provisional voter is registered to vote, but the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is not registered to vote, then the information found in the records of the county clerk or board of election commissioners shall control the
matter and the provisional voter shall be deemed to be registered to vote. If the provisional voter's signature on his or her provisional ballot request varies from the signature on an otherwise valid registration application solely because of the substitution of initials for the first or middle name, the election authority may not reject the provisional ballot.

(d) In validating the registration status of a person casting a provisional ballot, the county clerk or board of election commissioners shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter under subsection (b)(2) of Section 18A-5. In addition, the county clerk or board of election commissioners shall not require all provisional voters or any particular class or group of provisional voters to appear personally before the county clerk or board of election commissioners or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter. The provisional voter may, within 2 calendar days after the election, submit additional information to the county clerk or board of election commissioners. This information must be received by the county clerk or board of election commissioners within the 2-calendar-day period.

(e) If the county clerk or board of election commissioners determines that subsection (b)(1), (b)(2), or (b)(3) does not apply, then the provisional ballot is not valid and may not be counted. The provisional ballot envelope containing the ballot cast by the provisional voter may not be opened. The county clerk or board of election commissioners shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid."

(f) If the county clerk or board of election commissioners determines that a provisional ballot is valid under this Section, then the provisional ballot envelope shall be opened. The outside of each provisional ballot envelope shall also be marked to identify the precinct and the date of the election.

(g) Provisional ballots determined to be valid shall be counted at the election authority's central ballot counting location and shall not be counted in precincts. The provisional ballots determined to be valid shall

New matter indicated by italics - deletions by strikeout
be added to the vote totals for the precincts from which they were cast in the order in which the ballots were opened. The county clerk or board of election commissioners may, in the alternative, create a separate provisional-voter precinct for the purpose of counting and recording provisional ballots and adding the recorded votes to its official canvas. The validation and counting of provisional ballots shall be subject to the provisions of this Code that apply to pollwatchers. If the provisional ballots are a ballot of a punch card voting system, then the provisional ballot shall be counted in a manner consistent with Article 24A. If the provisional ballots are a ballot of optical scan or other type of approved electronic voting system, then the provisional ballots shall be counted in a manner consistent with Article 24B.

(h) As soon as the ballots have been counted, the election judges or election officials shall, in the presence of the county clerk or board of election commissioners, place each of the following items in a separate envelope or bag: (1) all provisional ballots, voted or spoiled; (2) all provisional ballot envelopes of provisional ballots voted or spoiled; and (3) all executed affidavits of the provisional ballots voted or spoiled. All provisional ballot envelopes for provisional voters who have been determined not to be registered to vote shall remain sealed. The county clerk or board of election commissioners shall treat the provisional ballot envelope containing the written affidavit as a voter registration application for that person for the next election and process that application. The election judges or election officials shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct in which the provisional ballots were cast. The election judges or election officials shall then place each sealed envelope or bag into a box, secure and seal it in the same manner as described in item (6) of subsection (b) of Section 18A-5. Each election judge or election official shall take and subscribe an oath before the county clerk or board of election commissioners that the election judge or election official securely kept the ballots and papers in the box, did not permit any person to open the box or otherwise touch or tamper with the ballots and papers in the box, and has no knowledge of any other person opening the

New matter indicated by italics - deletions by strikeout
box. For purposes of this Section, the term "election official" means the county clerk, a member of the board of election commissioners, as the case may be, and their respective employees.
(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

Sec. 19-2.1. At the consolidated primary, general primary, consolidated, and general elections, electors entitled to vote by absentee ballot under the provisions of Section 19-1 may vote in person at the office of the municipal clerk, if the elector is a resident of a municipality not having a board of election commissioners, or at the office of the township clerk or, in counties not under township organization, at the office of the road district clerk if the elector is not a resident of a municipality; provided, in each case that the municipal, township or road district clerk, as the case may be, is authorized to conduct in-person absentee voting pursuant to this Section. Absentee voting in such municipal and township clerk's offices under this Section shall be conducted from the 22nd day through the day before the election.

Municipal and township clerks (or road district clerks) who have regularly scheduled working hours at regularly designated offices other than a place of residence and whose offices are open for business during the same hours as the office of the election authority shall conduct in-person absentee voting for said elections. Municipal and township clerks (or road district clerks) who have no regularly scheduled working hours but who have regularly designated offices other than a place of residence shall conduct in-person absentee voting for said elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not during such hours as the office of the election authority is closed, unless the clerk files a written waiver with the election authority not later than July 1 of each year stating that he or she is unable to conduct such voting and the reasons therefor. Such clerks who conduct in-person absentee voting may extend their hours for that purpose to include any hours in which the election authority's office is open. Municipal and township clerks (or road district clerks) who have no regularly scheduled office hours and no regularly designated offices other

New matter indicated by italics - deletions by strikeout
than a place of residence may not conduct in-person absentee voting for said elections. The election authority may devise alternative methods for in-person absentee voting before said elections for those precincts located within the territorial area of a municipality or township (or road district) wherein the clerk of such municipality or township (or road district) has waived or is not entitled to conduct such voting. In addition, electors may vote by absentee ballot under the provisions of Section 19-1 at the office of the election authority having jurisdiction over their residence. Unless specifically authorized by the election authority, municipal, township, and road district clerks shall not conduct in-person absentee voting. No less than 45 days before the date of an election, the election authority shall notify the municipal, township, and road district clerks within its jurisdiction if they are to conduct in-person absentee voting. Election authorities, however, may conduct in-person absentee voting in one or more designated appropriate public buildings from the fourth day before the election through the day before the election.

In conducting in-person absentee voting under this Section, the respective clerks shall not be required to verify the signature of the absentee voter by comparison with the signature on the official registration record card. The clerk also shall reasonably ascertain the identity of such applicant, shall verify that each such applicant is a registered voter, and shall verify the precinct in which he or she is registered and the proper ballots of the political subdivisions in which the applicant resides and is entitled to vote, prior to providing any absentee ballot to such applicant. The clerk shall verify the applicant's registration and from the most recent poll list provided by the county clerk, and if the applicant is not listed on that poll list then by telephoning the office of the county clerk.

Absentee voting procedures in the office of the municipal, township and road district clerks shall be subject to all of the applicable provisions of this Article 19. Pollwatchers may be appointed to observe in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, at the office of the municipal, township or road

New matter indicated by italics - deletions by strikeout
district clerks' offices where such absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted. Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials. All requirements in this Article applicable to election authorities shall apply to the respective local clerks, except where inconsistent with this Section.

The sealed absentee ballots in their carrier envelope shall be delivered by the respective clerks, or by the election authority on behalf of a clerk if the clerk and the election authority agree, to the election authority's central ballot counting location before the close of the polls on the day of the general primary, consolidated primary, consolidated, or general election.

Not more than 23 days before the nonpartisan, general and consolidated elections, the county clerk shall make available to those municipal, township and road district clerks conducting in-person absentee voting within such county, a sufficient number of applications, absentee ballots, envelopes, and printed voting instruction slips for use by absentee voters in the offices of such clerks. The respective clerks shall receipt for all ballots received, shall return all unused or spoiled ballots to the county clerk on the day of the election and shall strictly account for all ballots received.

The ballots delivered to the respective clerks shall include absentee ballots for each precinct in the municipality, township or road district, or shall include such separate ballots for each political subdivision conducting an election of officers or a referendum on that election day as will permit any resident of the municipality, township or road district to vote absentee in the office of the proper clerk.

The clerks of all municipalities, townships and road districts may distribute applications for absentee ballot for the use of voters who wish to mail such applications to the appropriate election authority. Such applications for absentee ballots shall be made on forms provided by the

New matter indicated by italics - deletions by strikeout
election authority. Duplication of such forms by the municipal, township or road district clerk is prohibited.
(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

Sec. 19-4. Mailing or delivery of ballots - Time.) Immediately upon the receipt of such application either by mail, not more than 40 days nor less than 5 days prior to such election, or by personal delivery not more than 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one business day after posting the name and other information of an applicant for an absentee ballot, the election authority shall transmit that name and other posted information to the State Board of Elections, which shall maintain those names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. Within 2 business days after posting a name and other information on the list within its office, the election authority shall mail, postage prepaid, or deliver in person in such office an official ballot or ballots if more than one are to be voted at said election. Mail delivery of Temporarily Absent Student ballot applications pursuant to Section 19-12.3 shall be by nonforwardable mail. However, for the consolidated election, absentee ballots for certain precincts may be delivered to applicants not less than 25 days before the election if so much time is required to have prepared and printed the ballots containing the names of persons nominated for offices.
at the consolidated primary. The election authority shall enclose with each absentee ballot or application written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the State Board of Elections, enumerating the circumstances under which a person is authorized to vote by absentee ballot pursuant to this Article; such document shall also include a statement informing the applicant that if he or she falsifies or is solicited by another to falsify his or her eligibility to cast an absentee ballot, such applicant or other is subject to penalties pursuant to Section 29-10 and Section 29-20 of the Election Code. Each election authority shall maintain a list of the name, street address, ward and precinct, or township and district number, as the case may be, of all applicants who have returned absentee ballots to such authority, and the name of such absent voter shall be added to such list within one business day from receipt of such ballot. If the absentee ballot envelope indicates that the voter was assisted in casting the ballot, the name of the person so assisting shall be included on the list. The list, the pages of which are to be numbered consecutively, shall be kept by each election authority in a conspicuous, open, and public place accessible to the public at the entrance of the office of the election authority and in a manner that the list may be viewed without necessity of requesting permission for viewing.

Each election authority shall maintain a list for each election of the voters to whom it has issued absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom absentee ballots have been issued by mail.

Each election authority shall maintain a list for each election of voters to whom it has issued temporarily absent student ballots. The list shall be maintained for each election jurisdiction within which such voters temporarily abide. Immediately after the close of the period during which application may be made by mail for absentee ballots, each election authority shall mail to each other election authority within the State a

New matter indicated by italics - deletions by strikeout
certified list of all such voters temporarily abiding within the jurisdiction of the other election authority.

In the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under the Nursing Home Care Act, within the jurisdiction of the election authority, and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Saturday, Sunday or Monday immediately preceding the election as designated by the election authority under Section 19-12.2. Such judge shall deliver in person on the designated day the ballot to the applicant on the premises of the facility from which application was made. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the designated day.

All applications for absentee ballots shall be available at the office of the election authority for public inspection upon request from the time of receipt thereof by the election authority until 30 days after the election, except during the time such applications are kept in the office of the election authority pursuant to Section 19-7, and except during the time such applications are in the possession of the judges of election.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19-8) (from Ch. 46, par. 19-8)
Sec. 19-8. Time and place of counting ballots.

(a) (Blank.) Each absentee voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority in time to be delivered to the polling place of the precinct where the elector resides and to be counted by the judges of election at that polling place shall be handled in accordance with this subsection. If an absentee voter's ballot is received prior to the delivery of the official ballots to the judges of election of the precinct where the elector resides, then the absentee voter's ballot envelope and application, sealed in the carrier envelope, shall be enclosed in the same package with the official ballots and delivered to the judges of that precinct. If the official ballots for that precinct have already been delivered to the judges

New matter indicated by italics - deletions by strikeout
of election when the election authority receives the absent voter's ballot, then the authority shall immediately enclose the envelope containing the absent voter's ballot, together with the voter's application, in a larger or carrier envelope which shall be securely sealed and addressed on the face to the judges of election, giving the name or number of precinct, street and number of polling place, city or town in which the absent voter is a qualified elector, and the words "This envelope contains an absent voter's ballot and must be opened only on election day at the polls immediately after the polls are closed". The election authority shall mail the ballot, postage prepaid, to the judges of election, or if more convenient, the election authority may deliver the absent voter's ballot to the judges of election in person or by duly deputized agent, the authority to secure a receipt for delivery of the ballot or ballots. An absent voter's ballot delivered in error to the wrong precinct polling place shall be returned to the election authority and counted as provided in subsection (b).

(b) Each absent voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority before the closing of the polls on election day but too late to be delivered to and counted at the proper precinct polling place shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted in the central ballot counting location office of the election authority on the day of the election after 7:00 p.m., except as provided in subsections (g) and (g-5).

(c) Each absent voter's ballot that is mailed to an election authority and postmarked by the midnight preceding the opening of the polls on election day, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location office of the election authority during the period for counting provisional ballots.

(d) Special write-in absentee voter's blank ballots returned to an election authority, by any means authorized by this Article, and received by the election authority at any time before the closing of the polls on
election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location office of the election authority during the same period provided for counting absent voters' ballots under subsections subsection (b), (g), and (g-5). Special write-in absentee voter's blank ballots that are mailed to an election authority and postmarked by the midnight preceding the opening of the polls on election day, but that are received by the election authority after the polls close on election day and before the closing of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location office of the election authority during the same periods provided for counting absent voters' ballots under subsection (c).

(e) Except as otherwise provided in this Section, absent voters' ballots and special write-in absentee voter's blank ballots received by the election authority after the closing of the polls on an election day shall be endorsed by the election authority receiving them with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election, and shall then, without being opened, be destroyed in like manner as the used ballots of that election.

(f) Counting required under this Section to begin on election day after the closing of the polls shall commence no later than 8:00 p.m. and shall be conducted by a panel or panels of election judges appointed in the manner provided by law. The counting shall continue until all absent voters' ballots and special write-in absentee voter's blank ballots required to be counted on election day have been counted.

(g) The procedures set forth in Section 19.9 of this Act and Articles 17 and 18 of this Code shall apply to all ballots counted under this Section. In addition, within 2 days after an absentee ballot, other than an in-person absentee ballot, is received, but in all cases before the close of the period for counting provisional ballots, the election judge or official shall compare the voter's signature on the certification envelope of that absentee ballot with the signature of the voter on file in the office of the

New matter indicated by italics - deletions by strikeout
election authority. If the election judge or official determines that the 2 signatures match, and that the absentee voter is otherwise qualified to cast an absentee ballot, the election authority shall cast and count the ballot on election day or the day the ballot is determined to be valid, whichever is later, adding the results to the precinct in which the voter is registered. If the election judge or official determines that the signatures do not match, or that the absentee voter is not qualified to cast an absentee ballot, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

In addition to the voter’s signatures not matching, an absentee ballot may be rejected by the election judge or official:

(1) if the ballot envelope is open or has been opened and resealed;
(2) if the voter has already cast an early or grace period ballot;
(3) if the voter voted in person on election day or the voter is not a duly registered voter in the precinct; or
(4) on any other basis set forth in this Code.

If the election judge or official determines that any of these reasons apply, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot. Including comparing the signature on the ballot envelope with the signature of the voter on the permanent voter registration record card taken from the master file; except that votes shall be recorded without regard to precinct designation, except for precinct offices.

(g-5) If an absentee ballot, other than an in-person absentee ballot, is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the absentee voter that his or her ballot was rejected. The notice shall inform the voter of the reason or reasons the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be
rejected. The voter may present evidence to the election authority supporting his or her contention that the ballot should be counted. The election authority shall appoint a panel of 3 election judges to review the contested ballot, application, and certification envelope, as well as any evidence submitted by the absentee voter. No more than 2 election judges on the reviewing panel shall be of the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested absentee ballot. The judges' determination shall not be reviewable either administratively or judicially.

An absentee ballot subject to this subsection that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

(g-10) All absentee ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(h) Each Where ballots are counted in the office of the election authority as provided in this Section, each political party, candidate, and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

(Source: P.A. 94-557, eff. 8-12-05.)

(10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

Sec. 19-12.2. Voting by physically incapacitated electors who have made proper application to the election authority not later than 5 days before the regular primary and general election of 1980 and before each election thereafter shall be conducted on the premises of facilities licensed or certified pursuant to the Nursing Home Care Act for the sole benefit of residents of such facilities. Such voting shall be conducted during any continuous period sufficient to allow all applicants to cast their ballots between the hours of 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday or Monday immediately preceding the regular election. This absentee voting on one of said days designated by the election authority shall be supervised by two election judges who must be selected by the election authority in the following order of priority: (1) from the panel of judges appointed for the precinct in which such facility is located, or from

New matter indicated by italics - deletions by strikeout
a panel of judges appointed for any other precinct within the jurisdiction of the election authority in the same ward or township, as the case may be, in which the facility is located or, only in the case where a judge or judges from the precinct, township or ward are unavailable to serve, (3) from a panel of judges appointed for any other precinct within the jurisdiction of the election authority. The two judges shall be from different political parties. Not less than 30 days before each regular election, the election authority shall have arranged with the chief administrative officer of each facility in his or its election jurisdiction a mutually convenient time period on the Friday, Saturday, Sunday or Monday immediately preceding the election for such voting on the premises of the facility and shall post in a prominent place in his or its office a notice of the agreed day and time period for conducting such voting at each facility; provided that the election authority shall not later than noon on the Thursday before the election also post the names and addresses of those facilities from which no applications were received and in which no supervised absentee voting will be conducted. All provisions of this Code applicable to pollwatchers shall be applicable herein. To the maximum extent feasible, voting booths or screens shall be provided to insure the privacy of the voter. Voting procedures shall be as described in Article 17 of this Code, except that ballots shall be treated as absentee ballots and shall not be counted until the close of the polls on the following day. After the last voter has concluded voting, the judges shall seal the ballots in an envelope and affix their signatures across the flap of the envelope. Immediately thereafter, the judges shall bring the sealed envelope to the office of the election authority who shall deliver such ballots to the election authority's central ballot counting location prior to the closing of the polls on the day of election. Provided, that the election authority may arrange for the judges who conduct such voting on the Monday before the election to deliver the sealed envelope directly to the proper precinct polling place on the day of election and shall announce such procedure in the 30 day notice heretofore prescribed. The judges of election shall also report to the election authority the name of any applicant in the facility who, due to unforeseen circumstance or condition or because of a religious

New matter indicated by italics - deletions by strikeout
holiday, was unable to vote. In this event, the election authority may appoint a qualified person from his or its staff to deliver the ballot to such applicant on the day of election. This staff person shall follow the same procedures prescribed for judges conducting absentee voting in such facilities and shall return the ballot to the central ballot counting location proper precinct polling place before the polls close. However, if the facility from which the application was made is also used as a regular precinct polling place for that voter, voting procedures heretofore prescribed may be implemented by 2 of the election judges of opposite party affiliation assigned to that polling place during the hours of voting on the day of the election. Judges of election shall be compensated not less than $25.00 for conducting absentee voting in such facilities.

Not less than 120 days before each regular election, the Department of Public Health shall certify to the State Board of Elections a list of the facilities licensed or certified pursuant to the Nursing Home Care Act, and shall indicate the approved bed capacity and the name of the chief administrative officer of each such facility, and the State Board of Elections shall certify the same to the appropriate election authority within 20 days thereafter.

(Source: P.A. 86-820; 86-875; 86-1028; 87-1052.)

(10 ILCS 5/19-13) (from Ch. 46, par. 19-13)

Sec. 19-13. Any qualified voter who has been admitted to a hospital, nursing home, or rehabilitation center due to an illness or physical injury not more than 5 days before an election shall be entitled to personal delivery of an absentee ballot in the hospital, nursing home, or rehabilitation center subject to the following conditions:

(1) The voter completes the Application for Physically Incapacitated Elector as provided in Section 19-3, stating as reasons therein that he is a patient in .............. (name of hospital/home/center), .............. located at, .............. (address of hospital/home/center), .............. (county, city/village), was admitted for .............. (nature of illness or physical injury), on .............. (date of admission), and does not expect to be released from the hospital/home/center on or before the day of election.

New matter indicated by italics - deletions by strikeout
(2) The voter's physician completes a Certificate of Attending Physician in a form substantially as follows:

CERTIFICATE OF ATTENDING PHYSICIAN

I state that I am a physician, duly licensed to practice in the State of ..........; that .......... is a patient in .......... (name of hospital/home/center), located at .............. (address of hospital/home/center), ................. (county, city/village); that such individual was admitted for .......... (nature of illness or physical injury), on .......... (date of admission); and that I have examined such individual in the State in which I am licensed to practice medicine and do not expect such individual to be released from the hospital/home/center on or before the day of election.

Under penalties as provided by law pursuant to Section 29-10 of The Election Code, the undersigned certifies that the statements set forth in this certification are true and correct.

(Signature) ..............
(Date licensed) ..............

(3) Any person who is registered to vote in the same precinct as the admitted voter or any legal relative of the admitted voter may present such voter's absentee ballot application, completed as prescribed in paragraph 1, accompanied by the physician's certificate, completed as prescribed in paragraph 2, to the election authority. Such precinct voter or relative shall execute and sign an affidavit furnished by the election authority attesting that he is a registered voter in the same precinct as the admitted voter or that he is a legal relative of the admitted voter and stating the nature of the relationship. Such precinct voter or relative shall further attest that he has been authorized by the admitted voter to obtain his absentee ballot from the election authority and deliver such ballot to him in the hospital, home, or center.

Upon receipt of the admitted voter's application, physician's certificate, and the affidavit of the precinct voter or the relative, the election authority shall examine the registration records to determine if the applicant is qualified to vote and, if found to be qualified, shall provide the precinct voter or the relative the absentee ballot for delivery to the applicant in the hospital, home, or center.

New matter indicated by italics - deletions by strikeout
Upon receipt of the absentee ballot, the admitted voter shall mark the ballot in secret and subscribe to the certifications on the absentee ballot return envelope. After depositing the ballot in the return envelope and securely sealing the envelope, such voter shall give the envelope to the precinct voter or the relative who shall deliver it to the election authority in sufficient time for the ballot to be delivered by the election authority to the election authority's central ballot counting location before 7 p.m. on election day.

Upon receipt of the admitted voter's absentee ballot, the ballot shall be counted in the manner prescribed in Article 19.

(Source: P.A. 94-18, eff. 6-14-05.)

Sec. 19-15. Precinct tabulation optical scan technology voting equipment.

If the election authority has adopted the use of Precinct Tabulation Optical Scan Technology voting equipment pursuant to Article 24B of this Code, and the provisions of the Article are in conflict with the provisions of this Article 19, the provisions of Article 24B shall govern the procedures followed by the election authority, its judges of elections, and all employees and agents, provided that absentee ballots are counted at the election authority's central ballot counting location. In following the provisions of Article 24B, the election authority is authorized to develop and implement procedures to fully utilize Precinct Tabulation Optical Scan Technology voting equipment, at the central ballot counting location, authorized by the State Board of Elections as long as the procedure is not in conflict with either Article 24B or the administrative rules of the State Board of Elections.

(Source: P.A. 89-394, eff. 1-1-97.)

Sec. 19-20. Report on absentee ballots. This Section applies to absentee ballots other than in-person absentee ballots.

On or before the 21st day after an election, each election authority shall transmit to the State Board of Elections the following information with respect to that election:

New matter indicated by italics - deletions by strikeout
(1) The number, by precinct, of absentee ballots requested, provided, and counted.
(2) The number of rejected absentee ballots.
(3) The number of voters seeking review of rejected absentee ballots pursuant to subsection (g-5) of Section 19-8.
(4) The number of absentee ballots counted following review pursuant to subsection (g-5) of Section 19-8.

On or before the 28th day after an election, the State Board of Elections shall compile the information received under this Section with respect to that election and make that information available to the public.

(10 ILCS 5/19A-21 new)
Sec. 19A-21. Use of local public buildings for early voting polling places. Upon request by an election authority, a unit of local government (as defined in Section 1 of Article VII of the Illinois Constitution, which does not include school districts) shall make the unit's public buildings within the election authority's jurisdiction available as permanent or temporary early voting polling places without charge. Availability of a building shall include reasonably necessary time before and after the period early voting is conducted at that building.

A unit of local government making its public building available as a permanent or temporary early voting polling place shall ensure that any portion of the building made available is accessible to handicapped and elderly voters.

(10 ILCS 5/19A-25.5)
Sec. 19A-25.5. Voting machines, automatic tabulating equipment, and precinct tabulation optical scan technology voting equipment.

(a) In all jurisdictions in which voting machines are used, the provisions of this Code that are not inconsistent with this Article relating to the furnishing of ballot boxes, printing and furnishing ballots and supplies, the canvassing of ballots, and the making of returns, apply with full force and effect to the extent necessary to make this Article effective, provided that the number of ballots to be printed shall be in the discretion of the election authority, and provided further that early ballots shall not be counted until after the polls are closed on election day.
(b) If the election authority has adopted the use of automatic tabulating equipment under Article 24A of this Code, and the provisions of that Article are in conflict with the provisions of this Article 19A, the provisions of Article 24A shall govern the procedures followed by the election authority, its judges of election, and all employees and agents; provided that early ballots shall be counted at the election authority's central ballot counting location and shall not be counted until after the polls are closed on election day.

(c) If the election authority has adopted the use of precinct tabulation optical scan technology voting equipment under Article 24B of this Code, and the provisions of that Article are in conflict with the provisions of this Article 19A, the provisions of Article 24B shall govern the procedures followed by the election authority, its judges of election, and all employees and agents; provided that early ballots shall be counted at the election authority's central ballot counting location and shall not be counted until after the polls are closed on election day.

(d) If the election authority has adopted the use of Direct Recording Electronic Voting Systems under Article 24C of this Code, and the provisions of that Article are in conflict with the provisions of this Article 19A, the provisions of Article 24C shall govern the procedures followed by the election authority, its judges of election, and all employees and agents; provided that early ballots shall be counted at the election authority's central ballot counting location and shall not be counted until after the polls are closed on election day.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19A-35)
Sec. 19A-35. Procedure for voting.

(a) Not more than 23 days before the start of the election early voting, the county clerk shall make available to the election official authority conducting early voting by personal appearance a sufficient number of early ballots, envelopes, and printed voting instruction slips for the use of early voters. The election official authority shall receipt for all ballots received and shall return unused or spoiled ballots at the close of the early voting period to the county clerk and must strictly account for all

New matter indicated by italics - deletions by strikeout
ballots received. The ballots delivered to the election official must include early ballots for each precinct in the election authority's jurisdiction and must include separate ballots for each political subdivision conducting an election of officers or a referendum at that election.

(b) In conducting early voting under this Article, the election judge or official is not required to verify the signature of the early voter by comparison with the signature on the official registration card, and however, the judge or official must verify (i) the identity of the applicant, (ii) that the applicant is a registered voter, (iii) the precinct in which the applicant is registered, and (iv) the proper ballots of the political subdivision in which the applicant resides and is entitled to vote before providing an early ballot to the applicant. The applicant's identity must be verified by the applicant's presentation of an Illinois driver's license, a non-driver identification card issued by the Illinois Secretary of State, or another government-issued identification document containing the applicant's photograph. The election judge or official must verify the applicant's registration from the most recent poll list provided by the election authority, and if the applicant is not listed on that poll list, by telephoning the office of the election authority.

(b-5) A person requesting an early voting ballot to whom an absentee ballot was issued may vote early if the person submits that absentee ballot to the judges of election or official conducting early voting for cancellation. If the voter is unable to submit the absentee ballot, it shall be sufficient for the voter to submit to the judges or official (i) a portion of the absentee ballot if the absentee ballot was torn or mutilated or (ii) an affidavit executed before the judges or official specifying that (A) the voter never received an absentee ballot or (B) the voter completed and returned an absentee ballot and was informed that the election authority did not receive that absentee ballot.

(b-10) Within one day after a voter casts an early voting ballot, the election authority shall transmit the voter's name, street address, and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections, which shall maintain those names and that

New matter indicated by italics - deletions by strikeout
information in an electronic format on its website, arranged by county and accessible to State and local political committees.

(b-15) This subsection applies to early voting polling places using optical scan technology voting equipment subject to Article 24B. Immediately after voting an early ballot, the voter shall be instructed whether the voting equipment accepted or rejected the ballot. A voter whose early voting ballot is not accepted by the voting equipment may, upon surrendering the ballot, request and vote another early voting ballot. The voter's ballot that was not accepted shall be initialed by the election judge or official conducting the early voting and handled as provided in Article 24B.

(c) The sealed early ballots in their carrier envelope shall be delivered by the election authority to the central ballot counting location proper polling place before the close of the polls on the day of the election.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19A-50)

Sec. 19A-50. Receipt of ballots. Upon receipt of the voter's ballot, the election judge or official shall enclose the unopened ballot in a large or carrier envelope that shall be securely sealed and endorsed with the name and official title of the election judge or official and the words, "This envelope contains a ballot and must be opened on election day", together with the number and description of the precinct in which the ballot is to be voted, and the election authority shall safely keep the envelope in its office until delivered to the central ballot counting location judges of election as provided in Section 19A-25. The ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19A-60)

Sec. 19A-60. Pollwatchers. Pollwatchers may be appointed to observe early voting by personal appearance at each permanent and temporary polling place where early voting is conducted. The pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except that each candidate, political party, or organization

New matter indicated by italics - deletions by strikeout
of citizens may appoint only one pollwatcher for each location where early
ing by personal appearance is conducted. Pollwatchers must be
residents of the State and possess valid pollwatcher credentials.

Pollwatchers shall be permitted to observe all proceedings and
view all reasonably requested records relating to the conduct of the early
voting, provided the secrecy of the ballot is not impinged, and to station
themselves in a position in the voting room as will enable them to observe
the judges or election authority personnel making the signature
comparison between the voter application and the voter registration
record card; provided, however, that the pollwatchers shall not be
permitted to station themselves in such close proximity to the judges of
election or election authority personnel so as to interfere with the orderly
conduct of the voting and shall not, in any event, be permitted to handle
voting or election materials. Pollwatchers may challenge for cause the
voting qualifications of a person offering to vote and may call to the
attention of the judges of election or election authority personnel any
incorrect procedure or apparent violations of this Code.

In the polling place on election day, pollwatchers are permitted to
be present during the casting of the early ballots and the vote of an early
voter may be challenged for cause the same as if the voter were present
and voted on election day. The judges of election or election authority
personnel conducting early voting, or a majority of either of these, have
the power and authority to hear and determine the legality of an the early
voting ballot, provided that if a challenge to any early voter's right to vote
is sustained, notice of the challenge must be given by the judges of
election or election authority by mail addressed to the voter's place of
residence.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/20-2) (from Ch. 46, par. 20-2)

Sec. 20-2. Any member of the United States Service, otherwise
qualified to vote, who expects in the course of his duties to be absent from
the county in which he resides on the day of holding any election may
make application for an absentee ballot to the election authority having
jurisdiction over his precinct of residence on the official postcard or on a

New matter indicated by italics - deletions by strikeout
form furnished by the election authority as prescribed by Section 20-3 of this Article not less than 10 days before the election. A request pursuant to this Section shall entitle the applicant to an absentee ballot for every election in one calendar year. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year. A certified copy of such application for ballot shall be sent each election with the absentee ballot to the election authority's central ballot counting location polling place to be used in lieu of the original application for ballot. No registration shall be required in order to vote pursuant to this Section.

Ballots under this Section shall be mailed by the election authority in the manner prescribed by Section 20-5 of this Article and not otherwise. Ballots voted under this Section must be returned to the election authority in sufficient time for delivery to the election authority's central ballot counting location polling place before the closing of the polls on the day of the election.

(Source: P.A. 86-875.)

(10 ILCS 5/20-2.1) (from Ch. 46, par. 20-2.1)

Sec. 20-2.1. Citizens of the United States temporarily residing outside the territorial limits of the United States who are not registered but otherwise qualified to vote and who expect to be absent from their county of residence during the periods of voter registration provided for in Articles 4, 5 or 6 of this Code and on the day of holding any election, may make simultaneous application to the election authority having jurisdiction over their precinct of residence for an absentee registration and absentee ballot not less than 30 days before the election. Such application may be made on the official postcard or on a form furnished by the election authority as prescribed by Section 20-3 of this Article. A request pursuant to this Section shall entitle the applicant to an absentee ballot for every election in one calendar year. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year. A certified copy of such application for ballot shall be sent each
election with the absentee ballot to the election authority's central ballot counting location polling place to be used in lieu of the original application for ballot.

Registration shall be required in order to vote pursuant to this Section. However, if the election authority receives one of such applications after 30 days but not less than 10 days before a Federal election, said applicant shall be sent a ballot containing the Federal offices only and registration for that election shall be waived.

Ballots under this Section shall be mailed by the election authority in the manner prescribed by Section 20-5 of this Article and not otherwise. Ballots under this Section must be returned to the election authority in sufficient time for delivery to the election authority's central ballot counting location proper precinct polling place before the closing of the polls on the day of the election.

(Source: P.A. 86-875.)

(10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

Sec. 20-2.2. Any non-resident civilian citizen, otherwise qualified to vote, may make application to the election authority having jurisdiction over his precinct of former residence for an absentee ballot containing the Federal offices only not less than 10 days before a Federal election. Such application may be made only on the official postcard. A request pursuant to this Section shall entitle the applicant to an absentee ballot for every election in one calendar year at which Federal offices are filled. The original application for ballot shall be kept in the office of the election authority for one year as authorization to send a ballot to the voter for each election to be held within that calendar year at which Federal offices are filled. A certified copy of such application for ballot shall be sent each election with the absentee ballot to the election authority's central ballot counting location polling place to be used in lieu of the original application for ballot. No registration shall be required in order to vote pursuant to this Section. Ballots under this Section shall be mailed by the election authority in the manner prescribed by Section 20-5 of this Article and not otherwise. Ballots under this Section must be returned to the election authority in sufficient time for delivery to the election authority's central ballot counting location polling place to be used in lieu of the original application for ballot.
Sec. 20-2.3. Members of the Armed Forces. Any member of the United States Armed Forces while on active duty, otherwise qualified to vote, who expects in the course of his or her duties to be absent from the county in which he or she resides on the day of holding any election, in addition to any other method of making application for an absentee ballot under this Article, may make application for an absentee ballot to the election authority having jurisdiction over his or her precinct of residence by a facsimile machine or electronic transmission not less than 10 days before the election.

Ballots under this Section shall be mailed by the election authority in the manner prescribed by Section 20-5 of this Article and not otherwise. Ballots voted under this Section must be returned to the election authority before the closing of the polls on the day of election and must be counted at the election authority's central ballot counting location.

(10 ILCS 5/20-4) (from Ch. 46, par. 20-4)
Sec. 20-4. Immediately upon the receipt of the official postcard or an application as provided in Section 20-3 within the times heretofore prescribed, the election authority shall ascertain whether or not such applicant is legally entitled to vote as requested, including verification of the applicant's signature by comparison with the signature on the official registration record card, if any. If the election authority ascertains that the applicant is lawfully entitled to vote, it shall enter the name, street address, ward and precinct number of such applicant on a list to be posted in his or its office in a place accessible to the public. Within one business day after posting the name and other information of an applicant for a ballot, the election authority shall transmit that name and posted information to the State Board of Elections, which shall maintain the names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. As soon as the official

New matter indicated by italics - deletions by strikeout
ballot is prepared the election authority shall immediately deliver the same to the applicant in person or by mail, in the manner prescribed in Section 20-5.

If any such election authority receives a second or additional application which it believes is from the same person, he or it shall submit it to the chief judge of the circuit court or any judge of that court designated by the chief judge. If the chief judge or his designate determines that the application submitted to him is a second or additional one, he shall so notify the election authority who shall disregard the second or additional application.

The election authority shall maintain a list for each election of the voters to whom it has issued absentee ballots. The list shall be maintained for each precinct within the jurisdiction of the election authority. Prior to the opening of the polls on election day, the election authority shall deliver to the judges of election in each precinct the list of registered voters in that precinct to whom absentee ballots have been issued.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

Sec. 20-8. Time and place of counting ballots.

(a) (Blank.) Each absent voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority in time to be delivered to the polling place of the precinct where the absent voter is a qualified elector and to be counted by the judges of election of that polling place shall be handled in accordance with this subsection. If the ballot is received by the election authority prior to the delivery of the official ballots to the judges of election of the precinct where the absent voter is a qualified elector, then the absent voter's ballot envelope and application, sealed in the carrier envelope, shall be enclosed in the same package with the official ballots and delivered to the judges of that precinct. If the official ballots for the precinct have already been delivered to the judges of election when the election authority receives the absent voter's ballot, then the election authority shall immediately enclose the envelope containing the absent voter's ballot, together with the voter's application, in a larger or carrier envelope which

New matter indicated by italics - deletions by strikeout
shall be securely sealed and addressed on the face to the judges of election, giving the name or number of precinct, street and number of polling place, city or town in which the absent voter is a qualified elector, and the words, “This envelope contains an absent voter's ballot and must be opened only on election day at the polls immediately after the polls are closed”. The election authority shall mail the ballot, postage prepaid, to the judges of election, or if more convenient then the election authority may deliver the absent voter's ballot to the judges of election in person or by duly deputized agent and secure a receipt for delivery of the ballot or ballots. An absent voter's ballot delivered in error to the wrong precinct polling place shall be returned to the election authority and counted as provided in subsection (b).

(b) Each absent voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority before the closing of the polls on election day but too late to be delivered to and counted at the proper precinct polling place shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted in the central ballot counting location office of the election authority on the day of the election after 7:00 p.m., except as provided in subsections (g) and (g-5).

(c) Each absent voter's ballot that is mailed to an election authority and postmarked by the midnight preceding the opening of the polls on election day, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location office of the election authority during the period for counting provisional ballots.

(d) Special write-in absentee voter's blank ballots returned to an election authority, by any means authorized by this Article, and received by the election authority at any time before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location office of the election authority during the same period provided

New matter indicated by italics - deletions by strikeout
for counting absent voters' ballots under subsections subsection (b), (g), and (g-5). Special write-in absentee voter's blank ballot that are mailed to an election authority and postmarked by midnight preceding the opening of the polls on election day, but that are received by the election authority after the polls close on election day and before the closing of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same periods provided for counting absent voters' ballots under subsection (c).

(e) Except as otherwise provided in this Section, absent voters' ballots and special write-in absentee voter's blank ballots received by the election authority after the closing of the polls on the day of election shall be endorsed by the person receiving the ballots with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election, and shall then, without being opened, be destroyed in like manner as the used ballots of that election.

(f) Counting required under this Section to begin on election day after the closing of the polls shall commence no later than 8:00 p.m. and shall be conducted by a panel or panels of election judges appointed in the manner provided by law. The counting shall continue until all absent voters' ballots and special write-in absentee voter's blank ballots required to be counted on election day have been counted.

(g) The procedures set forth in Section 19-9 of this Act and Articles 17 and 18 of this Code shall apply to all ballots counted under this Section, except that votes shall be recorded without regard to precinct designation. In addition, within 2 days after a ballot subject to this Article is received, but in all cases before the close of the period for counting provisional ballots, the election judge or official shall compare the voter's signature on the certification envelope of that ballot with the signature of the voter on file in the office of the election authority. If the election judge or official determines that the 2 signatures match, and that the voter is otherwise qualified to cast a ballot under this Article, the election

New matter indicated by italics - deletions by strikeout
authority shall cast and count the ballot on election day or the day the ballot is determined to be valid, whichever is later, adding the results to the precinct in which the voter is registered. If the election judge or official determines that the signatures do not match, or that the voter is not qualified to cast a ballot under this Article, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

In addition to the voter’s signatures not matching, a ballot subject to this Article may be rejected by the election judge or official:

1. if the ballot envelope is open or has been opened and resealed;
2. if the voter has already cast an early or grace period ballot;
3. if the voter voted in person on election day or the voter is not a duly registered voter in the precinct; or
4. on any other basis set forth in this Code.

If the election judge or official determines that any of these reasons apply, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

(g-5) If a ballot subject to this Article is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the voter that his or her ballot was rejected. The notice shall inform the voter of the reason or reasons the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting his or her contention that the ballot should be counted. The election authority shall appoint a panel of 3 election judges to review the contested ballot, application, and certification envelope, as well as any evidence submitted by the absentee voter. No more than 2 election judges on the reviewing panel shall be of
the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested ballot. The judges' determination shall not be reviewable either administratively or judicially.

A ballot subject to this subsection that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

(g-10) All ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(h) Each Where ballots are counted in the office of the election authority as provided in this Section, each political party, candidate, and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

(Source: P.A. 94-557, eff. 8-12-05.)

(10 ILCS 5/20-15)

Sec. 20-15. Precinct tabulation optical scan technology voting equipment.

If the election authority has adopted the use of Precinct Tabulation Optical Scan Technology voting equipment pursuant to Article 24B of this Code, and the provisions of the Article are in conflict with the provisions of this Article 20, the provisions of Article 24B shall govern the procedures followed by the election authority, its judges of elections, and all employees and agents, provided that ballots under this Article must be counted at the election authority's central ballot counting location. In following the provisions of Article 24B, the election authority is authorized to develop and implement procedures to fully utilize Precinct Tabulation Optical Scan Technology voting equipment, at the central ballot counting location, authorized by the State Board of Elections as long as the procedure is not in conflict with either Article 24B or the administrative rules of the State Board of Elections.

(Source: P.A. 89-394, eff. 1-1-97.)

(10 ILCS 5/20-20 new)

New matter indicated by italics - deletions by strikeout
Sec. 20-20. Report on ballots. On or before the 21st day after an election, each election authority shall transmit to the State Board of Elections the following information with respect to that election:

(1) The number, by precinct, of ballots subject to this Article requested, provided, and counted.

(2) The number of rejected ballots subject to this Article.

(3) The number of voters seeking review of rejected ballots pursuant to subsection (g-5) of Section 20-8.

(4) The number of ballots counted following review pursuant to subsection (g-5) of Section 20-8.

On or before the 28th day after an election, the State Board of Elections shall compile the information received under this Section with respect to that election and make that information available to the public.

(10 ILCS 5/24-1) (from Ch. 46, par. 24-1)

Sec. 24-1. The election authority in all jurisdictions when voting machines are used shall, except as otherwise provided in this Code, provide a voting machine or voting machines for any or all of the election precincts or election districts, as the case may be, for which the election authority is by law charged with the duty of conducting an election or elections. A voting machine or machines sufficient in number to provide a machine for each 400 voters or fraction thereof shall be supplied for use at all elections. However, no such voting machine shall be used, purchased, or adopted, and no person or entity may have a written contract, including a contract contingent upon certification of the voting machines, to sell, lease, or loan voting machines to an election authority, until the board of voting machine commissioners hereinafter provided for, or a majority thereof, shall have made and filed a report certifying that they have examined such machine; that it affords each elector an opportunity to vote in absolute secrecy; that it enables each elector to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all other parties, and in part from independent nominees printed in the columns of candidates for public office, and in part of persons not in nomination by any party or upon any independent ticket; that it enables each elector to vote a written or printed ballot of his own selection, for any

New matter indicated by italics - deletions by strikeout
person for any office for whom he may desire to vote; that it enables each elector to vote for all candidates for whom he is entitled to vote, and prevents him from voting for any candidate for any office more than once, unless he is lawfully entitled to cast more than one vote for one candidate, and in that event permits him to cast only as many votes for that candidate as he is by law entitled, and no more; that it prevents the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event permits him to vote for as many persons for that office as he is by law entitled, and no more; and that such machine will register correctly by means of exact counters every vote cast for the regular tickets thereon; and has the capacity to contain the tickets of at least 5 political parties with the names of all the candidates thereon, together with all propositions in the form provided by law, where such form is prescribed, and where no such provision is made for the form thereof, then in brief form, not to exceed 75 words; that all votes cast on the machine on a regular ballot or ballots shall be registered; that voters may, by means of irregular ballots or otherwise vote for any person for any office, although such person may not have been nominated by any party and his name may not appear on such machine; that when a vote is cast for any person for any such office, when his name does not appear on the machine, the elector cannot vote for any other name on the machine for the same office; that each elector can, understandingly and within the period of 4 minutes cast his vote for all candidates of his choice; that the machine is so constructed that the candidates for presidential electors of any party can be voted for only by voting for the ballot label containing a bracket within which are the names of the candidates for President and Vice-President of the party or group; that the machine is provided with a lock or locks by the use of which any movement of the voting or registering mechanism is absolutely prevented so that it cannot be tampered with or manipulated for any purpose; that the machine is susceptible of being closed during the progress of the voting so that no person can see or know the number of votes registered for any candidate; that each elector is permitted to vote for or against any question, proposition or amendment upon which he is entitled to vote, and is

New matter indicated by italics - deletions by strikeout
prevented from voting for or against any question, proposition or amendment upon which he is not entitled to vote; that the machine is capable of adjustment by the election authority, so as to permit the elector, at a party primary election, to vote only for the candidates seeking nomination by the political party in which primary he is entitled to vote: Provided, also that no such machine or machines shall be purchased, unless the party or parties making the sale shall guarantee in writing to keep the machine or machines in good working order for 5 years without additional cost and shall give a sufficient bond conditioned to that effect.

(Source: P.A. 89-700, eff. 1-17-97.)

(10 ILCS 5/24A-9) (from Ch. 46, par. 24A-9)

Sec. 24A-9. Prior to the public test, the election authority shall conduct an errorless pre-test of the automatic tabulating equipment and program to ascertain that they will correctly count the votes cast for all offices and all measures. On any day not less than 5 days prior to the election day, the election authority shall publicly test the automatic tabulating equipment and program to ascertain that they will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in one or more newspapers published within the election jurisdiction of the election authority if a newspaper is published therein, otherwise in a newspaper of general circulation therein. Timely written notice stating the date, time and location of the public test shall also be provided to the State Board of Elections. The test shall be open to representatives of the political parties, the press, representatives of the State Board of Elections, and the public. The test shall be conducted by processing a preaudited group of ballots so punched or marked as to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. Such test shall also include the use of precinct header cards and may include the production of an edit listing. In those election jurisdictions where in-precinct counting equipment is utilized, a public test of both such
equipment and program shall be conducted as nearly as possible in the manner prescribed above. The State Board of Elections may select as many election jurisdictions as the Board deems advisable in the interests of the election process of this State in which to order a special test of the automatic tabulating equipment and program prior to any regular election. The Board may order a special test in any election jurisdiction where, during the preceding twelve months, computer programming errors or other errors in the use of electronic voting systems resulted in vote tabulation errors. Not less than 30 days prior to any election, the State Board of Elections shall provide written notice to those selected jurisdictions of their intent to conduct a test. Within 5 days of receipt of the State Board of Elections' written notice of intent to conduct a test, the selected jurisdictions shall forward to the principal office of the State Board of Elections a copy of all specimen ballots. The State Board of Elections' tests shall be conducted and completed not less than 2 days prior to the public test utilizing testing materials supplied by the Board and under the supervision of the Board. The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software. and the Board shall reimburse the election authority for the reasonable cost of computer time required to conduct the special test. After an errorless test, materials used in the public test, including the program, if appropriate, shall be sealed and remain so until the test is run again on election day. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless public test shall be made before the automatic tabulating equipment is approved. Each election authority shall file a sealed copy of each tested program to be used within its jurisdiction at an election with the State Board of Elections prior to the election. The Board shall secure the program or programs of each election jurisdiction so filed in its office until the next election of the same type (general primary, general election, consolidated primary, or consolidated election) for which the program or programs were filed for the 60 days following the canvass and proclamation of election results.

New matter indicated by italics - deletions by strikeout
Upon the expiration of that time, if no election contest or appeal therefrom is pending in an election jurisdiction, the Board shall destroy return the sealed program or programs to the election authority of the jurisdiction. Except where in-precinct counting equipment is utilized, the test shall be repeated immediately before the start of the official count of the ballots, in the same manner as set forth above. After the completion of the count, the test shall be re-run using the same program. An election jurisdiction that was employing, as of January 1, 1983, an electronic voting system that, because of its design, is not technically capable of compliance with such a post-tabulation testing requirement shall satisfy the post-tabulation testing requirement by conducting the post-tabulation test on a duplicate program until such electronic voting system is replaced or until November 1, 1992, whichever is earlier. Immediately thereafter the ballots, all material employed in testing the program and the program shall be sealed and retained under the custody of the election authority for a period of 60 days. At the expiration of that time the election authority shall destroy the voted ballot cards, together with all unused ballots returned from the precincts. Provided, if any contest of election is pending at such time in which such ballots may be required as evidence and such election authority has notice thereof, the same shall not be destroyed until after such contest is finally determined. If the use of back-up equipment becomes necessary, the same testing required for the original equipment shall be conducted.

(Source: P.A. 86-873; 86-874; 86-1028; 87-1052.)

(10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

Sec. 24A-10. (1) In an election jurisdiction which has adopted an electronic voting system, the election official in charge of the election shall select one of the 3 following procedures for receiving, counting, tallying, and return of the ballots:

(a) Two ballot boxes shall be provided for each polling place. The first ballot box is for the depositing of votes cast on the electronic voting system; and the second ballot box is for all votes cast on paper ballots, including absentee paper and early paper ballots and any other paper ballots required to be voted other than on the electronic voting system. Ballots, except absentee and early ballots for candidates and propositions

New matter indicated by italics - deletions by strikeout
which are listed on the electronic voting system, deposited in the second ballot box shall be counted, tallied, and returned as is elsewhere provided in "The Election Code," as amended, for the counting and handling of paper ballots. Immediately after the closing of the polls the absentee and early ballots delivered to the precinct judges of election by the election official in charge of the election shall be examined to determine that such ballots comply with Sections 19-9, 19A-55, and 20-9 of "The Election Code," as amended, and are entitled to be deposited in the ballot box provided therefor; those entitled to be deposited in this ballot box shall be initialed by the precinct judges of election and deposited therein. Those not entitled to be deposited in this ballot box shall be marked "Rejected" and disposed of as provided in Sections 19-9, 19A-55, and 20-9. The precinct judges of election shall then open the second ballot box and examine all paper absentee and early ballots which are in the ballot box to determine whether the absentee and early ballots bear the initials of a precinct judge of election. If any absentee or early ballot is not so initialed, it shall be marked on the back "Defective," initialed as to such label by all judges immediately under such word "Defective," and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope." The judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall examine the paper absentee and early ballots which were in such ballot box and properly initialed so as to determine whether the same contain write-in votes. Write-in votes, not causing an overvote for an office otherwise voted for on the paper absentee or early ballot, and otherwise properly voted, shall be counted, tallied and recorded on the tally sheet provided for such record. A write-in vote causing an overvote for an office shall not be counted for that office, but the precinct judges shall mark such paper or early absentee ballot "Objected To" on the back thereof and write on its back the manner in which such ballot is counted and initial the same. An overvote for one office shall invalidate only the vote or count of that particular office. After counting, tallying and recording the write-in votes on absentee and early ballots, the judges of election, consisting in each case of at least one judge of election of each of the two major political
parties, shall make a true duplicate ballot of the remaining valid votes on each paper absentee or early ballot which was in the ballot box and properly initialed, by using the electronic voting system used in the precinct and one of the marking devices of the precinct so as to transfer the remaining valid votes of the voter on the paper absentee ballot to an official ballot or a ballot card of that kind used in the precinct at that election. The original paper absentee or early ballot shall be clearly labeled “Absentee Ballot” or “Early Ballot”, as the case may be, and the ballot card so produced “Duplicate Absentee Ballot” or “Duplicate Early Ballot”, as the case may be, and each shall bear the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the “Duplicate Absentee Ballot” and “Duplicate Early Ballot” ballots or ballot cards and shall place them in the first ballot box provided for return of the ballots to be counted at the central counting location in lieu of the paper absentee and early ballots. The paper absentee and early ballots shall be placed in an envelope provided for that purpose labeled “Duplicate Ballots.”

As soon as the absentee and early ballots have been deposited in the first ballot box, the judges of election shall make out a slip indicating the number of persons who voted in the precinct at the election. Such slip shall be signed by all the judges of election and shall be inserted by them in the first ballot box. The judges of election shall thereupon immediately lock each the first ballot box; provided, that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and in such manner that the seal completely covers the slot in the ballot box, and each of the judges shall sign such seal. Thereupon two of the judges of election, of different political parties, shall forthwith and by the most direct route transport both ballot boxes to the counting location designated by the county clerk or board of election commissioners.

Before the ballots of a precinct are fed to the electronic tabulating equipment, the first ballot box shall be opened at the central counting

New matter indicated by italics - deletions by strikeout
station by the two precinct transport judges. Upon opening a ballot box, such team shall first count the number of ballots in the box. If 2 or more are folded together so as to appear to have been cast by the same person, all of the ballots so folded together shall be marked and returned with the other ballots in the same condition, as near as may be, in which they were found when first opened, but shall not be counted. If the remaining ballots are found to exceed the number of persons voting in the precinct as shown by the slip signed by the judges of election, the ballots shall be replaced in the box, and the box closed and well shaken and again opened and one of the precinct transport judges shall publicly draw out so many ballots unopened as are equal to such excess.

Such excess ballots shall be marked "Excess-Not Counted" and signed by the two precinct transport judges and shall be placed in the "After 7:00 p.m. Defective Ballots Envelope". The number of excess ballots shall be noted in the remarks section of the Certificate of Results. "Excess" ballots shall not be counted in the total of "defective" ballots.

The precinct transport judges shall then examine the remaining ballots for write-in votes and shall count and tabulate the write-in vote; or

(b) A single ballot box, for the deposit of all votes cast, shall be used. All ballots which are not to be tabulated on the electronic voting system shall be counted, tallied, and returned as elsewhere provided in "The Election Code," as amended, for the counting and handling of paper ballots.

All ballots to be processed and tabulated with the electronic voting system shall be processed as follows:

Immediately after the closing of the polls, the absentee and early ballots delivered to the precinct judges of election by the election official in charge of the election shall be examined to determine that such ballots comply with Sections 19-9, 19A-55, and 20-9 of "The Election Code," as amended, and are entitled to be deposited in the ballot box; those entitled to be deposited in the ballot box shall be initialed by the precinct judges of election and deposited in the ballot box. Those not entitled to be deposited in the ballot box shall be marked "Rejected" and disposed of as provided in said Sections 19-9, 19A-55, and 20-9. The precinct judges of election

New matter indicated by italics - deletions by strikeout
then shall open the ballot box and canvass the votes polled to determine that the number of ballots therein agree with the number of voters voting as shown by the applications for ballot or if the same do not agree the judges of election shall make such ballots agree with the applications for ballot in the manner provided by Section 17-18 of "The Election Code." The judges of election shall then examine all paper absentee and early ballots, ballot cards and ballot card envelopes which are in the ballot box to determine whether the paper ballots, ballot cards and ballot card envelopes bear the initials of a precinct judge of election. If any paper ballot, ballot card or ballot card envelope is not initialed, it shall be marked on the back "Defective," initialed as to such label by all judges immediately under such word "Defective," and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope." The judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall examine the paper absentee and early ballots which were in the ballot box and properly initialed so as to determine whether the same contain write-in votes. Write-in votes, not causing an overvote for an office otherwise voted for on the paper absentee or early ballot, and otherwise properly voted, shall be counted, tallied and recorded on the tally sheet provided for such record. A write-in vote causing an overvote for an office shall not be counted for that office, but the precinct judges shall mark such paper absentee or early ballot "Objected To" on the back thereof and write on its back the manner in which such ballot is counted and initial the same. An overvote for one office shall invalidate only the vote or count of that particular office. After counting, tallying and recording the write-in votes on absentee and early ballots, the judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall make a true duplicate ballot of the remaining valid votes on each paper absentee and early ballot which was in the ballot box and properly initialed, by using the electronic voting system used in the precinct and one of the marking devices of the precinct so as to transfer the remaining valid votes of the voter on the paper absentee or early ballot to an official ballot or a ballot card of that kind used in the precinct at that
election. The original paper absentee ballot shall be clearly labeled "Absentee Ballot" or "Early Ballot", as the case may be, and the ballot card so produced "Duplicate Absentee Ballot" or "Duplicate Early Ballot", as the case may be, and each shall bear the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Absentee Ballot" and "Duplicate Early Ballot" ballots or ballot cards, and shall place them in the box for return of the ballots with all other ballots or ballot cards to be counted at the central counting location in lieu of the paper absentee and early ballots. The paper absentee and early ballots shall be placed in an envelope provided for that purpose labeled "Duplicate Ballots."

When an electronic voting system is used which utilizes a ballot card, before separating the remaining ballot cards from their respective covering envelopes, the judges of election shall examine the ballot card envelopes for write-in votes. When the voter has voted a write-in vote, the judges of election shall compare the write-in vote with the votes on the ballot card to determine whether such write-in results in an overvote for any office. In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall make a true duplicate ballot of all votes on such ballot card except for the office which is overvoted, by using the ballot label booklet of the precinct and one of the marking devices of the precinct so as to transfer all votes of the voter except for the office overvoted, to an official ballot card of that kind used in the precinct at that election. The original ballot card and envelope upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each shall bear the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Overvoted Ballot" ballot cards and shall place them in the box for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Duplicate Ballots" envelope. Envelopes bearing write-in votes marked in the place designated therefor and bearing
the initials of a precinct judge of election and not resulting in an overvote and otherwise complying with the election laws as to marking shall be counted, tallied, and their votes recorded on a tally sheet provided by the election official in charge of the election. The ballot cards and ballot card envelopes shall be separated and all except any defective or overvoted shall be placed separately in the box for return of the ballots. along with all "Duplicate Absentee Ballots", "Duplicate Early Ballots", and "Duplicate Overvoted Ballots." The judges of election shall examine the ballots and ballot cards to determine if any is damaged or defective so that it cannot be counted by the automatic tabulating equipment. If any ballot or ballot card is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, the judges of election, consisting in each case of at least one judge of election of each of the two major political parties, shall make a true duplicate ballot of all votes on such ballot card by using the ballot label booklet of the precinct and one of the marking devices of the precinct. The original ballot or ballot card and envelope shall be clearly labeled "Damaged Ballot" and the ballot or ballot card so produced "Duplicate Damaged Ballot," and each shall bear the same number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot or ballot cards, and shall place them in the box for return of the ballots. The "Damaged Ballot" ballots or ballot cards and their envelopes shall be placed in the "Duplicated Ballots" envelope. A slip indicating the number of voters voting in person, number of absentee votes deposited in the ballot box, and the total number of voters of the precinct who voted at the election shall be made out, signed by all judges of election, and inserted in the box for return of the ballots. The tally sheets recording the write-in votes shall be placed in this box. The judges of election thereupon immediately shall securely lock the ballot box or other suitable box furnished for return of the ballots by the election official in charge of the election; provided that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box.

New matter indicated by italics - deletions by strikeout
lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box so as to cover any slot therein and to identify the box of the precinct; and if such box is sealed with filament tape as provided herein rather than locked, such tape shall be wrapped around the box as provided herein, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Thereupon, 2 of the judges of election, of different major political parties, forthwith shall by the most direct route transport the box for return of the ballots and enclosed ballots and returns to the central counting location designated by the election official in charge of the election. If, however, because of the lack of adequate parking facilities at the central counting location or for any other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from such other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations.

The "Defective Ballots" envelope, and "Duplicated Ballots" envelope each shall be securely sealed and the flap or end thereof of each signed by the precinct judges of election and returned to the central counting location with the box for return of the ballots, enclosed ballots and returns.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall check the box

New matter indicated by italics - deletions by strikeout
returned containing the ballots to determine that all seals are intact, and thereupon shall open the box, check the voters' slip and compare the number of ballots so delivered against the total number of voters of the precinct who voted, remove the ballots or ballot cards and deliver them to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges; or

(c) A single ballot box, for the deposit of all votes cast, shall be used. Immediately after the closing of the polls the judges of election shall examine the absentee and early ballots received by the precinct judges of election from the election authority of voters in that precinct to determine that they comply with the provisions of Sections 19-9, 19A-55, 20-8, and 20-9 of the Election Code, as amended, and are entitled to be deposited in the ballot box; those entitled to be deposited in the ballot box shall be initialed by the precinct judges and deposited in the ballot box. Those not entitled to be deposited in the ballot box, in accordance with Sections 19-9, 19A-55, 20-8, and 20-9 of the Election Code, as amended, shall be marked "Rejected" and preserved in the manner provided in The Election Code for the retention and preservation of official ballots rejected at such election. Immediately upon the completion of the absentee and early balloting, the precinct judges of election shall securely lock the ballot box; provided that if such box is not of a type which may be securely locked, such box shall be sealed with filament tape provided for such purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box so as to cover any slot therein and to identify the box of the precinct; and if such box is sealed with filament tape as provided herein rather than locked, such tape shall be wrapped around the box as provided herein, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Thereupon, 2 of the judges of election, of different major political parties, shall forthwith by the most
direct route transport the box for return of the ballots and enclosed absentee and early ballots and returns to the central counting location designated by the election official in charge of the election. If however, because of the lack of adequate parking facilities at the central counting location or for some other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from such other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of the election from recommendations by the appropriate political party organizations.

At the central counting location there shall be one or more teams of tally judges who possess the same qualifications as tally judges in election jurisdictions using paper ballots. The number of such teams shall be determined by the election authority. Each team shall consist of 5 tally judges, 3 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the majority of members on the county board and 2 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the second largest number of members on the county board. At the central counting location a team of tally judges shall open the ballot box and canvass the votes polled to determine that the number of ballot sheets therein agree with the number of voters voting as shown by the applications for ballot and for absentee and early ballot; and, if the same do not agree, the tally judges shall make such ballots agree with the number of applications for ballot in the manner provided by Section 17-18 of the Election Code. The

New matter indicated by italics - deletions by strikeout
tally judges shall then examine all ballot sheets which are in the ballot box to determine whether they bear the initials of the precinct judge of election. If any ballot is not initialed, it shall be marked on the back "Defective", initialed as to such label by all tally judges immediately under such word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". Write-in votes, not causing an overvote for an office otherwise voted for on the absentee and early ballot sheet, and otherwise properly voted, shall be counted, tallied and recorded by the central counting location judges on the tally sheet provided for such record. A write-in vote causing an overvote for an office shall not be counted for that office, but the tally judges shall mark such absentee ballot sheet "Objected To" on the back thereof and write on its back the manner in which such ballot is counted and initial the same: An overvote for one office shall invalidate only the vote or count of that particular office.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall deliver the ballot sheets to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(2) Regardless of which procedure described in subsection (1) of this Section is used, the judges of election designated to transport the ballots, properly signed and sealed as provided herein, shall ensure that the ballots are delivered to the central counting station no later than 12 hours after the polls close. At the central counting station a team of tally judges designated by the election official in charge of the election shall examine the ballots so transported and shall not accept ballots for tabulating which are not signed and sealed as provided in subsection (1) of this Section until the judges transporting the same make and sign the necessary corrections. Upon acceptance of the ballots by a team of tally judges at the central counting station, the election judges transporting the same shall take a receipt signed by the election official in charge of the election and stamped with the date and time of acceptance. The election judges whose duty it is

New matter indicated by italics - deletions by strikeout
to transport any ballots shall, in the event such ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

Sec. 24A-10.1. In an election jurisdiction where in-precinct counting equipment is utilized, the following procedures for counting and tallying the ballots shall apply:

Immediately after the closing of the polls, the absentee and early ballots delivered to the precinct judges of election by the election authority shall be examined to determine that such ballots comply with Sections 19-9 and 20-9 of this Act and are entitled to be deposited in the ballot box; those entitled to be deposited in the ballot box shall be initialed by the precinct judges of election and deposited in the ballot box. Those not entitled to be deposited in the ballot box shall be marked "Rejected" and disposed of as provided in said Sections 19-9, 19A-55, and 20-9.

The precinct judges of election shall open the ballot box and count the number of ballots therein to determine if such number agrees with the number of voters voting as shown by the applications for ballot or, if the same do not agree, the judges of election shall make such ballots agree with the applications for ballot in the manner provided by Section 17-18 of this Act. The judges of election shall then examine all ballot cards and ballot card envelopes which are in the ballot box to determine whether the ballot cards and ballot card envelopes contain the initials of a precinct judge of election. If any ballot card or ballot card envelope is not initialed, it shall be marked on the back "Defective", initialed as to such label by all judges immediately under the word "Defective" and not counted. The judges of election shall place an initialed blank official ballot card in the place of the defective ballot card, so that the count of the ballot cards to be counted on the automatic tabulating equipment will be the same, and each "Defective Ballot" card and "Replacement" card shall contain the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots

New matter indicated by italics - deletions by strikeout
of that kind in that precinct. The original "Defective" card shall be placed in the "Defective Ballot Envelope" provided for that purpose.

When an electronic voting system is used which utilizes a ballot card, before separating the remaining ballot cards from their respective covering envelopes, the judges of election shall examine the ballot card envelopes for write-in votes. When the voter has cast a write-in vote, the judges of election shall compare the write-in vote with the votes on the ballot card to determine whether such write-in results in an overvote for any office. In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot card except for the office which is overvoted, by using the ballot label booklet of the precinct and one of the marking devices of the precinct so as to transfer all votes of the voter, except for the office overvoted, to a duplicate card. The original ballot card and envelope upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each such "Overvoted Ballot" as well as its "Replacement" shall contain the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The "Overvoted Ballot" card and ballot envelope shall be placed in an envelope provided for that purpose labeled "Duplicate Ballot" envelope, and the judges of election shall initial the "Replacement" ballot cards and shall place them with the other ballot cards to be counted on the automatic tabulating equipment. Envelopes containing write-in votes marked in the place designated therefor and containing the initials of a precinct judge of election and not resulting in an overvote and otherwise complying with the election laws as to marking shall be counted and tallied and their votes recorded on a tally sheet provided by the election authority.

The ballot cards and ballot card envelopes shall be separated in preparation for counting by the automatic tabulating equipment provided for that purpose by the election authority.

Before the ballots are entered into the automatic tabulating equipment, a precinct identification card provided by the election authority

New matter indicated by italics - deletions by strikeout
shall be entered into the device to ensure that the totals are all zeroes in the count column on the printing unit. A precinct judge of election shall then count the ballots by entering each ballot card into the automatic tabulating equipment, and if any ballot or ballot card is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot card by using the ballot label booklet of the precinct and one of the marking devices of the precinct. The original ballot or ballot card and envelope shall be clearly labeled "Damaged Ballot" and the ballot or ballot card so produced shall be clearly labeled "Duplicate Damaged Ballot", and each shall contain the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot or ballot cards and shall enter the duplicate damaged cards into the automatic tabulating equipment. The "Damaged Ballot" cards shall be placed in the "Duplicated Ballots" envelope; after all ballot cards have been successfully read, the judges of election shall check to make certain that the last number printed by the printing unit is the same as the number of voters making application for ballot in that precinct. The number shall be listed on the "Statement of Ballots" form provided by the election authority.

The totals for all candidates and propositions shall be tabulated; 4 sets shall be attached to the 4 sets of "Certificate of Results" provided by the election authority; one set shall be posted in a conspicuous place inside the polling place; and every effort shall be made by the judges of election to provide a set for each authorized pollwatcher or other official authorized to be present in the polling place to observe the counting of ballots; but in no case shall the number of sets to be made available to pollwatchers be fewer than 4, chosen by lot by the judges of election. In addition, sufficient time shall be provided by the judges of election to the pollwatchers to allow them to copy information from the set which has been posted.

New matter indicated by italics - deletions by strikeout
The judges of election shall count all unused ballot cards and enter the number on the "Statement of Ballots". All "Spoiled", "Defective" and "Duplicated" ballot cards shall be counted and the number entered on the "Statement of Ballots".

The precinct judges of election shall select a bi-partisan team of 2 judges, who shall immediately return the ballots in a sealed container, along with all other election materials as instructed by the election authority; provided, however, that such container must first be sealed by the election judges with filament tape provided for such purpose which shall be wrapped around the container lengthwise and crosswise, at least twice each way, in such manner that the ballots cannot be removed from such container without breaking the seal and filament tape and disturbing any signatures affixed by the election judges to the container. The election authority shall keep the office of the election authority, or any receiving stations designated by such authority, open for at least 12 consecutive hours after the polls close or until the ballots from all precincts with in-precinct counting equipment within the jurisdiction of the election authority have been returned to the election authority. Ballots returned to the office of the election authority which are not signed and sealed as required by law shall not be accepted by the election authority until the judges returning the same make and sign the necessary corrections. Upon acceptance of the ballots by the election authority, the judges returning the same shall take a receipt signed by the election authority and stamped with the time and date of such return. The election judges whose duty it is to return any ballots as herein provided shall, in the event such ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/24A-15) (from Ch. 46, par. 24A-15)

Sec. 24A-15. The precinct return printed by the automatic tabulating equipment shall include the number of ballots cast and votes cast for each candidate and proposition and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of applications for ballots in each

New matter indicated by italics - deletions by strikeout
precinct, the write-in votes, the total number of ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy with respect to the total number of votes cast in any precinct, shall have the ballots for such precinct retabulated to correct the return. The procedures for retabulation shall apply prior to and after the proclamation is completed; however, after the proclamation of results, the election authority must obtain a court order to unseal voted ballots except for election contests and discovery recounts. In those election jurisdictions that utilize in-precinct counting equipment, the certificate of results, which has been prepared by the judges of election in the polling place after the ballots have been tabulated, shall be the document used for the canvass of votes for such precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of totals which has been affixed to such certificate of results, the ballots for such precinct shall be retabulated to correct the return. As an additional part of this check prior to the proclamation, in those jurisdictions where in-precinct counting equipment is utilized, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction. The precincts to be retabulated shall be selected after election day on a random basis by the election authority, so that every precinct in the election jurisdiction has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts which are to be retabulated, and the election authority shall be required to utilize such method. The State central committee, State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of such random selection procedure and may be represented at such procedure. Such retabulation shall consist of counting the ballot cards which were originally counted
and shall not involve any determination as to which ballot cards were, in fact, properly counted. The ballots from the precincts selected for such retabulation shall remain at all times under the custody and control of the election authority and shall be transported and retabulated by the designated staff of the election authority.

As part of such retabulation, the election authority shall test the computer program in the selected precincts. Such test shall be conducted by processing a preaudited group of ballots so punched so as to record a predetermined number of valid votes for each candidate and on each public question, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made prior to the official canvass and proclamation of election results.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of such retabulation and may be represented at such retabulation.

The results of this retabulation shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Act. Upon completion of the retabulation, the election authority shall print a comparison of the results of the retabulation with the original precinct return printed by the automatic tabulating equipment. Such comparison shall be done for each precinct and for each office voted upon within that precinct, and the comparisons shall be open to the public.

(Source: P.A. 89-700, eff. 1-17-97.)

(10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

Sec. 24A-16. The State Board of Elections shall approve all voting systems provided by this Article.

No voting system shall be approved unless it fulfills the following requirements:

New matter indicated by italics - deletions by strikeout
(1) It enables a voter to vote in absolute secrecy;
(2) (Blank);
(3) It enables a voter to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all parties, and in part from independent candidates and in part of candidates whose names are written in by the voter;
(4) It enables a voter to vote a written or printed ticket of his own selection for any person for any office for whom he may desire to vote;
(5) It will reject all votes for an office or upon a proposition when the voter has cast more votes for such office or upon such proposition than he is entitled to cast;
(6) It will accommodate all propositions to be submitted to the voters in the form provided by law or, where no such form is provided, then in brief form, not to exceed 75 words.

The State Board of Elections shall not approve any voting equipment or system that includes an external Infrared Data Association (IrDA) communications port.

The State Board of Elections is authorized to withdraw its approval of a voting system if the system fails to fulfill the above requirements.

The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software.

No vendor, person, or other entity may sell, lease, or loan, or have a written contract, including a contract contingent upon State Board approval of the voting system or voting system component, to sell, lease, or loan, a voting system or voting system component to any election jurisdiction unless the voting system or voting system component is first approved by the State Board of Elections pursuant to this Section.

(Source: P.A. 89-700, eff. 1-17-97.)

(10 ILCS 5/24B-9)

Sec. 24B-9. Testing of Precinct Tabulation Optical Scan Technology Equipment and Program; Custody of Programs, Test Materials
and Ballots. Prior to the public test, the election authority shall conduct an errorless pre-test of the automatic Precinct Tabulation Optical Scan Technology tabulating equipment and program and marking device to determine that they will correctly detect Voting Defects and count the votes cast for all offices and all measures. On any day not less than 5 days prior to the election day, the election authority shall publicly test the automatic Precinct Tabulation Optical Scan Technology tabulating equipment and program to determine that they will correctly detect Voting Defects and count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given at least 48 hours before the test by publishing the notice in one or more newspapers within the election jurisdiction of the election authority, if a newspaper is published in that jurisdiction. If a newspaper is not published in that jurisdiction, notice shall be published in a newspaper of general circulation in that jurisdiction. Timely written notice stating the date, time, and location of the public test shall also be provided to the State Board of Elections. The test shall be open to representatives of the political parties, the press, representatives of the State Board of Elections, and the public. The test shall be conducted by processing a preaudited group of ballots marked to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots having votes exceeding the number allowed by law to test the ability of the automatic tabulating equipment or marking device to reject the votes. The test shall also include producing an edit listing. In those election jurisdictions where in-precinct counting equipment is used, a public test of both the equipment and program shall be conducted as nearly as possible in the manner prescribed above. The State Board of Elections may select as many election jurisdictions as the Board deems advisable in the interests of the election process of this State, to order a special test of the automatic tabulating equipment and program before any regular election. The Board may order a special test in any election jurisdiction where, during the preceding 12 months, computer programming errors or other errors in the use of electronic voting systems resulted in vote tabulation errors. Not less than 30 days before any election, the State

New matter indicated by italics - deletions by strikeout
Board of Elections shall provide written notice to those selected jurisdictions of their intent to conduct a test. Within 5 days of receipt of the State Board of Elections' written notice of intent to conduct a test, the selected jurisdictions shall forward to the principal office of the State Board of Elections a copy of all specimen ballots. The State Board of Elections' tests shall be conducted and completed not less than 2 days before the public test utilizing testing materials supplied by the Board and under the supervision of the Board. The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software. The Board shall reimburse the election authority for the reasonable cost of computer time required to conduct the special test. After an errorless test, materials used in the public test, including the program, if appropriate, shall be sealed and remain sealed until the test is run again on election day. If any error is detected, the cause of the error shall be determined and corrected, and an errorless public test shall be made before the automatic tabulating equipment is approved. Each election authority shall file a sealed copy of each tested program to be used within its jurisdiction at an election with the State Board of Elections before the election. The Board shall secure the program or programs of each election jurisdiction so filed in its office until the next election of the same type (general primary, general election, consolidated primary, or consolidated election) for which the program or programs were filed for the 60 days following the canvass and proclamation of election results. At the expiration of that time, if no election contest or appeal is pending in an election jurisdiction, the Board shall destroy return the sealed program or programs to the election authority of the jurisdiction. Except where in-precinct counting equipment is used, the test shall be repeated immediately before the start of the official counting of the ballots, in the same manner as set forth above. After the completion of the count, the test shall be re-run using the same program. Immediately after the re-run, all material used in testing the program and the programs shall be sealed and retained under the custody of the election authority for
a period of 60 days. At the expiration of that time the election authority shall destroy the voted ballots, together with all unused ballots returned from the precincts. Provided, if any contest of election is pending at the time in which the ballots may be required as evidence and the election authority has notice of the contest, the same shall not be destroyed until after the contest is finally determined. If the use of back-up equipment becomes necessary, the same testing required for the original equipment shall be conducted.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24B-10)
Sec. 24B-10. Receiving, Counting, Tallying, and Return of Ballots; Acceptance of Ballots by Election Authority.

(a) In an election jurisdiction which has adopted an electronic Precinct Tabulation Optical Scan Technology voting system, the election official in charge of the election shall select one of the 3 following procedures for receiving, counting, tallying, and return of the ballots:

(1) Two ballot boxes shall be provided for each polling place. The first ballot box is for the depositing of votes cast on the electronic voting system; and the second ballot box is for all votes cast on other ballots, including absentee paper and early paper ballots and any other paper ballots required to be voted other than on the Precinct Tabulation Optical Scan Technology electronic voting system. Ballots, except absentee and early ballots for candidates and propositions which are listed on the Precinct Tabulation Optical Scan Technology electronic voting system, deposited in the second ballot box shall be counted, tallied, and returned as is elsewhere provided in this Code for the counting and handling of paper ballots. Immediately after the closing of the polls, the absentee and early ballots delivered to the precinct judges of election by the election official in charge of the election shall be examined to determine that the ballots comply with Sections 19-9, 19A-55, and 20-9 of this Code and are entitled to be inserted into the counting equipment and deposited into the ballot box provided; those entitled to be deposited in this ballot box shall be initialed by

New matter indicated by italics - deletions by strikeout
the precinct judges of election and deposited. Those not entitled to be deposited in this ballot box shall be marked "Rejected" and disposed of as provided in Sections 19-9, 19A-55, and 20-9. The precinct judges of election shall then open the second ballot box and examine all paper absentee and early ballots which are in the ballot box to determine whether the absentee or early ballots bear the initials of a precinct judge of election. If any absentee or early ballot is not so initialed, it shall be marked on the back "Defective", initialed as to the label by all judges immediately under the word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". The judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall examine the paper absentee and early ballots which were in such ballot box and properly initialed to determine whether the same contain write-in votes. Write-in votes, not causing an overvote for an office otherwise voted for on the paper absentee or early ballot, and otherwise properly voted, shall be counted, tallied and recorded on the tally sheet provided for the record. A write-in vote causing an overvote for an office shall not be counted for that office, but the precinct judges shall mark such paper absentee or early ballot "Objected To" on the back and write on its back the manner in which the ballot is counted and initialed the same. An overvote for one office shall invalidate only the vote or count of that particular office. After counting, tallying and recording the write-in votes on absentee and early ballots, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of the remaining valid votes on each paper absentee and early ballot which was in the ballot box and properly initialed, by using the electronic Precinct Tabulation Optical Scan Technology voting system used in the precinct and one of the marking devices, or equivalent marking device or equivalent ballot, of the precinct to transfer the remaining valid votes of the voter on the paper

New matter indicated by italics - deletions by strikeout
absentee or early ballot to an official ballot or a ballot card of that kind used in the precinct at that election. The original paper absentee ballot shall be clearly labeled "Absentee Ballot" or "Early Ballot", as the case may be, and the ballot card so produced "Duplicate Absentee Ballot" or "Duplicate Early Ballot", as the case may be, and each shall bear the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Absentee Ballot" and "Duplicate Early Ballot" ballots and shall place them in the first ballot box provided for return of the ballots to be counted at the central counting location in lieu of the paper absentee and early ballots. The paper absentee and early ballots shall be placed in an envelope provided for that purpose labeled "Duplicate Ballots".

As soon as the absentee and early ballots have been deposited in the first ballot box, the judges of election shall make out a slip indicating the number of persons who voted in the precinct at the election. The slip shall be signed by all the judges of election and shall be inserted by them in the first ballot box. The judges of election shall thereupon immediately lock each the first ballot box; provided, that if the box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the purpose that shall be wrapped around the box lengthwise and crosswise, at least twice each way, and in a manner that the seal completely covers the slot in the ballot box, and each of the judges shall sign the seal. Two of the judges of election, of different political parties, shall by the most direct route transport both ballot boxes to the counting location designated by the county clerk or board of election commissioners.

Before the ballots of a precinct are fed to the electronic Precinct Tabulation Optical Scan Technology tabulating equipment, the first ballot box shall be opened at the central counting station by the 2 precinct transport judges. Upon opening a

New matter indicated by italics - deletions by strikeout
ballot box, the team shall first count the number of ballots in the box. If 2 or more are folded together to appear to have been cast by the same person, all of the ballots folded together shall be marked and returned with the other ballots in the same condition, as near as may be, in which they were found when first opened, but shall not be counted. If the remaining ballots are found to exceed the number of persons voting in the precinct as shown by the slip signed by the judges of election, the ballots shall be replaced in the box, and the box closed and well shaken and again opened and one of the precinct transport judges shall publicly draw out so many ballots unopened as are equal to the excess.

The excess ballots shall be marked "Excess-Not Counted" and signed by the 2 precinct transport judges and shall be placed in the "After 7:00 p.m. Defective Ballots Envelope". The number of excess ballots shall be noted in the remarks section of the Certificate of Results. "Excess" ballots shall not be counted in the total of "defective" ballots.

The precinct transport judges shall then examine the remaining ballots for write-in votes and shall count and tabulate the write-in vote.

(2) A single ballot box, for the deposit of all votes cast, shall be used. All ballots which are not to be tabulated on the electronic voting system shall be counted, tallied, and returned as elsewhere provided in this Code for the counting and handling of paper ballots.

All ballots to be processed and tabulated with the electronic Precinct Tabulation Optical Scan Technology voting system shall be processed as follows:

Immediately after the closing of the polls, the absentee and early ballots delivered to the precinct judges of election by the election official in charge of the election shall be examined to determine that such ballots comply with Sections 19-9, 19A-55, and 20-9 of this Code and are entitled to be deposited in the ballot box; those entitled to be deposited in the ballot box shall be

New matter indicated by italics - deletions by strikeout
initialed by the precinct judges of election and deposited in the ballot box. Those not entitled to be deposited in the ballot box shall be marked "Rejected" and disposed of as provided in Sections 19-9, 19A-55, and 20-9. The precinct judges of election then shall open the ballot box and canvass the votes polled to determine that the number of ballots agree with the number of voters voting as shown by the applications for ballot, or if the same do not agree the judges of election shall make such ballots agree with the applications for ballot in the manner provided by Section 17-18 of this Code. The judges of election shall then examine all paper absentee and early ballots and ballot envelopes which are in the ballot box to determine whether the ballots and ballot envelopes bear the initials of a precinct judge of election. If any ballot or ballot envelope is not initialed, it shall be marked on the back "Defective", initialed as to the label by all judges immediately under the word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". The judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall examine the paper absentee and early ballots which were in the ballot box and properly initialed to determine whether the same contain write-in votes. Write-in votes, not causing an overvote for an office otherwise voted for on the paper absentee or early ballot, and otherwise properly voted, shall be counted, tallied and recorded on the tally sheet provided for the record. A write-in vote causing an overvote for an office shall not be counted for that office, but the precinct judges shall mark the paper absentee or early ballot "Objected To" on the back and write on its back the manner the ballot is counted and initial the same. An overvote for one office shall invalidate only the vote or count of that particular office. After counting, tallying and recording the write-in votes on absentee and early ballots, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of the remaining

New matter indicated by italics - deletions by strikeout
valid votes on each paper absentee and early ballot which was in the ballot box and properly initialed, by using the electronic voting system used in the precinct and one of the marking devices of the precinct to transfer the remaining valid votes of the voter on the paper absentee or early ballot to an official ballot of that kind used in the precinct at that election. The original paper absentee or early ballot shall be clearly labeled "Absentee Ballot" or "Early Ballot", as the case may be, and the ballot so produced "Duplicate Absentee Ballot" or "Duplicate Early Ballot", as the case may be, and each shall bear the same serial number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Absentee Ballot" and "Duplicate Early Ballot" ballots and shall place them in the box for return of the ballots with all other ballots to be counted at the central counting location in lieu of the paper absentee and early ballots. The paper absentee ballots shall be placed in an envelope provided for that purpose labeled "Duplicate Ballots".

In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on the ballot except for the office which is overvoted, by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct to transfer all votes of the voter except for the office overvoted, to an official ballot of that kind used in the precinct at that election. The original ballot upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each shall bear the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The judges of election shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the box for return of the ballots. The "Overvoted Ballot" ballots shall be placed in the "Duplicate Ballots" envelope. The ballots except any defective or

New matter indicated by italics - deletions by strikeout
overvoted ballot shall be placed separately in the box for return of the ballots, along with all "Duplicate Absentee Ballots", "Duplicate Early Ballots", and "Duplicate Overvoted Ballots". The judges of election shall examine the ballots to determine if any is damaged or defective so that it cannot be counted by the automatic tabulating equipment. If any ballot is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct. The original ballot and ballot envelope shall be clearly labeled "Damaged Ballot" and the ballot so produced "Duplicate Damaged Ballot", and each shall bear the same number which shall be placed thereon by the judges of election, commencing with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot and shall place them in the box for return of the ballots. The "Damaged Ballot" ballots shall be placed in the "Duplicated Ballots" envelope. A slip indicating the number of voters voting in person, number of absentee and early votes deposited in the ballot box, and the total number of voters of the precinct who voted at the election shall be made out, signed by all judges of election, and inserted in the box for return of the ballots. The tally sheets recording the write-in votes shall be placed in this box. The judges of election immediately shall securely lock the ballot box or other suitable box furnished for return of the ballots by the election official in charge of the election; provided that if the box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box to cover any slot therein and to identify the box of the precinct; and if

New matter indicated by italics - deletions by strikeout
the box is sealed with filament tape as provided rather than locked, such tape shall be wrapped around the box as provided, but in such manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Two of the judges of election, of different major political parties, shall by the most direct route transport the box for return of the ballots and enclosed ballots and returns to the central counting location designated by the election official in charge of the election. If, however, because of the lack of adequate parking facilities at the central counting location or for any other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at the other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from the other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for the purpose by the election official in charge of elections from recommendations by the appropriate political party organizations.

The "Defective Ballots" envelope, and "Duplicated Ballots" envelope each shall be securely sealed and the flap or end of each envelope signed by the precinct judges of election and returned to the central counting location with the box for return of the ballots, enclosed ballots and returns.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall check the box returned containing the ballots to determine that all
seals are intact, and shall open the box, check the voters' slip and compare the number of ballots so delivered against the total number of voters of the precinct who voted, remove the ballots and deliver them to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(3) A single ballot box, for the deposit of all votes cast, shall be used. Immediately after the closing of the polls, the judges of election shall examine the absentee and early ballots received by the precinct judges of election from the election authority of voters in that precinct to determine that they comply with the provisions of Sections 19-9, 19A-55, 20-8, and 20-9 of this Code and are entitled to be deposited in the ballot box; those entitled to be deposited in the ballot box shall be initialed by the precinct judges and deposited in the ballot box. Those not entitled to be deposited in the ballot box, in accordance with Sections 19-9, 19A-55, 20-8, and 20-9 of this Code shall be marked "Rejected" and preserved in the manner provided in this Code for the retention and preservation of official ballots rejected at such election. Immediately upon the completion of the absentee and early balloting, the precinct judges of election shall securely lock the ballot box; provided that if such box is not of a type which may be securely locked, the box shall be sealed with filament tape provided for the purpose which shall be wrapped around the box lengthwise and crosswise, at least twice each way. A separate adhesive seal label signed by each of the judges of election of the precinct shall be affixed to the box to cover any slot therein and to identify the box of the precinct; and if the box is sealed with filament tape as provided rather than locked, such tape shall be wrapped around the box as provided, but in a manner that the separate adhesive seal label affixed to the box and signed by the judges may not be removed without breaking the filament tape and disturbing the signature of the judges. Two of the judges of election, of different major political parties, shall by the

New matter indicated by italics - deletions by strikeout
most direct route transport the box for return of the ballots and enclosed absentee and early ballots and returns to the central counting location designated by the election official in charge of the election. If however, because of the lack of adequate parking facilities at the central counting location or for some other reason, it is impossible or impracticable for the boxes from all the polling places to be delivered directly to the central counting location, the election official in charge of the election may designate some other location to which the boxes shall be delivered by the 2 precinct judges. While at the other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for the purpose by the election official in charge of elections from recommendations by the appropriate political party organizations. As soon as possible, the boxes shall be transported from the other location to the central counting location by one or more teams, each consisting of 4 persons, 2 from each of the 2 major political parties, designated for the purpose by the election official in charge of the election from recommendations by the appropriate political party organizations.

At the central counting location there shall be one or more teams of tally judges who possess the same qualifications as tally judges in election jurisdictions using paper ballots. The number of the teams shall be determined by the election authority. Each team shall consist of 5 tally judges, 3 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the majority of members on the county board and 2 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the second largest number of members on the county board. At the central counting location a team of tally judges shall open the ballot box and canvass the votes polled to determine that the number of ballot sheets therein agree with the number of voters voting as shown by

New matter indicated by italics - deletions by strikeout
the applications for ballot and for absentee and early ballot; and, if
the same do not agree, the tally judges shall make such ballots
agree with the number of applications for ballot in the manner
provided by Section 17-18 of this Code. The tally judges shall then
examine all ballot sheets that are in the ballot box to determine
whether they bear the initials of the precinct judge of election. If
any ballot is not initialed, it shall be marked on the back
"Defective", initialed as to that label by all tally judges
immediately under the word "Defective", and not counted, but
placed in the envelope provided for that purpose labeled "Defective
Ballots Envelope". Write-in votes, not causing an overvote for an
office otherwise voted for on the absentee or early ballot sheet; and
otherwise properly voted, shall be counted, tallied, and recorded by
the central counting location judges on the tally sheet provided for
the record. A write-in vote causing an overvote for an office shall
not be counted for that office, but the tally judges shall mark the
absentee or early ballot sheet "Objected To" and write the manner
in which the ballot is counted on its back and initial the
sheet. An overvote for one office shall invalidate only the vote or count for
that particular office.

At the central counting location, a team of tally judges
designated by the election official in charge of the election shall
deliver the ballot sheets to the technicians operating the automatic
Precinct Tabulation Optical Scan Technology tabulating
equipment. Any discrepancies between the number of ballots and
total number of voters shall be noted on a sheet furnished for that
purpose and signed by the tally judges.

(b) Regardless of which procedure described in subsection (a) of
this Section is used, the judges of election designated to transport the
ballots properly signed and sealed, shall ensure that the ballots are
delivered to the central counting station no later than 12 hours after the
polls close. At the central counting station, a team of tally judges
designated by the election official in charge of the election shall examine
the ballots so transported and shall not accept ballots for tabulating which

New matter indicated by italics - deletions by strikeout
are not signed and sealed as provided in subsection (a) of this Section until the judges transporting the ballots make and sign the necessary corrections. Upon acceptance of the ballots by a team of tally judges at the central counting station, the election judges transporting the ballots shall take a receipt signed by the election official in charge of the election and stamped with the date and time of acceptance. The election judges whose duty it is to transport any ballots shall, in the event the ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/24B-10.1)

Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures for Counting and Tallying Ballots. In an election jurisdiction where Precinct Tabulation Optical Scan Technology counting equipment is used, the following procedures for counting and tallying the ballots shall apply:

  Before the opening of the polls, and before the ballots are entered into the automatic tabulating equipment, the judges of election shall be sure that the totals are all zeros in the counting column. Ballots may then be counted by entering or scanning each ballot into the automatic tabulating equipment. Throughout the election day and before the closing of the polls, no person may check any vote totals for any candidate or proposition on the automatic tabulating equipment. Such automatic tabulating equipment shall be programmed so that no person may reset the equipment for refeeding of ballots unless provided a code from an authorized representative of the election authority. At the option of the election authority, the ballots may be fed into the Precinct Tabulation Optical Scan Technology equipment by the voters under the direct supervision of the judges of elections.

  Immediately after the closing of the polls, the absentee or early ballots delivered to the precinct judges of election by the election authority shall be examined to determine that the ballots comply with Sections 19-9, 19A-55, and 20-9 of this Code and are entitled to be scanned by the Precinct Tabulation Optical Scan Technology equipment and then deposited in the ballot box; those entitled to be scanned and deposited in
the ballot box shall be initialed by the precinct judges of election and then sealed and deposited in the ballot box. Those not entitled to be deposited in the ballot box shall be marked "Rejected" and disposed of as provided in said Sections 19-9, 19A-55, and 20-9:

The precinct judges of election shall open the ballot box and count the number of ballots to determine if the number agrees with the number of voters voting as shown on the Precinct Tabulation Optical Scan Technology equipment and by the applications for ballot or, if the same do not agree, the judges of election shall make the ballots agree with the applications for ballot in the manner provided by Section 17-18 of this Code. The judges of election shall then examine all ballots which are in the ballot box to determine whether the ballots contain the initials of a precinct judge of election. If any ballot is not initialed, it shall be marked on the back "Defective", initialed as to such label by all judges immediately under the word "Defective" and not counted. The judges of election shall place an initialed blank official ballot in the place of the defective ballot, so that the count of the ballots to be counted on the automatic tabulating equipment will be the same, and each "Defective Ballot" and "Replacement" ballot shall contain the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The original "Defective" ballot shall be placed in the "Defective Ballot Envelope" provided for that purpose.

If the judges of election have removed a ballot pursuant to Section 17-18, have labeled "Defective" a ballot which is not initialed, or have otherwise determined under this Code to not count a ballot originally deposited into a ballot box, the judges of election shall be sure that the totals on the automatic tabulating equipment are reset to all zeros in the counting column. Thereafter the judges of election shall enter or otherwise scan each ballot to be counted in the automatic tabulating equipment. Resetting the automatic tabulating equipment to all zeros and re-entering of ballots to be counted may occur at the precinct polling place, the office of the election authority, or any receiving station designated by the
election authority. The election authority shall designate the place for resetting and re-entering or re-scanning.

When a Precinct Tabulation Optical Scan Technology electronic voting system is used which uses a paper ballot, the judges of election shall examine the ballot for write-in votes. When the voter has cast a write-in vote, the judges of election shall compare the write-in vote with the votes on the ballot to determine whether the write-in results in an overvote for any office, unless the Precinct Tabulation Optical Scan Technology equipment has already done so. In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot except for the office which is overvoted, by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct so as to transfer all votes of the voter, except for the office overvoted, to a duplicate ballot. The original ballot upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each such "Overvoted Ballot" as well as its "Replacement" shall contain the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The "Overvoted Ballot" shall be placed in an envelope provided for that purpose labeled "Duplicate Ballot" envelope, and the judges of election shall initial the "Replacement" ballots and shall place them with the other ballots to be counted on the automatic tabulating equipment.

If any ballot is damaged or defective, or if any ballot contains a Voting Defect, so that it cannot properly be counted by the automatic tabulating equipment, the voter or the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot by using the ballot of the precinct and one of the marking devices of the precinct, or equivalent. If a damaged ballot, the original ballot shall be clearly labeled "Damaged Ballot" and the ballot so produced shall be clearly labeled "Damaged Ballot" and the ballot so produced shall be clearly labeled "Duplicate Damaged Ballot", and each shall contain the
same serial number which shall be placed by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot and shall enter or otherwise scan the duplicate damaged ballot into the automatic tabulating equipment. The "Damaged Ballots" shall be placed in the "Duplicated Ballots" envelope; after all ballots have been successfully read, the judges of election shall check to make certain that the Precinct Tabulation Optical Scan Technology equipment readout agrees with the number of voters making application for ballot in that precinct. The number shall be listed on the "Statement of Ballots" form provided by the election authority.

The totals for all candidates and propositions shall be tabulated; and 4 copies of a "Certificate of Results" shall be generated by the automatic tabulating equipment; one copy shall be posted in a conspicuous place inside the polling place; and every effort shall be made by the judges of election to provide a copy for each authorized pollwatcher or other official authorized to be present in the polling place to observe the counting of ballots; but in no case shall the number of copies to be made available to pollwatchers be fewer than 4, chosen by lot by the judges of election. In addition, sufficient time shall be provided by the judges of election to the pollwatchers to allow them to copy information from the copy which has been posted.

The judges of election shall count all unused ballots and enter the number on the "Statement of Ballots". All "Spoiled", "Defective" and "Duplicated" ballots shall be counted and the number entered on the "Statement of Ballots".

The precinct judges of election shall select a bi-partisan team of 2 judges, who shall immediately return the ballots in a sealed container, along with all other election materials as instructed by the election authority; provided, however, that such container must first be sealed by the election judges with filament tape or other approved sealing devices provided for the purpose which shall be wrapped around the container lengthwise and crosswise, at least twice each way, in a manner that the ballots cannot be removed from the container without breaking the seal.

New matter indicated by italics - deletions by strikeout
and filament tape and disturbing any signatures affixed by the election judges to the container, or which other approved sealing devices are affixed in a manner approved by the election authority. The election authority shall keep the office of the election authority or any receiving stations designated by the authority, open for at least 12 consecutive hours after the polls close or until the ballots from all precincts with in-precinct counting equipment within the jurisdiction of the election authority have been returned to the election authority. Ballots returned to the office of the election authority which are not signed and sealed as required by law shall not be accepted by the election authority until the judges returning the ballots make and sign the necessary corrections. Upon acceptance of the ballots by the election authority, the judges returning the ballots shall take a receipt signed by the election authority and stamped with the time and date of the return. The election judges whose duty it is to return any ballots as provided shall, in the event the ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided. The precinct judges of election shall also deliver the Precinct Tabulation Optical Scan Technology equipment to the election authority.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/24B-15)

Sec. 24B-15. Official Return of Precinct; Check of Totals; Retabulation. The precinct return printed by the automatic Precinct Tabulation Optical Scan Technology tabulating equipment shall include the number of ballots cast and votes cast for each candidate and proposition and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of applications for ballots in each precinct, the write-in votes, the total number of ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct retabulated to correct the return. The procedures for retabulation shall apply prior to and after the proclamation is completed; however, after
the proclamation of results, the election authority must obtain a court order to unseal voted ballots except for election contests and discovery recounts. In those election jurisdictions that use in-precinct counting equipment, the certificate of results, which has been prepared by the judges of election in the polling place after the ballots have been tabulated, shall be the document used for the canvass of votes for such precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of totals which has been affixed to the certificate of results, the ballots for that precinct shall be retabulated to correct the return. As an additional part of this check prior to the proclamation, in those jurisdictions where in-precinct counting equipment is used, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction. The precincts to be retabulated shall be selected after election day on a random basis by the State Board of Elections election authority, so that every precinct in the election jurisdiction has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts which are to be retabulated, and the election authority shall be required to use that method. The State central committee State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organization shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure. The retabulation shall consist of counting the ballots which were originally counted and shall not involve any determination of which ballots were, in fact, properly counted. The ballots from the precincts selected for the retabulation shall remain at all times under the custody and control of the election authority and shall be transported and retabulated by the designated staff of the election authority.

As part of the retabulation, the election authority shall test the computer program in the selected precincts. The test shall be conducted by processing a preaudited group of ballots marked to record a predetermined

New matter indicated by italics - deletions by strikeout
number of valid votes for each candidate and on each public question, and shall include for each office one or more ballots which have votes in excess of the number allowed by law to test the ability of the equipment and the marking device to reject such votes. If any error is detected, the cause shall be determined and corrected, and an errorless count shall be made prior to the official canvass and proclamation of election results.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the retabulation and may be represented at the retabulation.

The results of this retabulation shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Code. Upon completion of the retabulation, the election authority shall print a comparison of the results of the retabulation with the original precinct return printed by the automatic tabulating equipment. The comparison shall be done for each precinct and for each office voted upon within that precinct, and the comparisons shall be open to the public. Upon completion of the retabulation, the returns shall be open to the public.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24B-16)

Sec. 24B-16. Approval of Precinct Tabulation Optical Scan Technology Voting Systems; Requisites. The State Board of Elections shall approve all Precinct Tabulation Optical Scan Technology voting systems provided by this Article.

No Precinct Tabulation Optical Scan Technology voting system shall be approved unless it fulfills the following requirements:

(a) It enables a voter to vote in absolute secrecy;
(b) (Blank);
(c) It enables a voter to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all parties, and in part from independent candidates, and in part of candidates whose names are written in by the voter;

New matter indicated by italics - deletions by strikeout
(d) It enables a voter to vote a written or printed ticket of his or her own selection for any person for any office for whom he or she may desire to vote;

(e) It will reject all votes for an office or upon a proposition when the voter has cast more votes for the office or upon the proposition than he or she is entitled to cast; and

(f) It will accommodate all propositions to be submitted to the voters in the form provided by law or, where no form is provided, then in brief form, not to exceed 75 words.

The State Board of Elections shall not approve any voting equipment or system that includes an external Infrared Data Association (IrDA) communications port.

The State Board of Elections is authorized to withdraw its approval of a Precinct Tabulation Optical Scan Technology voting system if the system fails to fulfill the above requirements.

The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software.

No vendor, person, or other entity may sell, lease, or loan, or have a written contract, including a contract contingent upon State Board approval of the voting system or voting system component, to sell, lease, or loan, a voting system or Precinct Tabulation Optical Scan Technology voting system component to any election jurisdiction unless the voting system or voting system component is first approved by the State Board of Elections pursuant to this Section.

(Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

(10 ILCS 5/24C-9)

Sec. 24C-9. Testing of Direct Recording Electronic Voting System Equipment and Programs; Custody of Programs, Test Materials and Ballots. Prior to the public test, the election authority shall conduct an errorless pre-test of the Direct Recording Electronic Voting System equipment and programs to determine that they will correctly detect voting

New matter indicated by italics - deletions by strikeout
defects and count the votes cast for all offices and all public questions. On any day not less than 5 days prior to the election day, the election authority shall publicly test the Direct Recording Electronic Voting System equipment and programs to determine that they will correctly detect voting errors and accurately count the votes legally cast for all offices and on all public questions. Public notice of the time and place of the test shall be given at least 48 hours before the test by publishing the notice in one or more newspapers within the election jurisdiction of the election authority, if a newspaper is published in that jurisdiction. If a newspaper is not published in that jurisdiction, notice shall be published in a newspaper of general circulation in that jurisdiction. Timely written notice stating the date, time, and location of the public test shall also be provided to the State Board of Elections. The test shall be open to representatives of the political parties, the press, representatives of the State Board of Elections, and the public. The test shall be conducted by entering a pre-audited group of votes designed to record a predetermined number of valid votes for each candidate and on each public question, and shall include for each office one or more ballots having votes exceeding the number allowed by law to test the ability of the automatic tabulating equipment to reject the votes. The test shall also include producing an edit listing. In those election jurisdictions where in-precinct counting equipment is used, a public test of both the equipment and program shall be conducted as nearly as possible in the manner prescribed above. The State Board of Elections may select as many election jurisdictions as the Board deems advisable in the interests of the election process of this State, to order a special test of the automatic tabulating equipment and program before any regular election. The Board may order a special test in any election jurisdiction where, during the preceding 12 months, computer programming errors or other errors in the use of System resulted in vote tabulation errors. Not less than 30 days before any election, the State Board of Elections shall provide written notice to those selected jurisdictions of their intent to conduct a test. Within 5 days of receipt of the State Board of Elections' written notice of intent to conduct a test, the selected jurisdictions shall forward to the principal office of the State Board of Elections a copy of all

New matter indicated by italics - deletions by strikeout
specimen ballots. The State Board of Elections' tests shall be conducted and completed not less than 2 days before the public test utilizing testing materials supplied by the Board and under the supervision of the Board. The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software. and the Board shall reimburse the election authority for the reasonable cost of computer time required to conduct the special test. After an errorless test, materials used in the public test, including the program, if appropriate, shall be sealed and remain sealed until the test is run again on election day. If any error is detected, the cause of the error shall be determined and corrected, and an errorless public test shall be made before the automatic tabulating equipment is approved. Each election authority shall file a sealed copy of each tested program to be used within its jurisdiction at an election with the State Board of Elections before the election. The Board shall secure the program or programs of each election jurisdiction so filed in its office until the next election of the same type (general primary, general election, consolidated primary, or consolidated election) for which the program or programs were filed for the 60 days following the canvass and proclamation of election results. At the expiration of that time, if no election contest or appeal is pending in an election jurisdiction, the Board shall destroy return the sealed program or programs to the election authority of the jurisdiction. Except where precinct counting equipment is used, the test shall be repeated immediately before the start of the official counting of the ballots, in the same manner as set forth above. After the completion of the count, the test shall be re-run using the same program. Immediately after the re-run, all material used in testing the program and the programs shall be sealed and retained under the custody of the election authority for a period of 60 days. At the expiration of that time the election authority shall destroy the voted ballots, together with all unused ballots returned from the precincts. Provided, if any contest of election is pending at the time in which the ballots may be required as evidence and the election authority has notice of

New matter indicated by italics - deletions by strikeout
the contest, the same shall not be destroyed until after the contest is finally determined. If the use of back-up equipment becomes necessary, the same testing required for the original equipment shall be conducted.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-13)

Sec. 24C-13. Absentee ballots; Early voting ballots; Proceedings at Location for Central Counting; Employees; Approval of List.

(a) All jurisdictions using Direct Recording Electronic Voting Systems shall use paper ballots or paper ballot sheets approved for use under Articles 16, 24A or 24B of this Code when conducting absentee voting except that Direct Recording Electronic Voting Systems may be used for in-person absentee voting conducted pursuant to Section 19-2.1 of this Code. All absentee ballots shall be counted at the central ballot counting location office of the election authority. The provisions of Section 24A-9, 24B-9 and 24C-9 of this Code shall apply to the testing and notice requirements for central count tabulation equipment, including comparing the signature on the ballot envelope with the signature of the voter on the permanent voter registration record card taken from the master file. Absentee ballots other than absentee ballots voted in person pursuant to Section 19-2.1 of this Code shall be examined and processed pursuant to Sections 19-9 and 20-9 of this Code. Vote results shall be recorded by precinct and shall be added to the vote results for the precinct in which the absent voter was eligible to vote prior to completion of the official canvass.

(a-5) Early voting ballots cast in accordance with Article 19A shall be counted in precincts as provided in that Article. Early votes cast through the use of Direct Recording Electronic Voting System devices shall be counted using the procedures of this Article. Early votes cast by a method other than the use of Direct Recording Electronic Voting System devices shall be counted using the procedures of this Code for that method.

(b) All proceedings at the location for central counting shall be under the direction of the county clerk or board of election commissioners. Except for any specially trained technicians required for the operation of
the Direct Recording Electronic Voting System, the employees at the counting station shall be equally divided between members of the 2 leading political parties and all duties performed by the employees shall be by teams consisting of an equal number of members of each political party. Thirty days before an election the county clerk or board of election commissioners shall submit to the chairman of each political party, for his or her approval or disapproval, a list of persons of his or her party proposed to be employed. If a chairman fails to notify the election authority of his or her disapproval of any proposed employee within a period of 10 days thereafter the list shall be deemed approved.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/24C-15)

Sec. 24C-15. Official Return of Precinct; Check of Totals; Audit.

The precinct return printed by the Direct Recording Electronic Voting System tabulating equipment shall include the number of ballots cast and votes cast for each candidate and public question and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of applications for ballots in each precinct, the total number of ballots and absentee ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct audited to correct the return. The procedures for this audit shall apply prior to and after the proclamation is completed; however, after the proclamation of results, the election authority must obtain a court order to unseal voted ballots or voting devices except for election contests and discovery recounts. The certificate of results, which has been prepared and signed by the judges of election in the polling place after the ballots have been tabulated, shall be the document used for the canvass of votes for such precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of

New matter indicated by italics - deletions by strikeout
totals reflected on the certificate of results, the ballots for that precinct shall be audited to correct the return.

Prior to the proclamation, the election authority shall test the voting devices and equipment in 5% of the precincts within the election jurisdiction. The precincts to be tested shall be selected after election day on a random basis by the State Board of Elections election authority, so that every precinct in the election jurisdiction has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts that are to be tested; and the election authority shall be required to use that method. The State central committee State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure.

The test shall be conducted by counting the votes marked on the permanent paper record of each ballot cast in the tested precinct printed by the voting system at the time that each ballot was cast and comparing the results of this count with the results shown by the certificate of results prepared by the Direct Recording Electronic Voting System in the test precinct. The election authority shall test count these votes either by hand or by using an automatic tabulating device other than a Direct Recording Electronic voting device that has been approved by the State Board of Elections for that purpose and tested before use to ensure accuracy. The election authority shall print the results of each test count. If any error is detected, the cause shall be determined and corrected, and an errorless count shall be made prior to the official canvass and proclamation of election results. If an errorless count cannot be conducted and there continues to be difference in vote results between the certificate of results produced by the Direct Recording Electronic Voting System and the count of the permanent paper records or if an error was detected and corrected, the election authority shall immediately prepare and forward to the appropriate canvassing board a written report explaining the results of the

New matter indicated by italics - deletions by strikeout
test and any errors encountered and the report shall be made available for public inspection.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the test and may be represented at the test.

The results of this post-election test shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Code.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/24C-16)

Sec. 24C-16. Approval of Direct Recording Electronic Voting Systems; Requisites. The State Board of Elections shall approve all Direct Recording Electronic Voting Systems that fulfill the functional requirements provided by Section 24C-11 of this Code, the mandatory requirements of the federal voting system standards pertaining to Direct Recording Electronic Voting Systems promulgated by the Federal Election Commission or the Election Assistance Commission, the testing requirements of an approved independent testing authority and the rules of the State Board of Elections.

The State Board of Elections shall not approve any Direct Recording Electronic Voting System that includes an external Infrared Data Association (IrDA) communications port.

The State Board of Elections is authorized to withdraw its approval of a Direct Recording Electronic Voting System if the System, once approved, fails to fulfill the above requirements.

The vendor, person, or other private entity shall be solely responsible for the production and cost of: all ballots; additional temporary workers; and other equipment or facilities needed and used in the testing of the vendor's, person's, or other private entity's respective equipment and software.

No vendor, person, or other entity may sell, lease, or loan, or have a written contract, including a contract contingent upon State Board

New matter indicated by italics - deletions by strikeout
approval of the voting system or voting system component, to sell, lease, or loan, a Direct Recording Electronic Voting System or system component to any election jurisdiction unless the system or system component is first approved by the State Board of Elections pursuant to this Section.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/19-9 rep.)
(10 ILCS 5/19A-55 rep.)
(10 ILCS 5/20-9 rep.)


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

Approved July 3, 2006.

PUBLIC ACT 94-1001
(Senate Bill No. 2456)

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Section 2-105 as follows:

(625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)
Sec. 2-105. Offices of Secretary of State.
(a) The Secretary of State shall maintain offices in the State capital and in such other places in the State as he may deem necessary to properly carry out the powers and duties vested in him.
(b) The Secretary of State may construct and equip one or more buildings in the State of Illinois outside of the County of Sangamon as he deems necessary to properly carry out the powers and duties vested in him. The Secretary of State may, on behalf of the State of Illinois, acquire

New matter indicated by italics - deletions by strikeout
public or private property needed therefor by lease, purchase or eminent domain. The care, custody and control of such sites and buildings constructed thereon shall be vested in the Secretary of State. Expenditures for the construction and equipping of any of such buildings upon premises owned by another public entity shall not be subject to the provisions of any State law requiring that the State be vested with absolute fee title to the premises. The exercise of the authority vested in the Secretary of State by this Section is subject to the appropriation of the necessary funds.

(c) Pursuant to Sections 4-6.2, 5-16.2, and 6-50.2 of the Election Code, the Secretary of State shall make driver services facilities available for use as temporary places of registration. Registration within the offices shall be in the most public, orderly and convenient portions thereof, and Section 4-3, 5-3, and 11-4 of the Election Code relative to the attendance of police officers during the conduct of registration shall apply. Registration under this Section shall be made in the manner provided by Sections 4-8, 4-10, 5-7, 5-9, 6-34, 6-35, and 6-37 of the Election Code.

(d) Within 30 days after the effective date of this amendatory Act of 1990, and no later than November 1 of each even-numbered year thereafter, the Secretary of State, to the extent practicable, shall designate to each election authority in the State a reasonable number of employees at each driver services facility registered to vote within the jurisdiction of such election authority and within adjacent election jurisdictions for appointment as deputy registrars by the election authority located within the election jurisdiction where the employees maintain their residences. Such designation shall be in writing and certified by the Secretary of State.

(e) Each person applying at a driver services facility for a driver's license or permit, a corrected driver's license or permit, an Illinois identification card or a corrected Illinois identification card shall be notified that the person may register at such station to vote in the State and may also transfer his voter registration at such station to a different address in the State. Such notification may be made in writing or verbally issued by an employee or the Secretary of State.
The Secretary of State shall promulgate such rules as may be necessary for the efficient execution of his duties and the duties of his employees under this amendatory Act of 1990.

(f) Any person applying at a driver services facility for issuance or renewal of a driver's license or Illinois Identification Card shall be provided, without charge, with a brochure warning the person of the dangers of financial identity theft. The Department of Financial and Professional Regulation shall prepare these brochures and provide them to the Secretary of State for distribution. The brochures shall (i) identify signs warning the reader that he or she might be an intended victim of the crime of financial identity theft, (ii) instruct the reader in how to proceed if the reader believes that he or she is the victim of the crime of identity theft, and (iii) provide the reader with names and telephone numbers of law enforcement and other governmental agencies that provide assistance to victims of financial identity theft.

(Source: P.A. 94-645, eff. 8-22-05.)


PUBLIC ACT 94-1002
(Senate Bill No. 2709)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
   Section 5. The Use Tax Act is amended by changing Sections 3-5 and 3-55 as follows:
   (35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)
   Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:
   (1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service
enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.
(6) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses

New matter indicated by italics - deletions by strikeout
or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing

New matter indicated by italics - deletions by strikeout
and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

New matter indicated by italics - deletions by strikeout
(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act.
Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability
company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

New matter indicated by italics - deletions by strikeout
(30) Beginning January 1, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed

New matter indicated by italics - deletions by strikeout
by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(Source: P.A. 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-651, eff. 7-11-02; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-1033, eff. 9-3-04; revised 10-21-04.)

New matter indicated by italics - deletions by strikeout
Sec. 3-55. Multistate exemption. To prevent actual or likely multistate taxation, the tax imposed by this Act does not apply to the use of tangible personal property in this State under the following circumstances:

(a) The use, in this State, of tangible personal property acquired outside this State by a nonresident individual and brought into this State by the individual for his or her own use while temporarily within this State or while passing through this State.

(b) The use, in this State, of tangible personal property by an interstate carrier for hire as rolling stock moving in interstate commerce or by lessors under a lease of one year or longer executed or in effect at the time of purchase of tangible personal property by interstate carriers for hire for use as rolling stock moving in interstate commerce as long as so used by the interstate carriers for-hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(c) The use, in this State, by owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce as long as so used by the interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(d) The use, in this State, of tangible personal property that is acquired outside this State and caused to be brought into this State by a person who has already paid a tax in another State in respect to the sale, purchase, or use of that property, to the extent of the amount of the tax properly due and paid in the other State.

(e) The temporary storage, in this State, of tangible personal property that is acquired outside this State and that, after being brought into this State and stored here temporarily, is used solely outside this State or is physically attached to or incorporated into other tangible personal

New matter indicated by italics - deletions by strikeout
property that is used solely outside this State, or is altered by converting, fabricating, manufacturing, printing, processing, or shaping, and, as altered, is used solely outside this State.

(f) The temporary storage in this State of building materials and fixtures that are acquired either in this State or outside this State by an Illinois registered combination retailer and construction contractor, and that the purchaser thereafter uses outside this State by incorporating that property into real estate located outside this State.

(g) The use or purchase of tangible personal property by a common carrier by rail or motor that receives the physical possession of the property in Illinois, and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(h) Except as provided in subsection (h-1), the use, in this State, of a motor vehicle that was sold in this State to a nonresident, even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred shall be prima facie evidence that the motor vehicle will not be titled in this State.

(h-1) The exemption under subsection (h) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for the use in that state of a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the
sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this subsection shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this subsection (h-1) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(i) Beginning July 1, 1999, the use, in this State, of fuel acquired outside this State and brought into this State in the fuel supply tanks of locomotives engaged in freight hauling and passenger service for interstate commerce. This subsection is exempt from the provisions of Section 3-90.

(j) Beginning on January 1, 2002 and through June 30, 2011, the use of tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this subsection (j). The permit issued under this subsection (j) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property.
property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-488, eff. 8-23-01; 92-680, eff. 7-16-02; 92-23, eff. 6-20-03; 93-1068, eff. 1-15-05.)

Section 10. The Service Use Tax Act is amended by changing Sections 3-5 and 3-45 as follows:

(35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

1. Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

2. Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

3. Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

New matter indicated by italics - deletions by strikeout
(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but

New matter indicated by italics - deletions by strikeout
is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

New matter indicated by italics - deletions by strikeout
(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act,
to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting
area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30,
2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that

New matter indicated by italics - deletions by strikeout
amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04.)

(35 ILCS 110/3-45) (from Ch. 120, par. 439.33-45)

Sec. 3-45. Multistate exemption. To prevent actual or likely multistate taxation, the tax imposed by this Act does not apply to the use of tangible personal property in this State under the following circumstances:

(a) The use, in this State, of property acquired outside this State by a nonresident individual and brought into this State by the individual for his or her own use while temporarily within this State or while passing through this State.

New matter indicated by italics - deletions by strikeout
(b) The use, in this State, of property that is acquired outside this State and that is moved into this State for use as rolling stock moving in interstate commerce.

(c) The use, in this State, of property that is acquired outside this State and caused to be brought into this State by a person who has already paid a tax in another state in respect to the sale, purchase, or use of that property, to the extent of the amount of the tax properly due and paid in the other state.

(d) The temporary storage, in this State, of property that is acquired outside this State and that after being brought into this State and stored here temporarily, is used solely outside this State or is physically attached to or incorporated into other property that is used solely outside this State, or is altered by converting, fabricating, manufacturing, printing, processing, or shaping, and, as altered, is used solely outside this State.

(e) Beginning July 1, 1999, the use, in this State, of fuel acquired outside this State and brought into this State in the fuel supply tanks of locomotives engaged in freight hauling and passenger service for interstate commerce. This subsection is exempt from the provisions of Section 3-75.

(f) Beginning on January 1, 2002 and through June 30, 2011, the use of tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this subsection (f). The permit issued under this subsection (f) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act.

New matter indicated by italics - deletions by strikeout
Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.
(Source: P.A. 92-16, eff. 6-28-01; 92-488, eff. 8-23-01; 93-23, eff. 6-20-03.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

New matter indicated by italics - deletions by strikeout
(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but

New matter indicated by italics - deletions by strikeout
is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

New matter indicated by italics - deletions by strikeout
(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Beginning January 1, 1992 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.
(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or

New matter indicated by italics - deletions by strikeout
technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

New matter indicated by italics - deletions by strikeout
(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2011, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-488, eff. 8-23-01; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

New matter indicated by italics - deletions by strikeout
Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 2-70.

New matter indicated by italics - deletions by strikeout
(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or

New matter indicated by italics - deletions by strikeout
services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.
(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as

New matter indicated by italics - deletions by strikeout
tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in
the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of
tax in an amount equivalent to the state's rate of tax on taxable property in
his or her state of residence and shall submit the statement to the
appropriate tax collection agency in his or her state of residence. In
addition, the retailer must retain a signed copy of the statement in his or
her records. Nothing in this item shall be construed to require the removal
of the vehicle from this state following the filing of an intent to title the
vehicle in the purchaser's state of residence if the purchaser titles the
vehicle in his or her state of residence within 30 days after the date of sale.
The tax collected under this Act in accordance with this item (25-5) shall
be proportionately distributed as if the tax were collected at the 6.25%
general rate imposed under this Act.

(26) Semen used for artificial insemination of livestock for direct
agricultural production.

(27) Horses, or interests in horses, registered with and meeting the
requirements of any of the Arabian Horse Club Registry of America,
Appaloosa Horse Club, American Quarter Horse Association, United
States Trotting Association, or Jockey Club, as appropriate, used for
purposes of breeding or racing for prizes.

(28) Computers and communications equipment utilized for any
hospital purpose and equipment used in the diagnosis, analysis, or
treatment of hospital patients sold to a lessor who leases the equipment,
under a lease of one year or longer executed or in effect at the time of the
purchase, to a hospital that has been issued an active tax exemption
identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property,
under a lease of one year or longer executed or in effect at the time of the
purchase, to a governmental body that has been issued an active tax
exemption identification number by the Department under Section 1g of
this Act.

(30) Beginning with taxable years ending on or after December 31,
1995 and ending with taxable years ending on or before December 31,
2004, personal property that is donated for disaster relief to be used in a
State or federally declared disaster area in Illinois or bordering Illinois by a
manufacturer or retailer that is registered in this State to a corporation,
society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.
(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in

New matter indicated by italics - deletions by strikeout
effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2011, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-488, eff. 8-23-01; 92-651, eff. 7-11-02; 92-680, eff. 7-16-02; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-1033, eff. 9-3-04; 93-1068, eff. 1-15-05.)
Section 25. The Property Tax Code is amended by changing Section 10-152 as follows:

(35 ILCS 200/10-152)

(Section scheduled to be repealed on December 31, 2006)

Sec. 10-152. Vegetative filter strip assessment.

(a) In counties with less than 3,000,000 inhabitants, any land (i) that is located between a farm field and an area to be protected, including but not limited to surface water, a stream, a river, or a sinkhole and (ii) that meets the requirements of subsection (b) of this Section shall be considered a "vegetative filter strip" and valued at 1/6th of its productivity index equalized assessed value as cropland. In counties with 3,000,000 or more inhabitants, the land shall be valued at the lesser of either (i) 16% of the fair cash value of the farmland estimated at the price it would bring at a fair, voluntary sale for use by the buyer as a farm as defined in Section 1-60 or (ii) 90% of the 1983 average equalized assessed value per acre certified by the Department of Revenue.

(b) Vegetative filter strips shall meet the standards and specifications set forth in the Natural Resources Conservation Service Technical Guide and shall contain vegetation that (i) has a dense top growth; (ii) forms a uniform ground cover; (iii) has a heavy fibrous root system; and (iv) tolerates pesticides used in the farm field.

(c) The county's soil and water conservation district shall assist the taxpayer in completing a uniform certified document as prescribed by the Department of Revenue in cooperation with the Association of Illinois Soil and Water Conservation Districts that certifies (i) that the property meets the requirements established under this Section for vegetative filter strips and (ii) the acreage or square footage of property that qualifies for assessment as a vegetative filter strip. The document shall be filed by the applicant with the Chief County Assessment Officer. The Chief County Assessment Officer shall promulgate rules concerning the filing of the document. The soil and water conservation district shall create a conservation plan for the creation of the filter strip. The plan shall be kept on file in the soil and water conservation district office. Nothing in this

New matter indicated by italics - deletions by strikeout
Section shall be construed to require any taxpayer to have vegetative filter strips.

(d) A joint report by the Department of Agriculture and the Department of Natural Resources concerning the effect and impact of vegetative filter strip assessment shall be submitted to the General Assembly by March 1, 2006.

(e) This Section is repealed on December 31, 2006.

(Source: P.A. 89-606, eff. 1-1-97; 90-552, eff. 12-12-97.)

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

Passed in the General Assembly April 7, 2006.
Approved July 3, 2006.

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Joliet Regional Port District Act is amended by changing Sections 14, 15, 16, and 18 as follows:

(70 ILCS 1825/14) (from Ch. 19, par. 264)

Sec. 14. The governing and administrative body of the Port District shall be a Board consisting of 9 members, to be known as the Joliet Regional Port District Board. All members of the Board shall be residents of Will County. The members of the Board shall serve without compensation but shall be reimbursed for actual expenses incurred by them in the performance of their duties. However, any member of the Board who is appointed to the office of secretary or treasurer may receive compensation for his services as such officer. No member of the Board or employee of the District shall have any private financial interest, profit or

New matter indicated by italics - deletions by strikeout
benefit in any contract, work or business of the District nor in the sale or lease of any property to or from the District.
(Source: Laws 1957, p. 1302.)

(70 ILCS 1825/15) (from Ch. 19, par. 265)

Sec. 15. Within 60 days after this Act becomes effective the Governor, by and with the advice and consent of the Senate shall appoint 3 members of the Board who reside within the District outside the corporate boundaries of the city of Joliet for initial terms expiring June 1st of the years 1959, 1961, and 1963, respectively, and the Mayor, with the advice and consent of the City Council of the City of Joliet, shall appoint 3 members of the Board who reside within the City of Joliet for initial terms expiring June 1st of the years 1958, 1960, and 1962, respectively. Of the 3 members each appointed by the Governor and the Mayor not more than 2 shall be affiliated with the same political party at the time of appointment.

Within 60 days after the effective date of this amendatory Act of the 94th General Assembly, the County Executive of Will County, with the advice and consent of the County Board, shall appoint 3 members of the Board for terms expiring June 1st of 2008, 2010, and 2012, respectively. The County Board of Will County shall appoint one member of the Board for an initial term expiring June 1, 1963.

At the expiration of the term of any member, his successor shall be appointed by the Governor, Mayor, or County Executive of Will County in like manner and with like regard to political party affiliation and place of residence of the appointee, as appointments for the initial terms except that after September 30, 1973, appointments to be made by the county board shall be made by the presiding officer of the county board, with the advice and consent of the county board.

All successors shall hold office for the term of 6 years from the first day of June of the year in which the term of office commences, except in the case of an appointment to fill a vacancy. In case of vacancy in the office of any member appointed by the Governor during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall

New matter indicated by italics - deletions by strikeout
hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make temporary appointments as in case of vacancies. The Governor, the Mayor, and the County Executive presiding officer of the county board shall certify their respective appointments to the Secretary of State. Within 30 days after certification of his appointment, and before entering upon the duties of his office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: P.A. 78-1128.)

(70 ILCS 1825/16) (from Ch. 19, par. 266)

Sec. 16. Members of the Board shall hold office until their respective successors have been appointed and qualified. Any member may resign from his office to take effect when his successor has been appointed and has qualified. The Governor, the Mayor and the County Executive presiding officer of the County Board of Will County, respectively, may remove any member of the Board they have appointed in case of incompetency, neglect of duty, or malfeasance in office. They shall give such member a copy of the charges against him and an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days' notice. In case of failure to qualify within the time required, or of abandonment of his office, or in case of death, conviction of a felony or removal from office, the office of such member shall become vacant. Each vacancy shall be filled for the unexpired term by appointment in like manner as in case of expiration of the term of a member of the Board.

(Source: P.A. 78-1128.)

(70 ILCS 1825/18) (from Ch. 19, par. 268)

Sec. 18. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meetings to be fixed by the Board. Five Four members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinances or resolution and the affirmative vote of at least 5 4 members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the

New matter indicated by italics - deletions by strikeout
chairman of the Board, and if he approves thereof he shall sign the same, and such as he does not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in the case the chairman fails to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least 6 5 members, it shall go into effect notwithstanding the veto of the chairman. All ordinances, resolutions and all proceedings of the District and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as are kept or prepared by the Board for use in negotiations, legal actions or proceedings to which the District is a party.

(Source: Laws 1957, p. 1302.)

Section 10. The Waukegan Port District Act is amended by changing Sections 15, 16, and 19 as follows:

(70 ILCS 1865/15) (from Ch. 19, par. 193)

Sec. 15. The governing and administrative body of the Port District shall be a Board consisting of 7 5 members, to be known as the Waukegan Port District Board. Members of the Board shall be residents of a county whose territory, in whole or in part, is embraced by the District and not less than 4 three members of the Board shall be residents of the District. The members of the Board shall serve without compensation, but shall be reimbursed for actual expenses incurred by them in the performance of their duties. However, any member of the Board who is appointed to the office of secretary or treasurer may receive compensation for his services as such officer. No member of the Board or employee of the District shall have any private financial interest, profit or benefit in any contract, work or business of the District nor in the sale or lease of any property to or from the District.

(Source: Laws 1955, p. 657.)

New matter indicated by italics - deletions by strikeout
Sec. 16. Within 60 days after this Act becomes effective the Governor, by and with the advice and consent of the Senate, shall appoint 3 members of the Board for initial terms expiring June first of the years 1957, 1959 and 1961, respectively, and the Mayor, with advice and consent of the city council of the city of Waukegan, shall appoint 2 members of the Board for initial terms expiring June first of the years 1956 and 1958, respectively. Of the 3 members appointed by the Governor not more than 2 shall be members of the same political party at the time of appointment. Within 60 days of the effective date of this amendatory Act of the 94th General Assembly, the Mayor of the City of Waukegan shall appoint 2 additional members of the Board, whose terms shall expire on June 1, 2008 and June 1, 2010, respectively. At the expiration of the term of any member appointed by the Governor, his successor shall be appointed by the Governor in like manner, and at the expiration of the term of any member appointed by the Mayor, his successor shall be appointed by the Mayor in like manner, and with like regard as to the place of residence of the appointee, as appointments for the initial terms. All successors shall hold office for the term of 6 years from the first day of June of the year in which they are appointed, except in the case of an appointment to fill a vacancy. In case of vacancy in the office of any member appointed by the Governor during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make temporary appointments as in case of vacancies. The Governor and Mayor shall certify their respective appointments to the Secretary of State. Within 30 days after certification of his appointment, and before entering upon the duties of his office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: Laws 1955, p. 657.)
Sec. 19. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meetings to be fixed by the Board. *Four* members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinances or resolutions and the affirmative vote of at least *four* members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the chairman of the Board, and if he approves thereof he shall sign the same, and such as he does not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in the case the chairman fails to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least *five* members, it shall go into effect notwithstanding the veto of the chairman. All ordinances, resolutions and all proceedings of the District and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as are kept or prepared by the Board for use in negotiations, legal actions or proceedings to which the District is a party.

(Source: Laws 1955, p. 657.)

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

Passed in the General Assembly April 7, 2006.
Approved July 3, 2006.
AN ACT concerning criminal law.

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

Section 5. The Cannabis Control Act is amended by changing Section 12 as follows:

(720 ILCS 550/12) (from Ch. 56 1/2, par. 712)

Sec. 12. (a) The following are subject to forfeiture:

(1) all substances containing cannabis which have been produced, manufactured, delivered, or possessed in violation of this Act;

(2) all raw materials, products and equipment of any kind which are produced, delivered, or possessed in connection with any substance containing cannabis in violation of this Act;

(3) all conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraph (1) or (2) that constitutes a felony violation of the Act, but:

(i) no conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this Section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this Act;

(ii) no conveyance is subject to forfeiture under this Section by reason of any act or omission which the owner proves to have been committed or omitted without his knowledge or consent;

(iii) a forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

New matter indicated by italics - deletions by strikeout
(4) all money, things of value, books, records, and research products and materials including formulas, microfilm, tapes, and data which are used, or intended for use in a felony violation of this Act;

(5) everything of value furnished or intended to be furnished by any person in exchange for a substance in violation of this Act, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used, or intended to be used, to commit or in any manner to facilitate any felony violation of this Act.

(b) Property subject to forfeiture under this Act may be seized by the Director or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property. Seizure by the Director or any peace officer without process may be made:

(1) if the property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal proceeding or in an injunction or forfeiture proceeding based upon this Act or the Drug Asset Forfeiture Procedure Act;

(2) if there is probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(3) if there is probable cause to believe that the property is subject to forfeiture under this Act and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable; or

(4) in accordance with the Code of Criminal Procedure of 1963.

(c) In the event of seizure pursuant to subsection (b), forfeiture proceedings shall be instituted in accordance with the Drug Asset Forfeiture Procedure Act.

(d) Property taken or detained under this Section shall not be subject to replevin, but is deemed to be in the custody of the Director subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings and the decisions of the State's Attorney under the Drug Asset Forfeiture Procedure Act. When property is

New matter indicated by italics - deletions by strikeout
seized under this Act, the seizing agency shall promptly conduct an inventory of the seized property, estimate the property's value, and shall forward a copy of the inventory of seized property and the estimate of the property's value to the Director. Upon receiving notice of seizure, the Director may:

1. place the property under seal;
2. remove the property to a place designated by him;
3. keep the property in the possession of the seizing agency;
4. remove the property to a storage area for safekeeping or, if the property is a negotiable instrument or money and is not needed for evidentiary purposes, deposit it in an interest bearing account;
5. place the property under constructive seizure by posting notice of pending forfeiture on it, by giving notice of pending forfeiture to its owners and interest holders, or by filing notice of pending forfeiture in any appropriate public record relating to the property; or
6. provide for another agency or custodian, including an owner, secured party, or lienholder, to take custody of the property upon the terms and conditions set by the Director.

(e) No disposition may be made of property under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court.

(f) When property is forfeited under this Act the Director shall sell all such property unless such property is required by law to be destroyed or is harmful to the public, and shall distribute the proceeds of the sale, together with any moneys forfeited or seized, in accordance with subsection (g). However, upon the application of the seizing agency or prosecutor who was responsible for the investigation, arrest or arrests and prosecution which lead to the forfeiture, the Director may return any item of forfeited property to the seizing agency or prosecutor for official use in

New matter indicated by italics - deletions by strikeout
the enforcement of laws relating to cannabis or controlled substances, if
the agency or prosecutor can demonstrate that the item requested would be
useful to the agency or prosecutor in their enforcement efforts. When any
forfeited conveyance, including an aircraft, vehicle, or vessel, is returned
to the seizing agency or prosecutor, the conveyance may be used
immediately in the enforcement of the criminal laws of this State. Upon
disposal, all proceeds from the sale of the conveyance must be used for
drug enforcement purposes. When any real property returned to the seizing
agency is sold by the agency or its unit of government, the proceeds of the
sale shall be delivered to the Director and distributed in accordance with
subsection (g).

(g) All monies and the sale proceeds of all other property forfeited
and seized under this Act shall be distributed as follows:

(1) 65% shall be distributed to the metropolitan
enforcement group, local, municipal, county, or state law
enforcement agency or agencies which conducted or participated in
the investigation resulting in the forfeiture. The distribution shall
bear a reasonable relationship to the degree of direct participation
of the law enforcement agency in the effort resulting in the
forfeiture, taking into account the total value of the property
forfeited and the total law enforcement effort with respect to the
violation of the law upon which the forfeiture is based. Amounts
distributed to the agency or agencies shall be used for the
enforcement of laws governing cannabis and controlled substances
or for security cameras used for the prevention or detection of
violence, except that amounts distributed to the Secretary of State
shall be deposited into the Secretary of State Evidence Fund to be
used as provided in Section 2-115 of the Illinois Vehicle Code.

(2)(i) 12.5% shall be distributed to the Office of the State's
Attorney of the county in which the prosecution resulting in
the forfeiture was instituted, deposited in a special fund in
the county treasury and appropriated to the State's Attorney
for use in the enforcement of laws governing cannabis and
controlled substances. In counties over 3,000,000

New matter indicated by italics - deletions by strikeout
population, 25% will be distributed to the Office of the State's Attorney for use in the enforcement of laws governing cannabis and controlled substances. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws governing cannabis and controlled substances.

(ii) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the Narcotics Profit Forfeiture Fund of that Office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases arising under laws governing cannabis and controlled substances. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with over 3,000,000 population.

(3) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

(Source: P.A. 89-404, eff. 8-20-95; 90-593, eff. 6-19-98.)

Section 10. The Illinois Controlled Substances Act is amended by changing Section 505 as follows:

(720 ILCS 570/505) (from Ch. 56 1/2, par. 1505)
Sec. 505. (a) The following are subject to forfeiture:

(1) all substances which have been manufactured, distributed, dispensed, or possessed in violation of this Act;

(2) all raw materials, products and equipment of any kind which are used, or intended for use in manufacturing, distributing, dispensing, administering or possessing any substance in violation of this Act;

(3) all conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraphs (1) and (2), but:

New matter indicated by italics - deletions by strikeout
(i) no conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this Section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this Act;

(ii) no conveyance is subject to forfeiture under this Section by reason of any act or omission which the owner proves to have been committed or omitted without his knowledge or consent;

(iii) a forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

(4) all money, things of value, books, records, and research products and materials including formulas, microfilm, tapes, and data which are used, or intended to be used in violation of this Act;

(5) everything of value furnished, or intended to be furnished, in exchange for a substance in violation of this Act, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used, or intended to be used, to commit or in any manner to facilitate any violation of this Act;

(6) all real property, including any right, title, and interest (including, but not limited to, any leasehold interest or the beneficial interest in a land trust) in the whole of any lot or tract of land and any appurtenances or improvements, which is used or intended to be used, in any manner or part, to commit, or in any manner to facilitate the commission of, any violation or act that constitutes a violation of Section 401 or 405 of this Act or that is the proceeds of any violation or act that constitutes a violation of Section 401 or 405 of this Act.

(b) Property subject to forfeiture under this Act may be seized by the Director or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property. Seizure by the Director or any peace officer without process may be made:

New matter indicated by italics - deletions by strikeout
(1) if the seizure is incident to inspection under an administrative inspection warrant;

(2) if the property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal proceeding, or in an injunction or forfeiture proceeding based upon this Act or the Drug Asset Forfeiture Procedure Act;

(3) if there is probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(4) if there is probable cause to believe that the property is subject to forfeiture under this Act and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable; or

(5) in accordance with the Code of Criminal Procedure of 1963.

(c) In the event of seizure pursuant to subsection (b), forfeiture proceedings shall be instituted in accordance with the Drug Asset Forfeiture Procedure Act.

(d) Property taken or detained under this Section shall not be subject to replevin, but is deemed to be in the custody of the Director subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings and the decisions of the State's Attorney under the Drug Asset Forfeiture Procedure Act. When property is seized under this Act, the seizing agency shall promptly conduct an inventory of the seized property and estimate the property's value, and shall forward a copy of the inventory of seized property and the estimate of the property's value to the Director. Upon receiving notice of seizure, the Director may:

(1) place the property under seal;

(2) remove the property to a place designated by the Director;

(3) keep the property in the possession of the seizing agency;

(4) remove the property to a storage area for safekeeping or, if the property is a negotiable instrument or money and is not

New matter indicated by italics - deletions by strikeout
needed for evidentiary purposes, deposit it in an interest bearing account;

(5) place the property under constructive seizure by posting notice of pending forfeiture on it, by giving notice of pending forfeiture to its owners and interest holders, or by filing notice of pending forfeiture in any appropriate public record relating to the property; or

(6) provide for another agency or custodian, including an owner, secured party, or lienholder, to take custody of the property upon the terms and conditions set by the Director.

(e) If the Department of Professional Regulation suspends or revokes a registration, all controlled substances owned or possessed by the registrant at the time of suspension or the effective date of the revocation order may be placed under seal. No disposition may be made of substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court. Upon a revocation rule becoming final, all substances may be forfeited to the Department of Professional Regulation.

(f) When property is forfeited under this Act the Director shall sell all such property unless such property is required by law to be destroyed or is harmful to the public, and shall distribute the proceeds of the sale, together with any moneys forfeited or seized, in accordance with subsection (g). However, upon the application of the seizing agency or prosecutor who was responsible for the investigation, arrest or arrests and prosecution which lead to the forfeiture, the Director may return any item of forfeited property to the seizing agency or prosecutor for official use in the enforcement of laws relating to cannabis or controlled substances, if the agency or prosecutor can demonstrate that the item requested would be useful to the agency or prosecutor in their enforcement efforts. When any forfeited conveyance, including an aircraft, vehicle, or vessel, is returned to the seizing agency or prosecutor, the conveyance may be used immediately in the enforcement of the criminal laws of this State. Upon disposal, all proceeds from the sale of the conveyance must be used for

New matter indicated by italics - deletions by strikeout
drug enforcement purposes. When any real property returned to the seizing agency is sold by the agency or its unit of government, the proceeds of the sale shall be delivered to the Director and distributed in accordance with subsection (g).

(g) All monies and the sale proceeds of all other property forfeited and seized under this Act shall be distributed as follows:

(1) 65% shall be distributed to the metropolitan enforcement group, local, municipal, county, or state law enforcement agency or agencies which conducted or participated in the investigation resulting in the forfeiture. The distribution shall bear a reasonable relationship to the degree of direct participation of the law enforcement agency in the effort resulting in the forfeiture, taking into account the total value of the property forfeited and the total law enforcement effort with respect to the violation of the law upon which the forfeiture is based. Amounts distributed to the agency or agencies shall be used for the enforcement of laws governing cannabis and controlled substances or for security cameras used for the prevention or detection of violence, except that amounts distributed to the Secretary of State shall be deposited into the Secretary of State Evidence Fund to be used as provided in Section 2-115 of the Illinois Vehicle Code.

(2) (i) 12.5% shall be distributed to the Office of the State's Attorney of the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in the enforcement of laws governing cannabis and controlled substances. In counties over 3,000,000 population, 25% will be distributed to the Office of the State's Attorney for use in the enforcement of laws governing cannabis and controlled substances. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws governing cannabis and controlled substances.

New matter indicated by italics - deletions by strikeout
(ii) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the Narcotics Profit Forfeiture Fund of that office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases arising under laws governing cannabis and controlled substances. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with over 3,000,000 population.

(3) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this Act, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the State. The failure, upon demand by the Director or any peace officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored, to produce registration, or proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants.

(Source: P.A. 89-404, eff. 8-20-95; 90-593, eff. 6-19-98.)

Section 15. The Methamphetamine Control and Community Protection Act is amended by changing Section 85 as follows:

(720 ILCS 646/85)
Sec. 85. Forfeiture.
(a) The following are subject to forfeiture:

(1) all substances containing methamphetamine which have been produced, manufactured, delivered, or possessed in violation of this Act;

(2) all methamphetamine manufacturing materials which have been produced, delivered, or possessed in connection with any substance containing methamphetamine in violation of this Act;

New matter indicated by italics - deletions by strikeout
(3) all conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraph (1) or (2) that constitutes a felony violation of the Act, but:

(i) no conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this Section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this Act;

(ii) no conveyance is subject to forfeiture under this Section by reason of any act or omission which the owner proves to have been committed or omitted without his or her knowledge or consent;

(iii) a forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he or she neither had knowledge of nor consented to the act or omission;

(4) all money, things of value, books, records, and research products and materials including formulas, microfilm, tapes, and data which are used, or intended for use in a felony violation of this Act;

(5) everything of value furnished or intended to be furnished by any person in exchange for a substance in violation of this Act, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used, or intended to be used, to commit or in any manner to facilitate any felony violation of this Act.

(6) all real property, including any right, title, and interest (including, but not limited to, any leasehold interest or the beneficial interest in a land trust) in the whole of any lot or tract of land and any appurtenances or improvements, which is used, or intended to be used, in any manner or part, to commit, or in any manner to facilitate the commission of, any violation or act that
constitutes a violation of this Act or that is the proceeds of any violation or act that constitutes a violation of this Act.

(b) Property subject to forfeiture under this Act may be seized by the Director or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property. Seizure by the Director or any peace officer without process may be made:

   (1) if the property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal proceeding or in an injunction or forfeiture proceeding based upon this Act or the Drug Asset Forfeiture Procedure Act;

   (2) if there is probable cause to believe that the property is directly or indirectly dangerous to health or safety;

   (3) if there is probable cause to believe that the property is subject to forfeiture under this Act and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable; or

   (4) in accordance with the Code of Criminal Procedure of 1963.

(c) In the event of seizure pursuant to subsection (b), forfeiture proceedings shall be instituted in accordance with the Drug Asset Forfeiture Procedure Act.

(d) Property taken or detained under this Section is not subject to replevin, but is deemed to be in the custody of the Director subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings and the decisions of the State's Attorney under the Drug Asset Forfeiture Procedure Act. When property is seized under this Act, the seizing agency shall promptly conduct an inventory of the seized property, estimate the property's value, and forward a copy of the inventory of seized property and the estimate of the property's value to the Director. Upon receiving notice of seizure, the Director may:

   (1) place the property under seal;

   (2) remove the property to a place designated by him or her;

   (3) keep the property in the possession of the seizing agency;

New matter indicated by italics - deletions by strikeout
(4) remove the property to a storage area for safekeeping or, if the property is a negotiable instrument or money and is not needed for evidentiary purposes, deposit it in an interest bearing account;

(5) place the property under constructive seizure by posting notice of pending forfeiture on it, by giving notice of pending forfeiture to its owners and interest holders, or by filing notice of pending forfeiture in any appropriate public record relating to the property; or

(6) provide for another agency or custodian, including an owner, secured party, or lienholder, to take custody of the property upon the terms and conditions set by the Director.

(e) No disposition may be made of property under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court.

(f) When property is forfeited under this Act, the Director shall sell the property unless the property is required by law to be destroyed or is harmful to the public, and shall distribute the proceeds of the sale, together with any moneys forfeited or seized, in accordance with subsection (g). However, upon the application of the seizing agency or prosecutor who was responsible for the investigation, arrest or arrests and prosecution which lead to the forfeiture, the Director may return any item of forfeited property to the seizing agency or prosecutor for official use in the enforcement of laws relating to methamphetamine, cannabis, or controlled substances, if the agency or prosecutor demonstrates that the item requested would be useful to the agency or prosecutor in their enforcement efforts. When any forfeited conveyance, including an aircraft, vehicle, or vessel, is returned to the seizing agency or prosecutor, the conveyance may be used immediately in the enforcement of the criminal laws of this State. Upon disposal, all proceeds from the sale of the conveyance must be used for drug enforcement purposes. When any real property returned to the seizing agency is sold by the agency or its unit of government, the

New matter indicated by italics - deletions by strikeout
proceeds of the sale shall be delivered to the Director and distributed in accordance with subsection (g).

(g) All moneys and the sale proceeds of all other property forfeited and seized under this Act shall be distributed as follows:

(1) 65% shall be distributed to the metropolitan enforcement group, local, municipal, county, or State law enforcement agency or agencies which conducted or participated in the investigation resulting in the forfeiture. The distribution shall bear a reasonable relationship to the degree of direct participation of the law enforcement agency in the effort resulting in the forfeiture, taking into account the total value of the property forfeited and the total law enforcement effort with respect to the violation of the law upon which the forfeiture is based. Amounts distributed to the agency or agencies shall be used for the enforcement of laws governing methamphetamine, cannabis, and controlled substances or for security cameras used for the prevention or detection of violence, except that amounts distributed to the Secretary of State shall be deposited into the Secretary of State Evidence Fund to be used as provided in Section 2-115 of the Illinois Vehicle Code.

(2)(i) 12.5% shall be distributed to the Office of the State's Attorney of the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in the enforcement of laws governing methamphetamine, cannabis, and controlled substances. In counties with a population over 3,000,000, 25% shall be distributed to the Office of the State's Attorney for use in the enforcement of laws governing methamphetamine, cannabis, and controlled substances. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws governing methamphetamine, cannabis, and controlled substances.

New matter indicated by italics - deletions by strikeout
(ii) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the Narcotics Profit Forfeiture Fund of that Office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases arising under laws governing methamphetamine, cannabis, and controlled substances. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with a population over 3,000,000.

(3) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

(Source: P.A. 94-556, eff. 9-11-05.)

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

Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-1005
(Senate Bill No. 2870)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Police Radio Act is amended by adding Section 10 as follows:
(20 ILCS 2615/10 new)

Sec. 10. Public safety radio interoperability. Upon their establishment and thereafter, the Director of State Police, or his or her designee, shall serve as the chairman of the Illinois Statewide Interoperability Executive Committee (SIEC) and as the chairman of the STARCOM21 Oversight Committee. The Director, as chairman, may increase the size and makeup of the voting membership of each committee when deemed necessary for improved public safety radio interoperability,

New matter indicated by italics - deletions by strikeout
but the voting membership of each committee must represent public safety users (police, fire, or EMS) and must, at a minimum, include the representatives specified in this Section. The STARCOM21 Oversight Committee must comprise public safety users accessing the system. The SIEC shall have at a minimum one representative from each of the following: the Illinois Fire Chiefs Association, the Rural Fire Protection Association, the Office of the State Fire Marshal, the Illinois Association of Chiefs of Police, the Illinois Sheriffs' Association, the Illinois State Police, the Illinois Emergency Management Agency, the Department of Public Health, and the Secretary of State Police (which representative shall be the Director of the Secretary of State Police or his or her designee).

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

Passed in the General Assembly April 5, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-1006
(Senate Bill No. 2931)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-430 as follows:

(20 ILCS 605/605-430 new)
Sec. 605-430. Lifelong learning accounts; pilot program.
(a) The Department may establish and maintain a pilot program to provide for and test the use of lifelong learning accounts for workers in the State’s healthcare sector. For the purposes of this Section, "lifelong learning account" means an individual asset account held by a trustee, custodian, or fiduciary approved by the Department on behalf of a

New matter indicated by italics - deletions by strikeout
healthcare employee, the moneys in which may be used only to pay education expenses incurred by or on behalf of the account owner.

(b) The Department, if administering a program under this Section:

(1) may serve up to 500 healthcare workers;
(2) must encourage the participation, in the program, of lower-income and lower-skilled healthcare workers;
(3) must implement the program in diverse geographic and economic areas and include healthcare workers in urban, suburban, and rural areas of the State;
(4) must include, in the program, healthcare employers of different sizes that choose to participate in the program;
(5) must provide matching grants in an amount, not to exceed $500 annually for each grant, equal to 50% of the annual aggregate contribution made by an employer and employee to the employee's lifelong learning account;
(6) must make technical assistance available to companies and educational and career advising available to individual participants.

(c) The establishment of program under this Section is discretionary on the part of the Department and is subject to appropriation.

(d) The Department may adopt any rules necessary to administer the provisions of this Section.

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

Passed in the General Assembly April 6, 2006.
Approved July 3, 2006.

PUBLIC ACT 94-1007
(Senate Bill No. 3046)

AN ACT concerning local government.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Intergovernmental Cooperation Act is amended by changing Section 3.1 as follows:

(5 ILCS 220/3.1) (from Ch. 127, par. 743.1)

Sec. 3.1. Municipal Joint Action Water Agency.

(a) Any municipality or municipalities of this State, any county or counties of this State, any township in a county with a population under 700,000 of this State, any public water district or districts of this State, State university, or any combination thereof may, by intergovernmental agreement, establish a Municipal Joint Action Water Agency to provide adequate supplies of water on an economical and efficient basis for member municipalities, public water districts and other incorporated and unincorporated areas within such counties. For purposes of this Act, the water supply may only be derived from Lake Michigan, the Mississippi River, the Missouri River, or the Sangamon River Valley Alluvium. Any such Agency shall itself be a municipal corporation, public body politic and corporate. A Municipal Joint Action Water Agency so created shall not itself have taxing power except as hereinafter provided.

A Municipal Joint Action Water Agency shall be established by an intergovernmental agreement among the various member municipalities, public water districts, townships, State universities, and counties, upon approval by an ordinance adopted by the corporate authorities of each member municipality, public water district, township, State university, or county. This agreement may be amended at any time upon the adoption of concurring ordinances by the corporate authorities of all member municipalities, public water districts, townships, State universities, and counties. The agreement may provide for additional municipalities, public water districts, any State universities, townships in counties with a population under 700,000, or counties to join the Agency upon adoption of an ordinance by the corporate authorities of the joining municipality, public water district, township, or county, and upon such consents, conditions and approvals of the governing body of the Municipal Joint Action Water Agency and of existing member municipalities, public water

New matter indicated by italics - deletions by strikeout
districts, townships, State universities, and counties as shall be provided in the agreement. The agreement shall provide the manner and terms on which any municipality, public water district, township, or county may withdraw from membership in the Municipal Joint Action Water Agency and on which the Agency may terminate and dissolve in whole or in part. The agreement shall set forth the corporate name of the Municipal Joint Action Water Agency and its duration. Promptly upon any agreement establishing a Municipal Joint Action Water Agency being entered into, or upon the amending of any such agreement, a copy of such agreement or amendment shall be filed in the office of the Secretary of State of Illinois. Promptly upon the addition or withdrawal of any municipality, public water district, township in a county with a population under 700,000, or county, or upon the dissolution of a Municipal Joint Action Water Agency, that fact shall be certified by an officer of the Agency to the Secretary of State of Illinois.

(b) The governing body of any Municipal Joint Action Water Agency established pursuant to this Section 3.1 shall be a Board of Directors. There shall be one Director from each member municipality, public water district, township, State university, and county of the Municipal Joint Action Water Agency appointed by ordinance of the corporate authorities of the municipality, public water district, township, or county. Each Director shall have one vote. Each Director shall be the Mayor or President of the member municipality, or the chairman of the board of trustees of the member public water district, the supervisor of the member township, the appointee of the State university, or the chairman of the county board or chief executive officer of the member county or a county board member appointed by the chairman of the county board of the member county, appointing the Director; an elected member of the corporate authorities of that municipality, public water district, township, or county; or other elected official of the appointing municipality, public water district, township, or county. Any agreement establishing a Municipal Joint Action Water Agency shall specify the period during which a Director shall hold office and may provide for the appointment of Alternate Directors from member municipalities, public water districts,
townships, or counties. The Board of Directors shall elect one Director to serve as Chairman, and shall elect persons, who need not be Directors, to such other offices as shall be designated in the agreement.

The Board of Directors shall determine the general policy of the Municipal Joint Action Water Agency, shall approve the annual budget, shall make all appropriations (which may include appropriations made at any time in addition to those made in any annual appropriation document), shall approve all contracts for the purchase or sale of water, shall adopt any resolutions providing for the issuance of bonds or notes by the Agency, shall adopt its by-laws, rules and regulations, and shall have such other powers and duties as may be prescribed in the agreement. Such agreement may further specify those powers and actions of the Municipal Joint Action Water Agency which shall be authorized only upon votes of greater than a majority of all Directors or only upon consents of the corporate authorities of a certain number of member municipalities, public water districts, townships, State universities, or counties.

The agreement may provide for the establishment of an Executive Committee to consist of the municipal manager or other elected or appointed official of each member municipality, public water district, township, State university, or county, as designated by ordinance or other official action, from time to time by the corporate authorities of the member municipality, public water district, township, State university, or county, and may prescribe powers and duties of the Executive Committee for the efficient administration of the Agency.

(c) A Municipal Joint Action Water Agency established pursuant to this Section 3.1 may plan, construct, improve, extend, acquire, finance (including the issuance of revenue bonds or notes as provided in this Section 3.1), operate, maintain, and contract for a joint waterworks or water supply system which may include, or may consist of, without limitation, facilities for receiving, storing, and transmitting water from any source for supplying water to member municipalities, public water districts, townships, or counties (including county special service areas created under the Special Service Area Tax Act and county service areas authorized under the Counties Code), or other public agencies, persons, or

New matter indicated by italics - deletions by strikeout
corporations. Facilities of the Municipal Joint Action Water Agency may be located within or without the corporate limits of any member municipality.

A Municipal Joint Action Water Agency shall have such powers as shall be provided in the agreement establishing it, which may include, but need not be limited to, the following powers:

(i) to sue or be sued;

(ii) to apply for and accept gifts or grants or loans of funds or property or financial or other aid from any public agency or private entity;

(iii) to acquire, hold, sell, lease as lessor or lessee, transfer or dispose of such real or personal property, or interests therein, as it deems appropriate in the exercise of its powers, and to provide for the use thereof by any member municipality, public water district, township, or county;

(iv) to make and execute all contracts and other instruments necessary or convenient to the exercise of its powers (including contracts with member municipalities, with public water districts, with townships, and with counties on behalf of county service areas); and

(v) to employ agents and employees and to delegate by resolution to one or more of its Directors or officers such powers as it may deem proper.

Member municipalities, public water districts, townships, State universities, or counties may, for the purposes of, and upon request by, the Municipal Joint Action Water Agency, exercise the power of eminent domain available to them, convey property so acquired to the Agency for the cost of acquisition, and be reimbursed for all expenses related to this exercise of eminent domain power on behalf of the Agency.

All property, income and receipts of or transactions by a Municipal Joint Action Water Agency shall be exempt from all taxation, the same as if it were the property, income or receipts of or transaction by the member municipalities, public water districts, townships, State universities, or counties.

New matter indicated by italics - deletions by strikeout
(d) A Municipal Joint Action Water Agency established pursuant to this Section 3.1 shall have the power to buy water and to enter into contracts with any person, corporation or public agency (including any member municipality, public water district, township, or county) for that purpose. Any such contract made by an Agency for a supply of water may contain provisions whereby the Agency is obligated to pay for the supply of water without setoff or counterclaim and irrespective of whether the supply of water is ever furnished, made available or delivered to the Agency or whether any project for the supply of water contemplated by any such contract is completed, operable or operating and notwithstanding any suspension, interruption, interference, reduction or curtailment of the supply of water from such project. Any such contract may provide that if one or more of the other purchasers defaults in the payment of its obligations under such contract or a similar contract made with the supplier of the water one or more of the remaining purchasers party to such contract or such similar contract shall be required to pay for all or a portion of the obligations of the defaulting purchasers. No such contract may have a term in excess of 50 years.

A Municipal Joint Action Water Agency shall have the power to sell water and to enter into contracts with any person, corporation or public agency (including any member municipality, any public water district, any township, any State university, or any county on behalf of a county service area as set forth in this Section) for that purpose. No such contract may have a term in excess of 50 years. Any such contract entered into to sell water to a public agency may provide that the payments to be made thereunder by such public agency shall be made solely from revenues to be derived by such public agency from the operation of its waterworks system or its combined waterworks and sewerage system. Any public agency so contracting to purchase water shall establish from time to time such fees and charges for its water service or combined water and sewer service as will produce revenues sufficient at all times to pay its obligations to the Agency under the purchase contract. Any such contract so providing shall not constitute indebtedness of such public agency so contracting to buy water within the meaning of any statutory or constitutional limitation. Any
such contract of a public agency to buy water shall be a continuing, valid
and binding obligation of such public agency payable from such revenues.

A Municipal Joint Action Water Agency shall establish fees and
charges for the purchase of water from it or for the use of its facilities. No
prior appropriation shall be required by either the Municipal Joint Action
Water Agency or any public agency before entering into any contract
authorized by this paragraph (d).

The changes in this Section made by this amendatory Act of 1984
are intended to be declarative of existing law.

(e) 1. A Municipal Joint Action Water Agency established pursuant
to this Section 3.1 may, from time to time, borrow money and, in evidence
of its obligation to repay the borrowing, issue its negotiable water revenue
bonds or notes pursuant to this paragraph (e) for any of the following
purposes: for paying costs of constructing, acquiring, improving or
extending a joint waterworks or water supply system; for paying other
expenses incident to or incurred in connection with such construction,
acquisition, improvement or extension; for repaying advances made to or
by the Agency for such purposes; for paying interest on the bonds or notes
until the estimated date of completion of any such construction,
acquisition, improvement or extension and for such period after the
estimated completion date as the Board of Directors of the Agency shall
determine; for paying financial, legal, administrative and other expenses of
the authorization, issuance, sale or delivery of bonds or notes; for paying
costs of insuring payment of the bonds or notes; for providing or
increasing a debt service reserve fund with respect to any or all of the
Agency's bonds or notes; and for paying, refunding or redeeming any of
the Agency's bonds or notes before, after or at their maturity, including
paying redemption premiums or interest accruing or to accrue on such
bonds or notes being paid or redeemed or for paying any other costs in
connection with any such payment or redemption.

2. Any bonds or notes issued pursuant to this paragraph (e) by a
Municipal Joint Action Water Agency shall be authorized by a resolution
of the Board of Directors of the Agency adopted by the affirmative vote of
Directors from a majority of the member municipalities, public water
districts, townships, State universities, and counties, and any additional requirements as may be set forth in the agreement establishing the Agency. The authorizing resolution may be effective immediately upon its adoption. The authorizing resolution shall describe in a general way any project contemplated to be financed by the bonds or notes, shall set forth the estimated cost of the project and shall determine its period of usefulness. The authorizing resolution shall determine the maturity or maturities of the bonds or notes, the rate or rates at which the bonds or notes are to bear interest and all the other terms and details of the bonds or notes. All such bonds or notes shall mature within the period of estimated usefulness of the project with respect to which such bonds or notes are issued, as determined by the Board of Directors, but in any event not more than 50 years from their date of issue. The bonds and notes may bear interest, payable at such times, at a rate or rates not exceeding the maximum rate established in the Bond Authorization Act, as from time to time in effect. Bonds or notes of a Municipal Joint Action Water Agency shall be sold in such manner as the Board of Directors of the Agency shall determine, either at par or at a premium or discount, but such that the effective interest cost (excluding any redemption premium) to the Agency of the bonds or notes shall not exceed a rate equal to the rate of interest specified in the Act referred to in the preceding sentence.

The resolution authorizing the issuance of any bonds or notes pursuant to this paragraph (e) shall constitute a contract with the holders of the bonds and notes. The resolution may contain such covenants and restrictions with respect to the purchase or sale of water by the Agency and the contracts for such purchases or sales, the operation of the joint waterworks system or water supply system, the issuance of additional bonds or notes by the Agency, the security for the bonds and notes, and any other matters, as may be deemed necessary or advisable by the Board of Directors to assure the payment of the bonds or notes of the Agency.

3. The resolution authorizing the issuance of bonds or notes by a Municipal Joint Action Water Agency shall pledge and provide for the application of revenues derived from the operation of the Agency's joint waterworks or water supply system (including from contracts for the sale of water)
of water by the Agency) and investment earnings thereon to the payment of the cost of operation and maintenance of the system (including costs of purchasing water), to provision of adequate depreciation, reserve or replacement funds with respect to the system or the bonds or notes, and to the payment of principal, premium, if any, and interest on the bonds or notes of the Agency (including amounts for the purchase of such bonds or notes). The resolution shall provide that revenues of the Municipal Joint Action Water Agency so derived from the operation of the system, sufficient (together with other receipts of the Agency which may be applied to such purposes) to provide for such purposes, shall be set aside as collected in a separate fund or funds and used for such purposes. The resolution may provide that revenues not required for such purposes may be used for any proper purpose of the Agency or may be returned to member municipalities.

Any notes of a Municipal Joint Action Water Agency issued in anticipation of the issuance of bonds by it may, in addition, be secured by a pledge of proceeds of bonds to be issued by the Agency, as specified in the resolution authorizing the issuance of such notes.

4. (i) Except as provided in clauses (ii) and (iii) of this subparagraph 4 of this paragraph (e), all bonds and notes of the Municipal Joint Action Water Agency issued pursuant to this paragraph (e) shall be revenue bonds or notes. Such revenue bonds or notes shall have no claim for payment other than from revenues of the Agency derived from the operation of its joint waterworks or water supply system (including from contracts for the sale of water by the Agency) and investment earnings thereon, from bond or note proceeds and investment earnings thereon, or from such other receipts of the Agency as the agreement establishing the Agency may authorize to be pledged to the payment of revenue bonds or notes, all as and to the extent as provided in the resolution of the Board of Directors authorizing the issuance of the revenue bonds or notes. Revenue bonds or notes issued by a Municipal Joint Action Water Agency pursuant to this paragraph (e) shall not constitute an indebtedness of the Agency or of any member municipality, public water district, township, or county within the meaning of any constitutional or statutory limitation. It shall be

New matter indicated by italics - deletions by strikeout
plainly stated on each revenue bond and note that it does not constitute an indebtedness of the Municipal Joint Action Water Agency or of any member municipality, public water district, township, or county within the meaning of any constitutional or statutory limitation.

(ii) If the Agreement so provides and subject to the referendum provided for in clause (iii) of this subparagraph 4 of this paragraph (e), the Municipal Joint Action Water Agency may borrow money for corporate purposes on the credit of the Municipal Joint Action Water Agency, and issue general obligation bonds therefor, in such amounts and form and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose in an amount including existing indebtedness in the aggregate which exceeds 5.75% of the aggregate value of the taxable property within the boundaries of the participating municipalities, public water districts, townships, and county service areas within a member county determined by the governing body of the county by resolution to be served by the Municipal Joint Action Water Agency (including any territory added to the Agency after the issuance of such general obligation bonds), collectively defined as the "Service Area", as equalized and assessed by the Department of Revenue and as most recently available at the time of the issue of said bonds. Before or at the time of incurring any such general obligation indebtedness, the Municipal Joint Action Water Agency shall provide for the collection of a direct annual tax, which shall be unlimited as to rate or amount, sufficient to pay the interest on such debt as it falls due and also to pay and discharge the principal thereof at maturity, which shall be within 40 years after the date of issue thereof. Such tax shall be levied upon and collected from all of the taxable property within the territorial boundaries of such Service Area at the time of the referendum provided for in clause (iii) and shall be levied upon and collected from all taxable property within the boundaries of any territory subsequently added to the Service Area. Dissolution of the Municipal Joint Action Water Agency for any reason shall not relieve the taxable property within such Service Area from liability for such tax. Liability for such tax for property transferred to or released from such Service Area shall be determined in the same manner as for general obligation bonds of such
county, if in an unincorporated area, and of such municipality, if within the boundaries thereof. The clerk or other officer of the Municipal Joint Action Water Agency shall file a certified copy of the resolution or ordinance by which such bonds are authorized to be issued and such tax is levied with the County Clerk or Clerks of the county or counties containing the Service Area, and such filing shall constitute, without the doing of any other act, full and complete authority for such County Clerk or Clerks to extend such tax for collection upon all the taxable property within the Service Area subject to such tax in each and every year, as required, in amounts sufficient to pay the principal of and interest on such bonds, as aforesaid, without limit as to rate or amount. Such tax shall be in addition to and in excess of all other taxes authorized to be levied by the Municipal Joint Action Water Agency or by such county, municipality, township, or public water district. The issuance of such general obligation bonds shall be subject to the other provisions of this paragraph (e), except for the provisions of clause (i) of this subparagraph 4.

(iii) No issue of general obligation bonds of the Municipal Joint Action Water Agency (except bonds to refund an existing bonded indebtedness) shall be authorized unless the Municipal Joint Action Water Agency certifies the proposition of issuing such bonds to the proper election authorities, who shall submit the proposition to the voters in the Service Area at an election in accordance with the general election law, and the proposition has been approved by a majority of those voting on the proposition.

The proposition shall be substantially in the following form:

Shall general obligation bonds for the purpose of (state purpose), in the sum not to exceed $....(insert amount), be issued by the ............... (insert corporate name of the Municipal Joint Action Water Agency)?

Yes

No

New matter indicated by italics - deletions by strikeout
5. As long as any bonds or notes of a Municipal Joint Action Water Agency created pursuant to this Section 3.1 are outstanding and unpaid, the Agency shall not terminate or dissolve and, except as permitted by the resolution or resolutions authorizing outstanding bonds or notes, no member municipality, public water district, township, or county may withdraw from the Agency. While any such bonds or notes are outstanding, all contracts for the sale of water by the Agency to member municipalities, public water districts, townships, or counties shall be irrevocable except as permitted by the resolution or resolutions authorizing such bonds or notes. The Agency shall establish fees and charges for its operations sufficient to provide adequate revenues to meet all of the requirements under its various resolutions authorizing bonds or notes.

6. A holder of any bond or note issued pursuant to this paragraph (e) may, in any civil action, mandamus or other proceeding, enforce and compel performance of all duties required to be performed by the Agency or such counties, as provided in the authorizing resolution, or by any of the public agencies contracting with the Agency to purchase water, including the imposition of fees and charges, the collection of sufficient revenues and the proper application of revenues as provided in this paragraph (e) and the levying, extension and collection of such taxes.

7. In addition, the resolution authorizing any bonds or notes issued pursuant to this paragraph (e) may provide for a pledge, assignment, lien or security interest, for the benefit of the holders of any or all bonds or notes of the Agency, (i) on any or all revenues derived from the operation of the joint waterworks or water supply system (including from contracts for the sale of water) and investment earnings thereon or (ii) on funds or accounts securing the payment of the bonds or notes as provided in the authorizing resolution. In addition, such a pledge, assignment, lien or security interest may be made with respect to any receipts of the Agency which the agreement establishing the Agency authorizes it to apply to payment of bonds or notes. Any such pledge, assignment, lien or security interest for the benefit of holders of bonds or notes shall be valid and binding from the time the bonds or notes are issued, without any physical

New matter indicated by italics - deletions by strikeout
delivery or further act, and shall be valid and binding as against or prior to any claims of any other party having any claims of any kind against the Agency irrespective of whether such other parties have notice of such pledge, assignment, lien or security interest.

A resolution of a Municipal Joint Water Agency authorizing the issuance of bonds or notes pursuant to this paragraph (e) may provide for the appointment of a corporate trustee with respect to any or all of such bonds or notes (which trustee may be any trust company or state or national bank having the power of a trust company within Illinois). In that event, the resolution shall prescribe the rights, duties and powers of the trustee to be exercised for the benefit of the Agency and the protection of the holders of such bonds or notes. The resolution may provide for the trustee to hold in trust, invest and use amounts in funds and accounts created as provided in the resolution. The resolution authorizing the bonds or notes may provide for the assignment and direct payment to the trustee of amounts owed by public agencies to the Municipal Joint Action Water Agency under water sales contracts for application by the trustee to the purposes for which such revenues are to be used as provided in this paragraph (e) and as provided in the authorizing resolution. Upon receipt of notice of such assignment, the public agency shall thereafter make the assigned payments directly to such trustee.

Nothing in this Section authorizes a Joint Action Water Agency to provide water service directly to residents within a municipality or in territory within one mile or less of the corporate limits of a municipality that operates a public water supply unless the municipality has consented in writing to such service being provided.

(Source: P.A. 90-210, eff. 7-25-97; 90-595, eff. 1-1-99; 91-134, eff. 1-1-00.)

Section 10. The Illinois Municipal Code is amended by adding Section 11-124-5 as follows:

(65 ILCS 5/11-124-5 new)

Sec. 11-124-5. Acquisition of water systems by eminent domain.

(a) In addition to other provisions providing for the acquisition of water systems or water works, whenever a public utility subject to the
Public Utilities Act utilizes public property (including, but not limited to, right-of-way) of a municipality for the installation or maintenance of all or part of its water distribution system, the municipality has the right to exercise eminent domain to acquire all or part of the water system, in accordance with this Section. Unless it complies with the provisions set forth in this Section, a municipality is not permitted to acquire by eminent domain that portion of a system located in another incorporated municipality without agreement of that municipality, but this provision shall not prevent the acquisition of that portion of the water system existing within the acquiring municipality.

(b) Where a water system that is owned by a public utility (as defined in the Public 16 Utilities Act) provides water to customers located in 2 or more municipalities, the system may be acquired by either or all of the municipalities by eminent domain if there is in existence an intergovernmental agreement between the municipalities served providing for acquisition.

(c) If a water system that is owned by a public utility provides water to customers located in one or more municipalities and also to customers in an unincorporated area and if at least 70% of the customers of the system or portion thereof are located within the municipality or municipalities, then the system, or portion thereof as determined by the corporate authorities, may be acquired, using eminent domain or otherwise, by either a municipality under subsection (a) or an entity created by agreement between municipalities where at least 70% of the customers reside. For the purposes of determining "customers of the system", only retail customers directly billed by the company shall be included in the computation. The number of customers of the system most recently reported to the Illinois Commerce Commission for any calendar year preceding the year a resolution is passed by a municipality or municipalities expressing preliminary intent to purchase the water system or portion thereof shall be presumed to be the total number of customers within the system. The public utility shall provide information relative to the number of customers within each municipality and within the system within 60 days after any such request by a municipality.

New matter indicated by italics - deletions by strikeout
(d) In the case of acquisition by a municipality or municipalities or a public entity created by law to own or operate a water system under this Section, service and water supply must be provided to persons who are customers of the system on the effective date of this amendatory Act of the 94th General Assembly without discrimination based on whether the customer is located within or outside of the boundaries of the acquiring municipality or municipalities or entity, and a supply contract existing on the effective date of this amendatory Act of the 94th General Assembly must be honored by an acquiring municipality, municipalities, or entity according to the terms so long as the agreement does not conflict with any other existing agreement.

(e) For the purposes of this Section, "system" includes all assets reasonably necessary to provide water service to a contiguous or compact geographical service area or to an area served by a common pipeline and include, but are not limited to, interests in real estate, all wells, pipes, treatment plants, pumps and other physical apparatus, data and records of facilities and customers, fire hydrants, equipment, or vehicles and also includes service agreements and obligations derived from use of the assets, whether or not the assets are contiguous to the municipality, municipalities, or entity created for the purpose of owning or operating a water system.

(f) Before making a good faith offer, a municipality may pass a resolution of intent to study the feasibility of purchasing or exercising its power of eminent domain to acquire any water system or water works, sewer system or sewer works, or combined water and sewer system or works, or part thereof. Upon the passage of such a resolution, the municipality shall have the right to review and inspect all financial and other records, and both corporeal and incorporeal assets of such utility related to the condition and the operation of the system or works, or part thereof, as part of the study and determination of feasibility of the proposed acquisition by purchase or exercise of the power of eminent domain, and the utility shall make knowledgeable persons who have access to all relevant facts and information regarding the subject system...
or works available to answer inquiries related to the study and determination.

The right to review and inspect shall be upon reasonable notice to the utility, with reasonable inspection and review time limitations and reasonable response times for production, copying, and answer. In addition, the utility may utilize a reasonable security protocol for personnel on the municipality's physical inspection team.

In the absence of other agreement, the utility must respond to any notice by the municipality concerning its review and inspection within 21 days after receiving the notice. The review and inspection of the assets of the company shall be over such period of time and carried out in such manner as is reasonable under the circumstances.

Information requested that is not privileged or protected from discovery under the Illinois Code of Civil Procedure but is reasonably claimed to be proprietary, including, without limitation, information that constitutes trade secrets or information that involves system security concerns, shall be provided, but shall not be considered a public record and shall be kept confidential by the municipality.

In addition, the municipality must, upon request, reimburse the utility for the actual, reasonable costs and expenses, excluding attorneys' fees, incurred by the utility as a result of the municipality's inspection and requests for information. Upon written request, the utility shall issue a statement itemizing, with reasonable detail, the costs and expenses for which reimbursement is sought by the utility. Where such written request for a statement has been made, no payment shall be required until 30 days after receipt of the statement. Such reimbursement by the municipality shall be considered income for purposes of any rate proceeding or other financial request before the Illinois Commerce Commission by the utility.

The municipality and the utility shall cooperate to resolve any dispute arising under this subsection. In the event the dispute under this subsection cannot be resolved, either party may request relief from the circuit court in any county in which the water system is located, with the prevailing party to be awarded such relief as the court deems appropriate.
under the discovery abuse sanctions currently set forth in the Illinois Code of Civil Procedure.

The municipality's right to inspect physical assets and records in connection with the purpose of this Section shall not be exercised with respect to any system more than one time during a 5-year period, unless a substantial change in the size of the system or condition of the operating assets of the system has occurred since the previous inspection. Rights under franchise agreements and other agreements or statutory or regulatory provisions are not limited by this Section and are preserved.

The passage of time between an inspection of the utilities and physical assets and the making of a good faith offer or initiation of an eminent domain action because of the limit placed on inspections by this subsection shall not be used as a basis for challenging the good faith of any offer or be used as the basis for attacking any appraisal, expert, argument, or position before a court related to an acquisition by purchase or eminent domain.

(g) Notwithstanding any other provision of law, the Illinois Commerce Commission has no approval authority of any eminent domain action brought by any governmental entity or combination of such entities to acquire water systems or water works.

(h) The provisions of this Section are severable under Section 1.31 of the Statute on Statutes.

(i) This Section does not apply to any public utility company that, on January 1, 2006, supplied a total of 70,000 or fewer meter connections in the State unless and until (i) that public utility company receives approval from the Illinois Commerce Commission under Section 7-204 of the Public Utilities Act for the reorganization of the public utility company or (ii) the majority control of the company changes through a stock sale, a sale of assets, a merger (other than an internal reorganization) or otherwise. For the purpose of this Section, "public utility company" means the public utility providing water service and includes any of its corporate parents, subsidiaries, or affiliates possessing a franchised water service in the State.
Section 13. The Public Utilities Act is amended by adding Section 7-213 as follows:

(220 ILCS 5/7-213 new)

Sec. 7-213. Limitations on the transfer of water systems.

(a) In the event of a sale, purchase, or any other transfer of ownership, including, without limitation, the acquisition by eminent domain, of a water system, as defined under Section 11-124-10 of the Illinois Municipal Code, operated by a privately held public water utility, the water utility’s contract or agreements with the acquiring entity (or, in the case of an eminent domain action, the court order) must require that the acquiring entity hire a sufficient number of non-supervisory employees to operate and maintain the water system by initially making offers of employment to the non-supervisory workforce of the water system at no less than the wage rates, and substantially equivalent fringe benefits and terms and conditions of employment that are in effect at the time of transfer of ownership of the water system. The wage rates and substantially equivalent fringe benefits and terms and conditions of employment must continue for at least 30 months after the time of the transfer of ownership unless the parties mutually agree to different terms and conditions of employment within that 30-month period.

(b) The privately held public water utility shall offer a transition plan to those employees who are not offered jobs by the acquiring entity because that entity has a need for fewer workers. The transition plan shall mitigate employee job losses to the extent practical through such means as offers of voluntary severance, retraining, early retirement, out placement, or related benefits. Before any reduction in the workforce during a water system transaction, the privately held public water utility shall present to the employees, or their representatives, a transition plan outlining the means by which the utility intends to mitigate the impact of the workforce reduction of its employees.

Section 15. The Code of Civil Procedure is amended by changing Section 7-102 as follows:

(735 ILCS 5/7-102) (from Ch. 110, par. 7-102)
Sec. 7-102. Parties. Where the right to take private property for public use, without the owner's consent or the right to construct or maintain any public road, railroad, plankroad, turnpike road, canal or other public work or improvement, or which may damage property not actually taken has been heretofore or shall hereafter be conferred by general law or special charter upon any corporate or municipal authority, public body, officer or agent, person, commissioner or corporation and the compensation to be paid for or in respect of the property sought to be appropriated or damaged for the purposes mentioned cannot be agreed upon by the parties interested, or in case the owner of the property is incapable of consenting, or the owner's name or residence is unknown, or the owner is a nonresident of the state, the party authorized to take or damage the property so required, or to construct, operate and maintain any public road, railroad, plankroad, turnpike road, canal or other public work or improvement, may apply to the circuit court of the county where the property or any part thereof is situated, by filing with the clerk a complaint, setting forth, by reference, his, her or their authority in the premises, the purpose for which the property is sought to be taken or damaged, a description of the property, the names of all persons interested therein as owners or otherwise as appearing of record, if known, or if not known stating that fact and praying such court to cause the compensation to be paid to the owner to be assessed. If it appears that any person not in being, upon coming into being, is, or may become or may claim to be, entitled to any interest in the property sought to be appropriated or damaged the court shall appoint some competent and disinterested person as guardian ad litem, to appear for and represent such interest in the proceeding and to defend the proceeding on behalf of the person not in being, and any judgment entered in the proceeding shall be as effectual for all purposes as though the person was in being and was a party to the proceeding. If the proceeding seeks to affect the property of persons under guardianship, the guardians shall be made parties defendant. Persons interested, whose names are unknown, may be made parties defendant by the same descriptions and in the same manner as provided in other civil cases. Where the property to be taken or damaged is a common element of

New matter indicated by italics - deletions by strikeout
property subject to a declaration of condominium ownership pursuant to the Condominium Property Act or of a common interest community, the complaint shall name the unit owners' association in lieu of naming the individual unit owners and lienholders on individual units. Unit owners, mortgagees and other lienholders may intervene as parties defendant. For the purposes of this Section "common interest community" shall have the same meaning as set forth in subsection (c) of Section 9-102 of the Code of Civil Procedure. "Unit owners' association" or "association" shall refer to both the definition contained in Section 2 of the Condominium Property Act and subsection (c) of Section 9-102 of the Code of Civil Procedure. Where the property is sought to be taken or damaged by the state for the purposes of establishing, operating or maintaining any state house or state charitable or other institutions or improvements, the complaint shall be signed by the governor or such other person as he or she shall direct, or as is provided by law. No property, except property described in either Section 3 of the Sports Stadium Act, property to be acquired in furtherance of actions under or Article 11, Divisions 124, 126, 128, 130, 135, 136, and Division 139, of the Illinois Municipal Code, property to be acquired in furtherance of actions under Section 3.1 of the Intergovernmental Cooperation Act, property to be acquired that is a water system or waterworks pursuant to the home rule powers of a unit of local government, and property described as Site B in Section 2 of the Metropolitan Pier and Exposition Authority Act, belonging to a railroad or other public utility subject to the jurisdiction of the Illinois Commerce Commission may be taken or damaged, pursuant to the provisions of Article VII of this Act, without the prior approval of the Illinois Commerce Commission. This amendatory Act of 1991 (Public Act 87-760) is declaratory of existing law and is intended to remove possible ambiguities, thereby confirming the existing meaning of the Code of Civil Procedure and of the Illinois Municipal Code in effect before January 1, 1992 (the effective date of Public Act 87-760).

(Source: P.A. 89-683, eff. 6-1-97; 90-6, eff. 6-3-97.)

Passed in the General Assembly April 6, 2006.

Approved July 3, 2006.

New matter indicated by italics - deletions by strikeout
PUBLIC ACT 94-1008
(Senate Bill No. 2554)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 5. The Criminal Code of 1961 is amended by changing
Sections 16G-10, 16G-15, 16G-21, 16G-25, and 16G-30 and by adding
Sections 16G-35 and 16G-40 as follows:
(720 ILCS 5/16G-10)
Sec. 16G-10. Definitions. In this Article unless the context
otherwise requires:
(a) "Personal identification document" means a birth certificate, a
drivers license, a State identification card, a public, government, or private
employment identification card, a social security card, a firearm owner's
identification card, a credit card, a debit card, or a passport issued to or on
behalf of a person other than the offender, or any document made or
issued, or falsely purported to have been made or issued, by or under the
authority of the United States Government, the State of Illinois, or any
other State political subdivision of any state, or any other governmental or
quasi-governmental organization that is of a type intended for the purpose
of identification of an individual, or any such document made or altered in
a manner that it falsely purports to have been made on behalf of or issued
to another person or by the authority of one who did not give that
authority.
(b) "Personal identifying information" means any of the following
information:
(1) A person's name;
(2) A person's address;
(2.5) A person's date of birth;
(3) A person's telephone number;

New matter indicated by italics - deletions by strikeout
(4) A person's driver's license number or State of Illinois identification card as assigned by the Secretary of State of the State of Illinois or a similar agency of another state;

(5) A person's Social Security number;

(6) A person's public, private, or government employer, place of employment, or employment identification number;

(7) The maiden name of a person's mother;

(8) The number assigned to a person's depository account, savings account, or brokerage account;

(9) The number assigned to a person's credit or debit card, commonly known as a "Visa Card", "Master Card", "American Express Card", "Discover Card", or other similar cards whether issued by a financial institution, corporation, or business entity;

(10) Personal identification numbers;

(11) Electronic identification numbers;

(12) Digital signals;

(12.5) *User names, passwords, and any other word, number, character or combination of the same usable in whole or part to access information relating to a specific individual, or to the actions taken, communications made or received, or other activities or transactions of a specific individual.*

(13) Any other numbers or information which can be used to access a person's financial resources, or to identify a specific individual, or the actions taken, communications made or received, or other activities or transactions of a specific individual.

(c) "Document-making implement" means any implement, impression, template, computer file, computer disc, electronic device, computer hardware, computer software, instrument, or device that is used to make a real or fictitious or fraudulent personal identification document.

(d) "Financial transaction device" means any of the following:

(1) An electronic funds transfer card.

(2) A credit card.

(3) A debit card.

(4) A point-of-sale card.

New matter indicated by italics - deletions by strikeout
(5) Any instrument, device, card, plate, code, account number, personal identification number, or a record or copy of a code, account number, or personal identification number or other means of access to a credit account or deposit account, or a driver's license or state identification card used to access a proprietary account, other than access originated solely by a paper instrument, that can be used alone or in conjunction with another access device, for any of the following purposes:

(A) Obtaining money, cash refund or credit account, credit, goods, services, or any other thing of value.

(B) Certifying or guaranteeing to a person or business the availability to the device holder of funds on deposit to honor a draft or check payable to the order of that person or business.

(C) Providing the device holder access to a deposit account for the purpose of making deposits, withdrawing funds, transferring funds between deposit accounts, obtaining information pertaining to a deposit account, or making an electronic funds transfer.

(Source: P.A. 93-401, eff. 7-31-03; 94-38, eff. 6-16-05.)

(720 ILCS 5/16G-15)
Sec. 16G-15. Identity theft.

(a) A person commits the offense of identity theft when he or she knowingly:

(1) uses any personal identifying information or personal identification document of another person to fraudulently obtain credit, money, goods, services, or other property, or

(2) uses any personal identification information or personal identification document of another with intent to commit any felony theft or other felony violation of State law not set forth in paragraph (1) of this subsection (a), or

(3) obtains, records, possesses, sells, transfers, purchases, or manufactures any personal identification information or personal identification document of another with intent to commit or to aid
or abet another in committing any felony theft or other felony violation of State law, or

(4) uses, obtains, records, possesses, sells, transfers, purchases, or manufactures any personal identification information or personal identification document of another knowing that such personal identification information or personal identification documents were stolen or produced without lawful authority, or

(5) uses, transfers, or possesses document-making implements to produce false identification or false documents with knowledge that they will be used by the person or another to commit any felony theft or other felony violation of State law, or:

(6) uses any personal identification information or personal identification document of another to portray himself or herself as that person, or otherwise, for the purpose of gaining access to any personal identification information or personal identification document of that person, without the prior express permission of that person, or

(7) uses any personal identification information or personal identification document of another for the purpose of gaining access to any record of the actions taken, communications made or received, or other activities or transactions of that person, without the prior express permission of that person.

(b) Knowledge shall be determined by an evaluation of all circumstances surrounding the use of the other person's identifying information or document.

(c) When a charge of identity theft of credit, money, goods, services, or other property exceeding a specified value is brought the value of the credit, money, goods, services, or other property is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding the specified value.

(d) Sentence.

(1) A person convicted of identity theft in violation of paragraph (1) of subsection (a) shall be sentenced as follows:

New matter indicated by italics - deletions by strikeout
(A) Identity theft of credit, money, goods, services, or other property not exceeding $300 in value is a Class 4 felony. A person who has been previously convicted of identity theft of less than $300 who is convicted of a second or subsequent offense of identity theft of less than $300 is guilty of a Class 3 felony. A person who has been convicted of identity theft of less than $300 who has been previously convicted of any type of theft, robbery, armed robbery, burglary, residential burglary, possession of burglary tools, home invasion, home repair fraud, aggravated home repair fraud, or financial exploitation of an elderly or disabled person is guilty of a Class 3 felony. When a person has any such prior conviction, the information or indictment charging that person shall state the prior conviction so as to give notice of the State's intention to treat the charge as a Class 3 felony. The fact of the prior conviction is not an element of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during the trial.

(B) Identity theft of credit, money, goods, services, or other property exceeding $300 and not exceeding $2,000 in value is a Class 3 felony.

(C) Identity theft of credit, money, goods, services, or other property exceeding $2,000 and not exceeding $10,000 in value is a Class 2 felony.

(D) Identity theft of credit, money, goods, services, or other property exceeding $10,000 and not exceeding $100,000 in value is a Class 1 felony.

(E) Identity theft of credit, money, goods, services, or other property exceeding $100,000 in value is a Class X felony.

(2) A person convicted of any offense enumerated in paragraphs (2) through (7) (§) of subsection (a) is guilty of a Class 3 felony.

New matter indicated by italics - deletions by strikeout
(3) A person convicted of any offense enumerated in paragraphs (2) through (5) of subsection (a) a second or subsequent time is guilty of a Class 2 felony.

(4) A person who, within a 12 month period, is found in violation of any offense enumerated in paragraphs (2) through (7) of subsection (a) with respect to the identifiers of, or other information relating to, 3 or more separate individuals, at the same time or consecutively, is guilty of a Class 2 felony.

(Source: P.A. 93-401, eff. 7-31-03; 94-39, eff. 6-16-05.)

(720 ILCS 5/16G-21)

Sec. 16G-21. Civil remedies. A person who is convicted of identity theft or aggravated identity theft is liable in a civil action to the person who suffered damages as a result of the violation. The person suffering damages may recover court costs, attorney’s fees, lost wages, and actual damages. Where a person has been convicted of identity theft in violation of subsection (a)(6) or subsection (a)(7) of Section 16G-15, in the absence of proof of actual damages, the person whose personal identification information or personal identification documents were used in the violation in question may recover damages of $2,000.

(Source: P.A. 92-686, eff. 7-16-02; 93-401, eff. 7-31-03.)

(720 ILCS 5/16G-25)

Sec. 16G-25. Offenders interest in the property, consent.

(a) It is no defense to a charge of aggravated identity theft or identity theft that the offender has an interest in the credit, money, goods, services, or other property.

(b) It is no defense to a charge of aggravated identity theft or identity theft that the offender received the consent of any person to access any personal identification information or personal identification document, other than the person described by the personal identification information or personal identification document used by the offender.

(Source: P.A. 93-401, eff. 7-31-03.)

(720 ILCS 5/16G-30)

Sec. 16G-30. Mandating law enforcement agencies to accept and provide reports; judicial factual determination.

New matter indicated by italics - deletions by strikeout
(a) A person who has learned or reasonably suspects that his or her personal identifying information has been unlawfully used by another may initiate a law enforcement investigation by contacting the local law enforcement agency that has jurisdiction over his or her actual residence, which shall take a police report of the matter, provide the complainant with a copy of that report, and begin an investigation of the facts or, if the suspected crime was committed in a different jurisdiction, refer the matter to the law enforcement agency where the suspected crime was committed for an investigation of the facts.

(b) A person who reasonably believes that he or she is the victim of financial identity theft may petition a court, or the court, on its own motion or upon application of the prosecuting attorney, may move for an expedited judicial determination of his or her factual innocence, where the perpetrator of the financial identity theft was arrested for, cited for, or convicted of a crime under the victim's identity, or where a criminal complaint has been filed against the perpetrator in the victim's name, or where the victim's identity has been mistakenly associated with a criminal conviction. Any judicial determination of factual innocence made pursuant to this subsection (b) may be heard and determined upon declarations, affidavits, police reports, or other material, relevant, and reliable information submitted by the parties or ordered to be part of the record by the court. If the court determines that the petition or motion is meritorious and that there is no reasonable cause to believe that the victim committed the offense for which the perpetrator of the identity theft was arrested, cited, convicted, or subject to a criminal complaint in the victim's name, or that the victim's identity has been mistakenly associated with a record of criminal conviction, the court shall find the victim factually innocent of that offense. If the victim is found factually innocent, the court shall issue an order certifying this determination.

(c) After a court has issued a determination of factual innocence under this Section, the court may order the name and associated personal identifying information contained in the court records, files, and indexes accessible by the public sealed, deleted, or labeled to show that the data is impersonated and does not reflect the defendant's identity.
(d) A court that has issued a determination of factual innocence under this Section may at any time vacate that determination if the petition, or any information submitted in support of the petition, is found to contain any material misrepresentation or fraud.

(e) Except for criminal and civil actions provided for by this Article, or for disciplinary or licensure-related proceedings involving the violation of this Article, no information acquired by, or as a result of, any violation of Section 16G-15 or 16G-20 shall be discoverable or admissible in any court or other proceeding, or otherwise subject to disclosure without the express permission of any person or persons identified in that information.

(Source: P.A. 93-195, eff. 1-1-04.)

(720 ILCS 5/16G-35 new)
Sec. 16G-35. Venue. In addition to any other venues provided for by statute or otherwise, venue for any criminal prosecution or civil recovery action under this Law shall be proper in any county where the person described in the personal identification information or personal identification document in question resides or has their principal place of business. Where a criminal prosecution or civil recovery action under this Law involves the personal identification information or personal identification documents of more than one person, venue shall be proper in any county where one or more of the persons described in the personal identification information or personal identification documents in question resides or has their principal place of business.

(720 ILCS 5/16G-40 new)
Sec. 16G-40. Exemptions, relation to other laws.
(a) This Article does not:

(1) prohibit the capture or transmission of personal identifying information in the ordinary and lawful course of business;

(2) apply to a peace officer of this State, or of the federal government, or the officer's agent, while in the lawful performance of the officer's duties;

New matter indicated by italics - deletions by strikeout
(3) prohibit a licensed private detective or licensed private detective agency from representing himself, herself, or itself as any another person, provided that he, she, or it may not portray himself, herself, or itself as the person whose information he, she, or it is seeking except as provided under this Article;
(4) apply to activities authorized under any other statute.

(b) No criminal prosecution or civil action brought under this Article shall prohibit a person from being charged with, convicted of, or punished for any other violation of law committed by that person while violating or attempting to violate this Article.

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

Passed in the General Assembly May 2, 2006.
Approved July 5, 2006.
Effective July 5, 2006.

PUBLIC ACT 94-1009
(Senate Bill No. 1089)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. The Prisoner Review Board Vehicle and Equipment Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 16-104c as follows:

(625 ILCS 5/16-104c new)
Sec. 16-104c. Court supervision fees.

(a) Any person who, after a court appearance in the same matter, receives a disposition of court supervision for a violation of any provision

New matter indicated by italics - deletions by strikeout
of this Code shall pay an additional fee of $20, which shall be disbursed as follows:

(1) if an officer of the Department of State Police arrested the person for the violation, the $20 fee shall be deposited into the State Police Vehicle Fund in the State treasury; or

(2) if an officer of any law enforcement agency in the State other than the Department of State Police arrested the person for the violation, the $20 fee shall be paid to the law enforcement agency that employed the arresting officer and shall be used for the acquisition or maintenance of police vehicles.

(b) In addition to the fee provided for in subsection (a), a person who, after a court appearance in the same matter, receives a disposition of court supervision for any violation of this Code shall also pay an additional fee of $5, if not waived by the court. Of this $5 fee, $4.50 shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(c) The Prisoner Review Board Vehicle and Equipment Fund is created as a special fund in the State treasury. The Prisoner Review Board shall, subject to appropriation by the General Assembly and approval by the Secretary, use all moneys in the Prisoner Review Board Vehicle and Equipment Fund for the purchase and operation of vehicles and equipment.

Section 15. The Clerks of Courts Act is amended by changing Sections 27.5 and 27.6 and adding Section 27.3d as follows:

(705 ILCS 105/27.3d new)

Sec. 27.3d. Circuit Court Clerk Operation and Administrative Fund. Each Circuit Court Clerk shall create a Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law. The Circuit Court Clerk shall be the custodian, ex officio, of this Fund and shall use the Fund to perform the duties required
by the office. The Fund shall be audited by the auditor retained by the Clerk for the purpose of conducting the Annual Circuit Court Clerk Audit. Expenditures shall be made from the Fund by the Circuit Court Clerk for expenses related to the cost of collection for and disbursement to entities of State and local government.

(705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

Sec. 27.5. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk that equals an amount less than $55, except restitution under Section 5-5-6 of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as provided in subsection (b) shall be disbursed within 60 days after receipt by the circuit clerk as follows: 47% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 12% shall be disbursed to the State Treasurer; and 41% shall be disbursed to the county's general corporate fund. Of the 12% disbursed to the State Treasurer, 1/6 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 1/2 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall be deposited into the Drivers Education Fund. For fiscal years 1992 and 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to

New matter indicated by italics - deletions by strikeout
the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees.

All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961.

(c) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code shall, in addition to any other fines, fees, and court costs, pay an additional fee of $20, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to

New matter indicated by italics - deletions by strikeout
the fee of $20, the person shall also pay a fee of $5, if not waived by the court. If this $5 fee is collected, $4.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(Source: P.A. 92-454, eff. 1-1-02; 92-650, eff. 7-11-02; 93-800, eff. 1-1-05.)

(705 ILCS 105/27.6)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equaling an amount of $55 or more, except the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as provided in subsection (d) shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center
Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services Public Aid. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of
each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of $100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of $5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to
defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 of the Criminal Code of 1961.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code shall, in addition to any other fines, fees, and court costs, pay an additional fee of $20, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of $20, the person shall also pay a fee of $5, if not waived by the court. If this $5 fee is collected, $4.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(Source: P.A. 93-800, eff. 1-1-05; 94-556, eff. 9-11-05; revised 12-15-05.)

Section 20. The Unified Code of Corrections is amended by changing Section 5-6-1 as follows:

New matter indicated by italics - deletions by strikeout
(730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

(1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

(2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

(3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

New matter indicated by italics - deletions by strikeout
(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961: Sections 11-9.1; 12-3.2; 12-15; 26-5; 31-1; 31-6; 31-7; subsections (b) and (c) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

(1) the offender is not likely to commit further crimes;
(2) the defendant and the public would be best served if the defendant were not to receive a criminal record; and
(3) in the best interests of justice an order of supervision is more appropriate than a sentence otherwise permitted under this Code.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance when the defendant has previously been:

(1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

New matter indicated by italics - deletions by strikeout
(2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or

(3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16A-3 of the Criminal Code of 1961 if said defendant has within the last 5 years been:

(1) convicted for a violation of Section 16A-3 of the Criminal Code of 1961; or

(2) assigned supervision for a violation of Section 16A-3 of the Criminal Code of 1961.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

(1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

New matter indicated by italics - deletions by strikeout
The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or

(2) if the defendant has previously been sentenced under the provisions of paragraph (c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension was for a violation of Section 11-501 or a similar provision of a local ordinance, a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code, or a violation of Section 9-3 of the Criminal Code of 1961 if the defendant has within the last 10 years been:

(1) convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
(2) assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(k) The provisions of paragraph (c) shall not apply to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance.

(l) A defendant charged with violating any provision of the Illinois Vehicle Code who, after a court appearance in the same matter, receives a disposition of supervision under subsection (c) shall pay an additional fee of $20, to be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. In addition to the $20 fee, the person shall also pay a fee of $5, which, if not waived by the court, shall be collected as provided in Sections 27.5 and 27.6 of the Clerks of Courts Act. The $20 fee shall be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. If the $5 fee is collected, $4.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05; 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375, eff. 1-1-06; revised 8-19-05.)

Passed in the General Assembly May 1, 2006.
Approved July 7, 2006.

PUBLIC ACT 94-1010
(House Bill No. 4186)

AN ACT concerning children.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Children and Family Services Act is amended by changing Sections 5, 25, and 35.1 and by adding Sections 5.30 and 7.5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)
Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.
(a) For purposes of this Section:
(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 19 who:
   (A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or
   (B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.
(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.
(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:
   (A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

New matter indicated by italics - deletions by strikeout
(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or
secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or
(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or
(iii) who are female children who are pregnant, pregnant and parenting or parenting, or
(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the expenditure of public funds for the purpose of performing abortions.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

New matter indicated by italics - deletions by strikeout
(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including but not limited to:

(1) adoption;
(2) foster care;
(3) family counseling;
(4) protective services;
(5) (blank);
(6) homemaker service;
(7) return of runaway children;
(8) (blank);
(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
(10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.
(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

(1) case management;
(2) homemakers;
(3) counseling;
(4) parent education;
(5) day care; and
(6) emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

(1) comprehensive family-based services;
(2) assessments;
(3) respite care; and
(4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may, subject to federal financial participation in the cost, continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to

New matter indicated by italics - deletions by strikeout
persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) Before July 1, 2000, the Department may provide, and beginning July 1, 2000, the Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to

New matter indicated by italics - deletions by strikeout
create a private right of action or claim on the part of any individual or child welfare agency.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. A minor charged with a criminal offense under the Criminal Code of 1961 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except a minor less than 13 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987.

(l-1) The legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the legislature directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest
opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

1. the likelihood of prompt reunification;
2. the past history of the family;
3. the barriers to reunification being addressed by the family;
4. the level of cooperation of the family;

New matter indicated by italics - deletions by strikeout
(5) the foster parents' willingness to work with the family to reunite;
(6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;
(7) the age of the child;
(8) placement of siblings.
(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, custodian or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance

New matter indicated by italics - deletions by strikeout
under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody of the Department who would have custody of the child if he were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

New matter indicated by italics - deletions by strikeout
(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of
this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed $500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

1. Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's "Guardianship Administrator" or

New matter indicated by italics - deletions by strikeout
his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of
the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents or in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;

New matter indicated by italics - deletions by strikeout
(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the child. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved
relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Department of State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Department of State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Department of State Police relating to the access and dissemination of this information.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has

New matter indicated by italics - deletions by strikeout
the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(Source: P.A. 94-215, eff. 1-1-06.)

(20 ILCS 505/5.30 new)

Sec. 5.30. Specialized care.

(a) Not later than July 1, 2007, the Department shall adopt a rule, or an amendment to a rule then in effect, regarding the provision of specialized care to a child in the custody or guardianship of the Department, or to a child being placed in a subsidized guardianship arrangement or under an adoption assistance agreement, who requires such services due to emotional, behavioral, developmental, or medical needs, or any combination thereof, or any other needs which require special intervention services, the primary goal being to maintain the child in foster care or in a permanency setting. The rule or amendment to a rule shall establish, at a minimum, the criteria, standards, and procedures for the following:

(1) The determination that a child requires specialization.
(2) The determination of the level of care required to meet the child's special needs.
(3) The approval of a plan of care that will meet the child's special needs.
(4) The monitoring of the specialized care provided to the child and review of the plan to ensure quality of care and effectiveness in meeting the child's needs.
(5) The determination, approval, and implementation of amendments to the plan of care.

New matter indicated by italics - deletions by strikeout
(6) The establishment and maintenance of the qualifications, including specialized training, of caretakers of specialized children.

The rule or amendment to a rule adopted under this subsection shall establish the minimum services to be provided to children eligible for specialized care under this Section. The Department shall also adopt rules providing for the training of Department and public or private agency staff involved in implementing the rule. On or before September 1 of 2007 and each year thereafter, the Department shall submit to the General Assembly an annual report on the implementation of this Section.

(b) No payments to caregivers in effect for the specialized treatment or care of a child, nor the level of care being provided to a child prior to the effective date of this amendatory Act of the 94th General Assembly, shall be reduced under the criteria, standards, and procedures adopted and implemented under this Section.

(20 ILCS 505/7.5 new)

Sec. 7.5. Notice of post-adoption reunion services.

(a) For purposes of this Section, "post-adoption reunion services" means services provided by the Department to facilitate contact between adoptees and their siblings when one or more is still in the Department’s care or adopted elsewhere, with the notarized consent of the adoptive parents of a minor child, when such contact has been established to be necessary to the adoptee’s best interests and when all involved parties, including the adoptive parent of a child under 21 years of age, have provided written consent for such contact.

(b) The Department shall provide to all adoptive parents of children receiving monthly adoption assistance under subsection (j) of Section 5 of this Act a notice that includes a description of the Department’s post-adoption reunion services and an explanation of how to access those services. The notice to adoptive parents shall be provided at least once per year until such time as the adoption assistance payments cease.
The Department shall also provide to all wards of the Department, within 30 days after their 18th birthday, the notice described in this Section.

(c) The Department shall adopt a rule regarding the provision of search and reunion services to wards and former wards.

(20 ILCS 505/25) (from Ch. 23, par. 5025)

Sec. 25. Grants, gifts, or legacies; Putative Father Registry fees.

(a) To accept and hold in behalf of the State, if for the public interest, a grant, gift or legacy of money or property to the State of Illinois to the Department, or to any institution or program of the Department made in trust for the maintenance or support of a resident of an institution of the Department, or for any other legitimate purpose connected with such institution or program. The Department shall cause each gift, grant or legacy to be kept as a distinct fund, and shall invest the same in the manner provided by the laws of this State as the same now exist, or shall hereafter be enacted, relating to securities in which the deposit in savings banks may be invested. But the Department may, in its discretion, deposit in a proper trust company or savings bank, during the continuance of the trust, any fund so left in trust for the life of a person, and shall adopt rules and regulations governing the deposit, transfer, or withdrawal of such fund. The Department shall on the expiration of any trust as provided in any instrument creating the same, dispose of the fund thereby created in the manner provided in such instrument. The Department shall include in its required reports a statement showing what funds are so held by it and the condition thereof. Monies found on residents at the time of their admission, or accruing to them during their period of institutional care, and monies deposited with the superintendents by relatives, guardians or friends of residents for the special comfort and pleasure of such resident, shall remain in the custody of such superintendents who shall act as trustees for disbursement to, in behalf of, or for the benefit of such resident. All types of retirement and pension benefits from private and public sources may be paid directly to the superintendent of the institution where the person is a resident, for deposit to the resident's trust fund account.

New matter indicated by italics - deletions by strikeout
(b) The Department shall hold all Putative Father Registry fees collected under Section 12.1 of the Adoption Act in a distinct fund for the Department’s use in maintaining the Putative Father Registry. The Department shall invest the moneys in the fund in the same manner as moneys in the funds described in subsection (a) and shall include in its required reports a statement showing the condition of the fund.

(Source: P.A. 83-1362.)

(20 ILCS 505/35.1) (from Ch. 23, par. 5035.1)

Sec. 35.1. The case and clinical records of patients in Department supervised facilities, wards of the Department, children receiving or applying for child welfare services, persons receiving or applying for other services of the Department, and Department reports of injury or abuse to children shall not be open to the general public. Such case and clinical records and reports or the information contained therein shall be disclosed by the Director of the Department to juvenile authorities when necessary for the discharge of their official duties who request information concerning the minor and who certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. For purposes of this Section, "juvenile authorities" means: (i) a judge of the circuit court and members of the staff of the court designated by the judge; (ii) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (iii) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (iv) any individual, public or private agency having custody of the child pursuant to court order or pursuant to placement of the child by the Department; (v) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (vi) any potential placement provider when such release is authorized by the court for the limited purpose of determining the appropriateness of the potential placement; (vii) law enforcement officers and prosecutors; (viii) adult and juvenile prisoner review boards; (ix) authorized military personnel; (x) individuals authorized by court; (xi) the Illinois General Assembly or any committee or commission thereof.

New matter indicated by italics - deletions by strikeout
This Section does not apply to the Department's fiscal records, other records of a purely administrative nature, or any forms, documents or other records required of facilities subject to licensure by the Department except as may otherwise be provided under the Child Care Act of 1969.

Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to the death of a minor under the care of or receiving services from the Department and under the jurisdiction of the juvenile court with the juvenile court, the State's Attorney, and the minor's attorney.

Nothing contained in this Section prohibits or prevents any individual dealing with or providing services to a minor from sharing information with another individual dealing with or providing services to a minor for the purpose of coordinating efforts on behalf of the minor. The sharing of such information is only for the purpose stated herein and is to be consistent with the intent and purpose of the confidentiality provisions of the Juvenile Court Act of 1987. This provision does not abrogate any recognized privilege. Sharing information does not include copying of records, reports or case files unless authorized herein.

Nothing in this Section prohibits or prevents the re-disclosure of records, reports, or other information that reveals malfeasance or nonfeasance on the part of the Department, its employees, or its agents. Nothing in this Section prohibits or prevents the Department or a party in a proceeding under the Juvenile Court Act of 1987 from copying records, reports, or case files for the purpose of sharing those documents with other parties to the litigation.

(Source: P.A. 90-15, eff. 6-13-97; 90-590, eff. 1-1-00; 91-812, eff. 6-13-00.)

Section 10. The Foster Parent Law is amended by changing Section 1-15 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 1-15. Foster parent rights. A foster parent's rights include, but are not limited to, the following:

(1) The right to be treated with dignity, respect, and consideration as a professional member of the child welfare team.

(2) The right to be given standardized pre-service training and appropriate ongoing training to meet mutually assessed needs and improve the foster parent's skills.

(3) The right to be informed as to how to contact the appropriate child placement agency in order to receive information and assistance to access supportive services for children in the foster parent's care.

(4) The right to receive timely financial reimbursement commensurate with the care needs of the child as specified in the service plan.

(5) The right to be provided a clear, written understanding of a placement agency's plan concerning the placement of a child in the foster parent's home. Inherent in this right is the foster parent's responsibility to support activities that will promote the child's right to relationships with his or her own family and cultural heritage.

(6) The right to be provided a fair, timely, and impartial investigation of complaints concerning the foster parent's licensure, to be provided the opportunity to have a person of the foster parent's choosing present during the investigation, and to be provided due process during the investigation; the right to be provided the opportunity to request and receive mediation or an administrative review of decisions that affect licensing parameters, or both mediation and an administrative review; and the right to have decisions concerning a licensing corrective action plan specifically explained and tied to the licensing standards violated.

(7) The right, at any time during which a child is placed with the foster parent, to receive additional or necessary information that is relevant to the care of the child.
(7.5) The right to be given information concerning a child (i) from the Department as required under subsection (u) of Section 5 of the Children and Family Services Act and (ii) from a child welfare agency as required under subsection (c-5) of Section 7.4 of the Child Care Act of 1969.

(8) The right to be notified of scheduled meetings and staffings concerning the foster child in order to actively participate in the case planning and decision-making process regarding the child, including individual service planning meetings, administrative case reviews, interdisciplinary staffings, and individual educational planning meetings; the right to be informed of decisions made by the courts or the child welfare agency concerning the child; the right to provide input concerning the plan of services for the child and to have that input given full consideration in the same manner as information presented by any other professional on the team; and the right to communicate with other professionals who work with the foster child within the context of the team, including therapists, physicians, and teachers.

(9) The right to be given, in a timely and consistent manner, any information a case worker has regarding the child and the child's family which is pertinent to the care and needs of the child and to the making of a permanency plan for the child. Disclosure of information concerning the child's family shall be limited to that information that is essential for understanding the needs of and providing care to the child in order to protect the rights of the child's family. When a positive relationship exists between the foster parent and the child's family, the child's family may consent to disclosure of additional information.

(10) The right to be given reasonable written notice of (i) any change in a child's case plan, (ii) plans to terminate the placement of the child with the foster parent, and (iii) the reasons for the change or termination in placement. The notice shall be waived only in cases of a court order or when the child is determined to be at imminent risk of harm.
(11) The right to be notified in a timely and complete manner of all court hearings, including notice of the date and time of the court hearing, the name of the judge or hearing officer hearing the case, the location of the hearing, and the court docket number of the case; and the right to intervene in court proceedings or to seek mandamus under the Juvenile Court Act of 1987.

(12) The right to be considered as a placement option when a foster child who was formerly placed with the foster parent is to be re-entered into foster care, if that placement is consistent with the best interest of the child and other children in the foster parent's home.

(13) The right to have timely access to the child placement agency's existing appeals process and the right to be free from acts of harassment and retaliation by any other party when exercising the right to appeal.

(14) The right to be informed of the Foster Parent Hotline established under Section 35.6 of the Children and Family Services Act and all of the rights accorded to foster parents concerning reports of misconduct by Department employees, service providers, or contractors, confidential handling of those reports, and investigation by the Inspector General appointed under Section 35.5 of the Children and Family Services Act.

(Source: P.A. 89-19, eff. 6-3-95.)

Section 15. The Child Care Act of 1969 is amended by changing Sections 7.4, 8, and 15 as follows:

(225 ILCS 10/7.4)

Sec. 7.4. Disclosures.

(a) Every child welfare agency providing adoption services and licensed by the Department shall provide to all prospective clients and to the public written disclosures with respect to its adoption services, policies, and practices, including general eligibility criteria, fees, and the mutual rights and responsibilities of clients, including biological parents and adoptive parents. The written disclosure shall be posted on any website maintained by the child welfare agency that relates to adoption

New matter indicated by italics - deletions by strikeout
services. The Department shall adopt rules relating to the contents of the written disclosures. Eligible agencies may be deemed compliant with this subsection (a).

(b) Every licensed child welfare agency providing adoption services shall provide to all applicants, prior to application, a written schedule of estimated fees, expenses, and refund policies. Every child welfare agency providing adoption services shall have a written policy that shall be part of its standard adoption contract and state that it will not charge additional fees and expenses beyond those disclosed in the adoption contract unless additional fees are reasonably required by the circumstances and are disclosed to the adoptive parents or parent before they are incurred. The Department shall adopt rules relating to the contents of the written schedule and policy. Eligible agencies may be deemed compliant with this subsection (b).

(c) Every licensed child welfare agency providing adoption services must make full and fair disclosure to its clients, including biological parents and adoptive parents, of all circumstances material to the placement of a child for adoption. The Department shall adopt rules necessary for the implementation and regulation of the requirements of this subsection (c).

(c-5) Whenever a licensed child welfare agency places a child in a licensed foster family home, the agency shall provide the following to the caretaker:

(1) Available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes, excluding any information that identifies or reveals the location of any previous caretaker.

(2) A copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child.

New matter indicated by italics - deletions by strikeout
(3) Information containing details of the child's individualized educational plan when the child is receiving special education services.

(4) Any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetration of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the child.

The agency may prepare a written summary of the information required by this subsection, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the agency shall provide such information as it becomes available.

The Department shall adopt rules necessary for the implementation and regulation of the requirements of this subsection (c-5).

(d) Every licensed child welfare agency providing adoption services shall meet minimum standards set forth by the Department concerning the taking or acknowledging of a consent prior to taking or acknowledging a consent from a prospective biological parent. The Department shall adopt rules concerning the minimum standards required by agencies under this Section.

(Source: P.A. 94-586, eff. 8-15-05.)

(225 ILCS 10/8) (from Ch. 23, par. 2218)

Sec. 8. The Department may revoke or refuse to renew the license of any child care facility or child welfare agency or refuse to issue full license to the holder of a permit should the licensee or holder of a permit:

(1) fail to maintain standards prescribed and published by the Department;

New matter indicated by italics - deletions by strikeout
(2) violate any of the provisions of the license issued;
(3) furnish or make any misleading or any false statement or report to the Department;
(4) refuse to submit to the Department any reports or refuse to make available to the Department any records required by the Department in making investigation of the facility for licensing purposes;
(5) fail or refuse to submit to an investigation by the Department;
(6) fail or refuse to admit authorized representatives of the Department at any reasonable time for the purpose of investigation;
(7) fail to provide, maintain, equip and keep in safe and sanitary condition premises established or used for child care as required under standards prescribed by the Department, or as otherwise required by any law, regulation or ordinance applicable to the location of such facility;
(8) refuse to display its license or permit;
(9) be the subject of an indicated report under Section 3 of the Abused and Neglected Child Reporting Act or fail to discharge or sever affiliation with the child care facility of an employee or volunteer at the facility with direct contact with children who is the subject of an indicated report under Section 3 of that Act;
(10) fail to comply with the provisions of Section 7.1;
(11) fail to exercise reasonable care in the hiring, training and supervision of facility personnel;
(12) fail to report suspected abuse or neglect of children within the facility, as required by the Abused and Neglected Child Reporting Act;
(12.5) fail to comply with subsection (c-5) of Section 7.4;
(13) fail to comply with Section 5.1 or 5.2 of this Act; or
(14) be identified in an investigation by the Department as an addict or alcoholic, as defined in the Alcoholism and Other Drug Abuse and Dependency Act, or be a person whom the Department knows has abused alcohol or drugs, and has not

New matter indicated by italics - deletions by strikeout
successfully participated in treatment, self-help groups or other suitable activities, and the Department determines that because of such abuse the licensee, holder of the permit, or any other person directly responsible for the care and welfare of the children served, does not comply with standards relating to character, suitability or other qualifications established under Section 7 of this Act.

(Source: P.A. 94-586, eff. 8-15-05.)

(225 ILCS 10/15) (from Ch. 23, par. 2225)

Sec. 15. Every child care facility must keep and maintain such records as the Department may prescribe pertaining to the admission, progress, health and discharge of children under the care of the facility and shall report relative thereto to the Department whenever called for, upon forms prescribed by the Department. All records regarding children and all facts learned about children and their relatives must be kept confidential both by the child care facility and by the Department.

Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

Nothing contained in this Act prevents the disclosure of information or records by a licensed child welfare agency as required under subsection (c-5) of Section 7.4.

(Source: P.A. 87-928.)

Section 20. The Abused and Neglected Child Reporting Act is amended by changing Section 11.1 as follows:

(325 ILCS 5/11.1) (from Ch. 23, par. 2061.1)

Sec. 11.1. Access to records.

(a) A person shall have access to the records described in Section 11 only in furtherance of purposes directly connected with the administration of this Act or the Intergovernmental Missing Child Recovery Act of 1984. Those persons and purposes for access include:

(1) Department staff in the furtherance of their responsibilities under this Act, or for the purpose of completing

New matter indicated by italics - deletions by strikeout
background investigations on persons or agencies licensed by the
Department or with whom the Department contracts for the
provision of child welfare services.

(2) A law enforcement agency investigating known or
suspected child abuse or neglect, known or suspected involvement
with child pornography, known or suspected criminal sexual
assault, known or suspected criminal sexual abuse, or any other
sexual offense when a child is alleged to be involved.

(3) The Department of State Police when administering the
provisions of the Intergovernmental Missing Child Recovery Act
of 1984.

(4) A physician who has before him a child whom he
reasonably suspects may be abused or neglected.

(5) A person authorized under Section 5 of this Act to place
a child in temporary protective custody when such person requires
the information in the report or record to determine whether to
place the child in temporary protective custody.

(6) A person having the legal responsibility or authorization
to care for, treat, or supervise a child, or a parent, prospective
adoptive parent, foster parent, guardian, or other person
responsible for the child's welfare, who is the subject of a report.

(7) Except in regard to harmful or detrimental information
as provided in Section 7.19, any subject of the report, and if the
subject of the report is a minor, his guardian or guardian ad litem.

(8) A court, upon its finding that access to such records
may be necessary for the determination of an issue before such
court; however, such access shall be limited to in camera
inspection, unless the court determines that public disclosure of the
information contained therein is necessary for the resolution of an
issue then pending before it.

(8.1) A probation officer or other authorized representative
of a probation or court services department conducting an
investigation ordered by a court under the Juvenile Court Act of
1987.

New matter indicated by italics - deletions by strikeout
(9) A grand jury, upon its determination that access to such records is necessary in the conduct of its official business.

(10) Any person authorized by the Director, in writing, for audit or bona fide research purposes.

(11) Law enforcement agencies, coroners or medical examiners, physicians, courts, school superintendents and child welfare agencies in other states who are responsible for child abuse or neglect investigations or background investigations.

(12) The Department of Professional Regulation, the State Board of Education and school superintendents in Illinois, who may use or disclose information from the records as they deem necessary to conduct investigations or take disciplinary action, as provided by law.

(13) A coroner or medical examiner who has reason to believe that a child has died as the result of abuse or neglect.

(14) The Director of a State-operated facility when an employee of that facility is the perpetrator in an indicated report.

(15) The operator of a licensed child care facility or a facility licensed by the Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) in which children reside when a current or prospective employee of that facility is the perpetrator in an indicated child abuse or neglect report, pursuant to Section 4.3 of the Child Care Act of 1969.

(16) Members of a multidisciplinary team in the furtherance of its responsibilities under subsection (b) of Section 7.1. All reports concerning child abuse and neglect made available to members of such multidisciplinary teams and all records generated as a result of such reports shall be confidential and shall not be disclosed, except as specifically authorized by this Act or other applicable law. It is a Class A misdemeanor to permit, assist or encourage the unauthorized release of any information contained in such reports or records. Nothing contained in this Section prevents the sharing of reports or records relating or pertaining to the death of a minor under the care of or receiving services from the

New matter indicated by italics - deletions by strikeout
Department of Children and Family Services and under the jurisdiction of the juvenile court with the juvenile court, the State's Attorney, and the minor's attorney.

(17) The Department of Human Services, as provided in Section 17 of the Disabled Persons Rehabilitation Act.

(18) Any other agency or investigative body, including the Department of Public Health and a local board of health, authorized by State law to conduct an investigation into the quality of care provided to children in hospitals and other State regulated care facilities. The access to and release of information from such records shall be subject to the approval of the Director of the Department or his designee.

(19) The person appointed, under Section 2-17 of the Juvenile Court Act of 1987, as the guardian ad litem of a minor who is the subject of a report or records under this Act.

(20) The Department of Human Services, as provided in Section 10 of the Early Intervention Services System Act, and the operator of a facility providing early intervention services pursuant to that Act, for the purpose of determining whether a current or prospective employee who provides or may provide direct services under that Act is the perpetrator in an indicated report of child abuse or neglect filed under this Act.

(b) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(c) To the extent that persons or agencies are given access to information pursuant to this Section, those persons or agencies may give this information to and receive this information from each other in order to facilitate an investigation conducted by those persons or agencies.

(Source: P.A. 93-147, eff. 1-1-04.)

Section 25. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 11 as follows:

New matter indicated by italics - deletions by strikeout
(740 ILCS 110/11) (from Ch. 91 1/2, par. 811)

Sec. 11. Disclosure of records and communications. Records and communications may be disclosed:

(i) in accordance with the provisions of the Abused and Neglected Child Reporting Act, subsection (u) of Section 5 of the Children and Family Services Act, or Section 7.4 of the Child Care Act of 1969;

(ii) when, and to the extent, a therapist, in his or her sole discretion, determines that disclosure is necessary to initiate or continue civil commitment proceedings under the laws of this State or to otherwise protect the recipient or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the recipient or by the recipient on himself or another;

(iii) when, and to the extent disclosure is, in the sole discretion of the therapist, necessary to the provision of emergency medical care to a recipient who is unable to assert or waive his or her rights hereunder;

(iv) when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient under Chapter V of the Mental Health and Developmental Disabilities Code or to transfer debts under the Uncollected State Claims Act; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed shall not be used for any other purposes nor shall it be-redisclosed except in connection with collection activities;

(v) when requested by a family member, the Department of Human Services may assist in the location of the interment site of a deceased recipient who is interred in a cemetery established under Section 100-26 of the Mental Health and Developmental Disabilities Administrative Act;

(vi) in judicial proceedings under Article VIII of Chapter III and Article V of Chapter IV of the Mental Health and

New matter indicated by italics - deletions by strikeout
Developmental Disabilities Code and proceedings and investigations preliminary thereto, to the State's Attorney for the county or residence of a person who is the subject of such proceedings, or in which the person is found, or in which the facility is located, to the attorney representing the recipient in the judicial proceedings, to any person or agency providing mental health services that are the subject of the proceedings and to that person's or agency's attorney, to any court personnel, including but not limited to judges and circuit court clerks, and to a guardian ad litem if one has been appointed by the court, provided that the information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings or investigations;

(vii) when, and to the extent disclosure is necessary to comply with the requirements of the Census Bureau in taking the federal Decennial Census;

(viii) when, and to the extent, in the therapist's sole discretion, disclosure is necessary to warn or protect a specific individual against whom a recipient has made a specific threat of violence where there exists a therapist-recipient relationship or a special recipient-individual relationship;

(ix) in accordance with the Sex Offender Registration Act; and

(x) in accordance with the Rights of Crime Victims and Witnesses Act.

Any person, institution, or agency, under this Act, participating in good faith in the making of a report under the Abused and Neglected Child Reporting Act or in the disclosure of records and communications under this Section, shall have immunity from any liability, civil, criminal or otherwise, that might result by reason of such action. For the purpose of any proceeding, civil or criminal, arising out of a report or disclosure under this Section, the good faith of any person, institution, or agency so reporting or disclosing shall be presumed.

New matter indicated by italics - deletions by strikeout
Section 30. The Adoption Act is amended by changing Sections 12.1 and 18.3a as follows:

Sec. 12.1. Putative Father Registry. The Department of Children and Family Services shall establish a Putative Father Registry for the purpose of determining the identity and location of a putative father of a minor child who is, or is expected to be, the subject of an adoption proceeding, in order to provide notice of such proceeding to the putative father. The Department of Children and Family Services shall establish rules and informational material necessary to implement the provisions of this Section. The Department shall have the authority to set reasonable fees for the use of the Registry. All such fees for the use of the Registry that are received by the Department or its agent shall be deposited into the fund authorized under subsection (b) of Section 25 of the Children and Family Services Act. The Department shall use the moneys in that fund for the purpose of maintaining the Registry.

(a) The Department shall maintain the following information in the Registry:

(1) With respect to the putative father:
   (i) Name, including any other names by which the putative father may be known and that he may provide to the Registry;
   (ii) Address at which he may be served with notice of a petition under this Act, including any change of address;
   (iii) Social Security Number;
   (iv) Date of birth; and
   (v) If applicable, a certified copy of an order by a court of this State or of another state or territory of the United States adjudicating the putative father to be the father of the child.

(2) With respect to the mother of the child:

New matter indicated by italics - deletions by strikeout
(i) Name, including all other names known to the putative father by which the mother may be known;
(ii) If known to the putative father, her last address;
(iii) Social Security Number; and
(iv) Date of birth.

(3) If known to the putative father, the name, gender, place of birth, and date of birth or anticipated date of birth of the child.

(4) The date that the Department received the putative father's registration.

(5) Other information as the Department may by rule determine necessary for the orderly administration of the Registry.

(b) A putative father may register with the Department before the birth of the child but shall register no later than 30 days after the birth of the child. All registrations shall be in writing and signed by the putative father. No fee shall be charged for the initial registration. The Department shall have no independent obligation to gather the information to be maintained.

(c) An interested party, including persons intending to adopt a child, a child welfare agency with whom the mother has placed or has given written notice of her intention to place a child for adoption, the mother of the child, or an attorney representing an interested party may request that the Department search the Registry to determine whether a putative father is registered in relation to a child who is or may be the subject to an adoption petition.

(d) A search of the Registry may be proven by the production of a certified copy of the registration form, or by the certified statement of the administrator of the Registry that after a search, no registration of a putative father in relation to a child who is or may be the subject of an adoption petition could be located.

(e) Except as otherwise provided, information contained within the Registry is confidential and shall not be published or open to public inspection.

(f) A person who knowingly or intentionally registers false information under this Section commits a Class B misdemeanor. A person

New matter indicated by italics - deletions by strikeout
who knowingly or intentionally releases confidential information in violation of this Section commits a Class B misdemeanor.

(g) Except as provided in subsections (b) or (c) of Section 8 of this Act, a putative father who fails to register with the Putative Father Registry as provided in this Section is barred from thereafter bringing or maintaining any action to assert any interest in the child, unless he proves by clear and convincing evidence that:

(1) it was not possible for him to register within the period of time specified in subsection (b) of this Section; and
(2) his failure to register was through no fault of his own; and
(3) he registered within 10 days after it became possible for him to file.

A lack of knowledge of the pregnancy or birth is not an acceptable reason for failure to register.

(h) Except as provided in subsection (b) or (c) of Section 8 of this Act, failure to timely register with the Putative Father Registry (i) shall be deemed to be a waiver and surrender of any right to notice of any hearing in any judicial proceeding for the adoption of the child, and the consent or surrender of that person to the adoption of the child is not required, and (ii) shall constitute an abandonment of the child and shall be prima facie evidence of sufficient grounds to support termination of such father's parental rights under this Act.

(i) In any adoption proceeding pertaining to a child born out of wedlock, if there is no showing that a putative father has executed a consent or surrender or waived his rights regarding the proposed adoption, certification as specified in subsection (d) shall be filed with the court prior to entry of a final judgment order of adoption.

(j) The Registry shall not be used to notify a putative father who is the father of a child as a result of criminal sexual abuse or assault as defined under Article 12 of the Criminal Code of 1961.

(750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)
Sec. 18.3a. Confidential intermediary.

New matter indicated by italics - deletions by strikeout
(a) General purposes. Notwithstanding any other provision of this Act, any adopted or surrendered person 21 years of age or over, any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or any birth parent of an adopted or surrendered person who is 21 years of age or over may petition the court in any county in the State of Illinois for appointment of a confidential intermediary as provided in this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives, obtaining identifying information about one or more mutually consenting biological relatives, or arranging contact with one or more mutually consenting biological relatives. Additionally, in cases where an adopted or surrendered person is deceased, an adult child of the adopted or surrendered person or his or her adoptive parents or surviving spouse may file a petition under this Section and in cases where the birth parent is deceased, an adult birth sibling of the adopted or surrendered person or of the deceased birth parent may file a petition under this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives of the adopted or surrendered person, obtaining identifying information about one or more mutually consenting biological relatives of the adopted or surrendered person, or arranging contact with one or more mutually consenting biological relatives of the adopted or surrendered person. Beginning January 1, 2006, any adopted or surrendered person 21 years of age or over; any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21; any birth parent, birth sibling, birth aunt, or birth uncle of an adopted or surrendered person over the age of 21; any surviving child, adoptive parent, or surviving spouse of a deceased adopted or surrendered person who wishes to petition the court for the appointment of a confidential intermediary shall be required to accompany their petition with proof of registration with the Illinois Adoption Registry and Medical Information Exchange.

(b) Petition. Upon petition by an adopted or surrendered person 21 years of age or over, an adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or a birth parent of an adopted or surrendered person under the age of 21, or any adult child of an adopted or surrendered person or his or her adoptive parents or surviving spouse may file a petition under this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives, obtaining identifying information about one or more mutually consenting biological relatives, or arranging contact with one or more mutually consenting biological relatives.
surrendered person who is 21 years of age or over, the court shall appoint a confidential intermediary. Upon petition by an adult child, adoptive parent or surviving spouse of an adopted or surrendered person who is deceased, by an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over, or by an adult sibling of a birth parent who is deceased, and whose surrendered child is 21 years of age or over, the court may appoint a confidential intermediary if the court finds that the disclosure is of greater benefit than nondisclosure. The petition shall state which biological relative or relatives are being sought and shall indicate if the petitioner wants to do any one or more of the following: exchange medical information with the biological relative or relatives, obtain identifying information from the biological relative or relatives, or to arrange contact with the biological relative.

(c) Order. The order appointing the confidential intermediary shall allow that intermediary to conduct a search for the sought-after relative by accessing those records described in subsection (g) of this Section.

(d) Fees and expenses. The court shall condition the appointment of the confidential intermediary on the petitioner's payment of the intermediary's fees and expenses in advance of the commencement of the work of the confidential intermediary.

(e) Eligibility of intermediary. The court may appoint as confidential intermediary any person certified by the Department of Children and Family Services as qualified to serve as a confidential intermediary. Certification shall be dependent upon the confidential intermediary completing a course of training including, but not limited to, applicable federal and State privacy laws.

(f) Confidential Intermediary Council. There shall be established under the Department of Children and Family Services a Confidential Intermediary Advisory Council. One member shall be an attorney representing the Attorney General's Office appointed by the Attorney General. One member shall be a currently certified confidential intermediary appointed by the Director of the Department of Children and Family Services. The Director shall also appoint 5 additional members.

New matter indicated by italics - deletions by strikeout
When making those appointments, the Director shall consider advocates for adopted persons, adoptive parents, birth parents, lawyers who represent clients in private adoptions, lawyers specializing in privacy law, and representatives of agencies involved in adoptions. The Director shall appoint one of the 7 members as the chairperson. An attorney from the Department of Children and Family Services and the person directly responsible for administering the confidential intermediary program shall serve as ex-officio, non-voting advisors to the Council. Council members shall serve at the discretion of the Director and shall receive no compensation other than reasonable expenses approved by the Director. The Council shall meet no less than twice yearly, and shall make recommendations to the Director regarding the development of rules, procedures, and forms that will ensure efficient and effective operation of the confidential intermediary process, including:

(1) Standards for certification for confidential intermediaries.

(2) Oversight of methods used to verify that intermediaries are complying with the appropriate laws.

(3) Training for confidential intermediaries, including training with respect to federal and State privacy laws.

(4) The relationship between confidential intermediaries and the court system, including the development of sample orders defining the scope of the intermediaries' access to information.

(5) Any recent violations of policy or procedures by confidential intermediaries and remedial steps, including decertification, to prevent future violations.

(g) Access. Subject to the limitations of subsection (i) of this Section, the confidential intermediary shall have access to vital records maintained by the Department of Public Health and its local designees for the maintenance of vital records and all records of the court or any adoption agency, public or private, as limited in this Section, which relate to the adoption or the identity and location of an adopted or surrendered person, of an adult child or surviving spouse of a deceased adopted or surrendered person, or of a birth parent, birth sibling, or the sibling of a

New matter indicated by italics - deletions by strikeout
deceased birth parent. The confidential intermediary shall not have access to any personal health information protected by the Standards for Privacy of Individually Identifiable Health Information adopted by the U.S. Department of Health and Human Services under the Health Insurance Portability and Accountability Act of 1996 unless the confidential intermediary has obtained written consent from the person whose information is being sought or, if that person is a minor child, that person's parent or guardian. Confidential intermediaries shall be authorized to inspect confidential relinquishment and adoption records. The confidential intermediary shall not be authorized to access medical records, financial records, credit records, banking records, home studies, attorney file records, or other personal records. In cases where a birth parent is being sought, an adoption agency shall inform the confidential intermediary of any statement filed pursuant to Section 18.3, hereinafter referred to as "the 18.3 statement", indicating a desire of the surrendering birth parent to have identifying information shared or to not have identifying information shared. If there was a clear statement of intent by the sought-after birth parent not to have identifying information shared, the confidential intermediary shall discontinue the search and inform the petitioning party of the sought-after relative's intent. Information provided to the confidential intermediary by an adoption agency shall be restricted to the full name, date of birth, place of birth, last known address, last known telephone number of the sought-after relative or, if applicable, of the children or siblings of the sought-after relative, and the 18.3 statement.

(h) Adoption agency disclosure of medical information. If the petitioner is an adult adopted or surrendered person or the adoptive parent of a minor and if the petitioner has signed a written authorization to disclose personal medical information, an adoption agency disclosing information to a confidential intermediary shall disclose available medical information about the adopted or surrendered person from birth through adoption.

(i) Duties of confidential intermediary in conducting a search. In conducting a search under this Section, the confidential intermediary shall first confirm that there is no Denial of Information Exchange on file with

New matter indicated by italics - deletions by strikeout
the Illinois Adoption Registry. If the petitioner is an adult child of an adopted or surrendered person who is deceased, the confidential intermediary shall additionally confirm that the adopted or surrendered person did not file a Denial of Information Exchange with the Illinois Adoption Registry during his or her life. If the petitioner is an adult birth sibling of an adopted or surrendered person or an adult sibling of a birth parent who is deceased, the confidential intermediary shall additionally confirm that the birth parent did not file a Denial of Information Exchange with the Registry during his or her life. If the confidential intermediary learns that a sought-after birth parent signed a statement indicating his or her intent not to have identifying information shared, and did not later file an Information Exchange Authorization with the Adoption Registry, the confidential intermediary shall discontinue the search and inform the petitioning party of the birth parent's intent.

In conducting a search under this Section, the confidential intermediary shall attempt to locate the relative or relatives from whom the petitioner has requested information. If the sought-after relative is deceased or cannot be located after a diligent search, the confidential intermediary may contact other adult relatives of the sought-after relative.

The confidential intermediary shall contact a sought-after relative on behalf of the petitioner in a manner that respects the sought-after relative's privacy and shall inform the sought-after relative of the petitioner's request for medical information, identifying information or contact as stated in the petition. Based upon the terms of the petitioner's request, the confidential intermediary shall contact a sought-after relative on behalf of the petitioner and inform the sought-after relative of the following options:

(1) The sought-after relative may totally reject one or all of the requests for medical information, identifying information or contact. The sought-after relative shall be informed that they can provide a medical questionnaire to be forwarded to the petitioner without releasing any identifying information. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to reject the sharing of information or contact.

New matter indicated by italics - deletions by strikeout
(2) The sought-after relative may consent to completing a medical questionnaire only. In this case, the confidential intermediary shall provide the questionnaire and ask the sought-after relative to complete it. The confidential intermediary shall forward the completed questionnaire to the petitioner and inform the petitioner of the sought-after relative's desire to not provide any additional information. (3) The sought-after relative may communicate with the petitioner without having his or her identity disclosed. In this case, the confidential intermediary shall arrange the desired communication in a manner that protects the identity of the sought-after relative. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to communicate but not disclose his or her identity.

(4) The sought after relative may consent to initiate contact with the petitioner. If both the petitioner and the sought-after relative or relatives are eligible to register with the Illinois Adoption Registry, the confidential intermediary shall provide the necessary application forms and request that the sought-after relative register with the Illinois Adoption Registry. If either the petitioner or the sought-after relative or relatives are ineligible to register with the Illinois Adoption Registry, the confidential intermediary shall obtain written consents from both parties that they wish to disclose their identities to each other and to have contact with each other.

(j) Oath. The confidential intermediary shall sign an oath of confidentiality substantially as follows: "I, ..........., being duly sworn, on oath depose and say: As a condition of appointment as a confidential intermediary, I affirm that:

(1) I will not disclose to the petitioner, directly or indirectly, any confidential information except in a manner consistent with the law.

(2) I recognize that violation of this oath subjects me to civil liability and to a potential finding of contempt of court.

........................................

New matter indicated by italics - deletions by strikeout
(k) Sanctions.

(1) Any confidential intermediary who improperly discloses confidential information identifying a sought-after relative shall be liable to the sought-after relative for damages and may also be found in contempt of court.

(2) Any person who learns a sought-after relative's identity, directly or indirectly, through the use of procedures provided in this Section and who improperly discloses information identifying the sought-after relative shall be liable to the sought-after relative for actual damages plus minimum punitive damages of $10,000.

(3) The Department shall fine any confidential intermediary who improperly discloses confidential information in violation of item (1) or (2) of this subsection (k) an amount up to $2,000 per improper disclosure. This fine does not affect civil liability under item (2) of this subsection (k). The Department shall deposit all fines and penalties collected under this Section into the Illinois Adoption Registry and Medical Information Fund.

(l) Death of person being sought. Notwithstanding any other provision of this Act, if the confidential intermediary discovers that the person being sought has died, he or she shall report this fact to the court, along with a copy of the death certificate.

(m) Any confidential information obtained by the confidential intermediary during the course of his or her search shall be kept strictly confidential and shall be used for the purpose of arranging contact between the petitioner and the sought-after birth relative. At the time the case is closed, all identifying information shall be returned to the court for inclusion in the impounded adoption file.

(n) If the petitioner is an adopted or surrendered person 21 years of age or over or the adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, any non-identifying information,
as defined in Section 18.4, that is ascertained during the course of the
search may be given in writing to the petitioner before the case is closed.

(o) Except as provided in subsection (k) of this Section,
no liability shall accrue to the State, any State agency, any judge, any
officer or employee of the court, any certified confidential intermediary, or
any agency designated to oversee confidential intermediary services for
acts, omissions, or efforts made in good faith within the scope of this
Section.

(p) An adoption agency that has received a request from a
confidential intermediary for the full name, date of birth, last known
address, or last known telephone number of a sought-after relative
pursuant to subsection (g) of Section 18.3, or for medical information
regarding a sought-after relative pursuant to subsection (h) of Section
18.3, must satisfactorily comply with this court order within a period of 45
days. The court shall order the adoption agency to reimburse the
petitioner in an amount equal to all payments made by the petitioner to the
confidential intermediary, and the adoption agency shall be subject to a
civil monetary penalty of $1,000 to be paid to the Department of Children
and Family Services. Following the issuance of a court order finding that
the adoption agency has not complied with Section 18.3, the adoption
agency shall be subject to a monetary penalty of $500 per day for each
subsequent day of non-compliance.

Any reimbursements and fines, notwithstanding any reimbursement
directly to the petitioner, paid under this subsection are in addition to
other remedies a court may otherwise impose by law.

Proceeds from the penalties paid to the Department of Children
and Family Services shall be deposited into the DCFS Children’s Services
Fund. The Department of Children and Family Services shall submit
reports to the Confidential Intermediary Advisory Council by July 1 and
January 1 of each year in order to report the penalties assessed and
collected under this subsection, the amounts of related deposits into the
DCFS Children’s Services Fund, and any expenditures from such deposits.
(Source: P.A. 93-189, eff. 1-1-04; 94-173, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect October 1, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning truant minors.

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

Section 5. The Counties Code is amended by adding Section 5-1078.2 as follows:

(55 ILCS 5/5-1078.2 new)

Sec. 5-1078.2. Truants. A county board may adopt ordinances to regulate truants within the unincorporated areas of its jurisdiction. These ordinances may include a graduated fine schedule for repeat violations, which may not exceed $100, or community service, or both, for violators 10 years of age or older and may provide for enforcement by citation or through administrative hearings as determined by ordinance. If the violator is under 10 years of age, the parent or custodian of the violator is subject to the fine or community service, or both. As used in this Section, "truants" means persons who are within the definition of "truant" in Section 26-2a of the School Code. A home rule unit may not regulate truants in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

Section 10. The Illinois Municipal Code is amended by adding Section 11-5-9 as follows:

(65 ILCS 5/11-5-9 new)

Sec. 11-5-9. Truants. The corporate authorities of any municipality may adopt ordinances to regulate truants within its jurisdiction. These ordinances may include a graduated fine schedule for repeat violations, which may not exceed $100, or community service, or both, for violators

New matter indicated by italics - deletions by strikeout
10 years of age or older and may provide for enforcement by citation or through administrative hearings as determined by ordinance. If the violator is under 10 years of age, the parent or custodian of the violator is subject to the fine or community service, or both. As used in this Section, "truants" means persons who are within the definition of "truant" in Section 26-2a of the School Code. A home rule unit may not regulate truants in a manner inconsistent with the provisions of this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

Section 11. The School Code is amended by changing Section 34-4.5 as follows:

(105 ILCS 5/34-4.5)
Sec. 34-4.5. Chronic truants.
(a) Office of Chronic Truant Adjudication. The board shall establish and implement an Office of Chronic Truant Adjudication, which shall be responsible for administratively adjudicating cases of chronic truancy and imposing appropriate sanctions. The board shall appoint or employ hearing officers to perform the adjudicatory functions of that Office. Principals and other appropriate personnel may refer pupils suspected of being chronic truants, as defined in Section 26-2a of this Code, to the Office of Chronic Truant Adjudication.

(b) Notices. Before any hearing may be held under subsection (c), the principal of the school attended by the pupil or the principal's designee shall notify the pupil's parent or guardian by personal visit, letter, or telephone of each unexcused absence of the pupil. After giving the parent or guardian notice of the tenth unexcused absence of the pupil, the principal or the principal's designee shall send the pupil's parent or guardian a letter, by certified mail, return receipt requested, notifying the parent or guardian that he or she is subjecting himself or herself to a hearing procedure as provided under subsection (c) and clearly describing any and all possible penalties that may be imposed as provided for in subsections (d) and (e) of this Section.

New matter indicated by italics - deletions by strikeout
(c) Hearing. Once a pupil has been referred to the Office of Chronic Truant Adjudication, a hearing shall be scheduled before an appointed hearing officer, and the pupil and the pupil's parents or guardian shall be notified by certified mail, return receipt requested stating the time, place, and purpose of the hearing. The hearing officer shall hold a hearing and render a written decision within 14 days determining whether the pupil is a chronic truant as defined in Section 26-2a of this Code and whether the parent or guardian took reasonable steps to assure the pupil's attendance at school. The hearing shall be private unless a public hearing is requested by the pupil's parent or guardian, and the pupil may be present at the hearing with a representative in addition to the pupil's parent or guardian. The board shall present evidence of the pupil's truancy, and the pupil and the parent or guardian or representative of the pupil may cross examine witnesses, present witnesses and evidence, and present defenses to the charges. All testimony at the hearing shall be taken under oath administered by the hearing officer. The decision of the hearing officer shall constitute an "administrative decision" for purposes of judicial review under the Administrative Review Law.

(d) Penalties. The hearing officer may require the pupil or the pupil's parent or guardian or both the pupil and the pupil's parent or guardian to do any or all of the following: perform reasonable school or community services for a period not to exceed 30 days; complete a parenting education program; obtain counseling or other supportive services; and comply with an individualized educational plan or service plan as provided by appropriate school officials. If the parent or guardian of the chronic truant shows that he or she took reasonable steps to insure attendance of the pupil at school, he or she shall not be required to perform services.

(e) Non-compliance with sanctions. If a pupil determined by a hearing officer to be a chronic truant or the parent or guardian of the pupil fails to comply with the sanctions ordered by the hearing officer under subsection (c) of this Section, the Office of Chronic Truant Adjudication may refer the matter to the State's Attorney for prosecution under Section 3-33.5 of the Juvenile Court Act of 1987.
(f) Limitation on applicability. Nothing in this Section shall be construed to apply to a parent or guardian of a pupil not required to attend a public school pursuant to Section 26-1.
(Source: P.A. 90-143, eff. 7-23-97; 90-566, eff. 1-2-98.)

Section 15. The Juvenile Court Act of 1987 is amended by changing Sections 3-1 and 3-15 and by adding Section 3-33.5 as follows:
(705 ILCS 405/3-1) (from Ch. 37, par. 803-1)
Sec. 3-1. Jurisdictional facts. Proceedings may be instituted under this Article concerning boys and girls who require authoritative intervention as defined in Section 3-3 or who are truant minors in need of supervision as defined in Section 3-33.5.
(Source: P.A. 85-1235.)

(705 ILCS 405/3-15) (from Ch. 37, par. 803-15)
Sec. 3-15. Petition; supplemental petitions. (1) Any adult person, any agency or association by its representative may file, or the court on its own motion may direct the filing through the State's Attorney of a petition in respect to a minor under this Act. The petition and all subsequent court documents shall be entitled "In the interest of ...., a minor".

(2) The petition shall be verified but the statements may be made upon information and belief. It shall allege that the minor requires authoritative intervention and set forth (a) facts sufficient to bring the minor under Section 3-3 or 3-33.5; (b) the name, age and residence of the minor; (c) the names and residences of his parents; (d) the name and residence of his legal guardian or the person or persons having custody or control of the minor, or of the nearest known relative if no parent or guardian can be found; and (e) if the minor upon whose behalf the petition is brought is sheltered in custody, the date on which shelter care was ordered by the court or the date set for a shelter care hearing. If any of the facts herein required are not known by the petitioner, the petition shall so state.

(3) The petition must allege that it is in the best interests of the minor and of the public that he be adjudged a ward of the court and may pray generally for relief available under this Act. The petition need not specify any proposed disposition following adjudication of wardship.

New matter indicated by italics - deletions by strikeout
(4) If appointment of a guardian of the person with power to consent to adoption of the minor under Section 3-30 is sought, the petition shall so state.

(5) At any time before dismissal of the petition or before final closing and discharge under Section 3-32, one or more supplemental petitions may be filed in respect to the same minor.

(Source: P.A. 85-1209; 85-1235; 86-1440.)

(705 ILCS 405/3-33.5 new)
Sec. 3-33.5. Truant minors in need of supervision.
(a) Definition. A minor who is reported by the office of the regional superintendent of schools, or, in cities of over 500,000 inhabitants, by the Office of Chronic Truant Adjudication, as a chronic truant may be subject to a petition for adjudication and adjudged a truant minor in need of supervision, provided that prior to the filing of the petition, the office of the regional superintendent of schools, the Office of Chronic Truant Adjudication, or a community truancy review board certifies that the local school has provided appropriate truancy intervention services to the truant minor and his or her family. For purposes of this Section, "truancy intervention services" means services designed to assist the minor's return to an educational program, and includes but is not limited to: assessments, counseling, mental health services, shelter, optional and alternative education programs, tutoring, and educational advocacy. If, after review by the regional office of education, the Office of Chronic Truant Adjudication, or community truancy review board it is determined the local school did not provide the appropriate interventions, then the minor shall be referred to a comprehensive community based youth service agency for truancy intervention services. If the comprehensive community based youth service agency is incapable to provide intervention services, then this requirement for services is not applicable. The comprehensive community based youth service agency shall submit reports to the office of the regional superintendent of schools, the Office of Chronic Truant Adjudication, or truancy review board within 20, 40, and 80 school days of the initial referral or at any other time requested by the office of the regional superintendent of schools, the Office of Chronic

New matter indicated by italics - deletions by strikeout
Truant Adjudication, or truancy review board, which reports each shall certify the date of the minor's referral and the extent of the minor's progress and participation in truancy intervention services provided by the comprehensive community based youth service agency. In addition, if, after referral by the office of the regional superintendent of schools, the Office of Chronic Truant Adjudication, or community truancy review board, the minor declines or refuses to fully participate in truancy intervention services provided by the comprehensive community based youth service agency, then the agency shall immediately certify such facts to the office of the regional superintendent of schools, the Office of Chronic Truant Adjudication, or community truancy review board.

(a-1) There is a rebuttable presumption that a chronic truant is a truant minor in need of supervision.

(a-2) There is a rebuttable presumption that school records of a minor's attendance at school are authentic.

(a-3) For purposes of this Section, "chronic truant" means a minor subject to compulsory school attendance and who is absent without valid cause from such attendance for 10% or more of the previous 180 regular attendance days and has the meaning ascribed to it in Section 26-2a of the School Code.

(a-4) For purposes of this Section, a "community truancy review board" is a local community based board comprised of but not limited to: representatives from local comprehensive community based youth service agencies, representatives from court service agencies, representatives from local schools, representatives from health service agencies, and representatives from local professional and community organizations as deemed appropriate by the office of the regional superintendent of schools, or, in cities of over 500,000 inhabitants, by the Office of Chronic Truant Adjudication. The regional superintendent of schools, or, in cities of over 500,000 inhabitants, the Office of Chronic Truant Adjudication, must approve the establishment and organization of a community truancy review board and the regional superintendent of schools or his or her designee, or, in cities of over 500,000 inhabitants, the general superintendent of schools or his or her designee, shall chair the board.

New matter indicated by italics - deletions by strikeout
(a-5) Nothing in this Section shall be construed to create a private cause of action or right of recovery against a regional office of education or the Office of Chronic Truant Adjudication, its superintendent, or its staff with respect to truancy intervention services where the determination to provide the services is made in good faith.

(b) Kinds of dispositional orders. A minor found to be a truant minor in need of supervision may be:

(1) committed to the appropriate regional superintendent of schools for a student assistance team staffing, a service plan, or referral to a comprehensive community based youth service agency;

(2) required to comply with a service plan as specifically provided by the appropriate regional superintendent of schools;

(3) ordered to obtain counseling or other supportive services;

(4) subject to a fine in an amount in excess of $5, but not exceeding $100, and each day of absence without valid cause as defined in Section 26-2a of The School Code is a separate offense;

(5) required to perform some reasonable public service work such as, but not limited to, the picking up of litter in public parks or along public highways or the maintenance of public facilities; or

(6) subject to having his or her driver's license or driving privilege suspended for a period of time as determined by the court but only until he or she attains 18 years of age.

A dispositional order may include a fine, public service, or suspension of a driver's license or privilege only if the court has made an express written finding that a truancy prevention program has been offered by the school, regional superintendent of schools, or a comprehensive community based youth service agency to the truant minor in need of supervision.

(c) Orders entered under this Section may be enforced by contempt proceedings.

(705 ILCS 405/3-33 rep.)

New matter indicated by italics - deletions by strikeout
Section 20. The Juvenile Court Act of 1987 is amended by repealing Section 3-33.

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

Approved July 7, 2006.

PUBLIC ACT 94-1012
(Senate Bill No. 2204)

AN ACT concerning health.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Health Care Workplace Violence Prevention Act is amended by changing Section 35 as follows:
(405 ILCS 90/35)
Sec. 35. Pilot project; task force.
(a) The Department of Human Services and the Department of Public Health shall initially implement this Act as a 2-year pilot project in which only the following health care workplaces shall participate:
(1) The Chester Mental Health Center.
(2) The Alton Mental Health Center.
(3) The Douglas Singer Mental Health Center.
(4) The Andrew McFarland Mental Health Center.
(5) The Jacksonville Developmental Center.

Each health care workplace participating in the pilot project shall comply with this Act as provided in this Act.
(b) The Governor shall convene a 11-member 6-member task force consisting of the following: one member appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of House of Representatives; one member appointed by the Minority Leader of the House of Representatives; one representative from a statewide association

New matter indicated by italics - deletions by strikeout
representing licensed registered professional nurses; one licensed registered professional nurse involved in direct patient care, appointed by the Governor; one representative of an organization representing State, county, and municipal employees, appointed by the Governor; one representative of an organization representing public employees, appointed by the Governor; and 3 representatives of the Department of Human Services, with one representative from the Division of Mental Health, one representative from the Division of Developmental Disabilities, and one representative from the Division of Rehabilitation Services of the Department of Human Services. The task force shall submit a report to the Illinois General Assembly by January 1, 2008 that shall (i) evaluate the effectiveness of the health care workplace violence prevention pilot project in the facilities participating in the pilot project and (ii) make recommendations concerning the implementation of workplace violence prevention programs in all health care workplaces.

(c) The Department of Human Services shall provide all necessary administrative support to the task force.

(Source: P.A. 94-347, eff. 7-28-05.)

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

Approved July 7, 2006.

PUBLIC ACT 94-1013
(Senate Bill No. 2348)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-4 as follows:

(65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

New matter indicated by italics - deletions by strikeout
Sec. 11-74.4-4. Municipal powers and duties; redevelopment project areas. A municipality may:

(a) The changes made by this amendatory Act of the 91st General Assembly do not apply to a municipality that, (i) before the effective date of this amendatory Act of the 91st General Assembly, has adopted an ordinance or resolution fixing a time and place for a public hearing under Section 11-74.4-5 or (ii) before July 1, 1999, has adopted an ordinance or resolution providing for a feasibility study under Section 11-74.4-4.1, but has not yet adopted an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section, until after that municipality adopts an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section; thereafter the changes made by this amendatory Act of the 91st General Assembly apply to the same extent that they apply to redevelopment plans and redevelopment projects that were approved and redevelopment projects that were designated before the effective date of this amendatory Act of the 91st General Assembly.

By ordinance introduced in the governing body of the municipality within 14 to 90 days from the completion of the hearing specified in Section 11-74.4-5 approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to notice and hearing required by this Act. No redevelopment project area shall be designated unless a plan and project are approved prior to the designation of such area and such area shall include only those contiguous parcels of real property and improvements thereon substantially benefited by the proposed redevelopment project improvements. Upon adoption of the ordinances, the municipality shall forthwith transmit to the county clerk of the county or counties within which the redevelopment project area is located a certified copy of the ordinances, a legal description of the redevelopment project area, a map of the redevelopment project area, identification of the year that the county clerk shall use for determining the total initial equalized assessed value of the redevelopment project area consistent with subsection (a) of Section 11-74.4-9, and a list of the parcel

New matter indicated by italics - deletions by strikeout
or tax identification number of each parcel of property included in the redevelopment project area.

(b) Make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project. Contract provisions concerning loan repayment obligations in contracts entered into on or after the effective date of this amendatory Act of the 93rd General Assembly shall terminate no later than the last to occur of the estimated dates of completion of the redevelopment project and retirement of the obligations issued to finance redevelopment project costs as required by item (3) of subsection (n) of Section 11-74.4-3. Payments received under contracts entered into by the municipality prior to the effective date of this amendatory Act of the 93rd General Assembly that are received after the redevelopment project area has been terminated by municipal ordinance shall be deposited into a special fund of the municipality to be used for other community redevelopment needs within the redevelopment project area.

(c) Within a redevelopment project area, acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project. No conveyance, lease, mortgage, disposition of land or other property owned by a municipality, or agreement relating to the development of such municipal property shall be made except upon the adoption of an ordinance by the corporate authorities of the municipality. Furthermore, no conveyance, lease, mortgage, or other disposition of land owned by a municipality or agreement relating to the development of such municipal property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. The procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids.

New matter indicated by italics - deletions by strikeout
(d) Within a redevelopment project area, clear any area by demolition or removal of any existing buildings and structures.

(e) Within a redevelopment project area, renovate or rehabilitate or construct any structure or building, as permitted under this Act.

(f) Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan.

(g) Within a redevelopment project area, fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein.

(h) Accept grants, guarantees and donations of property, labor, or other things of value from a public or private source for use within a project redevelopment area.

(i) Acquire and construct public facilities within a redevelopment project area, as permitted under this Act.

(j) Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement; provided, however, that on and after the effective date of this amendatory Act of the 91st General Assembly, no municipality shall incur redevelopment project costs (except for planning costs and any other eligible costs authorized by municipal ordinance or resolution that are subsequently included in the redevelopment plan for the area and are incurred by the municipality after the ordinance or resolution is adopted) that are not consistent with the program for accomplishing the objectives of the redevelopment plan as included in that plan and approved by the municipality until the municipality has amended the redevelopment plan as provided elsewhere in this Act.

(k) Create a commission of not less than 5 or more than 15 persons to be appointed by the mayor or president of the municipality with the consent of the majority of the governing board of the municipality. Members of a commission appointed after the effective date of this amendatory Act of 1987 shall be appointed for initial terms of 1, 2, 3, 4 and 5 years, respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall expire in any one year. Their
successors shall be appointed for a term of 5 years. The commission, subject to approval of the corporate authorities may exercise the powers enumerated in this Section. The commission shall also have the power to hold the public hearings required by this division and make recommendations to the corporate authorities concerning the adoption of redevelopment plans, redevelopment projects and designation of redevelopment project areas.

(l) Make payment in lieu of taxes or a portion thereof to taxing districts. If payments in lieu of taxes or a portion thereof are made to taxing districts, those payments shall be made to all districts within a project redevelopment area on a basis which is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment project area.

(m) Exercise any and all other powers necessary to effectuate the purposes of this Act.

(n) If any member of the corporate authority, a member of a commission established pursuant to Section 11-74.4-4(k) of this Act, or an employee or consultant of the municipality involved in the planning and preparation of a redevelopment plan, or project for a redevelopment project area or proposed redevelopment project area, as defined in Sections 11-74.4-3(i) through (k) of this Act, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates and terms and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the corporate authorities and entered upon the minute books of the corporate authorities. If an individual holds such an interest then that individual shall refrain from any further official involvement in regard to such redevelopment plan, project or area, from voting on any matter pertaining to such redevelopment plan, project or area, or communicating with other members concerning corporate authorities, commission or employees concerning any matter pertaining to said redevelopment plan, project or area. Furthermore, no such member or employee shall acquire of any interest direct, or indirect, in any property in

New matter indicated by italics - deletions by strikeout
a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan, project or area or (b) first public notice of such plan, project or area pursuant to Section 11-74.4-6 of this Division, whichever occurs first. For the purposes of this subsection, a property interest acquired in a single parcel of property by a member of the corporate authority, which property is used exclusively as the member's primary residence, shall not be deemed to constitute an interest in any property included in a redevelopment area or proposed redevelopment area that was established before December 31, 1989, but the member must disclose the acquisition to the municipal clerk under the provisions of this subsection. A single property interest acquired within one year after the effective date of this amendatory Act of the 94th General Assembly by a member of the corporate authority does not constitute an interest in any property included in any redevelopment area or proposed redevelopment area, regardless of when the redevelopment area was established, if (i) the property is used exclusively as the member's primary residence, (ii) the member discloses the acquisition to the municipal clerk under the provisions of this subsection, (iii) the acquisition is for fair market value, (iv) the member acquires the property as a result of the property being publicly advertised for sale, and (v) the member refrains from voting on, and communicating with other members concerning, any matter when the benefits to the redevelopment project or area would be significantly greater than the benefits to the municipality as a whole. For the purposes of this subsection, a month-to-month leasehold interest in a single parcel of property by a member of the corporate authority shall not be deemed to constitute an interest in any property included in any redevelopment area or proposed redevelopment area, but the member must disclose the interest to the municipal clerk under the provisions of this subsection.

(o) Create a Tax Increment Economic Development Advisory Committee to be appointed by the Mayor or President of the municipality with the consent of the majority of the governing board of the municipality, the members of which Committee shall be appointed for initial terms of 1, 2, 3, 4 and 5 years respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall
expire in any one year. Their successors shall be appointed for a term of 5 years. The Committee shall have none of the powers enumerated in this Section. The Committee shall serve in an advisory capacity only. The Committee may advise the governing Board of the municipality and other municipal officials regarding development issues and opportunities within the redevelopment project area or the area within the State Sales Tax Boundary. The Committee may also promote and publicize development opportunities in the redevelopment project area or the area within the State Sales Tax Boundary.

(p) Municipalities may jointly undertake and perform redevelopment plans and projects and utilize the provisions of the Act wherever they have contiguous redevelopment project areas or they determine to adopt tax increment financing with respect to a redevelopment project area which includes contiguous real property within the boundaries of the municipalities, and in doing so, they may, by agreement between municipalities, issue obligations, separately or jointly, and expend revenues received under the Act for eligible expenses anywhere within contiguous redevelopment project areas or as otherwise permitted in the Act.

(q) Utilize revenues, other than State sales tax increment revenues, received under this Act from one redevelopment project area for eligible costs in another redevelopment project area that is:

(i) contiguous to the redevelopment project area from which the revenues are received;

(ii) separated only by a public right of way from the redevelopment project area from which the revenues are received; or

(iii) separated only by forest preserve property from the redevelopment project area from which the revenues are received if the closest boundaries of the redevelopment project areas that are separated by the forest preserve property are less than one mile apart.

Utilize tax increment revenues for eligible costs that are received from a redevelopment project area created under the Industrial Jobs

New matter indicated by italics - deletions by strikeout
Recovery Law that is either contiguous to, or is separated only by a public right of way from, the redevelopment project area created under this Act which initially receives these revenues. Utilize revenues, other than State sales tax increment revenues, by transferring or loaning such revenues to a redevelopment project area created under the Industrial Jobs Recovery Law that is either contiguous to, or separated only by a public right of way from the redevelopment project area that initially produced and received those revenues; and, if the redevelopment project area (i) was established before the effective date of this amendatory Act of the 91st General Assembly and (ii) is located within a municipality with a population of more than 100,000, utilize revenues or proceeds of obligations authorized by Section 11-74.4-7 of this Act, other than use or occupation tax revenues, to pay for any redevelopment project costs as defined by subsection (q) of Section 11-74.4-3 to the extent that the redevelopment project costs involve public property that is either contiguous to, or separated only by a public right of way from, a redevelopment project area whether or not redevelopment project costs or the source of payment for the costs are specifically set forth in the redevelopment plan for the redevelopment project area.

(r) If no redevelopment project has been initiated in a redevelopment project area within 7 years after the area was designated by ordinance under subsection (a), the municipality shall adopt an ordinance repealing the area's designation as a redevelopment project area; provided, however, that if an area received its designation more than 3 years before the effective date of this amendatory Act of 1994 and no redevelopment project has been initiated within 4 years after the effective date of this amendatory Act of 1994, the municipality shall adopt an ordinance repealing its designation as a redevelopment project area. Initiation of a redevelopment project shall be evidenced by either a signed redevelopment agreement or expenditures on eligible redevelopment project costs associated with a redevelopment project.

(Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03; 93-961, eff. 1-1-05; 93-1098, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect January 1, 2007.

New matter indicated by italics - deletions by strikeout
Passed in the General Assembly April 11, 2006.
Approved July 7, 2006.

PUBLIC ACT 94-1014
(Senate Bill No. 2395)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Dental Practice Act is amended by changing Sections 5, 23, and 48 and by adding Section 19.1 as follows:

(225 ILCS 25/5) (from Ch. 111, par. 2305)
(Section scheduled to be repealed on January 1, 2016)
Sec. 5. Powers and duties of Department. Subject to the provisions of this Act, the Department shall exercise the following functions, powers and duties:

(a) Conduct or authorize examinations to ascertain the fitness and qualifications of applicants for dental licenses or dental hygienist licenses, pass upon the qualifications of applicants for licenses, and issue licenses to such as are found to be fit and qualified.

(b) Prescribe rules and regulations for a method of examination of candidates.

(c) Prescribe rules and regulations defining what shall constitute an approved program, school, college or department of a university except that no program, school, college or department of a university that refuses admittance to applicants solely on account of race, color, creed, sex or national origin shall be approved.

(d) Conduct hearings on proceedings to revoke, suspend, or on objection to the issuance of licenses and to revoke, suspend or refuse to issue such licenses.

(e) Promulgate rules and regulations required for the administration of this Act.

New matter indicated by italics - deletions by strikeout
(f) The Department may require completion of a census by all licensed dentists in order to obtain relevant information regarding the availability of dental services within the State.
(Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)
(225 ILCS 25/19.1 new)
(Section scheduled to be repealed on January 1, 2016)
Sec. 19.1. Temporary authorization of applicants from other jurisdictions. A person holding an active, unencumbered license in good standing in another jurisdiction who applies for a license pursuant to Section 19 of this Act due to a natural disaster or catastrophic event in another jurisdiction, may be temporarily authorized by the Secretary to practice dentistry or dental hygiene under the supervision of a dentist licensed under this Act, pending the issuance of the license. This temporary authorization shall expire upon issuance of the license or upon notification that the Department has denied licensure.

The Department may adopt all rules necessary for the administration of this Section.
(225 ILCS 25/23) (from Ch. 111, par. 2323)
(Section scheduled to be repealed on January 1, 2016)
Sec. 23. Refusal, revocation or suspension of dental licenses. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper, including fines not to exceed $10,000 per violation, with regard to any license for any one or any combination of the following causes:
1. Fraud in procuring the license.
2. Habitual intoxication or addiction to the use of drugs.
3. Willful or repeated violations of the rules of the Department of Public Health or Department of Nuclear Safety.
4. Acceptance of a fee for service as a witness, without the knowledge of the court, in addition to the fee allowed by the court.
5. Division of fees or agreeing to split or divide the fees received for dental services with any person for bringing or referring a patient, except in regard to referral services as provided for under Section 45, or
assisting in the care or treatment of a patient, without the knowledge of the patient or his legal representative.

6. Employing, procuring, inducing, aiding or abetting a person not licensed or registered as a dentist to engage in the practice of dentistry. The person practiced upon is not an accomplice, employer, procurer, inducer, aider, or abetter within the meaning of this Act.

7. Making any misrepresentations or false promises, directly or indirectly, to influence, persuade or induce dental patronage.

8. Professional connection or association with or lending his name to another for the illegal practice of dentistry by another, or professional connection or association with any person, firm or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.

9. Obtaining or seeking to obtain practice, money, or any other things of value by false or fraudulent representations, but not limited to, engaging in such fraudulent practice to defraud the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid).

10. Practicing under a name other than his or her own.

11. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

12. Conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court, conviction of a misdemeanor, an essential element of which is dishonesty, or conviction of any crime which is directly related to the practice of dentistry or dental hygiene.

13. Permitting a dental hygienist, dental assistant or other person under his or her supervision to perform any operation not authorized by this Act.

14. Permitting more than 4 dental hygienists to be employed under his supervision at any one time.

15. A violation of any provision of this Act or any rules promulgated under this Act.

New matter indicated by italics - deletions by strikeout
16. Taking impressions for or using the services of any person, firm or corporation violating this Act.
17. Violating any provision of Section 45 relating to advertising.
18. Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth within this Act.
19. Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.
20. Gross or repeated malpractice resulting in injury or death of a patient.
21. The use or prescription for use of narcotics or controlled substances or designated products as listed in the Illinois Controlled Substances Act, in any way other than for therapeutic purposes.
22. Willfully making or filing false records or reports in his practice as a dentist, including, but not limited to, false records to support claims against the dental assistance program of the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid).
23. Professional incompetence as manifested by poor standards of care.
24. Physical or mental illness, including, but not limited to, deterioration through the aging process, or loss of motor skills which results in a dentist's inability to practice dentistry with reasonable judgment, skill or safety. In enforcing this paragraph, the Department may compel a person licensed to practice under this Act to submit to a mental or physical examination pursuant to the terms and conditions of Section 23b.
25. Repeated irregularities in billing a third party for services rendered to a patient. For purposes of this paragraph 25, "irregularities in billing" shall include:
   (a) Reporting excessive charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered.
   (b) Reporting charges for services not rendered.

New matter indicated by italics - deletions by strikeout
(c) Incorrectly reporting services rendered for the purpose of obtaining payment not earned.

26. Continuing the active practice of dentistry while knowingly having any infectious, communicable, or contagious disease proscribed by rule or regulation of the Department.

27. Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.


30. Mental incompetency as declared by a court of competent jurisdiction.

All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 3 years after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for fraud in procuring a license, no action shall be commenced more than 5 years after the date of the incident or act alleged to have violated this Section. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 91-357, eff. 7-29-99; 91-689, eff. 1-1-01; revised 12-15-05.)
(225 ILCS 25/48) (from Ch. 111, par. 2348)
(Section scheduled to be repealed on January 1, 2016)

Sec. 48. Manufacture of dentures, bridges or replacements for dentists; prescriptions; order; penalties.

(a) Any dentist who employs or engages the services of any dental laboratory to construct or repair, extraorally, prosthetic dentures, bridges, or other replacements for a part of a tooth, a tooth, or teeth, or who directs a dental laboratory to participate in shade selection for a prosthetic appliance, shall furnish such dental laboratory with a written prescription on forms prescribed by the Department which shall contain:

(1) The name and address of the dental laboratory to which the prescription is directed.
(2) The patient's name or identification number. If a number is used, the patient's name shall be written upon the duplicate copy of the prescription retained by the dentist.
(3) The date on which the prescription was written.
(4) A description of the work to be done, including diagrams if necessary.
(5) A specification of the type and quality of materials to be used.
(6) The signature of the dentist and the number of his or her license to practice dentistry.

(b) The dental laboratory receiving a prescription from a dentist shall retain the original prescription and the dentist shall retain a duplicate copy thereof for inspection at any reasonable time by the Department or its duly authorized agents, for a period of 3 years in both cases.

(c) If the dental laboratory receiving a written prescription from a dentist engages another dental laboratory (hereinafter referred to as "subcontractor") to perform some of the services relative to such prescription, it shall furnish a written order with respect thereto on forms prescribed by the Department which shall contain:

(1) The name and address of the subcontractor.
(2) A number identifying the order with the original prescription, which number shall be endorsed on the prescription received from the dentist.

New matter indicated by italics - deletions by strikeout
(3) The date on which the order was written.

(4) A description of the work to be done by the subcontractor, including diagrams if necessary.

(5) A specification of the type and quality of materials to be used.

(6) The signature of an agent of the dental laboratory issuing the order. The subcontractor shall retain the order and the issuer thereof shall retain a duplicate copy, attached to the prescription received from the dentist, for inspection by the Department or its duly authorized agents, for a period of 3 years in both cases.

(7) A copy of the order to the subcontractor shall be furnished to the dentist.

(c-5) Regardless of whether the dental laboratory manufactures the dental appliance or has it manufactured by a subcontractor, the laboratory shall provide to the prescribing dentist the (i) location where the work was done and (ii) source and original location where the materials were obtained.

(d) Any dentist who:

(1) employs or engages the services of any dental laboratory to construct or repair, extraorally, prosthetic dentures, bridges, or other dental appliances without first providing such dental laboratory with a written prescription;

(2) fails to retain a duplicate copy of the prescription for 3 years; or

(3) refuses to allow the Department or its duly authorized agents to inspect his or her files of prescriptions;

is guilty of a Class A misdemeanor and the Department may revoke or suspend his or her license therefor.

(e) Any dental laboratory which:

(1) furnishes such services to any dentist without first obtaining a written prescription therefor from such dentist;
(2) acting as a subcontractor as described in (c) above, furnishes such services to any dental laboratory without first obtaining a written order from such dental laboratory;

(3) fails to retain the original prescription or order, as the case may be, for 3 years; or

(4) refuses to allow the Department or its duly authorized agents to inspect its files of prescriptions or orders; or

(5) fails to provide any information required under this Section to the prescribing dentist;

is guilty of a Class A misdemeanor.
(Source: P.A. 91-357, eff. 7-29-99.)

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

Passed in the General Assembly April 11, 2006.
Approved July 7, 2006.

AN ACT concerning liquor.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:

New matter indicated by italics - deletions by strikeout
applicable local ordinances in any incorporated area of the township. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in

New matter indicated by italics - deletions by strikeout
connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic liquors shall be limited to the use of the convention or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game.

New matter indicated by italics - deletions by strikeout
hours before the start of the game and not after the 10-minute mark of the
second half of the game, or by a catering establishment which has rented
facilities from a board of trustees of a public community college district, or
in a restaurant that is operated by a commercial tenant in the North
Campus Parking Deck building that (1) is located at 1201 West University
Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the
University of Illinois, or, if approved by the District board, on land owned
by the Metropolitan Sanitary District of Greater Chicago and leased to
others for a term of at least 20 years. Nothing in this Section precludes the
sale or delivery of alcoholic liquor in the form of original packaged goods
in premises located at 500 S. Racine in Chicago belonging to the
University of Illinois and used primarily as a grocery store by a
commercial tenant during the term of a lease that predates the University's
acquisition of the premises; but the University shall have no power or
authority to renew, transfer, or extend the lease with terms allowing the
sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to
all local laws and regulations. After the acquisition by Winnebago County
of the property located at 404 Elm Street in Rockford, a commercial tenant
who sold alcoholic liquor at retail on a portion of the property under a
valid license at the time of the acquisition may continue to do so for so
long as the tenant and the County may agree under existing or future
leases, subject to all local laws and regulations regarding the sale of
alcoholic liquor. Each facility shall provide dram shop liability in
maximum insurance coverage limits so as to save harmless the State,
municipality, State university, airport, golf course, faculty center, facility
in which conference and convention type activities take place, park
district, Forest Preserve District, public community college district,
aquarium, museum, or sanitary district from all financial loss, damage or
harm. Alcoholic liquors may be sold at retail in buildings of golf courses
owned by municipalities in connection with the operation of an established
food serving facility during times when food is dispensed for consumption
upon the premises. Alcoholic liquors may be delivered to and sold at retail
in any building owned by a fire protection district organized under the Fire
Protection District Act, provided that such delivery and sale is approved

New matter indicated by italics - deletions by strikeout
by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

(i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons; and

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons;

New matter indicated by italics - deletions by strikeout
(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and
(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. Alcoholic liquor may be sold in buildings under the control of the Department of Natural Resources when written consent to the issuance of a license to sell alcoholic liquor in such buildings is filed with the Commission by the Department of Natural Resources. Alcoholic liquor may be served or delivered in buildings and facilities under the control of the Department of Natural Resources upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under
lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and

c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has
restaurant facilities which serve complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

a. the request is from a not-for-profit organization;

b. such sales would not impede normal operations of the departments involved;

c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;

d. no such sale shall be made during normal working hours of the State of Illinois; and

e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may

New matter indicated by italics - deletions by strikeout
prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the controlling government authority;
b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.
Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or a not-for-profit organization provided that such individual or organization:

a. Obtains written consent from the controlling government authority;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity of the individual or not-for-profit organization in the facility, property or building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the

New matter indicated by italics - deletions by strikeout
Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. obtains written consent from the Department of Central Management Services;

b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and

d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

New matter indicated by italics - deletions by strikeout
Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering
establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the Department of Central Management Services;

b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;

c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;

d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit that sale or delivery, notwithstanding any other provision of this
Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by McLean County, situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the Community Building Complex Committee of Boone County, Illinois if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance with coverage and in amounts that the Committee reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet Renaissance Center, City Center Campus, located at 214 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts Department facilities, Main Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as

New matter indicated by italics - deletions by strikeout
to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

(Source: P.A. 93-19, eff. 6-20-03; 93-103, eff. 1-1-04; 93-627, eff. 6-1-04; 93-844, eff. 7-30-04; 94-300, eff. 7-21-05; 94-382, eff. 7-29-05; 94-463, eff. 8-4-05; revised 8-19-05.)

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

Approved July 7, 2006.

PUBLIC ACT 94-1016
(Senate Bill No. 2475)

AN ACT concerning families.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 508 as follows:
(750 ILCS 5/508) (from Ch. 40, par. 508)
Sec. 508. Attorney's Fees; Client's Rights and Responsibilities Respecting Fees and Costs.
(a) The court from time to time, after due notice and hearing, and after considering the financial resources of the parties, may order any party to pay a reasonable amount for his own or the other party's costs and attorney's fees. Interim attorney's fees and costs may be awarded from the opposing party, in accordance with subsection (c-1) of Section 501. At the conclusion of the case, contribution to attorney's fees and costs may be awarded from the opposing party in accordance with subsection (j) of Section 503. Fees and costs may be awarded to counsel from a former client in accordance with subsection (c) of this Section. Awards may be made in connection with the following:

New matter indicated by italics - deletions by strikeout
(1) The maintenance or defense of any proceeding under this Act.

(2) The enforcement or modification of any order or judgment under this Act.

(3) The defense of an appeal of any order or judgment under this Act, including the defense of appeals of post-judgment orders.

(3.1) The prosecution of any claim on appeal (if the prosecuting party has substantially prevailed).

(4) The maintenance or defense of a petition brought under Section 2-1401 of the Code of Civil Procedure seeking relief from a final order or judgment under this Act.

(5) The costs and legal services of an attorney rendered in preparation of the commencement of the proceeding brought under this Act.

(6) Ancillary litigation incident to, or reasonably connected with, a proceeding under this Act.

The court may order that the award of attorney's fees and costs (including an interim or contribution award) shall be paid directly to the attorney, who may enforce the order in his or her name, or that it shall be paid to the appropriate party. Judgment may be entered and enforcement had accordingly. Except as otherwise provided in subdivision (e)(1) of this Section, subsection (c) of this Section is exclusive as to the right of any counsel (or former counsel) of record to petition a court for an award and judgment for final fees and costs during the pendency of a proceeding under this Act.

(b) In every proceeding for the enforcement of an order or judgment when the court finds that the failure to comply with the order or judgment was without compelling cause or justification, the court shall order the party against whom the proceeding is brought to pay promptly the costs and reasonable attorney's fees of the prevailing party. If non-compliance is with respect to a discovery order, the non-compliance is presumptively without compelling cause or justification, and the presumption may only be rebutted by clear and convincing evidence. If at

New matter indicated by italics - deletions by strikeout
any time a court finds that a hearing under this Section was precipitated or conducted for any improper purpose, the court shall allocate fees and costs of all parties for the hearing to the party or counsel found to have acted improperly. Improper purposes include, but are not limited to, harassment, unnecessary delay, or other acts needlessly increasing the cost of litigation.

(c) Final hearings for attorney's fees and costs against an attorney's own client, pursuant to a Petition for Setting Final Fees and Costs of either a counsel or a client, shall be governed by the following:

(1) No petition of a counsel of record may be filed against a client unless the filing counsel previously has been granted leave to withdraw as counsel of record or has filed a motion for leave to withdraw as counsel. On receipt of a petition of a client under this subsection (c), the counsel of record shall promptly file a motion for leave to withdraw as counsel. If the client and the counsel of record agree, however, a hearing on the motion for leave to withdraw as counsel filed pursuant to this subdivision (c)(1) may be deferred until completion of any alternative dispute resolution procedure under subdivision (c)(4). As to any Petition for Setting Final Fees and Costs against a client or counsel over whom the court has not obtained jurisdiction, a separate summons shall issue. Whenever a separate summons is not required, original notice as to a Petition for Setting Final Fees and Costs may be given, and documents served, in accordance with Illinois Supreme Court Rules 11 and 12.

(2) No final hearing under this subsection (c) is permitted unless: (i) the counsel and the client had entered into a written engagement agreement at the time the client retained the counsel (or reasonably soon thereafter) and the agreement meets the requirements of subsection (f); (ii) the written engagement agreement is attached to an affidavit of counsel that is filed with the petition or with the counsel's response to a client's petition; (iii) judgment in any contribution hearing on behalf of the client has been entered or the right to a contribution hearing under subsection (j) of Section 503 has been waived; (iv) the counsel has withdrawn

New matter indicated by italics - deletions by strikeout
as counsel of record; and (v) the petition seeks adjudication of all unresolved claims for fees and costs between the counsel and the client. Irrespective of a Petition for Setting Final Fees and Costs being heard in conjunction with an original proceeding under this Act, the relief requested under a Petition for Setting Final Fees and Costs constitutes a distinct cause of action. A pending but undetermined Petition for Setting Final Fees and Costs shall not affect appealability of any judgment or other adjudication in the original proceeding.

(3) The determination of reasonable attorney's fees and costs either under this subsection (c), whether initiated by a counsel or a client, or in an independent proceeding for services within the scope of subdivisions (1) through (5) of subsection (a), is within the sound discretion of the trial court. The court shall first consider the written engagement agreement and, if the court finds that the former client and the filing counsel, pursuant to their written engagement agreement, entered into a contract which meets applicable requirements of court rules and addresses all material terms, then the contract shall be enforceable in accordance with its terms, subject to the further requirements of this subdivision (c)(3). Before ordering enforcement, however, the court shall consider the performance pursuant to the contract. Any amount awarded by the court must be found to be fair compensation for the services, pursuant to the contract, that the court finds were reasonable and necessary. Quantum meruit principles shall govern any award for legal services performed that is not based on the terms of the written engagement agreement (except that, if a court expressly finds in a particular case that aggregate billings to a client were unconscionably excessive, the court in its discretion may reduce the award otherwise determined appropriate or deny fees altogether).

(4) No final hearing under this subsection (c) is permitted unless any controversy over fees and costs (that is not otherwise subject to some form of alternative dispute resolution) has first

New matter indicated by italics - deletions by strikeout
been submitted to mediation, arbitration, or any other court approved alternative dispute resolution procedure, except as follows:

(A) In any circuit court for a single county with a population in excess of 1,000,000, the requirement of the controversy being submitted to an alternative dispute resolution procedure is mandatory unless the client and the counsel both affirmatively opt out of such procedures; or

(B) In any other circuit court, the requirement of the controversy being submitted to an alternative dispute resolution procedure is mandatory only if neither the client nor the counsel affirmatively opts out of such procedures.

After completion of any such procedure (or after one or both sides has opted out of such procedures), if the dispute is unresolved, any pending motion for leave to withdraw as counsel shall be promptly granted and a final hearing under this subsection (c) shall be expeditiously set and completed.

(5) A petition (or a praecipe for fee hearing without the petition) shall be filed no later than the end of the period in which it is permissible to file a motion pursuant to Section 2-1203 of the Code of Civil Procedure. A praecipe for fee hearing shall be dismissed if a Petition for Setting Final Fees and Costs is not filed within 60 days after the filing of the praecipe. A counsel who becomes a party by filing a Petition for Setting Final Fees and Costs, or as a result of the client filing a Petition for Setting Final Fees and Costs, shall not be entitled to exercise the right to a substitution of a judge without cause under subdivision (a)(2) of Section 2-1001 of the Code of Civil Procedure.

(d) A consent judgment, in favor of a current counsel of record against his or her own client for a specific amount in a marital settlement agreement, dissolution judgment, or any other instrument involving the other litigant, is prohibited. A consent judgment between client and counsel, however, is permissible if it is entered pursuant to a verified petition for entry of consent judgment, supported by an affidavit of the
counsel of record that incorporates an itemization of the billing or billings to the client, detailing hourly costs, time spent, and tasks performed, and by an affidavit of the client acknowledging receipt of that documentation, awareness of the right to a hearing, the right to be represented by counsel (other than counsel to whom the consent judgment is in favor), and the right to be present at the time of presentation of the petition, and agreement to the terms of the judgment. The petition may be filed at any time during which it is permissible for counsel of record to file a petition (or a praecipe) for a final fee hearing, except that no such petition for entry of consent judgment may be filed before adjudication (or waiver) of the client's right to contribution under subsection (j) of Section 503 or filed after the filing of a petition (or a praecipe) by counsel of record for a fee hearing under subsection (c) if the petition (or praecipe) remains pending. No consent security arrangement between a client and a counsel of record, pursuant to which assets of a client are collateralized to secure payment of legal fees or costs, is permissible unless approved in advance by the court as being reasonable under the circumstances.

(e) Counsel may pursue an award and judgment against a former client for legal fees and costs in an independent proceeding in the following circumstances:

(1) While a case under this Act is still pending, a former counsel may pursue such an award and judgment at any time subsequent to 90 days after the entry of an order granting counsel leave to withdraw; and

(2) After the close of the period during which a petition (or praecipe) may be filed under subdivision (c)(5), if no such petition (or praecipe) for the counsel remains pending, any counsel or former counsel may pursue such an award and judgment in an independent proceeding; provided the complaint in the independent proceeding is filed within one year after the close of the foregoing period.

In an independent proceeding, the prior applicability of this Section shall in no way be deemed to have diminished any other right of any counsel (or former counsel) to pursue an award and judgment for legal fees and costs.

New matter indicated by italics - deletions by strikeout
on the basis of remedies that may otherwise exist under applicable law; and the limitations period for breach of contract shall apply. In an independent proceeding under subdivision (e)(1) in which the former counsel had represented a former client in a dissolution case that is still pending, the former client may bring in his or her spouse as a third-party defendant, provided on or before the final date for filing a petition (or praecipe) under subsection (c), the party files an appropriate third-party complaint under Section 2-406 of the Code of Civil Procedure. In any such case, any judgment later obtained by the former counsel shall be against both spouses or ex-spouses, jointly and severally (except that, if a hearing under subsection (j) of Section 503 has already been concluded and the court hearing the contribution issue has imposed a percentage allocation between the parties as to fees and costs otherwise being adjudicated in the independent proceeding, the allocation shall be applied without deviation by the court in the independent proceeding and a separate judgment shall be entered against each spouse for the appropriate amount). After the period for the commencement of a proceeding under subsection (c), the provisions of this Section (other than the standard set forth in subdivision (c)(3) and the terms respecting consent security arrangements in subsection (d) of this Section 508) shall be inapplicable.

The changes made by this amendatory Act of the 94th General Assembly are declarative of existing law.

(f) Unless the Supreme Court by rule addresses the matters set out in this subsection (f), a written engagement agreement within the scope of subdivision (c)(2) shall have appended to it verbatim the following Statement:

"STATEMENT OF CLIENT'S RIGHTS AND RESPONSIBILITIES

(1) WRITTEN ENGAGEMENT AGREEMENT. The written engagement agreement, prepared by the counsel, shall clearly address the objectives of representation and detail the fee arrangement, including all material terms. If fees are to be based on criteria apart from, or in addition to, hourly rates, such criteria (e.g., unique time demands and/or utilization of unique expertise) shall be delineated. The client shall receive a copy of the written engagement agreement and any additional clarification.
requested and is advised not to sign any such agreement which the client finds to be unsatisfactory or does not understand.

(2) REPRESENTATION. Representation will commence upon the signing of the written engagement agreement. The counsel will provide competent representation, which requires legal knowledge, skill, thoroughness and preparation to handle those matters set forth in the written engagement agreement. Once employed, the counsel will act with reasonable diligence and promptness, as well as use his best efforts on behalf of the client, but he cannot guarantee results. The counsel will abide by the client's decision concerning the objectives of representation, including whether or not to accept an offer of settlement, and will endeavor to explain any matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation. During the course of representation and afterwards, the counsel may not use or reveal a client's confidence or secrets, except as required or permitted by law.

(3) COMMUNICATION. The counsel will keep the client reasonably informed about the status of representation and will promptly respond to reasonable requests for information, including any reasonable request for an estimate respecting future costs of the representation or an appropriate portion of it. The client shall be truthful in all discussions with the counsel and provide all information or documentation required to enable the counsel to provide competent representation. During representation, the client is entitled to receive all pleadings and substantive documents prepared on behalf of the client and every document received from any other counsel of record. At the end of the representation and on written request from the client, the counsel will return to the client all original documents and exhibits. In the event that the counsel withdraws from representation, or is discharged by the client, the counsel will turn over to the substituting counsel (or, if no substitutions, to the client) all original documents and exhibits together with complete copies of all pleadings and discovery within thirty (30) days of the counsel's withdrawal or discharge.
(4) ETHICAL CONDUCT. The counsel cannot be required to engage in conduct which is illegal, unethical, or fraudulent. In matters involving minor children, the counsel may refuse to engage in conduct which, in the counsel's professional judgment, would be contrary to the best interest of the client's minor child or children. A counsel who cannot ethically abide by his client's directions shall be allowed to withdraw from representation.

(5) FEES. The counsel's fee for services may not be contingent upon the securing of a dissolution of marriage, upon obtaining custody, or be based upon the amount of maintenance, child support, or property settlement received, except as specifically permitted under Supreme Court rules. The counsel may not require a non-refundable retainer fee, but must remit back any overpayment at the end of the representation. The counsel may enter into a consensual security arrangement with the client whereby assets of the client are pledged to secure payment of legal fees or costs, but only if the counsel first obtains approval of the Court. The counsel will prepare and provide the client with an itemized billing statement detailing hourly rates (and/or other criteria), time spent, tasks performed, and costs incurred on a regular basis, at least quarterly. The client should review each billing statement promptly and address any objection or error in a timely manner. The client will not be billed for time spent to explain or correct a billing statement. If an appropriately detailed written estimate is submitted to a client as to future costs for a counsel's representation or a portion of the contemplated services (i.e., relative to specific steps recommended by the counsel in the estimate) and, without objection from the client, the counsel then performs the contemplated services, all such services are presumptively reasonable and necessary, as well as to be deemed pursuant to the client's direction. In an appropriate case, the client may pursue contribution to his or her fees and costs from the other party.

(6) DISPUTES. The counsel-client relationship is regulated by the Illinois Rules of Professional Conduct (Article VIII of the Illinois Supreme Court Rules), and any dispute shall be reviewed under the terms of such Rules."

New matter indicated by italics - deletions by strikeout
(g) The changes to this Section 508 made by this amendatory Act of 1996 apply to cases pending on or after June 1, 1997, except as follows:

(1) Subdivisions (c)(1) and (c)(2) of this Section 508, as well as provisions of subdivision (c)(3) of this Section 508 pertaining to written engagement agreements, apply only to cases filed on or after June 1, 1997.

(2) The following do not apply in the case of a hearing under this Section that began before June 1, 1997:

(A) Subsection (c-1) of Section 501.
(B) Subsection (j) of Section 503.
(C) The changes to this Section 508 made by this amendatory Act of 1996 pertaining to the final setting of fees.

(Source: P.A. 89-712, eff. 6-1-97.)

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

Approved July 7, 2006.

PUBLIC ACT 94-1017
(Senate Bill No. 2954)

AN ACT in relation to criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Article 1.
Section 1-1. Findings; purpose; validation.
(a) The General Assembly finds and declares that:


New matter indicated by italics - deletions by strikeout

(b) The purpose of this Article 1 is to re-enact the provisions of the Criminal Code of 1961 and the Unified Code of Corrections that were affected by Public Act 88-669 and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is not intended to supersede any other Public Act that amends the provisions re-enacted in this Article 1. The re-enacted material is shown in this Article 1 as existing text (i.e., without underscoring) and may include changes made by subsequent amendments.

(c) The re-enactment of provisions of the Criminal Code of 1961 and the Unified Code of Corrections by this Article 1 is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

(d) All otherwise lawful actions taken before the effective date of this Article 1 in reliance on or pursuant to the provisions re-enacted by this Article 1, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(e) This Article 1 applies, without limitation, to actions pending on or after the effective date of this Article 1, except to the extent prohibited under the Illinois or United States Constitution.

Section 1-5. The Criminal Code of 1961 is amended by re-enacting Section 36-1 as follows:

(720 ILCS 5/36-1) (from Ch. 38, par. 36-1)

Sec. 36-1. Seizure. Any vessel, vehicle or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in Section 8-4 of this Code, an offense prohibited by (a) Section 9-1, 9-3, 10-2, 11-6, 11-15.1, 11-19.1, 11-19.2,
11-20.1, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.6, 12-7.3, 12-7.4, 12-13, 12-14, 18-2, 19-1, 19-2, 19-3, 20-1, 20-2, 20.5-6, 24-1.2, 24-1.2-5, 24-1.5, or 28-1 of this Code, paragraph (a) of Section 12-4 of this Code, paragraph (a) of Section 12-15 or paragraphs (a), (c) or (d) of Section 12-16 of this Code, or paragraph (a)(6) or (a)(7) of Section 24-1 of this Code; (b) Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel, vehicle or aircraft contains more than 10 cartons of such cigarettes; (c) Section 28, 29 or 30 of the Cigarette Use Tax Act if the vessel, vehicle or aircraft contains more than 10 cartons of such cigarettes; (d) Section 44 of the Environmental Protection Act; (e) 11-204.1 of the Illinois Vehicle Code; (f) the offenses described in the following provisions of the Illinois Vehicle Code: Section 11-501 subdivisions (c-1)(1), (c-1)(2), (c-1)(3), (d)(1)(A), (d)(1)(D), (d)(1)(G), or (d)(1)(H); (g) an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code; or (h) an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; may be seized and delivered forthwith to the sheriff of the county of seizure.

Within 15 days after such delivery the sheriff shall give notice of seizure to each person according to the following method: Upon each such person whose right, title or interest is of record in the office of the Secretary of State, the Secretary of Transportation, the Administrator of the Federal Aviation Agency, or any other Department of this State, or any other state of the United States if such vessel, vehicle or aircraft is required to be so registered, as the case may be, by mailing a copy of the notice by certified mail to the address as given upon the records of the Secretary of State, the Department of Aeronautics, Department of Public Works and Buildings or any other Department of this State or the United States if such vessel, vehicle or aircraft is required to be so registered. Within that 15 day period the sheriff shall also notify the State's Attorney of the county of seizure about the seizure.

In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the

New matter indicated by italics - deletions by strikeout
seizure and forfeiture of vessels, vehicles and aircraft, and any such equipment shall be deemed a vessel, vehicle or aircraft for purposes of this Article.

When a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (a), (b), (c), or (d) of this Section.

If the spouse of the owner of a vehicle seized for an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (c-1)(1), (c-1)(2), (c-1)(3), (d)(1)(A), or (d)(1)(D) of Section 11-501 of the Illinois Vehicle Code, or Section 9-3 of this Code makes a showing that the seized vehicle is the only source of transportation and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.

Property declared contraband under Section 40 of the Illinois Streetgang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.
Section 1-10. The Unified Code of Corrections is amended by re-enacting Sections 3-7-6, 3-12-2, and 3-12-5 as follows:

(730 ILCS 5/3-7-6) (from Ch. 38, par. 1003-7-6)
Sec. 3-7-6. Reimbursement for expenses.
(a) Responsibility of committed persons. For the purposes of this Section, "committed persons" mean those persons who through judicial determination have been placed in the custody of the Department on the basis of a conviction as an adult. Committed persons shall be responsible to reimburse the Department for the expenses incurred by their incarceration at a rate to be determined by the Department in accordance with this Section.

(1) Committed persons shall fully cooperate with the Department by providing complete financial information for the purposes under this Section.

(2) The failure of a committed person to fully cooperate as provided for in clauses (3) and (4) of subsection (a-5) shall be considered for purposes of a parole determination. Any committed person who willfully refuses to cooperate with the obligations set forth in this Section may be subject to the loss of good conduct credit towards his or her sentence of up to 180 days.

(a-5) Assets information form.

(1) The Department shall develop a form, which shall be used by the Department to obtain information from all committed persons regarding assets of the persons.

(2) In order to enable the Department to determine the financial status of the committed person, the form shall provide for obtaining the age and marital status of a committed person, the number and ages of children of the person, the number and ages of other dependents, the type and value of real estate, the type and value of personal property, cash and bank accounts, the location of any lock boxes, the type and value of investments, pensions and annuities and any other personalty of significant cash value, including but not limited to jewelry, art work and collectables, and
all medical or dental insurance policies covering the committed person. The form may also provide for other information deemed pertinent by the Department in the investigation of a committed person's assets.

(3) Upon being developed, the form shall be submitted to each committed person as of the date the form is developed and to every committed person who thereafter is sentenced to imprisonment under the jurisdiction of the Department. The form may be resubmitted to a committed person by the Department for purpose of obtaining current information regarding the assets of the person.

(4) Every committed person shall complete the form or provide for completion of the form and the committed person shall swear under oath or affirm that to the best of his or her knowledge the information provided is complete and accurate.

(b) Expenses. The rate at which sums to be charged for the expenses incurred by a committed person for his or her confinement shall be computed by the Department as the average per capita cost per day for all inmates of that institution or facility for that fiscal year. The average per capita cost per day shall be computed by the Department based on the average per capita cost per day for the operation of that institution or facility for the fiscal year immediately preceding the period of incarceration for which the rate is being calculated. The Department shall establish rules and regulations providing for the computation of the above costs, and shall determine the average per capita cost per day for each of its institutions or facilities for each fiscal year. The Department shall have the power to modify its rules and regulations, so as to provide for the most accurate and most current average per capita cost per day computation. Where the committed person is placed in a facility outside the Department, the Department may pay the actual cost of services in that facility, and may collect reimbursement for the entire amount paid from the committed person receiving those services.

(c) Records. The records of the Department, including, but not limited to, those relating to: the average per capita cost per day for a
particular institution or facility for a particular year, and the calculation of
the average per capita cost per day; the average daily population of a
particular Department correctional institution or facility for a particular
year; the specific placement of a particular committed person in various
Department correctional institutions or facilities for various periods of
time; and the record of transactions of a particular committed person’s trust
account under Section 3-4-3 of this Act; may be proved in any legal
proceeding, by a reproduced copy thereof or by a computer printout of
Department records, under the certificate of the Director. If reproduced
copies are used, the Director must certify that those are true and exact
copies of the records on file with the Department. If computer printouts of
records of the Department are offered as proof, the Director must certify
that those computer printouts are true and exact representations of records
properly entered into standard electronic computing equipment, in the
regular course of the Department's business, at or reasonably near the time
of the occurrence of the facts recorded, from trustworthy and reliable
information. The reproduced copy or computer printout shall, without
further proof, be admitted into evidence in any legal proceeding, and shall
be prima facie correct and prima facie evidence of the accuracy of the
information contained therein.

(d) Authority. The Director, or the Director's designee, may, when
he or she knows or reasonably believes that a committed person, or the
estate of that person, has assets which may be used to satisfy all or part of
a judgment rendered under this Act, or when he or she knows or
reasonably believes that a committed person is engaged in gang-related
activity and has a substantial sum of money or other assets, provide for the
forwarding to the Attorney General of a report on the committed person
and that report shall contain a completed form under subsection (a-5)
together with all other information available concerning the assets of the
committed person and an estimate of the total expenses for that committed
person, and authorize the Attorney General to institute proceedings to
require the persons, or the estates of the persons, to reimburse the
Department for the expenses incurred by their incarceration. The Attorney
General, upon authorization of the Director, or the Director's designee,

New matter indicated by italics - deletions by strikeout
shall institute actions on behalf of the Department and pursue claims on the Department's behalf in probate and bankruptcy proceedings, to recover from committed persons the expenses incurred by their confinement. For purposes of this subsection (d), "gang-related" activity has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(e) Scope and limitations.

(1) No action under this Section shall be initiated more than 2 years after the release or death of the committed person in question.

(2) The death of a convicted person, by execution or otherwise, while committed to a Department correctional institution or facility shall not act as a bar to any action or proceeding under this Section.

(3) The assets of a committed person, for the purposes of this Section, shall include any property, tangible or intangible, real or personal, belonging to or due to a committed or formerly committed person including income or payments to the person from social security, worker's compensation, veteran's compensation, pension benefits, or from any other source whatsoever and any and all assets and property of whatever character held in the name of the person, held for the benefit of the person, or payable or otherwise deliverable to the person. Any trust, or portion of a trust, of which a convicted person is a beneficiary, shall be construed as an asset of the person, to the extent that benefits thereunder are required to be paid to the person, or shall in fact be paid to the person. At the time of a legal proceeding by the Attorney General under this Section, if it appears that the committed person has any assets which ought to be subjected to the claim of the Department under this Section, the court may issue an order requiring any person, corporation, or other legal entity possessed or having custody of those assets to appropriate any of the assets or a portion thereof toward reimbursing the Department as provided for under this Section. No

New matter indicated by italics - deletions by strikeout
provision of this Section shall be construed in violation of any State or federal limitation on the collection of money judgments.

(4) Nothing in this Section shall preclude the Department from applying federal benefits that are specifically provided for the care and treatment of a committed person toward the cost of care provided by a State facility or private agency.

(Source: P.A. 92-564, eff. 1-1-03.)

(730 ILCS 5/3-12-2) (from Ch. 38, par. 1003-12-2)

Sec. 3-12-2. Types of employment.

(a) The Department may establish, maintain, train and employ committed persons in industries for the production of articles, materials or supplies for resale to authorized purchasers. It may also employ committed persons on public works, buildings and property, the conservation of natural resources of the State, anti-pollution or environmental control projects, or for other public purposes, for the maintenance of the Department's buildings and properties and for the production of food or other necessities for its programs. The Department may establish, maintain and employ committed persons in the production of vehicle registration plates. A committed person's labor shall not be sold, contracted or hired out by the Department except under this Article and under Section 3-9-2.

(b) Works of art, literature, handicraft or other items produced by committed persons as an avocation and not as a product of a work program of the Department may be sold to the public under rules and regulations established by the Department. The cost of selling such products may be deducted from the proceeds, and the balance shall be credited to the person's account under Section 3-4-3. The Department shall notify the Attorney General of the existence of any proceeds which it believes should be applied towards a satisfaction, in whole or in part, of the person's incarceration costs.

(Source: P.A. 88-669, eff. 11-29-94; 88-679, eff. 7-1-95.)

(730 ILCS 5/3-12-5) (from Ch. 38, par. 1003-12-5)

Sec. 3-12-5. Compensation. Persons performing a work assignment under subsection (a) of Section 3-12-2 may receive wages under rules and regulations of the Department. In determining rates of compensation, the

New matter indicated by italics - deletions by strikeout
Department shall consider the effort, skill and economic value of the work performed. Compensation may be given to persons who participate in other programs of the Department. Of the compensation earned pursuant to this Section, a portion, as determined by the Department, shall be used to offset the cost of the committed person's incarceration. If the committed person files a lawsuit determined frivolous under Article XXII of the Code of Civil Procedure, 50% of the compensation shall be used to offset the filing fees and costs of the lawsuit as provided in that Article until all fees and costs are paid in full. All other wages shall be deposited in the individual's account under rules and regulations of the Department. The Department shall notify the Attorney General of any compensation applied towards a satisfaction, in whole or in part, of the person's incarceration costs.

(Source: P.A. 90-505, eff. 8-19-97.)

Article 2.
Section 2-1. Findings; purpose.
(a) The General Assembly finds and declares that:
   (1) Public Act 89-688, effective June 1, 1997, contained provisions amending Sections 31A-1.1 and 31A-1.2 of the Criminal Code of 1961 relating to bringing contraband into a penal institution; possessing contraband in a penal institution; and unauthorized bringing of contraband into a penal institution by an employee. Public Act 89-688 also contained other provisions.
   (2) On October 20, 2000, in People v. Jerry Lee Foster, 316 Ill. App. 3d 855, the Illinois Appellate Court, Fourth District, ruled that Public Act 89-688 violates the single subject clause of the Illinois Constitution (Article IV, Section 8 (d)) and is therefore unconstitutional in its entirety. The Illinois Supreme Court agreed with the reasoning of that court in People v. Burdunice, 211 Ill. 2d 264 (2004).
   (3) The provisions added to Sections 31A-1.1 and 31A-1.2 of the Criminal Code of 1961 by Public Act 89-688 are of vital concern to the people of this State. Prompt legislative action concerning those provisions is necessary.

New matter indicated by italics - deletions by strikeout
(4) Section 31A-1.1 of the Criminal Code of 1961 has subsequently been amended by Public Act 94-556. Section 31A-1.2 of the Criminal Code of 1961 has subsequently been amended by Public Acts 90-655, 91-357, and 94-556.

(b) It is the purpose of this Article 2 to re-enact Sections 31A-1.1 and 31A-1.2 of the Criminal Code of 1961, including the provisions added by Public Act 89-688 and the subsequent amendment to Section 31A-1.1 by Public Act 94-556 and subsequent amendments to Section 31A-1.2 by Public Acts 90-655, 91-357, and 94-556. This re-enactment is intended to remove any question as to the validity or content of those provisions; it is not intended to supersede any other Public Act that amends the text of the Sections as set forth in this Article 2. The re-enacted material is shown in this Article 2 as existing text (i.e., without underscoring).

Section 2-5. The Criminal Code of 1961 is amended by re-enacting Sections 31A-1.1 and 31A-1.2 as follows:

(720 ILCS 5/31A-1.1) (from Ch. 38, par. 31A-1.1)
Sec. 31A-1.1. Bringing Contraband into a Penal Institution; Possessing Contraband in a Penal Institution.

(a) A person commits the offense of bringing contraband into a penal institution when he knowingly and without authority of any person designated or authorized to grant such authority (1) brings an item of contraband into a penal institution or (2) causes another to bring an item of contraband into a penal institution or (3) places an item of contraband in such proximity to a penal institution as to give an inmate access to the contraband.

(b) A person commits the offense of possessing contraband in a penal institution when he possesses contraband in a penal institution, regardless of the intent with which he possesses it.

(c) For the purposes of this Section, the words and phrases listed below shall be defined as follows:

(1) "Penal institution" means any penitentiary, State farm, reformatory, prison, jail, house of correction, police detention area, half-way house or other institution or place for the incarceration or custody of persons under sentence for offenses awaiting trial or

New matter indicated by italics - deletions by strikeout
sentence for offenses, under arrest for an offense, a violation of probation, a violation of parole, or a violation of mandatory supervised release, or awaiting a bail setting hearing or preliminary hearing; provided that where the place for incarceration or custody is housed within another public building this Act shall not apply to that part of such building unrelated to the incarceration or custody of persons.

(2) "Item of contraband" means any of the following:
   (i) "Alcoholic liquor" as such term is defined in Section 1-3.05 of the Liquor Control Act of 1934.
   (ii) "Cannabis" as such term is defined in subsection (a) of Section 3 of the Cannabis Control Act.
   (iii) "Controlled substance" as such term is defined in the Illinois Controlled Substances Act.
   (iii-a) "Methamphetamine" as such term is defined in the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act.
   (iv) "Hypodermic syringe" or hypodermic needle, or any instrument adapted for use of controlled substances or cannabis by subcutaneous injection.
   (v) "Weapon" means any knife, dagger, dirk, billy, razor, stiletto, broken bottle, or other piece of glass which could be used as a dangerous weapon. Such term includes any of the devices or implements designated in subsections (a)(1), (a)(3) and (a)(6) of Section 24-1 of this Act, or any other dangerous weapon or instrument of like character.
   (vi) "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, including but not limited to:
      (A) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter, or;
(B) any device used exclusively for signaling or safety and required as recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(C) any device used exclusively for the firing of stud cartridges, explosive rivets or industrial ammunition; or

(D) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning, commonly referred to as a stun gun or taser.

(vii) "Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm, including but not limited to:

(A) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(B) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(viii) "Explosive" means, but is not limited to, bomb, bombshell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes such as black powder bombs and Molotov cocktails or artillery projectiles.

(ix) "Tool to defeat security mechanisms" means, but is not limited to, handcuff or security restraint key, tool

New matter indicated by italics - deletions by strikeout
designed to pick locks, or device or instrument capable of unlocking handcuff or security restraints, doors to cells, rooms, gates or other areas of the penal institution.

(x) "Cutting tool" means, but is not limited to, hacksaw blade, wirecutter, or device, instrument or file capable of cutting through metal.

(xi) "Electronic contraband" means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment brought into or possessed in a penal institution without the written authorization of the Chief Administrative Officer.

(d) Bringing alcoholic liquor into a penal institution is a Class 4 felony. Possessing alcoholic liquor in a penal institution is a Class 4 felony.

(e) Bringing cannabis into a penal institution is a Class 3 felony. Possessing cannabis in a penal institution is a Class 3 felony.

(f) Bringing any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Controlled Substance Act into a penal institution is a Class 2 felony. Possessing any amount of a controlled substance classified in Schedule III, IV, or V of Article II of the Controlled Substance Act in a penal institution is a Class 2 felony.

(g) Bringing any amount of a controlled substance classified in Schedules I or II of Article II of the Controlled Substance Act into a penal institution is a Class 1 felony. Possessing any amount of a controlled substance classified in Schedules I or II of Article II of the Controlled Substance Act in a penal institution is a Class 1 felony.

(h) Bringing an item of contraband listed in paragraph (iv) of subsection (c)(2) into a penal institution is a Class 1 felony. Possessing an item of contraband listed in paragraph (iv) of subsection (c)(2) in a penal institution is a Class 1 felony.

New matter indicated by italics - deletions by strikeout
(i) Bringing an item of contraband listed in paragraph (v), (ix), (x), or (xi) of subsection (c)(2) into a penal institution is a Class 1 felony. Possessing an item of contraband listed in paragraph (v), (ix), (x), or (xi) of subsection (c)(2) in a penal institution is a Class 1 felony.

(j) Bringing an item of contraband listed in paragraphs (vi), (vii), or (viii) of subsection (c)(2) in a penal institution is a Class X felony. Possessing an item of contraband listed in paragraphs (vi), (vii), or (viii) of subsection (c)(2) in a penal institution is a Class X felony.

(k) It shall be an affirmative defense to subsection (b) hereof, that such possession was specifically authorized by rule, regulation, or directive of the governing authority of the penal institution or order issued pursuant thereto.

(l) It shall be an affirmative defense to subsection (a)(1) and subsection (b) hereof that the person bringing into or possessing contraband in a penal institution had been arrested, and that that person possessed such contraband at the time of his arrest, and that such contraband was brought into or possessed in the penal institution by that person as a direct and immediate result of his arrest.

(m) Items confiscated may be retained for use by the Department of Corrections or disposed of as deemed appropriate by the Chief Administrative Officer in accordance with Department rules or disposed of as required by law.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 5/31A-1.2) (from Ch. 38, par. 31A-1.2)

Sec. 31A-1.2. Unauthorized bringing of contraband into a penal institution by an employee; unauthorized possessing of contraband in a penal institution by an employee; unauthorized delivery of contraband in a penal institution by an employee.

(a) A person commits the offense of unauthorized bringing of contraband into a penal institution by an employee when a person who is an employee knowingly and without authority or any person designated or authorized to grant such authority:
(1) brings or attempts to bring an item of contraband listed in paragraphs (i) through (iv) of subsection (d)(4) into a penal institution, or

(2) causes or permits another to bring an item of contraband listed in paragraphs (i) through (iv) of subsection (d)(4) into a penal institution.

(b) A person commits the offense of unauthorized possession of contraband in a penal institution by an employee when a person who is an employee knowingly and without authority of any person designated or authorized to grant such authority possesses contraband listed in paragraphs (i) through (iv) of subsection (d)(4) in a penal institution, regardless of the intent with which he possesses it.

(c) A person commits the offense of unauthorized delivery of contraband in a penal institution by an employee when a person who is an employee knowingly and without authority of any person designated or authorized to grant such authority:

(1) delivers or possesses with intent to deliver an item of contraband to any inmate of a penal institution, or

(2) conspires to deliver or solicits the delivery of an item of contraband to any inmate of a penal institution, or

(3) causes or permits the delivery of an item of contraband to any inmate of a penal institution, or

(4) permits another person to attempt to deliver an item of contraband to any inmate of a penal institution.

(d) For purpose of this Section, the words and phrases listed below shall be defined as follows:

(1) "Penal Institution" shall have the meaning ascribed to it in subsection (c)(1) of Section 31A-1.1 of this Code;

(2) "Employee" means any elected or appointed officer, trustee or employee of a penal institution or of the governing authority of the penal institution, or any person who performs services for the penal institution pursuant to contract with the penal institution or its governing authority.

New matter indicated by italics - deletions by strikeout
(3) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of an item of contraband, with or without consideration, whether or not there is an agency relationship;

(4) "Item of contraband" means any of the following:
   (i) "Alcoholic liquor" as such term is defined in Section 1-3.05 of the Liquor Control Act of 1934.
   (ii) "Cannabis" as such term is defined in subsection (a) of Section 3 of the Cannabis Control Act.
   (iii) "Controlled substance" as such term is defined in the Illinois Controlled Substances Act.
   (iii-a) "Methamphetamine" as such term is defined in the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act.
   (iv) "Hypodermic syringe" or hypodermic needle, or any instrument adapted for use of controlled substances or cannabis by subcutaneous injection.
   (v) "Weapon" means any knife, dagger, dirk, billy, razor, stiletto, broken bottle, or other piece of glass which could be used as a dangerous weapon. Such term includes any of the devices or implements designated in subsections (a)(1), (a)(3) and (a)(6) of Section 24-1 of this Act, or any other dangerous weapon or instrument of like character.
   (vi) "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, including but not limited to:
      (A) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter; or
      (B) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

New matter indicated by italics - deletions by strikeout
(C) any device used exclusively for the firing of stud cartridges, explosive rivets or industrial ammunition; or

(D) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning, commonly referred to as a stun gun or taser.

(vii) "Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm, including but not limited to:

(A) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(B) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(viii) "Explosive" means, but is not limited to, bomb, bombshell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes such as black powder bombs and Molotov cocktails or artillery projectiles.

(ix) "Tool to defeat security mechanisms" means, but is not limited to, handcuff or security restraint key, tool designed to pick locks, or device or instrument capable of unlocking handcuff or security restraints, doors to cells, rooms, gates or other areas of the penal institution.
(x) "Cutting tool" means, but is not limited to, hacksaw blade, wirecutter, or device, instrument or file capable of cutting through metal.

(xi) "Electronic contraband" means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment.

(e) A violation of paragraphs (a) or (b) of this Section involving alcohol is a Class 4 felony. A violation of paragraph (a) or (b) of this Section involving cannabis is a Class 2 felony. A violation of paragraph (a) or (b) involving any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Illinois Controlled Substances Act is a Class 1 felony. A violation of paragraph (a) or (b) of this Section involving any amount of a controlled substance classified in Schedules I or II of Article II of the Illinois Controlled Substances Act is a Class X felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraph (iv) of subsection (d)(4) is a Class X felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraph (v) or (xi) of subsection (d)(4) is a Class 1 felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraphs (vi), (vii) or (viii) of subsection (d)(4) is a Class X felony.

(f) A violation of paragraph (c) of this Section involving alcoholic liquor is a Class 3 felony. A violation of paragraph (c) involving cannabis is a Class 1 felony. A violation of paragraph (c) involving any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Illinois Controlled Substances Act is a Class X felony. A violation of paragraph (c) involving any amount of a controlled substance classified in Schedules I or II of Article II of the Illinois Controlled Substances Act is a Class X felony for which the minimum term of imprisonment shall be 8 years. A violation of paragraph (c) involving an item of contraband listed in paragraph (iv) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 8 years. A violation of paragraph
(c) involving an item of contraband listed in paragraph (v), (ix) or (x) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 10 years. A violation of paragraph (c) involving an item of contraband listed in paragraphs (vi), (vii) or (viii) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 12 years.

(g) Items confiscated may be retained for use by the Department of Corrections or disposed of as deemed appropriate by the Chief Administrative Officer in accordance with Department rules or disposed of as required by law.

(Source: P.A. 94-556, eff. 9-11-05.)

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

Approved July 7, 2006.

PUBLIC ACT 94-1018
(Senate Bill No. 2985)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Unified Code of Corrections is amended by
changing Sections 5-4-3 and 5-4-3a as follows:

(730 ILCS 5/5-4-3) (from Ch. 38, par. 1005-4-3)
Sec. 5-4-3. Persons convicted of, or found delinquent for, certain
offenses or institutionalized as sexually dangerous; specimens; genetic
marker groups.
(a) Any person convicted of, found guilty under the Juvenile Court
Act of 1987 for, or who received a disposition of court supervision for,
a qualifying offense or attempt of a qualifying offense, convicted or found
guilty of any offense classified as a felony under Illinois law, convicted or
found guilty of any offense requiring registration under the Sex Offender

New matter indicated by italics - deletions by strikeout
Registration Act, found guilty or given supervision for any offense classified as a felony under the Juvenile Court Act of 1987, convicted or found guilty of, under the Juvenile Court Act of 1987, any offense requiring registration under the Sex Offender Registration Act, or institutionalized as a sexually dangerous person under the Sexually Dangerous Persons Act, or committed as a sexually violent person under the Sexually Violent Persons Commitment Act shall, regardless of the sentence or disposition imposed, be required to submit specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with the provisions of this Section, provided such person is:

(1) convicted of a qualifying offense or attempt of a qualifying offense on or after July 1, 1990 and sentenced to a term of imprisonment, periodic imprisonment, fine, probation, conditional discharge or any other form of sentence, or given a disposition of court supervision for the offense;

(1.5) found guilty or given supervision under the Juvenile Court Act of 1987 for a qualifying offense or attempt of a qualifying offense on or after January 1, 1997;

(2) ordered institutionalized as a sexually dangerous person on or after July 1, 1990;

(3) convicted of a qualifying offense or attempt of a qualifying offense before July 1, 1990 and is presently confined as a result of such conviction in any State correctional facility or county jail or is presently serving a sentence of probation, conditional discharge or periodic imprisonment as a result of such conviction;

(3.5) convicted or found guilty of any offense classified as a felony under Illinois law or found guilty or given supervision for such an offense under the Juvenile Court Act of 1987 on or after August 22, 2002;

(4) presently institutionalized as a sexually dangerous person or presently institutionalized as a person found guilty but mentally ill of a sexual offense or attempt to commit a sexual offense;

New matter indicated by italics - deletions by strikeout
(4.5) ordered committed as a sexually violent person on or after the effective date of the Sexually Violent Persons Commitment Act; or

(5) seeking transfer to or residency in Illinois under Sections 3-3-11.05 through 3-3-11.5 of the Unified Code of Corrections and the Interstate Compact for Adult Offender Supervision or the Interstate Agreements on Sexually Dangerous Persons Act.

Notwithstanding other provisions of this Section, any person incarcerated in a facility of the Illinois Department of Corrections on or after August 22, 2002 shall be required to submit a specimen of blood, saliva, or tissue prior to his or her final discharge or release on parole or mandatory supervised release, as a condition of his or her parole or mandatory supervised release.

Notwithstanding other provisions of this Section, any person sentenced to life imprisonment in a facility of the Illinois Department of Corrections after the effective date of this amendatory Act of the 94th General Assembly or sentenced to death after the effective date of this amendatory Act of the 94th General Assembly shall be required to provide a specimen of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police. Any person serving a sentence of life imprisonment in a facility of the Illinois Department of Corrections on the effective date of this amendatory Act of the 94th General Assembly or any person who is under a sentence of death on the effective date of this amendatory Act of the 94th General Assembly shall be required to provide a specimen of blood, saliva, or tissue upon request at a collection site designated by the Illinois Department of State Police.

(a-5) Any person who was otherwise convicted of or received a disposition of court supervision for any other offense under the Criminal Code of 1961 or who was found guilty or given supervision for such a violation under the Juvenile Court Act of 1987, may, regardless of the sentence imposed, be required by an order of the court to submit
specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with the provisions of this Section.

(b) Any person required by paragraphs (a)(1), (a)(1.5), (a)(2), (a)(3.5), and (a-5) to provide specimens of blood, saliva, or tissue shall provide specimens of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police.

(c) Any person required by paragraphs (a)(3), (a)(4), and (a)(4.5) to provide specimens of blood, saliva, or tissue shall be required to provide such samples prior to final discharge, parole, or release at a collection site designated by the Illinois Department of State Police.

(c-5) Any person required by paragraph (a)(5) to provide specimens of blood, saliva, or tissue shall, where feasible, be required to provide the specimens before being accepted for conditioned residency in Illinois under the interstate compact or agreement, but no later than 45 days after arrival in this State.

(c-6) The Illinois Department of State Police may determine which type of specimen or specimens, blood, saliva, or tissue, is acceptable for submission to the Division of Forensic Services for analysis.

(d) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of blood samples. The collection of samples shall be performed in a medically approved manner. Only a physician authorized to practice medicine, a registered nurse or other qualified person trained in venipuncture may withdraw blood for the purposes of this Act. The samples shall thereafter be forwarded to the Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-1) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of saliva samples. The collection of saliva samples shall be performed in a medically approved manner. Only a person trained in the instructions promulgated by the Illinois State Police on collecting saliva may collect saliva for the purposes of this Section. The samples shall thereafter be forwarded to the
Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-2) The Illinois Department of State Police shall provide all equipment and instructions necessary for the collection of tissue samples. The collection of tissue samples shall be performed in a medically approved manner. Only a person trained in the instructions promulgated by the Illinois State Police on collecting tissue may collect tissue for the purposes of this Section. The samples shall thereafter be forwarded to the Illinois Department of State Police, Division of Forensic Services, for analysis and categorizing into genetic marker groupings.

(d-5) To the extent that funds are available, the Illinois Department of State Police shall contract with qualified personnel and certified laboratories for the collection, analysis, and categorization of known samples.

(d-6) Agencies designated by the Illinois Department of State Police and the Illinois Department of State Police may contract with third parties to provide for the collection or analysis of DNA, or both, of an offender's blood, saliva, and tissue samples.

(e) The genetic marker groupings shall be maintained by the Illinois Department of State Police, Division of Forensic Services.

(f) The genetic marker grouping analysis information obtained pursuant to this Act shall be confidential and shall be released only to peace officers of the United States, of other states or territories, of the insular possessions of the United States, of foreign countries duly authorized to receive the same, to all peace officers of the State of Illinois and to all prosecutorial agencies, and to defense counsel as provided by Section 116-5 of the Code of Criminal Procedure of 1963. The genetic marker grouping analysis information obtained pursuant to this Act shall be used only for (i) valid law enforcement identification purposes and as required by the Federal Bureau of Investigation for participation in the National DNA database, (ii) technology validation purposes, (iii) a population statistics database, (iv) quality assurance purposes if personally identifying information is removed, (v) assisting in the defense of the criminally accused pursuant to Section 116-5 of the Code of Criminal

New matter indicated by italics - deletions by strikeout
Procedure of 1963, or (vi) identifying and assisting in the prosecution of a person who is suspected of committing a sexual assault as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act. Notwithstanding any other statutory provision to the contrary, all information obtained under this Section shall be maintained in a single State data base, which may be uploaded into a national database, and which information may be subject to expungement only as set forth in subsection (f-1).

(f-1) Upon receipt of notification of a reversal of a conviction based on actual innocence, or of the granting of a pardon pursuant to Section 12 of Article V of the Illinois Constitution, if that pardon document specifically states that the reason for the pardon is the actual innocence of an individual whose DNA record has been stored in the State or national DNA identification index in accordance with this Section by the Illinois Department of State Police, the DNA record shall be expunged from the DNA identification index, and the Department shall by rule prescribe procedures to ensure that the record and any samples, analyses, or other documents relating to such record, whether in the possession of the Department or any law enforcement or police agency, or any forensic DNA laboratory, including any duplicates or copies thereof, are destroyed and a letter is sent to the court verifying the expungement is completed.

(f-5) Any person who intentionally uses genetic marker grouping analysis information, or any other information derived from a DNA sample, beyond the authorized uses as provided under this Section, or any other Illinois law, is guilty of a Class 4 felony, and shall be subject to a fine of not less than $5,000.

(f-6) The Illinois Department of State Police may contract with third parties for the purposes of implementing this amendatory Act of the 93rd General Assembly. Any other party contracting to carry out the functions of this Section shall be subject to the same restrictions and requirements of this Section insofar as applicable, as the Illinois Department of State Police, and to any additional restrictions imposed by the Illinois Department of State Police.
(g) For the purposes of this Section, "qualifying offense" means any of the following:

(1) any violation or inchoate violation of Section 11-6, 11-9.1, 11-11, 11-18.1, 12-15, or 12-16 of the Criminal Code of 1961;

(1.1) any violation or inchoate violation of Section 9-1, 9-2, 10-1, 10-2, 12-11, 12-11.1, 18-1, 18-2, 18-3, 18-4, 19-1, or 19-2 of the Criminal Code of 1961 for which persons are convicted on or after July 1, 2001;

(2) any former statute of this State which defined a felony sexual offense;

(3) (blank);

(4) any inchoate violation of Section 9-3.1, 11-9.3, 12-7.3, or 12-7.4 of the Criminal Code of 1961; or

(5) any violation or inchoate violation of Article 29D of the Criminal Code of 1961.

(g-5) (Blank).

(h) The Illinois Department of State Police shall be the State central repository for all genetic marker grouping analysis information obtained pursuant to this Act. The Illinois Department of State Police may promulgate rules for the form and manner of the collection of blood, saliva, or tissue samples and other procedures for the operation of this Act. The provisions of the Administrative Review Law shall apply to all actions taken under the rules so promulgated.

(i) (1) A person required to provide a blood, saliva, or tissue specimen shall cooperate with the collection of the specimen and any deliberate act by that person intended to impede, delay or stop the collection of the blood, saliva, or tissue specimen is a Class A misdemeanor.

(2) In the event that a person's DNA sample is not adequate for any reason, the person shall provide another DNA sample for analysis. Duly authorized law enforcement and corrections personnel may employ reasonable force in cases in which an individual refuses to provide a DNA sample required under this Act.
(j) Any person required by subsection (a) to submit specimens of blood, saliva, or tissue to the Illinois Department of State Police for analysis and categorization into genetic marker grouping, in addition to any other disposition, penalty, or fine imposed, shall pay an analysis fee of $200. If the analysis fee is not paid at the time of sentencing, the court shall establish a fee schedule by which the entire amount of the analysis fee shall be paid in full, such schedule not to exceed 24 months from the time of conviction. The inability to pay this analysis fee shall not be the sole ground to incarcerate the person.

(k) All analysis and categorization fees provided for by subsection (j) shall be regulated as follows:

   (1) The State Offender DNA Identification System Fund is hereby created as a special fund in the State Treasury.

   (2) All fees shall be collected by the clerk of the court and forwarded to the State Offender DNA Identification System Fund for deposit. The clerk of the circuit court may retain the amount of $10 from each collected analysis fee to offset administrative costs incurred in carrying out the clerk's responsibilities under this Section.

   (3) Fees deposited into the State Offender DNA Identification System Fund shall be used by Illinois State Police crime laboratories as designated by the Director of State Police. These funds shall be in addition to any allocations made pursuant to existing laws and shall be designated for the exclusive use of State crime laboratories. These uses may include, but are not limited to, the following:

       (A) Costs incurred in providing analysis and genetic marker categorization as required by subsection (d).

       (B) Costs incurred in maintaining genetic marker groupings as required by subsection (e).

       (C) Costs incurred in the purchase and maintenance of equipment for use in performing analyses.
(D) Costs incurred in continuing research and development of new techniques for analysis and genetic marker categorization.

(E) Costs incurred in continuing education, training, and professional development of forensic scientists regularly employed by these laboratories.

(l) The failure of a person to provide a specimen, or of any person or agency to collect a specimen, within the 45 day period shall in no way alter the obligation of the person to submit such specimen, or the authority of the Illinois Department of State Police or persons designated by the Department to collect the specimen, or the authority of the Illinois Department of State Police to accept, analyze and maintain the specimen or to maintain or upload results of genetic marker grouping analysis information into a State or national database.

(m) If any provision of this amendatory Act of the 93rd General Assembly is held unconstitutional or otherwise invalid, the remainder of this amendatory Act of the 93rd General Assembly is not affected. (Source: P.A. 93-216, eff. 1-1-04; 93-605, eff. 11-19-03; 93-781, eff. 1-1-05; 94-16, eff. 6-13-05.)

(730 ILCS 5/5-4-3a)
Sec. 5-4-3a. DNA testing backlog accountability.

(a) On or before February 1, 2005 and on or before August 1 of each year thereafter, the Department of State Police shall report to the Governor and both houses of the General Assembly the following information:

(1) the extent of the backlog of cases awaiting testing or awaiting DNA analysis by that Department, including but not limited to those tests conducted under Section 5-4-3, as of June 30 of the previous fiscal year, with the backlog being defined as all cases awaiting forensic testing whether in the physical custody of the State Police or in the physical custody of local law enforcement, provided that the State Police have written notice of any evidence in the physical custody of local law enforcement prior to June 1 of that year; and

New matter indicated by italics - deletions by strikeout
(2) what measures have been and are being taken to reduce that backlog and the estimated costs or expenditures in doing so.

(b) The information reported under this Section shall be made available to the public, at the time it is reported, on the official web site of the Department of State Police.

(Source: P.A. 93-785, eff. 7-21-04.)
Passed in the General Assembly April 11, 2006.
Approved July 7, 2006.

PUBLIC ACT 94-1019
(Senate Bill No. 2795)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Election Code is amended by changing Section 28-2 as follows:

(10 ILCS 5/28-2) (from Ch. 46, par. 28-2)
Sec. 28-2. (a) Except as otherwise provided in this Section, petitions for the submission of public questions to referendum must be filed with the appropriate officer or board not less than 78 days prior to a regular election to be eligible for submission on the ballot at such election; and petitions for the submission of a question under Section 18-120 of the Property Tax Code must be filed with the appropriate officer or board not more than 10 months nor less than 6 months prior to the election at which such question is to be submitted to the voters.

(b) However, petitions for the submission of a public question to referendum which proposes the creation or formation of a political subdivision must be filed with the appropriate officer or board not less than 108 days prior to a regular election to be eligible for submission on the ballot at such election.

(c) Resolutions or ordinances of governing boards of political subdivisions which initiate the submission of public questions pursuant to

New matter indicated by italics - deletions by strikeout
law must be adopted not less than 65 days before a regularly scheduled election to be eligible for submission on the ballot at such election.

(d) A petition, resolution or ordinance initiating the submission of a public question may specify a regular election at which the question is to be submitted, and must so specify if the statute authorizing the public question requires submission at a particular election. However, no petition, resolution or ordinance initiating the submission of a public question, other than a legislative resolution initiating an amendment to the Constitution, may specify such submission at an election more than one year, or 15 months in the case of a back door referendum as defined in subsection (f), after the date on which it is filed or adopted, as the case may be. A petition, resolution or ordinance initiating a public question which specifies a particular election at which the question is to be submitted shall be so limited, and shall not be valid as to any other election, other than an emergency referendum ordered pursuant to Section 2A-1.4.

(e) If a petition initiating a public question does not specify a regularly scheduled election, the public question shall be submitted to referendum at the next regular election occurring not less than 78 days after the filing of the petition, or not less than 108 days after the filing of a petition for referendum to create a political subdivision. If a resolution or ordinance initiating a public question does not specify a regularly scheduled election, the public question shall be submitted to referendum at the next regular election occurring not less than 65 days after the adoption of the resolution or ordinance.

(f) In the case of back door referenda, any limitations in another statute authorizing such a referendum which restrict the time in which the initiating petition may be validly filed shall apply to such petition, in addition to the filing deadlines specified in this Section for submission at a particular election. In the case of any back door referendum, the publication of the ordinance or resolution of the political subdivision shall include a notice of (1) the specific number of voters required to sign a petition requesting that a public question be submitted to the voters of the subdivision; (2) the time within which the petition must be filed; and (3)
the date of the prospective referendum. The secretary or clerk of the political subdivision shall provide a petition form to any individual requesting one. The legal sufficiency of that form, if provided by the secretary or clerk of the political subdivision, cannot be the basis of a challenge to placing the back door referendum on the ballot. As used herein, a "back door referendum" is the submission of a public question to the voters of a political subdivision, initiated by a petition of voters or residents of such political subdivision, to determine whether an action by the governing body of such subdivision shall be adopted or rejected.

(g) A petition for the incorporation or formation of a new political subdivision whose officers are to be elected rather than appointed must have attached to it an affidavit attesting that at least 108 days and no more than 138 days prior to such election notice of intention to file such petition was published in a newspaper published within the proposed political subdivision, or if none, in a newspaper of general circulation within the territory of the proposed political subdivision in substantially the following form:

NOTICE OF PETITION TO FORM A NEW........

Residents of the territory described below are notified that a petition will or has been filed in the Office of........requesting a referendum to establish a new........, to be called the............

*The officers of the new........will be elected on the same day as the referendum. Candidates for the governing board of the new......may file nominating petitions with the officer named above until........

The territory proposed to comprise the new.......is described as follows:

(description of territory included in petition)

(signature)................................................................

Name and address of person or persons proposing the new political subdivision.

* Where applicable.

Failure to file such affidavit, or failure to publish the required notice with the correct information contained therein shall render the petition, and any referendum held pursuant to such petition, null and void.

New matter indicated by italics - deletions by strikeout
Notwithstanding the foregoing provisions of this subsection (g) or any other provisions of this Code, the publication of notice and affidavit requirements of this subsection (g) shall not apply to any petition filed under Article 7 or 11E, 7A, 11B, or 11D of the School Code nor to any referendum held pursuant to any such petition, and neither any petition filed under any of those Articles nor any referendum held pursuant to any such petition shall be rendered null and void because of the failure to file an affidavit or publish a notice with respect to the petition or referendum as required under this subsection (g) for petitions that are not filed under any of those Articles of the School Code.

(Source: P.A. 94-30, eff. 6-14-05; 94-578, eff. 8-12-05; revised 8-19-05.)

Section 10. The School Code is amended by changing Sections 1B-21, 5-32, 7-02, 7-6, 7-11, 9-11.2, 9-12, 10-10, 10-11, 10-16, 10-21.12, 11C-6, 11C-9, 18-8.05, 19-1, and 20-2 and by adding Section 10-10.5 and Article 11E as follows:

(105 ILCS 5/1B-21)

Sec. 1B-21. Dissolution and annexation. Any school district that before the effective date of this amendatory Act of 1994 has received approval from its regional board of school trustees to dissolve and annex to an adjoining district and that has had the appointment of a Financial Oversight Panel under this Article 1B to assist its continued operation during the appeal of the decision of the regional board of school trustees shall be dissolved and annexed to the adjoining district approved in the decision of the regional board of school trustees, effective July 1, 1994. Except as otherwise provided by this amendatory Act of 1994, the dissolution and annexation shall be governed by Article 7 of the School Code and be treated as if the dissolution and annexation had taken effect pursuant to the decision of the regional board of school trustees. The annexing district's supplementary State aid payable under Section 11E-135 of the School Code shall be calculated as of June 30 prior to the date of the decision of the regional board of school trustees.

(Source: P.A. 88-535.)

(105 ILCS 5/5-32) (from Ch. 122, par. 5-32)
Sec. 5-32. Failure to maintain schools - Transportation and tuition. If any school district other than a non-high school district shall for 1 year fail to maintain within the boundaries of the school district a recognized public school as required by law, such district shall become automatically dissolved and the property and territory of such district shall be disposed of in the manner provided for the disposal of territory and property in Section 7-11 of this Act. However, a school district shall not be dissolved where the State Board of Education and the regional superintendent of the region in which a district has legally authorized the building of a school and legally selected a school house site and has issued bonds for such building shall jointly find and certify that such building has been authorized, site selected and bonds issued.

If a district has its territory included within a petition to form a community unit district under Article 11E of this Code Act, that district may not be dissolved under this Section until the end of the school year in which all proceedings relating to formation of that community unit district are finally concluded, whether by disallowance of the petition, by referendum, by a final court decision or otherwise. Until such proceedings are finally concluded, the regional superintendent having jurisdiction of the district that is not maintaining a recognized school shall assign the pupils of that district to an adjoining school district, subject to Section 11-12 of this Act and subject to the requirement that the district from which the pupils are so assigned shall pay tuition for such pupils to the district to which the pupils are assigned, in accordance with Section 10-20.12a of this Act or in such lesser amount as may be agreed to by the 2 districts.

However, until July 1, 1969 or one year after the entry of a final decision by a court of competent jurisdiction in the event of litigation with respect to any of the matters set forth in this Section, whichever is the later, notwithstanding the provisions of this Section, any protectorate high school district composed of contiguous and compact territory having not less than 2,000 inhabitants and which has an equalized assessed valuation of not less than $6,000,000, shall be and remain a protectorate high school district if a majority of the pupils attend a high school in a special charter district maintaining grades 1 through 12 and if during that period the

New matter indicated by italics - deletions by strikeout
voters of the district, by referendum to be ordered by the board, vote in favor of the proposition that such district maintain and operate a high school within such district, and also authorize the purchase of a school site, the building of a school building and the issuance of bonds for such purpose, which bonds are duly issued. The Board shall certify the proposition to the proper election authorities for submission, in accordance with the general election law.

The proposition to maintain and operate a high school within such district shall be in substantially the following form:

-----------------------------------------------------------------------------------------
Shall ......................
High School District Number ......, YES
........... County, Illinois, maintain and operate a high school
within that High School
District and for the benefit NO
of the pupils residing therein?
-----------------------------------------------------------------------------------------

and is approved if a majority of the voters voting on the proposition is in favor thereof. The proposition of purchasing a school site, the building of a school building and the issuance of bonds for such purpose shall be submitted to the voters and may be voted upon at the same election that the proposition of maintaining and operating a high school within the district is submitted or at any regularly scheduled election subsequent thereto as may be ordered by the board. Thereupon, that protectorate high school district shall thereafter exist as a community high school district and possess and enjoy all of the powers, duties and authorities of a community high school district organized under Article 12 of this Act.

Throughout its existence as a protectorate district and until the legal voters residing in the district have determined to maintain and operate a high school within the district and have been authorized to purchase a school site, build a school building and to issue bonds for such purpose and which bonds are duly issued, or until the dissolution of the district as required by this Section, such protectorate district may use its

New matter indicated by italics - deletions by strikeout
funds to pay for the tuition and transportation of the pupils in such district that attend a high school in a special charter district maintaining grades 1 through 12. A protectorate high school district is defined to be a district which does not own or operate its own school buildings.

(Source: P.A. 81-1550.)

(105 ILCS 5/7-02) (from Ch. 122, par. 7-02)

Sec. 7-02. Limitations. The provisions of this Article providing for the change in school district boundaries by detachment, annexation, division or dissolution, or by any combination of those methods, are subject to the provisions of this Section. Whenever due to fire, explosion, tornado or any Act of God the school buildings or one or more of the principal school buildings comprising an attendance center within a school district are destroyed or substantially destroyed and rendered unfit for school purposes, the provisions of this Article shall not be available to permit a division of that district, or a dissolution, detachment or annexation of any part thereof, or any combination of such results during a period from the date of such destruction or substantial destruction until 30 days after the second regular election of board members following such destruction or substantial destruction. Nothing in this Section shall be deemed to prohibit the combining of the entire district with another entire district or with other entire districts during such period pursuant to the provisions of Article 11E or 11B.

(Source: P.A. 85-833.)

(105 ILCS 5/7-6) (from Ch. 122, par. 7-6)

Sec. 7-6. Petition filing; Notice; Hearing; Decision.

(a) Upon the filing of a petition with the secretary of the regional board of school trustees under the provisions of Section 7-1 or 7-2 of this Act the secretary shall cause a copy of such petition to be given to each board of any district involved in the proposed boundary change and shall cause a notice thereof to be published once in a newspaper having general circulation within the area of the territory described in the petition for the proposed change of boundaries.

(b) When a joint hearing is required under the provisions of Section 7-2, the secretary also shall cause a copy of the notice to be sent to

New matter indicated by italics - deletions by strikeout
the regional board of school trustees of each region affected. Notwithstanding the foregoing provisions of this Section, if the secretary of the regional board of school trustees with whom a petition is filed under Section 7-2 fails, within 30 days after the filing of such petition, to cause notice thereof to be published and sent as required by this Section, then the secretary of the regional board of school trustees of any other region affected may cause the required notice to be published and sent, and the joint hearing may be held in any region affected as provided in the notice so published.

(b-5) If a petition filed under subsection (a) of Section 7-1 or under Section 7-2 proposes to annex all the territory of a school district to another school district, the petition shall request the submission of a proposition at a regular scheduled election for the purpose of voting for or against the annexation of the territory described in the petition to the school district proposing to annex that territory. No petition filed or election held under this Article shall be null and void, invalidated, or deemed in noncompliance with the Election Code because of a failure to publish a notice with respect to the petition or referendum as required under subsection (g) of Section 28-2 of that Code for petitions that are not filed under this Article or Article 11E 7A, 11A, 11B, or 11D of this the School Code.

(c) When a petition contains more than 10 signatures the petition shall designate a committee of 10 of the petitioners as attorney in fact for all petitioners, any 7 of whom may make binding stipulations on behalf of all petitioners as to any question with respect to the petition or hearing or joint hearing, and the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing may accept such stipulation in lieu of evidence or proof of the matter stipulated. The committee of petitioners shall have the same power to stipulate to accountings or waiver thereof between school districts; however, the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing may refuse to accept such stipulation. Those designated as the committee of 10 shall serve in that capacity until such time as the regional superintendent of schools or the committee of 10 determines that, because

New matter indicated by italics - deletions by strikeout
of death, resignation, transfer of residency from the territory, or failure to qualify, the office of a particular member of the committee of 10 is vacant. Upon determination that a vacancy exists, the remaining members shall appoint a petitioner to fill the designated vacancy on the committee of 10. The appointment of any new members by the committee of 10 shall be made by a simple majority vote of the remaining designated members.

(d) The petition may be amended to withdraw not to exceed a total of 10% of the territory in the petition at any time prior to the hearing or joint hearing; provided that the petition shall after amendment comply with the requirements as to the number of signatures required on an original petition.

(e) The petitioners shall pay the expenses of publishing the notice and of any transcript taken at the hearing or joint hearing; and in case of an appeal from the decision of the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing, or State Superintendent of Education in cases determined under subsection (l) of this Section, the appellants shall pay the cost of preparing the record for appeal.

(f) The notice shall state when the petition was filed, the description of the territory, the prayer of the petition and the return day on which the hearing or joint hearing upon the petition will be held which shall not be more than 15 nor less than 10 days after the publication of notice.

(g) On such return day or on a day to which the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing shall continue the hearing or joint hearing the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing shall hear the petition but may adjourn the hearing or joint hearing from time to time or may continue the matter for want of sufficient notice or other good cause.

(h) Prior to the hearing or joint hearing the secretary of the regional board of school trustees shall submit to the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing maps showing the districts involved, a written report of financial and
educational conditions of districts involved and the probable effect of the proposed changes. The reports and maps submitted shall be made a part of the record of the proceedings of the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing. A copy of the report and maps submitted shall be sent by the secretary of the regional board of school trustees to each board of the districts involved, not less than 5 days prior to the day upon which the hearing or joint hearing is to be held.

(i) The regional board of school trustees, or regional boards of school trustees in cases of a joint hearing shall hear evidence as to the school needs and conditions of the territory in the area within and adjacent thereto and as to the ability of the districts affected to meet the standards of recognition as prescribed by the State Board of Education, and shall take into consideration the division of funds and assets which will result from the change of boundaries and shall determine whether it is to the best interests of the schools of the area and the educational welfare of the pupils that such change in boundaries be granted, and in case non-high school territory is contained in the petition the normal high school attendance pattern of the children shall be taken into consideration. If the non-high school territory overlies an elementary district, a part of which is in a high school district, such territory may be annexed to such high school district even though not contiguous to the high school district. However, upon resolution by the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing the secretary or secretaries thereof shall conduct the hearing or joint hearing upon any boundary petition and present a transcript of such hearing to the trustees who shall base their decision upon the transcript, maps and information and any presentation of counsel.

(j) At the hearing or joint hearing any resident of the territory described in the petition or any resident in any district affected by the proposed change of boundaries may appear in person or by an attorney in support of the petition or to object to the granting of the petition and may present evidence in support of his position.
(k) At the conclusion of the hearing, other than a joint hearing, the regional superintendent of schools as ex officio member of the regional board of school trustees shall within 30 days enter an order either granting or denying the petition and shall deliver to the committee of petitioners, if any, and any person who has filed his appearance in writing at the hearing and any attorney who appears for any person and any objector who testifies at the hearing and the regional superintendent of schools a certified copy of its order.

(l) Notwithstanding the foregoing provisions of this Section, if within 9 months after a petition is submitted under the provisions of Section 7-1 the petition is not approved or denied by the regional board of school trustees and the order approving or denying that petition entered and a copy thereof served as provided in this Section, the school boards or registered voters of the districts affected that submitted the petition (or the committee of 10, or an attorney acting on its behalf, if designated in the petition) may submit a copy of the petition directly to the State Superintendent of Education for approval or denial. The copy of the petition as so submitted shall be accompanied by a record of all proceedings had with respect to the petition up to the time the copy of the petition is submitted to the State Superintendent of Education (including a copy of any notice given or published, any certificate or other proof of publication, copies of any maps or written report of the financial and educational conditions of the school districts affected if furnished by the secretary of the regional board of school trustees, copies of any amendments to the petition and stipulations made, accepted or refused, a transcript of any hearing or part of a hearing held, continued or adjourned on the petition, and any orders entered with respect to the petition or any hearing held thereon). The school boards, registered voters or committee of 10 submitting the petition and record of proceedings to the State Superintendent of Education shall give written notice by certified mail, return receipt requested to the regional board of school trustees and to the secretary of that board that the petition has been submitted to the State Superintendent of Education for approval or denial, and shall furnish a copy of the notice so given to the State Superintendent of Education. The
cost of assembling the record of proceedings for submission to the State Superintendent of Education shall be the responsibility of the school boards, registered voters or committee of 10 that submits the petition and record of proceedings to the State Superintendent of Education. When a petition is submitted to the State Superintendent of Education in accordance with the provisions of this paragraph:

(1) The regional board of school trustees loses all jurisdiction over the petition and shall have no further authority to hear, approve, deny or otherwise act with respect to the petition.

(2) All jurisdiction over the petition and the right and duty to hear, approve, deny or otherwise act with respect to the petition is transferred to and shall be assumed and exercised by the State Superintendent of Education.

(3) The State Superintendent of Education shall not be required to repeat any proceedings that were conducted in accordance with the provisions of this Section prior to the time jurisdiction over the petition is transferred to him, but the State Superintendent of Education shall be required to give and publish any notices and hold or complete any hearings that were not given, held or completed by the regional board of school trustees or its secretary as required by this Section prior to the time jurisdiction over the petition is transferred to the State Superintendent of Education.

(4) If so directed by the State Superintendent of Education, the regional superintendent of schools shall submit to the State Superintendent of Education and to such school boards as the State Superintendent of Education shall prescribe accurate maps and a written report of the financial and educational conditions of the districts affected and the probable effect of the proposed boundary changes.

(5) The State Superintendent is authorized to conduct further hearings, or appoint a hearing officer to conduct further hearings, on the petition even though a hearing thereon was held as
provided in this Section prior to the time jurisdiction over the petition is transferred to the State Superintendent of Education.

(6) The State Superintendent of Education or the hearing officer shall hear evidence and approve or deny the petition and shall enter an order to that effect and deliver and serve the same as required in other cases to be done by the regional board of school trustees and the regional superintendent of schools as an ex officio member of that board.

(m) Within 10 days after the conclusion of a joint hearing required under the provisions of Section 7-2, each regional board of school trustees shall meet together and render a decision with regard to the joint hearing on the petition. If the regional boards of school trustees fail to enter a joint order either granting or denying the petition, the regional superintendent of schools for the educational service region in which the joint hearing is held shall enter an order denying the petition, and within 30 days after the conclusion of the joint hearing shall deliver a copy of the order denying the petition to the regional boards of school trustees of each region affected, to the committee of petitioners, if any, to any person who has filed his appearance in writing at the hearing and to any attorney who appears for any person at the joint hearing. If the regional boards of school trustees enter a joint order either granting or denying the petition, the regional superintendent of schools for the educational service region in which the joint hearing is held shall, within 30 days of the conclusion of the hearing, deliver a copy of the joint order to those same committees and persons as are entitled to receive copies of the regional superintendent's order in cases where the regional boards of school trustees have failed to enter a joint order.

(n) Within 10 days after service of a copy of the order granting or denying the petition, any person so served may petition for a rehearing and, upon sufficient cause being shown, a rehearing may be granted. The filing of a petition for rehearing shall operate as a stay of enforcement until the regional board of school trustees, or regional boards of school trustees in cases of a joint hearing, or State Superintendent of Education in cases
determined under subsection (l) of this Section enter the final order on such petition for rehearing.

(o) If a petition filed under subsection (a) of Section 7-1 or under Section 7-2 is required under the provisions of subsection (b-5) of this Section 7-6 to request submission of a proposition at a regular scheduled election for the purpose of voting for or against the annexation of the territory described in the petition to the school district proposing to annex that territory, and if the petition is granted or approved by the regional board or regional boards of school trustees or by the State Superintendent of Education, the proposition shall be placed on the ballot at the next regular scheduled election.

(Source: P.A. 90-459, eff. 8-17-97.)

(105 ILCS 5/7-11) (from Ch. 122, par. 7-11)

Sec. 7-11. Annexation of dissolved non-operating districts. If any school district has become dissolved as provided in Section 5-32, or if a petition for dissolution is filed under subsection (b) of Section 7-2a, the regional board of school trustees shall attach the territory of such dissolved district to one or more districts and, if the territory is added to 2 or more districts, shall divide the property of the dissolved district among the districts to which its territory is added, in the manner provided for the division of property in case of the organization of a new district from a part of another district. The regional board of school trustees of the region in which the regional superintendent has supervision over the school district that is dissolved shall have all power necessary to annex the territory of the dissolved district as provided in this Section, including the power to attach the territory to a school district under the supervision of the regional superintendent of another educational service region. The annexation of the territory of a dissolved school district under this Section shall entitle the school districts involved in the annexation to payments from the State Board of Education under subsection (A)(5)(m) of Section 18-8 or subsection (I) of Section 18-8.05 and under Sections 18-8.2 and 18-8.3 in the same manner and to the same extent authorized in the case of other annexations under this Article. Other provisions of this Article 7 of The School Code shall apply to and govern dissolutions and annexations.
under this Section and Section 7-2a, except that it is the intent of the General Assembly that in the case of conflict the provisions of this Section and Section 7-2a shall control over the other provisions of this Article.

The regional board of school trustees shall give notice of a hearing, to be held not less than 50 days nor more than 70 days after a school district is dissolved under Section 5-32 or a petition is filed under subsection (b) of Section 7-2a, on the disposition of the territory of such school district by publishing a notice thereof at least once each week for 2 successive weeks in at least one newspaper having a general circulation within the area of the territory involved. At such hearing, the regional board of school trustees shall hear evidence as to the school needs and conditions of the territory and of the area within and adjacent thereto, and shall take into consideration the educational welfare of the pupils of the territory and the normal high school attendance pattern of the children. In the case of an elementary school district if all the eighth grade graduates of such district customarily attend high school in the same high school district, the regional board of school trustees shall, unless it be impossible because of the restrictions of a special charter district, annex the territory of the district to a contiguous elementary school district whose eighth grade graduates customarily attend that high school, and that has an elementary school building nearest to the center of the territory to be annexed, but if such eighth grade graduates customarily attend more than one high school the regional board of school trustees shall determine the attendance pattern of such graduates and divide the territory of the district among the contiguous elementary districts whose graduates attend the same respective high schools.

The decision of the regional board of school trustees in such matter shall be issued within 10 days after the conclusion of the hearing and deemed an "administrative decision" as defined in Section 3-101 of the Code of Civil Procedure and any resident who appears at the hearing or any petitioner may within 10 days after a copy of the decision sought to be reviewed was served by registered mail upon the party affected thereby file a complaint for the judicial review of such decision in accordance with the "Administrative Review Law", and all amendments and modifications

New matter indicated by italics - deletions by strikeout
thereof and the rules adopted pursuant thereto. The commencement of any action for review shall operate as a stay of enforcement, and no further proceedings shall be had until final disposition of such review. The final decision of the regional board of school trustees or of any court upon judicial review shall become effective under Section 7-9 in the case of a petition for dissolution filed under subsection (b) of Section 7-2a, and a final decision shall become effective immediately following the date no further appeal is allowable in the case of a district dissolved under Section 5-32.

Notwithstanding the foregoing provisions of this Section or any other provision of law to the contrary, the school board of the Mt. Morris School District is authorized to donate to the City of Mount Morris, Illinois the school building and other real property used as a school site by the Mt. Morris School District at the time of its dissolution, by appropriate resolution adopted by the school board of the district prior to the dissolution of the district; and upon the adoption of a resolution by the school board donating the school building and school site to the City of Mount Morris, Illinois as authorized by this Section, the regional board of school trustees or other school officials holding legal title to the school building and school site so donated shall immediately convey the same to the City of Mt. Morris, Illinois.

(Source: P.A. 90-548, eff. 1-1-98.)

(105 ILCS 5/9-11.2) (from Ch. 122, par. 9-11.2)

Sec. 9-11.2. For all school districts electing candidates to a board of education in a manner other than at large, candidates not elected at large who file nominating petitions for a full term shall be grouped together by area of residence as follows:

(1) by congressional townships, or
(2) according to incorporated or unincorporated areas.

For all school districts electing candidates to a board of education in a manner other than at large, candidates not elected at large who file nominating petitions for an unexpired term shall be grouped together by area of residence as follows:

(1) by congressional townships, or

New matter indicated by italics - deletions by strikeout
(2) according to incorporated or unincorporated areas.
Candidate groupings by area of residence for unexpired terms shall precede the candidate groupings by area of residence for full terms on the ballot. In all instances, however, the ballot order of each candidate grouping shall be determined by the order of petition filing or lottery held pursuant to Section 9-11.1 in the following manner:

The area of residence of the candidate determined to be first by order of petition filing or by lottery shall be listed first among the candidate groupings on the ballot. All other candidates from the same area of residence will follow according to order of petition filing or the lottery. The area of residence of the candidate determined to be second by the order of petition filing or the lottery shall be listed second among the candidate groupings on the ballot. All other candidates from the same area of residence will follow according to the order of petition filing or the lottery. The ballot order of additional candidate groupings by area of residence shall be established in a like manner.

In any school district that elects its board members according to area of residence and that has one or more unexpired terms to be filled at an election, the winner or winners of the unexpired term or terms shall be determined first and independently of those running for full terms. The winners of the full terms shall then be determined taking into consideration the areas of residence of those elected to fill the unexpired term or terms.

"Area of Residence" means congressional township and incorporated and unincorporated territories.

"Affected school district" means either of the 2 entire elementary school districts that are formed into a combined school district established as provided in subsection (a-5) of Section 11B-7.

(Source: P.A. 93-1079, eff. 1-21-05.)

(105 ILCS 5/9-12) (from Ch. 122, par. 9-12)
Sec. 9-12. Ballots for the election of school officers shall be in one of the following forms:

NEW MATTER INDICATED BY ITALICS - DELETIONS BY STRIKETHROUGH
Ballot position for candidates shall be determined by the order of petition filing or lottery held pursuant to Section 9-11.1.

This format is used by Boards of School Directors. School Directors are elected at large.)

OFFICIAL BALLOT
FOR MEMBERS OF THE BOARD OF SCHOOL DIRECTORS TO SERVE AN UNEXPIRED 2-YEAR TERM
VOTE FOR ....

() .......................................
() .......................................
() .......................................

FOR MEMBERS OF THE BOARD OF SCHOOL DIRECTORS TO SERVE A FULL 4-YEAR TERM
VOTE FOR ....

() ........................................
() ........................................
() ......................................

(FORMAT 2

Ballot position for candidates shall be determined by the order of petition filing or lottery held pursuant to Section 9-11.1.

This format is used when school board members are elected at large. Membership on the school board is not restricted by area of residence.

Types of school districts generally using this format are:

- Common school districts;
- Community unit and community consolidated school districts formed on or after January 1, 1975;
- Community unit school districts formed prior to January 1, 1975 that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11A-8 (now repealed);
- Community unit, community consolidated and combined school districts in which more than 90% of the population is in one congressional township;

New matter indicated by italics - deletions by strikeout
High school districts in which less than 15% of the taxable property is located in unincorporated territory; and unit districts (OLD TYPE):

Combined school districts formed on or after July 1, 1983;
Combined school districts formed before July 1, 1983 and community consolidated school districts that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11B-7 (now repealed).

OFFICIAL BALLOT

FOR MEMBERS OF THE BOARD OF
EDUCATION TO SERVE AN UNEXPRIED 2-YEAR TERM
VOTE FOR ....

( ) .......................................
( ) .......................................
( ) .......................................

FOR MEMBERS OF THE BOARD OF
EDUCATION TO SERVE A FULL 4-YEAR TERM
VOTE FOR ....

( ) .......................................
( ) .......................................
( ) .......................................  

(FORMAT 3

Ballot position for incorporated and unincorporated areas shall be determined by the order of petition filing or lottery held pursuant to Sections 9-11.1 and 9-11.2.

This format is used by community unit, community consolidated and combined school districts when the territory is less than 2 congressional townships, or 72 square miles, but consists of more than one congressional township, or 36 square miles, outside of the corporate limits of any city, village or incorporated town within the school district. The School Code requires that not more than 5 board members shall be selected from any city, village or incorporated town in the school district. At least two board members must reside in the unincorporated area of the school district.

New matter indicated by italics - deletions by strikeout
Except for those community unit school districts formed before January 1, 1975 that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11A-8 (now repealed) and except for combined school districts formed before July 1, 1983 and community consolidated school districts that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11B-7 (now repealed), this format applies to community unit and community consolidated school districts formed prior to January 1, 1975 and combined school districts formed prior to July 1, 1983.)

OFFICIAL BALLOT

Instructions to voter: The board of education shall be composed of members from both the incorporated and the unincorporated area; not more than 5 board members shall be selected from any city, village or incorporated town.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP, NOT MORE THAN .... MAY BE ELECTED FROM THE INCORPORATED AREAS.

FOR MEMBERS OF THE BOARD OF EDUCATION
TO SERVE AN UNEXPIRED 2-YEAR TERM
THE AREA OF RESIDENCE OF THOSE ELECTED TO FILL UNEXPIRED TERMS IS TAKEN INTO CONSIDERATION IN DETERMINING THE WINNERS OF THE FULL TERMS.

VOTE FOR A TOTAL OF ....

................. Area

() .....................

() .....................

................. Area

() .....................

() .....................

FOR MEMBERS OF THE BOARD OF EDUCATION
TO SERVE A FULL 4-YEAR TERM
VOTE FOR A TOTAL OF ....

New matter indicated by italics - deletions by strikeout
Ballot position for township areas shall be determined by the order of petition filing or lottery held pursuant to Sections 9-11.1 and 9-11.2.

Except for those community unit school districts formed prior to January 1, 1975 that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11A-8 (now repealed) and except for those combined school districts formed before July 1, 1983 and community consolidated school districts that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11B-7 (now repealed), this format applies to community unit and community consolidated school districts formed prior to January 1, 1975 and combined school districts formed prior to July 1, 1983 when the territory of the school district is greater than 2 congressional townships, or 72 square miles. This format applies only when less than 75% of the population is in one congressional township. Congressional townships of less than 100 inhabitants shall not be considered for the purpose of such mandatory board representation. In this case, not more than 3 board members may be selected from any one congressional township.

OFFICIAL BALLOT

Instructions to voter: Membership on the board of education is restricted to a maximum of 3 members from any congressional township.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP, MEMBERS MAY BE ELECTED IN THE FOLLOWING NUMBERS FROM EACH CONGRESSIONAL TOWNSHIP.

NOT MORE THAN .... MAY BE ELECTED FROM TOWNSHIP .... RANGE ....
NOT MORE THAN .... MAY BE ELECTED FROM TOWNSHIP .... RANGE ....
NOT MORE THAN .... MAY BE ELECTED FROM TOWNSHIP .... RANGE ....
(Include each remaining congressional township in district as needed)

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE AN UNEXPIRED 2-YEAR TERM
THE AREA OF RESIDENCE OF THOSE ELECTED TO FILL UNEXPIRED TERMS IS TAKEN INTO CONSIDERATION IN DETERMINING THE WINNERS OF THE FULL TERMS.
VOTE FOR A TOTAL OF ....
Township ......................... Range .................................
  ( ) ..............................
  ( ) ..............................

Township ......................... Range .................................
  ( ) ..............................
  ( ) ..............................

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE A FULL 4-YEAR TERM
VOTE FOR A TOTAL OF ....
Township ......................... Range .................................
  ( ) ..............................
  ( ) ..............................

Township ......................... Range .................................
  ( ) ..............................
  ( ) ..............................

(FORMAT 5

Ballot position for township areas shall be determined by the order of petition filing or lottery held pursuant to Sections 9-11.1 and 9-11.2.

Except for those community unit school districts formed before January 1, 1975 that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section

New matter indicated by italics - deletions by strikeout
11A-8 *(now repealed)* and except for those combined school districts formed before July 1, 1983 and community consolidated school districts that elect board members at large and without restriction by area of residence within the district under subsection (c) of Section 11B-7 *(now repealed)*, this format is used by community unit and community consolidated school districts formed prior to January 1, 1975, and combined school districts formed prior to July 1, 1983, when the territory of the school district is greater than 2 congressional townships, or 72 square miles and when at least 75%, but not more than 90%, of the population resides in one congressional township. In this case, 4 school board members shall be selected from that one congressional township and the 3 remaining board members shall be selected from the rest of the district. If a school district from which school board members are to be selected is located in a county under township organization and if the surveyed boundaries of a congressional township from which one or more of those school board members is to be selected, as described by township number and range, are coterminous with the boundaries of the township as identified by the township name assigned to it as a political subdivision of the State, then that township may be referred to on the ballot by both its township name and by township number and range.)

**OFFICIAL BALLOT**

Instructions to voter: Membership on the board of education is to consist of 4 members from the congressional township that has at least 75% but not more than 90% of the population, and 3 board members from the remaining congressional townships in the school district.

**ON THE BASIS OF EXISTING BOARD MEMBERSHIP, MEMBERS MAY BE ELECTED IN THE FOLLOWING NUMBERS FROM EACH CONGRESSIONAL TOWNSHIP.**

**FOR MEMBER OF THE BOARD OF EDUCATION**

TO SERVE AN UNEXPIRED 2-YEAR TERM
FROM (name)........ TOWNSHIP ..... RANGE ..... VOTE FOR ONE

( ).........................
( ).........................

New matter indicated by italics - deletions by strikeout
FOR MEMBERS OF THE BOARD OF EDUCATION
TO SERVE A FULL 4-YEAR TERM
VOTE FOR ....
..... shall be elected from (name)...... Township ..... Range ......
  (name)....... TOWNSHIP ..... RANGE .....  
  () ............................
  () ............................
VOTE FOR ....
..... board members shall be elected from the remaining congressional townships.

The Remaining Congressional Townships
  () ............................
  () ............................

(FORMAT 6

Ballot position for candidates shall be determined by the order of petition filing or lottery held pursuant to Section 9-11.1.

This format is used by school districts in which voters have approved a referendum to elect school board members by school board district. The school district is then divided into 7 school board districts, each of which elects one member to the board of education.)

OFFICIAL BALLOT
DISTRICT ....... (1 through 7)
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
AN UNEXPIRED 2-YEAR TERM
VOTE FOR ONE
  () ............................
  () ............................
  () ............................

(-OR-)
OFFICIAL BALLOT
DISTRICT ....... (1 through 7)
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
A FULL 4-YEAR TERM
VOTE FOR ONE

New matter indicated by italics - deletions by strikeout
Ballot position for incorporated and unincorporated areas shall be determined by the order of petition filing or lottery held pursuant to Sections 9-11.1 and 9-11.2.

This format is used by high school districts if more than 15% but less than 30% of the taxable property is located in the unincorporated territory of the school district. In this case, at least one board member shall be a resident of the unincorporated territory.

OFFICIAL BALLOT

Instructions to voter: More than 15% but less than 30% of the taxable property of this high school district is located in the unincorporated territory of the district, therefore, at least one board member shall be a resident of the unincorporated areas.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP, AT LEAST ONE MEMBER SHALL BE ELECTED FROM THE UNINCORPORATED AREA.

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE AN UNEXPIRED 2-YEAR TERM

THE AREA OF RESIDENCE OF THOSE ELECTED TO FILL UNEXPIRED TERMS IS TAKEN INTO CONSIDERATION IN DETERMINING THE WINNERS OF THE FULL TERMS.

VOTE FOR A TOTAL OF ....

New matter indicated by italics - deletions by strikeout
OFFICIAL BALLOT

Instruction to voter: More than 15% but less than 30% of the taxable property of this high school district is located in the unincorporated territory of the district, therefore, at least one board member shall be a resident of the unincorporated areas.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP, MEMBERS MAY BE ELECTED FROM ANY AREA OR AREAS.

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE AN UNEXPIRED 2-YEAR TERM

VOTE FOR ....

( ) .......................................

New matter indicated by italics - deletions by strikeout
Ballot position for incorporated and unincorporated areas shall be determined by the order of petition filing or lottery held pursuant to Sections 9-11.1 and 9-11.2. This format is used by high school districts if more than 30% of the taxable property is located in the unincorporated territory of the school district. In this case, at least two board members shall be residents of the unincorporated territory.)

**OFFICIAL BALLOT**

Instructions to voters: Thirty percent (30%) or more of the taxable property of this high school district is located in the unincorporated territory of the district, therefore, at least two board members shall be residents of the unincorporated territory.

**ON THE BASIS OF EXISTING BOARD MEMBERSHIP, AT LEAST 2 MEMBERS SHALL BE ELECTED FROM THE UNINCORPORATED AREA.**

**FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE AN UNEXPIRED 2-YEAR TERM**

THE AREA OF RESIDENCE OF THOSE ELECTED TO FILL UNEXPIRED TERMS IS TAKEN INTO CONSIDERATION IN DETERMINING THE WINNERS OF THE FULL TERMS.

**VOTE FOR A TOTAL OF ....**

.................. Area

() .....................

() .....................

New matter indicated by italics - deletions by strikeout
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
A FULL 4-YEAR TERM
VOTE FOR A TOTAL OF ....

................. Area

() ...........................
() ...........................

OFFICIAL BALLOT

Instructions to voters: Thirty percent (30%) or more of the taxable property of this high school district is located in the unincorporated territory of the district, therefore, at least two board members shall be residents of the unincorporated territory.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP, AT LEAST ONE MEMBER SHALL BE ELECTED FROM THE UNINCORPORATED AREA.

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE AN UNEXPIRED 2-YEAR TERM
THE AREA OF RESIDENCE OF THOSE ELECTED TO FILL UNEXPIRED TERMS IS TAKEN INTO CONSIDERATION IN DETERMINING THE WINNERS OF THE FULL TERMS.

New matter indicated by italics - deletions by strikeout
VOTE FOR A TOTAL OF ....

....................... Area

  () ...........................
  () ...........................

....................... Area

  () ...........................
  () ...........................

FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
A FULL 4-YEAR TERM
VOTE FOR A TOTAL OF ....

....................... Area

  () ...........................
  () ...........................

....................... Area

  () ...........................
  () ...........................

(FORMAT 8b

Ballot position for incorporated and unincorporated areas shall be
determined by the order of petition filing or lottery held pursuant to
Sections 9-11.1 and 9-11.2.

This format is used by high school districts if more than 30% of the
taxable property is located in the unincorporated territory of the school
district. In this case, at least two board members shall be residents of the
unincorporated territory.)

OFFICIAL BALLOT

Instructions to voters: Thirty percent (30%) or more of the taxable
property of this high school district is located in the unincorporated
territory of the district, therefore, at least two board members shall be
residents of the unincorporated territory.

ON THE BASIS OF EXISTING BOARD MEMBERSHIP,
MEMBERS MAY BE ERECTED FROM ANY AREA OR AREAS.
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
AN UNEXPIRED 2-YEAR TERM
VOTE FOR ....

New matter indicated by italics - deletions by strikeout
Sec. 10-10. Board of education; Term; Vacancy. All school districts having a population of not fewer than 1,000 and not more than 500,000 inhabitants, as ascertained by any special or general census, and not governed by special Acts, shall be governed by a board of education consisting of 7 members, serving without compensation except as herein provided. Each member shall be elected for a term of 4 years except as otherwise provided in subsection (a-5) of Section 11B-7 for the initial members of the board of education of a combined school district to which that subsection applies. If 5 members are elected in 1983 pursuant to the extension of terms provided by law for transition to the consolidated election schedule under the general election law, 2 of those members shall be elected to serve terms of 2 years and 3 shall be elected to serve terms of 4 years; their successors shall serve for a 4 year term. When the voters of a district have voted to elect members of the board of education for 6 year terms, as provided in Section 9-5, the terms of office of members of the board of education of that district expire when their successors assume office but not later than 7 days after such election. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 2 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 3 shall serve for a term of 6 years and 2 shall serve a term of 2 years.
Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 3 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 2 shall serve for a term of 2 years and 2 shall serve for a term of 6 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 4 members are elected, 3 shall serve for a term of 6 years and one shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for a 6 year term 5 members are elected, 3 shall serve for a term of 6 years and 2 shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. An election for board members shall not be held in school districts which by consolidation, annexation or otherwise shall cease to exist as a school district within 6 months after the election date, and the term of all board members which would otherwise terminate shall be continued until such district shall cease to exist. Each member, on the date of his or her election, shall be a citizen of the United States of the age of 18 years or over, shall be a resident of the State and the territory of the district for at least one year immediately preceding his or her election, shall be a registered voter as provided in the general election law, shall not be a school trustee or a school treasurer, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 1961. When the board of education is the successor of the school directors, all rights of property, and all rights regarding causes of action existing or vested in such directors, shall vest in it as fully as they were vested in the school directors. Terms of members are subject to Section 2A-54 of the Election Code.

New matter indicated by italics - deletions by strikeout
Nomination papers filed under this Section are not valid unless the candidate named therein files with the secretary of the board of education or with a person designated by the board to receive nominating petitions a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

Whenever a vacancy occurs, the remaining members shall notify the regional superintendent of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next regular school election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, or if the vacancy occurs less than 88 days before the next regularly scheduled election for this office then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Should they fail so to act, within 45 days after the vacancy occurs, the regional superintendent of schools under whose supervision and control the district is operating, as defined in Section 3-14.2 of this Act, shall within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for herein. Upon the regional superintendent's failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election. Whether elected or appointed by the remaining members or regional superintendent, the successor shall be an inhabitant of the particular area from which his or her predecessor was elected if the residential requirements contained in Section 10-10.5, 11A-8, 11B-7, or 12-2 of this Code Act apply.

A board of education may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The

New matter indicated by italics - deletions by strikeout
student member may not participate in or attend any executive session of the board.
(Source: P.A. 93-309, eff. 1-1-04; 94-231, eff. 7-14-05.)

(105 ILCS 5/10-10.5 new)

Sec. 10-10.5. Community unit school district or combined school district formation; school board election.

(a) Except as otherwise provided in subsection (b) of this Section, for community unit school districts formed before January 1, 1975 and for combined school districts formed before July 1, 1983, the following provisions apply:

(1) if the territory of the district is greater than 2 congressional townships or 72 square miles, then not more than 3 board members may be selected from any one congressional township, except that congressional townships of less than 100 inhabitants shall not be considered for the purpose of this mandatory board representation;

(2) if in the community unit school district or combined school district at least 75% but not more than 90% of the population is in one congressional township, then 4 board members shall be selected from the congressional township and 3 board members shall be selected from the rest of the district, except that if in the community unit school district or combined school district more than 90% of the population is in one congressional township, then all board members may be selected from one or more congressional townships; and

(3) if the territory of any community unit school district or combined school district consists of not more than 2 congressional townships or 72 square miles, but consists of more than one congressional township or 36 square miles, outside of the corporate limits of any city, village, or incorporated town within the school district, then not more than 5 board members may be selected from any city, village, or incorporated town in the school district.
(b)(1) The provisions of subsection (a) of this Section for mandatory board representation shall no longer apply to a community unit school district formed before January 1, 1975, to a combined school district formed before July 1, 1983, or to community consolidated school districts, and the members of the board of education shall be elected at large from within the school district and without restriction by area of residence within the district if both of the following conditions are met with respect to that district:

(A) A proposition for the election of board members at large and without restriction by area of residence within the school district rather than in accordance with the provisions of subsection (a) of this Section for mandatory board representation is submitted to the school district's voters at a regular school election or at the general election as provided in this subsection (b).

(B) A majority of those voting at the election in each congressional township comprising the territory of the school district, including any congressional township of less than 100 inhabitants, vote in favor of the proposition.

(2) The school board may, by resolution, order submitted or, upon the petition of the lesser of 2,500 or 5% of the school district's registered voters, shall order submitted to the school district's voters, at a regular school election or at the general election, the proposition for the election of board members at large and without restriction by area of residence within the district rather than in accordance with the provisions of subsection (a) of this Section for mandatory board representation; and the proposition shall thereupon be certified by the board's secretary for submission.

(3) If a majority of those voting at the election in each congressional township comprising the territory of the school district, including any congressional township of less than 100 inhabitants, vote in favor of the proposition:

New matter indicated by italics - deletions by strikeout
(A) the proposition to elect board members at large and without restriction by area of residence within the district shall be deemed to have passed,

(B) new members of the board shall be elected at large and without restriction by area of residence within the district at the next regular school election, and

(C) the terms of office of the board members incumbent at the time the proposition is adopted shall expire when the new board members that are elected at large and without restriction by area of residence within the district have organized in accordance with Section 10-16.

(4) In a community unit school district, a combined school district, or a community consolidated school district that formerly elected its members under subsection (a) of this Section to successive terms not exceeding 4 years, the members elected at large and without restriction by area of residence within the district shall be elected for a term of 4 years, and in a community unit school district or combined school district that formerly elected its members under subsection (a) of this Section to successive terms not exceeding 6 years, the members elected at large and without restriction by area of residence within the district shall be elected for a term of 6 years; provided that in each case the terms of the board members initially elected at large and without restriction by area of residence within the district as provided in this subsection (b) shall be staggered and determined in accordance with the provisions of Sections 10-10 and 10-16 of this Code.

(105 ILCS 5/10-11) (from Ch. 122, par. 10-11)

Sec. 10-11. Vacancies. Elective offices become vacant within the meaning of the Act, unless the context indicates otherwise, on the happening of any of the following events, before the expiration of the term of such office:

1. The death of the incumbent.
2. His or her resignation in writing filed with the Secretary or Clerk of the Board.
3. His or her becoming a person under legal disability.
4. His or her ceasing to be an inhabitant of the district for which he or she was elected.
5. His or her conviction of an infamous crime, of any offense involving a violation of official oath, or of a violent crime against a child.
6. His or her removal from office.
7. The decision of a competent tribunal declaring his or her election void.
8. His ceasing to be an inhabitant of a particular area from which he was elected, if the residential requirements contained in Section 10-10.5, 11E-35, 11A-8, 11B-7, or 12-2 of this Code Act are violated.

No elective office except as herein otherwise provided becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified. The successor shall have the same type of residential qualifications as his or her predecessor and, if the residential requirements contained in Section 10-10.5, 11E-35, 11A-8, 11B-7, or 12-2 of this Code Act apply, the successor, whether elected or appointed by the remaining members or a regional superintendent, shall be an inhabitant of the particular area from which his or her predecessor was elected.

(Source: P.A. 91-376, eff. 1-1-00.)

(105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

Sec. 10-16. Organization of Board. Within 28 days after the consolidated election, other than the consolidated elections in 1999 and 2001, the board shall organize by electing its officers and fixing a time and place for the regular meetings. However, when school board members are elected at the consolidated elections held in April of 1999 and April of 2001, the board shall organize within 7 days after the first Tuesday after the first Monday of November in each such year by electing officers and setting the time and place of the regular meetings. Upon organizing itself as provided in this paragraph, the board shall enter upon the discharge of its duties.

New matter indicated by italics - deletions by strikeout
The regional superintendent of schools having supervision and control, as provided in Section 3-14.2, of a new school district that is governed by the School Code and formed on or after the effective date of this amendatory Act of 1998 shall convene the newly elected board within 7 days after the election of the board of education of that district, whereupon the board shall proceed to organize by electing one of their number as president and electing a secretary, who may or may not be a member. At such meeting the length of term of each of the members shall be determined by lot so that 4 shall serve for 4 years, and 3 for 2 years from the commencement of their terms; provided, however, if such members were not elected at the consolidated election in an odd-numbered year, such initial terms shall be extended to the consolidated election for school board members immediately following the expiration of the initial 4 or 2 year terms. The provisions of this paragraph that relate to the determination of terms by lot shall not apply to the initial members of the board of education of a combined school district who are to be elected to unstaggered terms as provided in subsection (a-5) of Section 11B-7.

The terms of the officers of a board of education shall be for 2 years, except that the terms of the officers elected at the organization meeting in November, 2001 shall expire at the organization meeting in April, 2003; provided that the board by resolution may establish a policy for the terms of office to be one year, and provide for the election of officers.

Special meetings of the board of education may be called by the president or by any 3 members of the board by giving notice thereof in writing, stating the time, place and purpose of the meeting. Such notice may be served by mail 48 hours before such meeting or by personal service 24 hours before such meeting. Public notice of meetings must also be given as prescribed in Sections 2.02 and 2.03 of the Open Meetings Act, as now or hereafter amended.

At each regular and special meeting which is open to the public, members of the public and employees of the district shall be afforded time, subject to reasonable constraints, to comment to or ask questions of the board.

New matter indicated by italics - deletions by strikeout
The president or district superintendent shall, at each regular board meeting, report any requests made of the district under provisions of The Freedom of Information Act and shall report the status of the district's response.

(Source: P.A. 93-847, eff. 7-30-04.)

(105 ILCS 5/10-21.12) (from Ch. 122, par. 10-21.12)

Sec. 10-21.12. Transfer of teachers. The employment of a teacher transferred from one board or administrative agent to the control of a new or different board or administrative agent shall be considered continuous employment if such transfer of employment occurred by reason of any of the following events:

(1) a boundary change or the creation or reorganization of any school district pursuant to Article 7 or 11E, 7A, 11A or 11B; or

(2) the deactivation or reactivation of any high school or elementary school pursuant to Section 10-22.22b; or

(3) the creation, expansion, reduction or dissolution of a special education program pursuant to Section 10-22.31, or the creation, expansion, reduction or dissolution of a joint educational program established under Section 10-22.31a; or

(4) the creation, expansion, reduction, termination or dissolution of any joint agreement program operated by a regional superintendent, governing board, or other administrative agent or any program operated pursuant to an Intergovernmental Joint Agreement. The changes made by this amendatory Act of 1990 are declaratory of existing law.

(Source: P.A. 94-213, eff. 7-14-05.)

(105 ILCS 5/11C-6) (from Ch. 122, par. 11C-6)

Sec. 11C-6. Credited unfunded indebtedness. Each district from which territory is taken shall be credited with all unfunded indebtedness of such district and with the estimated cost of operating the schools of the district for the balance of the school year if the district from which territory is taken continues to administer the schools until the succeeding July 1 as provided in Section 11A-10.

(Source: P.A. 83-686.)

(105 ILCS 5/11C-9) (from Ch. 122, par. 11C-9)
Sec. 11C-9. Accounting waived. If no stipulation is made as provided in Section 11A-3 of this Act or if the stipulation is refused by the regional superintendent the boards of the districts affected by the change in boundaries in the creation of a new district may waive accounting or stipulate as to the valuation of any kind or parcel of property or as to a basis for apportionment other than that provided in Section 11C-7 of this Act by concurrent resolution filed with the regional superintendent prior to or within 30 days after the election of the school board for the newly created district. Such resolution shall be subject to the approval of the regional superintendent and if approved, the accounting shall be dispensed with or modified as the resolution may provide. (Source: P.A. 83-686.)

(105 ILCS 5/Art. 11E heading new)

ARTICLE 11E. CONVERSION AND FORMATION OF SCHOOL DISTRICTS

(105 ILCS 5/11E-5 new)

Sec. 11E-5. Purpose and applicability. The purpose of this Article is to permit greater flexibility and efficiency in the reorganization and formation of school districts for the improvement of the administration and quality of educational services and for the best interests of pupils. This Article applies only to school districts with under 500,000 inhabitants.

(105 ILCS 5/11E-10 new)

Sec. 11E-10. Definitions. In this Article:

"Affected district" means any school district with territory included in a petition for reorganization under this Article that encompasses (i) 25% or more of the total land area of the district, (ii) more than 8% of the student enrollment of the district, or (iii) more than 8% of the equalized assessed valuation of the district.

"Combined high school - unit district" means a school district resulting from the combination of a high school district and a unit district.

"Combined school district" means any district resulting from the combination of 2 or more entire elementary districts, 2 or more entire high school districts, or 2 or more entire unit districts.

New matter indicated by italics - deletions by strikeout
"Dual district" means a high school district and all of its feeder elementary districts collectively.

"Elementary district" means a school district organized and established for purposes of providing instruction up to and including grade 8. "Elementary district" includes common elementary school districts, consolidated elementary school districts, community consolidated school districts, combined elementary districts, and charter elementary districts.

"Elementary purposes" means the purposes of providing instruction up to and including grade 8.

"High school district" means a school district organized and established for purposes of providing instruction in grades 9 through 12. "High school district" includes charter high school districts, township high school districts, consolidated high school districts, community high school districts, and non-high school districts.

"High school purposes" means the purposes of providing instruction in grades nine through 12.

"High school - unit conversion" means a school district conversion authorized under subsection (a) of Section 11E-15 of this Code.

"K through 12 purposes" means the purposes of providing instruction up to and including grade 12.

"Multi-unit conversion" means the formation of a combined high school - unit district and one or more new elementary districts as authorized under subsection (b) of Section 11E-30 of this Code.

"Optional elementary unit district" means a unit district resulting from the combination of a high school district and the combination of any one or more elementary districts electing to organize as an optional elementary unit district.

"Partial elementary unit district" means either a combined high school - unit district or an optional elementary unit district.

"School board" means either a board of education or a board of school directors.

"School district conversion" means a high school - unit conversion or a unit to dual conversion.

New matter indicated by italics - deletions by strikeout
"School needs" means the needs of the proposed school district and any districts in the area adjacent thereto in relation to, without limitation, providing a full range of high quality educational and extracurricular programs, maintaining a full complement of professional staff to deliver optimal educational services, meeting the program and staff needs of all students, including students with disabilities and students in career and technical education courses, maximizing community involvement in school governance, operating on an economically efficient basis, and maintaining a sufficient local tax base.

"Substantially coterminous" means that a high school district and one or more elementary districts share the same boundaries or share the same boundaries except for territory encompassing, for a particular district, (i) less than 25% of the land area of the district, (ii) less than 8% of the student enrollment of the district, and (iii) less than 8% of the equalized assessed valuation of the district.

"Unit district" means a school district organized and established for purposes of providing instruction up to and including grade 12. "Unit district" includes charter (K through 12) districts, community unit districts, community consolidated unit districts, other districts that, prior to the adoption of the community consolidated unit district and community unit district, authorizing legislation had expanded to provide instruction through the 12th grade (commonly referred to as "Old Type" unit districts), and partial elementary unit districts organized pursuant to the provisions of this Article.

"Unit to dual conversion" means a school district conversion authorized under subsection (b) of Section 11E-15 of this Code.

(105 ILCS 5/11E-15 new)

Sec. 11E-15. School district conversion.

(a) One or more unit districts and one or more high school districts, all of which are contiguous, may, under the provisions of this Article, be converted into a dual district through the dissolution of the unit district or districts and the high school district or districts if the following apply:

New matter indicated by italics - deletions by strikeout
(1) each elementary district to be created includes all of the territory within a unit district to be dissolved; and
(2) the high school district to be created includes all of the territory within the unit districts and high school districts to be dissolved.

(b) Two or more contiguous unit districts may, under the provisions of this Article, dissolve and form a single new high school district and new elementary districts that are based upon the boundaries of the dissolved unit districts.

(105 ILCS 5/11E-20 new)
Sec. 11E-20. Combined school district formation.
(a)(1) The territory of 2 or more entire contiguous elementary districts may be organized into a combined elementary district under the provisions of this Article.

(2) Any 2 or more entire elementary districts that collectively are within or substantially coterminous with the boundaries of a high school district, regardless of whether the districts are compact and contiguous with each other, may be organized into a combined school district in accordance with this Article.

(b) Any 2 or more entire contiguous high school districts may be organized into a combined high school district under the provisions of this Article.

(c) Any 2 or more entire contiguous unit districts may be organized into a combined unit district under the provisions of this Article.

(105 ILCS 5/11E-25 new)
Sec. 11E-25. Unit district formation.
(a) Any contiguous and compact territory, no part of which is included within any unit district, may be organized into a unit district as provided in this Article.

(b) The territory of one or more entire unit districts that are contiguous to each other, plus any contiguous and compact territory no part of which is included within any unit district, and the territory of

New matter indicated by italics - deletions by strikeout
which taken as a whole is compact may be organized into a unit district as provided in this Article.

(105 ILCS 5/11E-30 new)

Sec. 11E-30. Partial elementary unit district formation.

(a) One or more entire high school districts and one or more entire unit districts, all of which are contiguous, may be organized into a combined high school - unit district as provided in this Article. The combined high school - unit district shall serve all residents of the district for high school purposes and those residents residing in the portion of the territory included within the boundaries of the dissolved unit district or districts for elementary purposes.

(b) One or more contiguous unit districts may, as provided in this Article, dissolve and form a single new combined high school - unit district and one or more new elementary districts. The boundaries of the new elementary district or districts shall be based upon the boundaries of the dissolved unit district or districts electing to join the combined high school - unit district only for high school purposes. Territory included within the boundaries of the new elementary district or districts shall be served by the new combined high school - unit district only for high school purposes. All other territory within the combined high school - unit district shall be served by the combined high school - unit district for both high school and elementary purposes.

(c) A high school district and 2 or more elementary districts that collectively are substantially coterminous may seek to organize into an optional elementary unit district as provided in this Article, provided that territory comprising at least 51% of the equalized assessed valuation of the high school district is subject to a combined high school and elementary maximum annual authorized tax rate for educational purposes of 4.0% or less. The optional elementary unit district shall serve all residents of the district for high school purposes. The optional elementary unit district shall serve residents of only those elementary districts electing to join the optional elementary unit district, as determined in accordance with subsection (b) of Section 11E-65 of this Code, for elementary purposes. The corporate existence of any elementary district electing not
to join the optional elementary unit district in accordance with subsection (b) of Section 11E-65 of this Code shall not be affected by the formation of an optional elementary unit district, and an elementary district electing not to join the optional elementary unit district shall continue to serve residents of the district for elementary purposes.

(d)(1) For 5 years following the formation of an optional elementary unit district, any elementary district that elected not to join an optional elementary unit district for elementary purposes may elect to dissolve and combine with the optional elementary unit district by filing a petition that requests the submission of the proposition at a regularly scheduled election for the purpose of voting for or against joining the optional elementary unit district and that complies with the other provisions of this Article.

(2) After an election in which an elementary district votes to join an optional elementary unit district in accordance with paragraph (1) of this subsection (d), but prior to the dissolution of the elementary district, the elementary district must first issue funding bonds pursuant to Sections 19-8 and 19-9 of this Code to liquidate any operational deficit or debt incurred or accumulated since the date of the election in which the proposition to form the optional elementary unit district passed. The elementary district shall not be required to comply with the backdoor referenda provisions of Section 19-9 of this Code as a condition of issuing the funding bonds. If applicable, the tax levy to pay the debt service on the funding bonds shall not be included in the district's aggregate extension base under Section 18-210 of the Property Tax Code. Taxes levied to repay principal and interest on any long term debt incurred or accumulated between the date of the election in which the proposition to form the optional elementary unit district passed and the date of the elementary district's dissolution and joining the optional elementary unit district in accordance with paragraph (1) of this subsection (d) shall be levied and extended only against the territory of the elementary district as it existed prior to dissolution.

New matter indicated by italics - deletions by strikeout
(3) If all eligible elementary districts elect to join an optional elementary unit district in accordance with this subsection (d), the optional elementary unit district shall thereafter be deemed a unit district for all purposes of this Code.

(105 ILCS 5/11E-35 new)

Sec. 11E-35. Petition filing.

(a) A petition shall be filed with the regional superintendent of schools of the educational service region in which the territory described in the petition or that part of the territory with the greater percentage of equalized assessed valuation is situated. The petition must do the following:

(1) be signed by at least 50 legal resident voters or 10% of the legal resident voters, whichever is less, residing within each affected district; or

(2) be approved by the school board in each affected district.

(b) The petition shall contain all of the following:

(1) A request to submit the proposition at a regular scheduled election for the purpose of voting:

(A) for or against a high school - unit conversion;
(B) for or against a unit to dual conversion;
(C) for or against the establishment of a combined elementary district;
(D) for or against the establishment of a combined high school district;
(E) for or against the establishment of a combined unit district;
(F) for or against the establishment of a unit district from dual district territory exclusively;
(G) for or against the establishment of a unit district from both dual district and unit district territory;
(H) for or against the establishment of a combined high school - unit district from a combination of one or more high school districts and one or more unit districts;

New matter indicated by italics - deletions by strikeout
(I) for or against the establishment of a combined high school - unit district and one or more new elementary districts through a multi-unit conversion;

(J) for or against the establishment of an optional elementary unit district from a combination of a substantially coterminous dual district; or

(K) for or against dissolving and becoming part of an optional elementary unit district.

(2) A description of the territory comprising the districts proposed to be dissolved and those to be created, which, for an entire district, may be a general reference to all of the territory included within that district.

(3) A specification of the maximum tax rates for various purposes the proposed district or districts shall be authorized to levy for various purposes and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code.

(4) A description of how supplementary State deficit difference payments made under subsection (c) of Section 11E-135 of this Code will be allocated among the new districts proposed to be formed.

(5) Where applicable, a division of assets and liabilities to be allocated to the proposed new or annexing school district or districts in the manner provided in Section 11E-105 of this Code.

(6) If desired, a request that at that same election as the reorganization proposition a school board or boards be elected on a separate ballot or ballots to serve as the school board or boards of the proposed new district or districts. Any election of board members at the same election at which the proposition to create the district or districts to be served by the board or boards is submitted to the voters shall proceed under the supervision of the regional superintendent of schools as provided in Section 11E-55 of this Code.

New matter indicated by italics - deletions by strikeout
(7) If desired, a request that the referendum at which the proposition is submitted for the purpose of voting for or against the establishment of a unit district (other than a partial elementary unit district) include as part of the proposition the election of board members by school board district rather than at large. Any petition requesting the election of board members by district shall divide the proposed school district into 7 school board districts, each of which must be compact and contiguous and substantially equal in population to each other school board district. Any election of board members by school board district shall proceed under the supervision of the regional superintendent of schools as provided in Section 11E-55 of this Code.

(8) If desired, a request that the referendum at which the proposition is submitted for the purpose of voting for or against the establishment of a unit to dual conversion include as part of the proposition the election of board members for the new high school district (i) on an at large basis, (ii) with board members representing each of the forming elementary school districts, or (iii) a combination of both. The format for the election of the new high school board must be defined in the petition. When 4 or more unit school districts and a combination of board members representing each of the forming elementary school districts are involved and at large formats are used, one member must be elected from each of the forming elementary school districts. The remaining members may be elected on an at large basis, provided that none of the underlying elementary school districts have a majority on the resulting high school board. When 3 unit school districts and a combination of board members representing each of the forming elementary school districts are involved and at large formats are used, 2 members must be elected from each of the forming elementary school districts. The remaining member must be elected at large.

(9) If desired, a request that the referendum at which the proposition shall be submitted include a proposition on a separate
ballot authorizing the issuance of bonds by the district or districts when organized in accordance with this Article. However, if the petition is submitted for the purpose of voting for or against the establishment of an optional elementary unit district, the petition may request only that the referendum at which the proposition is submitted include a proposition on a separate ballot authorizing the issuance of bonds for high school purposes (and not elementary purposes) by the district when organized in accordance with this Article. The principal amount of the bonds and the purposes of issuance, including a specification of elementary or high school purposes if the proposed issuance is to be made by a combined high school - unit district, shall be stated in the petition and in all notices and propositions submitted thereunder.

(10) A designation of a committee of ten of the petitioners as attorney in fact for all petitioners, any 7 of whom may at any time, prior to the final decision of the regional superintendent of schools, amend the petition in all respects (except that, for a unit district formation, there may not be an increase or decrease of more than 25% of the territory to be included in the proposed district) and make binding stipulations on behalf of all petitioners as to any question with respect to the petition, including the power to stipulate to accountings or the waiver thereof between school districts.

(c) The regional superintendent of schools shall not accept for filing under the authority of this Section any petition that includes any territory already included as part of the territory described in another pending petition filed under the authority of this Section.

(d)(1) Those designated as the Committee of Ten shall serve in that capacity until such time as the regional superintendent of schools determines that, because of death, resignation, transfer of residency from the territory, failure to qualify, or any other reason, the office of a particular member of the Committee of Ten is vacant. Upon determination by the regional superintendent of schools that these vacancies exist, he or she shall declare the vacancies and shall notify the remaining members to

New matter indicated by italics - deletions by strikeout
appoint a petitioner or petitioners, as the case may be, to fill the vacancies in the Committee of Ten so designated. An appointment by the Committee of Ten to fill a vacancy shall be made by a simple majority vote of the designated remaining members.

(2) Failure of a person designated as a member of the Committee of Ten to sign the petition shall not disqualify that person as a member of the Committee of Ten, and that person may sign the petition at any time prior to final disposition of the petition and the conclusion of the proceedings to form a new school district or districts, including all litigation pertaining to the petition or proceedings.

(3) Except as stated in item (10) of subsection (b) of this Section, the Committee of Ten shall act by majority vote of the membership.

(4) The regional superintendent of schools may accept a stipulation made by the Committee of Ten instead of evidence or proof of the matter stipulated or may refuse to accept the stipulation, provided that the regional superintendent sets forth the basis for the refusal.

(5) The Committee of Ten may voluntarily dismiss its petition at any time before the petition is approved by either the regional superintendent of schools or State Superintendent of Education.

(105 ILCS 5/11E-40 new)

Sec. 11E-40. Notice and petition amendments.

(a) Upon the filing of a petition with the regional superintendent of schools as provided in Section 11E-35 of this Code, the regional superintendent shall do all of the following:

(1) Cause a copy of the petition to be given to each school board of the affected districts and the regional superintendent of schools of any other educational service region in which territory described in the petition is situated.

(2) Cause a notice thereof to be published at least once each week for 3 successive weeks in at least one newspaper having
genera
circulation within the area of all of the territory of the proposed district or districts. The expense of publishing the notice shall be borne by the petitioners and paid on behalf of the petitioners by the Committee of Ten.

(b) The notice shall state all of the following:

(1) When and to whom the petition was presented.
(2) The prayer of the petition.
(3) A description of the territory comprising the districts proposed to be dissolved and those to be created, which, for an entire district, may be a general reference to all of the territory included within that district.
(4) If applicable, the proposition to elect, by separate ballot, school board members at the same election, indicating whether the board members are to be elected at large or by school board district.
(5) If requested in the petition, the proposition to issue bonds, indicating the amount and purpose thereof.
(6) The day on which the hearing on the action proposed in the petition shall be held.

(c) The requirements of subsection (g) of Section 28-2 of the Election Code do not apply to any petition filed under this Article. Notwithstanding any provision to the contrary contained in the Election Code, the regional superintendent of schools shall make all determinations regarding the validity of the petition, including without limitation signatures on the petition, subject to State Superintendent and administrative review in accordance with Section 11E-50 of this Code.

(d) Prior to the hearing described in Section 11E-45 of this Code, the regional superintendent of schools shall inform the Committee of Ten as to whether the petition, as amended or filed, is proper and in compliance with all applicable petition requirements set forth in the Election Code. If the regional superintendent determines that the petition is not in proper order or not in compliance with any applicable petition requirements set forth in the Election Code, the regional superintendent must identify the specific alleged defects in the petition and include
specific recommendations to cure the alleged defects. The Committee of Ten may amend the petition to cure the alleged defects at any time prior to the receipt of the regional superintendent's written order made in accordance with subsection (a) of Section 11E-50 of this Code or may elect not to amend the petition, in which case the Committee of Ten may appeal a denial by the regional superintendent following the hearing in accordance with Section 11E-50 of this Code.

(105 ILCS 5/11E-45 new)
Sec. 11E-45. Hearing.
(a) No more than 15 days after the last date on which the required notice under Section 11E-40 of this Code is published, the regional superintendent of schools with whom the petition is required to be filed shall hold a hearing on the petition. Prior to the hearing, the Committee of Ten shall submit to the regional superintendent maps showing the districts involved and any other information deemed pertinent by the Committee of Ten to the proposed action. The regional superintendent of schools may adjourn the hearing from time to time or may continue the matter for want of sufficient notice or other good cause.

(b) At the hearing, the regional superintendent of schools shall allow public testimony on the action proposed in the petition. The regional superintendent shall present, or arrange for the presentation of all of the following:

(1) Evidence as to the school needs and conditions in the territory described in the petition and the area adjacent thereto.
(2) Evidence with respect to the ability of the proposed district or districts to meet standards of recognition as prescribed by the State Board of Education.
(3) A consideration of the division of funds and assets that will occur if the petition is approved.
(4) A description of the maximum tax rates the proposed district or districts is authorized to levy for various purposes and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code.

New matter indicated by italics - deletions by strikeout
(c) Any regional superintendent of schools entitled under the provisions of this Article to be given a copy of the petition and any resident or representative of a school district in which any territory described in the petition is situated may appear in person or by an attorney at law to provide oral or written testimony or both in relation to the action proposed in the petition.

(d) The regional superintendent of schools shall arrange for a written transcript of the hearing. The expense of the written transcript shall be borne by the petitioners and paid on behalf of the petitioners by the Committee of Ten.

(105 ILCS 5/11E-50 new)
Sec. 11E-50. Approval or denial of the petition; administrative review.

(a) Within 14 days after the conclusion of the hearing under Section 11E-45 of this Code, the regional superintendent of schools shall take into consideration the school needs and conditions of the affected districts and in the area adjacent thereto, the division of funds and assets that will result from the action described in the petition, the best interests of the schools of the area, and the best interests and the educational welfare of the pupils residing therein and, through a written order, either approve or deny the petition. If the regional superintendent fails to act upon a petition within 14 days after the conclusion of the hearing, the regional superintendent shall be deemed to have denied the petition.

(b) Upon approving or denying the petition, the regional superintendent of schools shall submit the petition and all evidence to the State Superintendent of Education. The State Superintendent shall review the petition, the record of the hearing, and the written order of the regional superintendent, if any. Within 21 days after the receipt of the regional superintendent's decision, the State Superintendent shall take into consideration the school needs and conditions of the affected districts and in the area adjacent thereto, the division of funds and assets that will result from the action described in the petition, the best interests of the schools of the area, and the best interests and the educational welfare of the pupils residing therein and, through a written order, either approve or
deny the petition. If the State Superintendent denies the petition, the State Superintendent shall set forth in writing the specific basis for the denial. The decision of the State Superintendent shall be deemed an administrative decision as defined in Section 3-101 of the Code of Civil Procedure. The State Superintendent shall provide a copy of the decision by certified mail, return receipt requested, to the Committee of Ten, any person appearing in support or opposition of the petition at the hearing, each school board of a district in which territory described in the petition is situated, the regional superintendent with whom the petition was filed, and the regional superintendent of schools of any other educational service region in which territory described in the petition is situated.

(c) Any resident of any territory described in the petition who appears in support of or opposition to the petition at the hearing or any petitioner or school board of any district in which territory described in the petition is situated may, within 35 days after a copy of the decision sought to be reviewed was served by certified mail, return receipt requested, upon the party affected thereby or upon the attorney of record for the party, apply for a review of an administrative decision of the State Superintendent of Education in accordance with the Administrative Review Law and any rules adopted pursuant to the Administrative Review Law. The commencement of any action for review shall operate as a supersedes, and no further proceedings shall be had until final disposition of the review. The circuit court of the county in which the petition is filed with the regional superintendent of schools shall have sole jurisdiction to entertain a complaint for the review.

(105 ILCS 5/11E-55 new)
Sec. 11E-55. Holding of elections.
(a) Elections provided by this Article shall be conducted in accordance with the general election law. The regional superintendent of schools shall perform the election duties assigned by law to the secretary of a school board for the election and shall certify the officers and candidates therefore pursuant to the general election law.

(b) Nomination papers filed under this Article are not valid unless the candidate named therein files with the regional superintendent of

New matter indicated by italics - deletions by strikeout
schools a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. This receipt shall be so filed either previously during the calendar year in which his or her nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

(c)(1) If the petition requests the election of school board members of the school district proposed to be created at the same election at which the proposition to establish that district is to be submitted to voters or if the regional superintendent of schools finds it to be in the best interest of the districts involved to elect school board members of the school district proposed to be created at a consolidated election or general primary election, then that fact shall be included in the notice of referendum.

(2) If the members of the school board of the school district proposed to be created are not to be elected at the same election at which the proposition to establish that district is to be submitted to the voters, then the regional superintendent of schools shall order an election to be held on the next regularly scheduled election date for the purpose of electing a school board for that district.

(3) In either event, the school board elected for a new school district or districts created under this Article shall consist of 7 members who shall have the terms and the powers and duties of school boards as provided by statute.

(d) All notices regarding propositions for reorganization or creation of new school districts under this Article shall be given in accordance with the general election law in substantially the following form:

(1) Notice in high school - unit conversion or unit to dual conversion:

NOTICE OF REFERENDUM TO DISSOLVE CERTAIN SCHOOL DISTRICTS AND ESTABLISH CERTAIN NEW SCHOOL DISTRICTS

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ....... county (counties) for the purpose of

New matter indicated by italics - deletions by strikeout
voting for or against the proposition to dissolve (here identify the school districts to be dissolved by name and number) and to establish new school districts for the following described territory: A new (here specify elementary, high school, or unit) district shall be formed from (here describe the territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). (Here repeat the territory information for each new school district.)

The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected districts voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes of the new districts shall be as follows: For the new (here specify elementary, high school, or unit) district formed from the territory of (here describe territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular district), the tax rates for various purposes shall be (here specify the maximum tax rates for various purposes the proposed school district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code). (Here repeat the tax rate information for each new school district.)

Dated (insert date).
Regional Superintendent of Schools ....................

(2) Notice for combined school district formation:

NOTICE OF REFERENDUM
TO ESTABLISH COMBINED SCHOOL DISTRICT

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ...... county (counties) for the purpose of voting for or against the proposition to establish a combined (here insert elementary, high school, or unit) school district for the following described territory: (here describe the territory, which,
for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district. The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected school districts voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes of the proposed combined school district shall be (here specify the maximum tax rates for various purposes the proposed combined school district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code).

Dated (insert date).

Regional Superintendent of Schools .................

(3) Notice for unit district formation (other than a partial elementary unit district):

NOTICE OF REFERENDUM TO ESTABLISH
A COMMUNITY UNIT DISTRICT

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ....... county (counties) for the purpose of voting for or against the proposition to establish a unit district for the following described territory: (here describe the territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected school districts voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes for the proposed unit district shall be (here specify the maximum tax rates for various purposes the proposed unit district shall be authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code).

New matter indicated by italics - deletions by strikeout
Notice for combined high school - unit district formation:

NOTICE OF REFERENDUM
TO ESTABLISH COMBINED HIGH SCHOOL - UNIT DISTRICT

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ...... county (counties) for the purpose of voting for or against the proposition to establish a combined high school - unit district for the following described territory: (here describe the territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). The following described territory shall be included in the combined high school - unit district for high school purposes only: (here describe the territory that will be included only for high school purposes, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected school districts voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes for the proposed combined high school - unit district shall be (here specify the maximum tax rates for various purposes the proposed combined high school - unit district shall be authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-90 of this Code).

Dated (insert date).
Regional Superintendent of Schools .................

Notice for multi-unit conversion:

NOTICE OF REFERENDUM TO DISSOLVE CERTAIN UNIT SCHOOL DISTRICTS AND ESTABLISH CERTAIN
NEW SCHOOL DISTRICTS

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ...... county (counties) for the purpose of voting for or against the proposition to dissolve (here identify the districts to be dissolved by name and number) and to establish new school districts for the following described territory: A new (here specify elementary or combined high school - unit) district shall be formed from (here describe the territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). (Here repeat the territory information for each new school district.) The following described territory shall be included in the proposed combined high school - unit district only for high school purposes: (here describe the territory that will only be included for high school purposes, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district).

The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected districts voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes of the new districts shall be as follows: For the new elementary district formed from the territory of (here identify the unit district by name and number) the tax rates for various purposes shall be (here specify the maximum tax rates for various purposes the proposed elementary district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code). (Here repeat the tax rate and Property Tax Extension Limitation Law information for each new elementary district.) For the new combined high school - unit district, the tax rates for various purposes shall be (here specify the maximum tax rates for various purposes the proposed combined high school - unit district shall be authorized to levy

New matter indicated by italics - deletions by strikeout
and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-90 of this Code).

Dated (insert date).

Regional Superintendent of Schools .................

(6) Notice for optional elementary unit district formation:

NOTICE OF REFERENDUM TO ESTABLISH
AN OPTIONAL ELEMENTARY UNIT DISTRICT

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ....... county (counties) for the purpose of voting for or against the proposition to establish an optional elementary unit district for the following described territory: (here describe the elementary and high school district territory by name and number). If a majority of the voters in one or more of the affected elementary districts and in the affected high school district voting on the proposition at the referendum vote in favor thereof, all of the territory included within the affected high school district shall be included in the optional elementary unit district for high school purposes. However, only the territory of elementary districts in which a majority of the voters voting in the proposition at the referendum vote in favor thereof shall be included in the optional elementary unit district for elementary purposes. The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in one or more of the affected elementary districts and in the affected high school district voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes for the proposed optional elementary unit district shall be (here list the maximum tax rates for various purposes the proposed optional elementary unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-95 of this Code).

Dated (insert date).

New matter indicated by italics - deletions by strikeout
(7) Notice for an elementary district to opt into a partial elementary unit district:

NOTICE OF REFERENDUM TO JOIN
AN OPTIONAL ELEMENTARY UNIT DISTRICT

NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of ...... county (counties) for the purpose of voting for or against the proposition to dissolve an elementary district and join an optional elementary unit district for kindergarten through 12 grade-level purposes for all of the territory included within (here identify the elementary district by name and number). The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in the elementary school district voting on the proposition at the referendum vote in favor thereof, the tax rates for various purposes for the optional elementary unit district shall be (here list the maximum tax rates for various purposes the optional elementary unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-95 of this Code) and the elementary district, prior to dissolution, shall issue funding bonds pursuant to Sections 19-8 and 19-9 of the School Code to liquidate any operational deficit or debt incurred or accumulated since the date of the election in which the proposition to form the optional elementary unit district passed.

Dated (insert date).
Regional Superintendent of Schools .................

(105 ILCS 5/11E-60 new)
Sec. 11E-60. Ballots.
(a) Separate ballots shall be used for the election in each affected district. If the petition requests the submission of a proposition for the issuance of bonds, then that question shall be submitted to the voters at the referendum on a separate ballot.

New matter indicated by italics - deletions by strikeout
(b) Ballots for all reorganization propositions submitted under the provisions of this Article must be in substantially the following form:

(1) Ballot for high school - unit conversion or unit to dual conversion:

OFFICIAL BALLOT

Shall (here identify the districts to be dissolved by name and number) be dissolved and new school districts be established as follows: a new (here specify elementary, high school, or unit) district formed from all of the territory included within (here identify the existing school district by name and number), with the authority to levy taxes for various purposes as follows: (here specify the maximum tax rates for various purposes the new school district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code), each upon all of the taxable property of the school district at the value thereof, as equalized or assessed by the Department of Revenue, and a new (here repeat the information for each new school district)?

The election authority must record the votes "Yes" or "No".

(2) Ballot for combined school district formation:

OFFICIAL BALLOT

Shall a combined (here insert elementary, high, or unit) school district, with the authority to levy taxes at the rate of (here specify the maximum tax rates for various purposes the new unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code), each upon all of the taxable property of the district at the value thereof, as equalized or assessed by the Department of Revenue, be established?

The election authority must record the votes "Yes" or "No".

(3) Ballot for unit district formation (other than a partial elementary unit district formation):

OFFICIAL BALLOT

New matter indicated by italics - deletions by strikeout
Shall a unit district, with the authority to levy taxes at the rate of (here specify the maximum tax rates for various purposes the new unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code), each upon all of the taxable property of the district at the value thereof, as equalized or assessed by the Department of Revenue, be established?

The election authority must record the votes "Yes" or "No".

(4) Ballot for a combined high school - unit district formation:

OFFICIAL BALLOT

Shall a combined high school - unit district formed from all of the territory included within (here identify existing school districts by name and number), serving the territory included within (here identify existing school district by name and number) only for high school purposes, with the authority to levy taxes for various purposes as follows:(here specify the maximum tax rates for various purposes the new combined high school - unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-95 of this Code), each upon all of the taxable property of the district at the value thereof, as equalized or assessed by the Department of Revenue, be established?

The election authority must record the votes "Yes" or "No".

(5) Ballot for an optional elementary unit district formation:

OFFICIAL BALLOT

Shall an optional elementary unit district, with the authority to levy taxes at the rate of (here specify the maximum tax rates for various purposes the new optional elementary unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-95 of this Code), each

New matter indicated by italics - deletions by strikeout
upon all of the taxable property of the district at the value thereof, as equalized or assessed by the Department of Revenue, be established?

The election authority must record the votes "Yes" or "No".

(6) Ballot for multi-unit conversion:

OFFICIAL BALLOT

Shall (here identify the districts to be dissolved by name and number) be dissolved and new school districts established as follows: a new elementary district formed from all of the territory included within (here identify the existing school district by name and number), with the authority to levy taxes for various purposes as follows: (here specify the maximum tax rates for various purposes the new school district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Section 11E-80 of this Code), each upon all of the taxable property of the school district at the value thereof, as equalized or assessed by the Department of Revenue, (here repeat the information for each new elementary school district), and a new combined high school - unit district formed from all of the territory included within (here identify the existing school district by name and number), with the authority to levy taxes for various purposes as follows: (here specify the maximum tax rates for various purposes the new combined high school - unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-90 of this Code), each upon all of the taxable property of the school district at the value thereof, as equalized or assessed by the Department of Revenue?

The election authority must record the votes "Yes" or "No".

(7) Ballot for an elementary school district to dissolve and join an optional elementary unit district:

OFFICIAL BALLOT

New matter indicated by italics - deletions by strikeout
Shall (here identify the elementary district by name and number) be dissolved and join (here identify the optional elementary unit district by name and number), with the authority to levy taxes at the rate of (here specify the maximum tax rates for various purposes the optional elementary unit district is authorized to levy and, if applicable, the specifications related to the Property Tax Extension Limitation Law, in accordance with Sections 11E-80 and 11E-95 of this Code), each upon all of the taxable property of the district at the value thereof, as equalized or assessed by the Department of Revenue and shall (here identify the elementary district by name and number), prior to dissolution, issue funding bonds pursuant to Sections 19-8 and 19-9 of the School Code to liquidate any operational deficit or debt incurred or accumulated since the date of the election in which the proposition to form (here identify the optional elementary unit district by name and number) passed?

The election authority must record the votes "Yes" or "No".  
(105 ILCS 5/11E-65 new)
Sec. 11E-65. Passage requirements.
(a) Except as otherwise provided in subsections (b) and (c) of this Section, if a majority of the electors voting at the election in each affected district vote in favor of the proposition submitted to them, then the proposition shall be deemed to have passed.

(b) In the case of an optional elementary unit district to be created as provided in subsection (c) of Section 11E-30 of this Code, if a majority of the electors voting in the high school district and a majority of the voters voting in at least one affected elementary district vote in favor of the proposition submitted to them, then the proposition shall be deemed to have passed and an optional elementary unit district shall be created for all of the territory included in the petition for high school purposes, and for the territory included in the affected elementary districts voting in favor of the proposition for elementary purposes.

(c) In the case of an elementary district electing to join an optional elementary unit district in accordance with subsection (d) of Section 11E-
30 of this Code, a majority of the electors voting in that elementary district only must vote in favor of the proposition at a regularly scheduled election.

(d) (1) If a majority of the voters in at least 2 unit districts have voted in favor of a proposition to create a new unit district, but the proposition was not approved under the standards set forth in subsection (a) of this Section, then the members of the Committee of Ten shall submit an amended petition for consolidation to the school boards of those districts, as long as the territory involved is compact and contiguous. The petition submitted to the school boards shall be identical in form and substance to the petition previously approved by the regional superintendent of schools, with the sole exception that the territory comprising the proposed district shall be amended to include the compact and contiguous territory of those unit districts in which a majority of the voters voted in favor of the proposal.

(2) Each school board to which the petition is submitted shall meet and vote to approve or not approve the amended petition no more than 30 days after it has been filed with the school board. The regional superintendent of schools shall make available to each school board with which a petition has been filed all transcripts and records of the previous petition hearing. The school boards shall, by appropriate resolution, approve or disapprove the amended petition. No school board may approve an amended petition unless it first finds that the territory described in the petition is compact and contiguous.

(3) If a majority of the members of each school board to whom a petition is submitted votes in favor of the amended petition, then the approved petition shall be transmitted by the secretary of each school board to the State Superintendent of Education, who shall, within 30 days after receipt, approve or deny the amended petition based on the criteria stated in subsection (b) of Section 11E-50 of this Code. If approved by the State Superintendent of Education, the petition shall be placed on the ballot at the next regularly scheduled election.

New matter indicated by italics - deletions by strikeout
(105 ILCS 5/11E-70 new)
Sec. 11E-70. Effective date of change.
(a) If a petition is filed under the authority of this Article, the change is granted and approved at election, and no appeal is taken, the change shall become effective after the time for appeal has run for the purpose of all elections; however, the change shall not affect the administration of the schools until July 1 following the date that the school board election is held for the new district or districts and the school boards of the districts as they existed prior to the change shall exercise the same power and authority over the territory until that date.
(b) If any school district is dissolved in accordance with this Article, upon the close of the then current school year, the terms of office of the school board of the dissolved district shall terminate.
(c) New districts shall be permitted to organize and elect officers within the time prescribed by the general election law. Additionally, between the date of the organization and the election of officers and the date on which the new district takes effect for all purposes, the new district shall also be permitted, with the stipulation of the districts from which the new district is formed and the approval of the regional superintendent of schools, to take all action necessary or appropriate to do the following:
(1) Establish the tax levy for the new district, in lieu of the levies by the districts from which the new district is formed, within the time generally provided by law and in accordance with this Article. The funds produced by the levy shall be transferred to the new district as generally provided by law at such time as they are received by the county collector.
(2) Enter into agreements with depositories and direct the deposit and investment of any funds received from the county collector or any other source, all as generally provided by law.
(3) Conduct a search for the superintendent of the new district and enter into a contract with the person selected to serve as the superintendent of the new district in accordance with the provisions of this Code generally applicable to the employment of a superintendent.

New matter indicated by italics - deletions by strikeout
(4) Conduct a search for other administrators and staff of the new district and enter into a contract with these persons in accordance with the provisions of this Code generally applicable to the employment of administrators and other staff.

(5) Engage the services of accountants, architects, attorneys, and other consultants, including but not limited to consultants to assist in the search for the superintendent.

(6) Plan for the transition from the administration of the schools by the districts from which the new district is formed.

(7) Bargain collectively, pursuant to the Illinois Educational Labor Relations Act, with the certified exclusive bargaining representative or certified exclusive bargaining representatives of the new district's employees.

(8) Expend the funds received from the levy and any funds received from the districts from which the new district is formed to meet payroll and other essential operating expenses or otherwise in the exercise of the foregoing powers until the new district takes effect for all purposes.

(9) Issue bonds authorized in the proposition to form the new district or bonds pursuant to and in accordance with all of the requirements of Section 17-2.11 of this Code, levy taxes upon all of the taxable property within the new district to pay the principal of and interest on those bonds as provided by statute, expend the proceeds of the bonds and enter into any necessary contracts for the work financed therewith as authorized by statute, and avail itself of the provisions of other applicable law, including the Omnibus Bond Acts, in connection with the issuance of those bonds.

(d) After the granting of a petition has become final and approved at election, the date when the change becomes effective for purposes of administration and attendance may be accelerated or postponed by stipulation of the school board of each district affected and approval by the regional superintendent of schools with which the original petition is required to be filed.
Sec. 11E-75. Map showing change. Within 30 days after a new school district has been created or the boundaries of an existing district have been changed under the provisions of this Article, the regional superintendent of schools of any county involved shall make and file with the county clerk of his or her county a map of any districts changed by the action, whereupon the county clerk or county clerks, as the case may be, shall extend taxes against the territory in accordance therewith.

Sec. 11E-80. Specification of taxing purposes and rates. Whenever taxing purposes and rates are required to be specified or described under this Article for petition, hearing, notice, or ballot requirements, the purposes and rates shall be specified or described in accordance with this Section and, where applicable, shall also include a specification of the aggregate extension base and debt service extension base in accordance with the Property Tax Extension Limitation Law.

(1) For the formation of a district not subject to the Property Tax Extension Limitation Law, other than a partial elementary unit district, all of the following must be done:

(A) List the maximum rate at which the district will be authorized to levy a tax for educational purposes, operations and maintenance purposes, and pupil transportation purposes (such as .....% for educational purposes, .....% for operations and maintenance purposes, and .....% for pupil transportation purposes), subject to the rate limitations specified in Sections 17-2 and 17-3 of this Code.

(B) If it is desired to secure authority to levy other taxes above the statutory permissive rate, then list the maximum rate at which the district will be authorized to levy a tax for each such purpose (such as .....% for special educational purposes, .....% for leasing educational facilities or computer technology purposes, .....% for capital improvement purposes, and .....% for fire
prevention and safety purposes), subject to all applicable statutory rate limitations.

(2) For the formation of a district that is subject to the Property Tax Extension Limitation Law, other than a partial elementary unit district, all of the following must be done:

(A) List the purpose for each and every tax that the new district will be authorized to levy (such as educational purposes and operations and maintenance purposes).

(B) For each tax purpose listed, specify the maximum rate at which the district will be authorized to levy each tax (such as .....% for educational purposes and .....% for operations and maintenance purposes), subject to all applicable statutory rate limitations.

(C) Specify the aggregate extension base the district will seek to establish in conformity with the provisions of Section 18-210 of the Property Tax Code. Notwithstanding any provision to the contrary contained in the Property Tax Extension Limitation Law, no notice and referendum requirements other than those set forth in this Article shall be required to establish an aggregate extension base for a new district formed in accordance with this Article.

(D) If desired, specify the debt service extension base the district will seek to establish in accordance with Section 18-212 of the Property Tax Code. Notwithstanding any provision to the contrary contained in the Property Tax Extension Limitation Law, no notice and referendum requirements other than those set forth in this Article shall be required to establish a debt service extension base for a new district formed in accordance with this Article.

(3) For the formation of a partial elementary unit district not subject to the Property Tax Extension Limitation Law, the purposes and tax rate information required by subsection (b) of Section 11E-90 or subsection (b) of Section 11E-95 of this Code, as applicable, must be specified.

New matter indicated by italics - deletions by strikeout
(4) For the formation of a partial elementary unit district that is subject to the Property Tax Extension Limitation Law, all of the following must be done:

(A) List the purpose for each and every tax that the new district will be authorized to levy, including an indication of whether the tax is for grade K through 8 or grade 9 through 12 purposes, to the extent required by Section 11E-90 or 11E-95 of this Code.

(B) For each tax purpose listed, list the maximum rate at which the district will be authorized to levy each tax, subject to the rate limitations specified in subsection (b) of Section 11E-90 or subsection (b) of Section 11E-95 of this Code, as applicable, and elsewhere in statute.

(C) Specify the aggregate extension base the district will seek to establish in conformity with the provisions of Section 18-210 of the Property Tax Code. Notwithstanding any provision to the contrary contained in the Property Tax Extension Limitation Law, no notice and referendum requirements other than those set forth in this Article shall be required to establish an aggregate extension base for a new district formed in accordance with this Article.

(D) If desired, specify the debt service extension base the district will seek to establish in accordance with Section 18-212 of the Property Tax Code. Notwithstanding any provision to the contrary contained in the Property Tax Extension Limitation Law, no notice and referendum requirements other than those set forth in this Article shall be required to establish a debt service extension base for a new district formed in accordance with this Article.

(105 ILCS 5/11E-85 new)

Sec. 11E-85. Tax levy and borrowing authority, bonds, and working cash funds; districts other than partial elementary unit districts. The school board of any district involved in a school district conversion or the school board of any new district created under the provisions of this

New matter indicated by italics - deletions by strikeout
Article other than a partial elementary unit district may do any of the following:

(1) Levy for the purposes and at not exceeding the rates specified in the petition with respect to each district, which rates thereafter may be increased or decreased in accordance with Sections 17-2 through 17-7 of this Code, and further levy taxes for other purposes as generally permitted by law.

(2) Borrow money and issue bonds as authorized in Articles 10 and 19 of this Code and as otherwise permitted by law.

(3) Establish, maintain, or re-create a working cash fund as authorized by Article 20 of this Code.

(105 ILCS 5/11E-90 new)

Sec. 11E-90. Classification of property, taxes, bonds, and funds for combined high school - unit districts.

(a) All real property included within the boundaries of a combined high school - unit district created in accordance with this Article shall be classified into either a high school only classification or elementary and high school classification as follows:

(1) Real property included within the high school only classification shall include all of the real property included within both the boundaries of the combined high school - unit district and the boundaries of a separate school district organized and established for purposes of providing instruction up to and including grade 8.

(2) Real property included within the elementary and high school classification shall include all of the real property of the combined high school - unit district not included in the high school only classification.

(b) The petition to establish a combined high school - unit district shall set forth the maximum annual authorized tax rates for the proposed district as follows:

(1) The petition to establish a combined high school - unit district must include a maximum annual authorized tax rate for both grade K through 8 educational purposes and grade 9 through

New matter indicated by italics - deletions by strikeout
12 educational purposes. The rate for grade K through 8 educational purposes shall not exceed 3.5%. The rate for grade 9 through 12 educational purposes shall not exceed 3.5%. The combined rate for both grade K through 8 and grade 9 through 12 educational purposes shall not exceed 4.0%.

(2) The petition to establish a combined high school - unit district must include a maximum annual authorized tax rate for both grade K through 8 operations and maintenance purposes and grade 9 through 12 operations and maintenance purposes. The rate for grade K through 8 operations and maintenance purposes shall not exceed 0.55%. The rate for grade 9 through 12 operations and maintenance purposes shall not exceed 0.55%. The combined rate for both grade K through 8 and grade 9 through 12 operations and maintenance purposes shall not exceed 0.75%.

(3) The petition to establish a combined high school - unit district must include a maximum annual authorized tax rate for both grade K through 8 special education purposes and grade 9 through 12 special education purposes. The rate for grade K through 8 special education purposes shall not exceed 0.40%. The rate for grade 9 through 12 special education purposes shall not exceed 0.40%.

(4) The petition to establish a combined high school - unit district must include a maximum annual authorized tax rate for transportation purposes.

(5) If it is desired to secure authority to levy other taxes above the permissive rate applicable to unit districts as specified elsewhere in statute, the petition must include the maximum annual authorized tax rate at which the district will be authorized to levy a tax for each such purpose, not to exceed the maximum rate applicable to unit districts as specified elsewhere in statute.

(c) The school board of any new combined high school - unit district created under the provisions of this Article may levy a tax annually upon all of the taxable property of the district at the value as equalized or assessed by the Department of Revenue, as follows:

New matter indicated by italics - deletions by strikeout
(1) For all real property within the district, rates not to exceed the maximum annual authorized grade 9 through 12 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, the maximum annual authorized grade 9 through 12 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, the maximum annual authorized grade 9 through 12 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, the maximum annual authorized transportation purposes rate established in accordance with subdivision (4) of subsection (b) of this Section, and for all other purposes, the statutory permissive rate for unit districts or the maximum annual authorized rate for that purpose established in accordance with subdivision (5) of subsection (b) of this Section.

(2) For all real property in the district included within the elementary and high school classification, in addition to the rates authorized by subdivision (1) of this subsection (c), rates not to exceed the maximum annual authorized grade K through 8 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, the maximum annual authorized grade K through 8 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, and the maximum annual authorized grade K through 8 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section.

(d) The school board may, subsequent to the formation of the district and in accordance with Sections 17-2 through 17-7 of this Code, seek to increase the maximum annual authorized tax rates for any statutorily authorized purpose up to the maximum rate set forth in subsection (b) of this Section or otherwise applicable to unit districts as specified elsewhere in statute, whichever is less, subject to the following approval requirements:

New matter indicated by italics - deletions by strikeout
(1) The school board may increase the following rates only after submitting a proper resolution to the voters of the district at any regular scheduled election and obtaining approval by both a majority of voters living in the portion of the territory included within the high school only classification voting on the proposition and a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition:

(A) The maximum annual authorized grade 9 through 12 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(B) The maximum annual authorized grade 9 through 12 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(C) The maximum annual authorized grade 9 through 12 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, as may be increased thereafter in accordance with this Section.

(D) The maximum annual authorized transportation purposes rate established in accordance with subdivision (4) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(E) For all other statutorily authorized purposes, any rate exceeding the statutory permissive rate for unit districts established in accordance with subdivision (5) of subsection (b) of this Section, as may be increased thereafter in accordance with this Section.

(2) The school board may increase the following rates only after submitting a proper resolution to the voters of the district

New matter indicated by italics - deletions by strikeout
living in the portion of the territory included within the elementary and high school classification at any regular scheduled election and obtaining approval by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition:

(A) The maximum annual authorized grade K through 8 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(B) The maximum annual authorized grade K through 8 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(C) The maximum annual authorized grade K through 8 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, as may be increased thereafter in accordance with this Section.

(e) The school board may, after submitting a proper resolution to the voters of the district at any regular scheduled election, seek to do either of the following:

(1) Increase or decrease the maximum authorized annual tax rate for grade K through 8 educational purposes with an equal corresponding increase or decrease of the maximum authorized annual tax rate for grade 9 through 12 educational purposes, such that there is no change in the total combined maximum authorized annual tax rate for both purposes.

(2) Increase or decrease the maximum authorized annual tax rate for grade K through 8 operations and maintenance purposes with an equal corresponding increase or decrease of the maximum authorized annual tax rate for grade 9 through 12 operations and maintenance purposes, such that there is no change
in the total combined maximum authorized annual tax rate for both purposes.

Any modification to maximum authorized annual tax rates pursuant to this subsection (e) must be approved by both a majority of voters living in the portion of the territory included within the high school only classification voting on the proposition and a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. No maximum tax rate secured hereunder may exceed the maximum tax rate for a particular purpose specified elsewhere in statute.

(f) The school board may seek to do either of the following:

(1) Increase the maximum authorized annual tax rate for either grade K through 8 educational purposes or grade K through 8 operations and maintenance purposes with an equal corresponding decrease being effected to the maximum authorized tax rate for the other fund.

(2) Increase the maximum authorized annual tax rate for either grade 9 through 12 educational purposes or grade 9 through 12 operations and maintenance purposes with an equal corresponding decrease being effected to the maximum authorized tax rate for the other fund.

A proper resolution to increase and concurrently decrease the maximum authorized annual tax rates for grade K through 8 purposes in accordance with this subsection (f) shall be submitted to the voters of the district residing in the elementary and high school classification at any regular scheduled election and must be approved by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. A proper resolution to increase and concurrently decrease the maximum authorized annual tax rates for grade 9 through 12 purposes in accordance with this subsection (f) shall be submitted to all of the voters of the district at any regular scheduled election and must be approved by a majority of voters voting on the proposition. No maximum tax rate secured hereunder may exceed the maximum tax rate for a particular purpose specified elsewhere in statute.

New matter indicated by italics - deletions by strikeout
The terms and provisions of this subsection (f) shall apply instead of the terms and provisions of Section 17-6.1 of this Code to any concurrent equal increase and decrease in the maximum authorized rates for educational and operations and maintenance purposes by a combined high school - unit district.

(g) The school board may borrow money and issue bonds for elementary or high school purposes (but not K through 12 purposes) as authorized by Articles 10 and 19 and Section 17-2.11 of this Code and as otherwise permitted by law. All notices, resolutions, and ballots related to borrowing money and issuing bonds in accordance with this subsection (g) shall indicate whether the proposed action is for elementary or high school purposes. Taxes to pay the principal of, interest on, and premium, if any, on bonds issued for high school purposes shall be extended against the entire district, and taxes to pay the principal of, interest on, and premium, if any, on bonds issued for elementary purposes shall be extended only against property within the elementary and high school classification. The proposition to issue bonds for high school purposes must be submitted to and approved by a majority of voters of the district voting on the proposition. The proposition to issue bonds for elementary purposes must only be submitted to and approved by a majority of voters living in the portion of the territory proposed to be included or included within the elementary and high school classification voting on the proposition. Notwithstanding the terms and provisions of Section 19-4 of this Code, the board of a combined high school - unit district may not seek to designate any bonds issued for high school purposes as bonds issued for elementary purposes or designate any bonds issued for elementary purposes as bonds issued for high school purposes. Any petition filed in accordance with Section 19-9 of this Code requesting that the proposition to issue bonds for the payment of orders or claims for elementary purposes be submitted to the voters must be signed by 10% or more of the registered voters of the elementary and high school classification. If required pursuant to Section 19-9 of this Code, the proposition to issue bonds for the payment of orders or claims for elementary purposes must only be submitted to and approved by a majority of voters living in the
portion of the territory included within the elementary and high school classification voting on the proposition. Taxes to pay the principal of, interest on, and premium, if any, on any refunding bonds issued in accordance with Article 19 of this Code to refund bonds, coupons, or other evidences of indebtedness for bonds issued by the combined high school - unit district for high school purposes or issued by a district that dissolved to form the combined high school - unit district shall be extended against the entire district. Taxes to pay the principal of, interest on, and premium, if any, on any refunding bonds issued in accordance with Article 19 of this Code to refund bonds, coupons, or other evidences of indebtedness for bonds issued by the combined high school - unit district for elementary purposes shall only be extended against the property within the elementary and high school classification.

(h) The school board may establish, maintain, or re-create a working cash fund for elementary or high school purposes (but not K through 12 purposes) as authorized by Article 20 of this Code. All notices, resolutions, and ballots related to the establishment of a working cash fund shall indicate whether the working cash fund shall be for elementary or high school purposes. For purposes of Section 20-2 of this Code, taxes to pay the principal of, interest on, and premium, if any, on bonds issued to create a working cash fund for high school purposes shall be extended against the entire district, and taxes to pay the principal of, interest on, and premium, if any, on bonds issued to create a working cash fund for elementary purposes shall be extended only against property within the elementary and high school classification. Any petition filed in accordance with Section 20-7 of this Code requesting that the proposition to issue bonds to establish a working cash fund for elementary purposes be submitted to the voters must be signed by 10% or more of the registered voters of the elementary and high school classification. If required pursuant to Section 20-7 of this Code, the proposition to issue bonds for a working cash fund for elementary purposes must only be submitted to and approved by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. Upon the abolishment of the working cash fund for

New matter indicated by italics - deletions by strikeout
elementary purposes in accordance with Section 20-8 of this Code, the balance shall be transferred to the fund established for the receipt of proceeds from levies specified for grade K through 8 educational purposes. Upon the abolishment of the working cash fund for high school purposes in accordance with Section 20-8 of this Code, the balance shall be transferred to the fund established for the receipt of proceeds from levies specified for grade 9 through 12 educational purposes.

(i) The school board shall establish separate funds for the receipt of tax proceeds from levies specified for grade K through 8 purposes and grade 9 through 12 purposes in accordance with subdivisions (1) through (3) of subsection (b) of this Section and the receipt of tax and other proceeds from bond issuances for grade K through 8 purposes and grade 9 through 12 purposes in accordance with subsection (g) of this Section. Proceeds received from any levy or bond issuance specified for grade K through 8 purposes shall not be used to pay for any staff, equipment, materials, facilities, buildings, land, or services solely related to instruction in grades 9 through 12. Proceeds received from any levy or bond issuance specified for grade 9 through 12 purposes shall not be used to pay for any staff, equipment, materials, facilities, buildings, land, or services solely related to instruction in grades K through 8. Expenses related to staff, equipment, materials, facilities, buildings, land, or services related to instruction in both grades K through 8 and grades 9 through 12 may be paid from proceeds received from a levy or bond issuance specified for either grade K through 8 purposes or grade 9 through 12 purposes.

(j) The school board of a combined high school - unit district may abate or abolish any fund in accordance with this Code, provided that no funds may be transferred from an abated or abolished fund specified for grade K through 8 purposes to a fund specified for grade 9 through 12 purposes, and no funds may be transferred from an abated or abolished fund specified for grade 9 through 12 purposes to a fund specified for grade K through 8 purposes.

(k) To the extent the specific requirements for borrowing money, levying taxes, issuing bonds, establishing, maintaining, or re-creating a
working cash fund, and transferring funds by a combined high school -
unit district set forth in this Section conflicts with any general
requirements for school districts set forth in Article 10, 17, 19, or 20 of
this Code, the requirements set forth in this Section shall control over any
such general requirements.

(105 ILCS 5/11E-95 new)

Sec. 11E-95. Classification of property, taxes, bonds, and funds for
optional elementary unit districts.

(a) All real property included within the boundaries of an optional
elementary unit district created in accordance with this Article shall be
classified into either a high school only classification or an elementary
and high school classification as follows:

(1) Real property included within the high school only
classification shall include all of the real property included within
both the boundaries of the optional elementary unit district and the
boundaries of a separate school district organized and established
for purposes of providing instruction up to and including grade 8
that did not elect to join the optional elementary unit district in
accordance with this Article.

(2) Real property included within the elementary and high
school classification shall include all real property of the optional
elementary unit district not included in the high school only
classification.

(b) The petition to establish an optional elementary unit district
shall set forth the maximum annual authorized tax rates for the proposed
district as follows:

(1) The petition must specify a maximum annual authorized
tax rate for both grade K through 8 educational purposes and
grade 9 through 12 educational purposes. The rate for grade K
through 8 educational purposes shall not exceed 3.5%. The rate
for grade 9 through 12 educational purposes shall not exceed
3.5%. The combined rate for both grade K through 8 and grade 9
through 12 educational purposes shall not exceed 4.0%.

New matter indicated by italics - deletions by strikeout
(2) The petition must specify a maximum annual authorized tax rate for both grade K through 8 operations and maintenance purposes and grade 9 through 12 operations and maintenance purposes. The rate for grade K through 8 operations and maintenance purposes shall not exceed 0.55%. The rate for grade 9 through 12 operations and maintenance purposes shall not exceed 0.55%. The combined rate for both grade K through 8 and grade 9 through 12 operations and maintenance purposes shall not exceed 0.75%.

(3) The petition must specify a maximum annual authorized tax rate for both grade K through 8 special education purposes and grade 9 through 12 special education purposes. The rate for grade K through 8 special education purposes shall not exceed 0.40%. The rate for grade 9 through 12 special education purposes shall not exceed 0.40%.

(4) The petition must specify a maximum annual authorized tax rate for transportation purposes.

(5) If it is desired to secure authority to levy other taxes above the permissive rate applicable to unit districts as specified elsewhere in statute, the petition must specify the maximum annual authorized tax rate at which the district will be authorized to levy a tax for each such purpose, not to exceed the maximum annual authorized tax rate applicable to unit districts as specified elsewhere in statute.

(6) The aggregate of all rates specified in accordance with this subsection (b) shall not exceed the highest dual district rate, excluding rates for bond and interest levies, applicable to any territory within the high school district included in the petition in the year immediately preceding the creation of the new district.

(c) The school board of any new optional elementary unit district created under the provisions of this Article may levy a tax annually upon all of the taxable property of the district at the value as equalized or assessed by the Department of Revenue as follows:

New matter indicated by italics - deletions by strikeout
(1) For all real property within the district, rates not to exceed the maximum annual authorized grade 9 through 12 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, the maximum annual authorized grade 9 through 12 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, the maximum annual authorized grade 9 through 12 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, the maximum annual authorized transportation purposes rate established in accordance with subdivision (4) of subsection (b) of this Section, and, for all other purposes, the statutory permissive rate for unit districts or the maximum annual authorized rate for that purpose established in accordance with subdivision (5) of subsection (b) of this Section.

(2) For all real property in the district included within the elementary and high school classification, in addition to the rates authorized by subdivision (1) of this subsection (c), rates not to exceed the maximum annual authorized grade K through 8 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, the maximum annual authorized grade K through 8 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, and the maximum annual authorized grade K through 8 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section.

(d) The school board may, subsequent to the formation of the district and in accordance with Sections 17-2 through 17-7 of this Code, seek to increase the maximum annual authorized tax rates for any statutorily authorized purpose up to the maximum rate set forth in subsection (b) of this Section or otherwise applicable to unit school districts as specified elsewhere in statute, whichever is less, subject to the following approval requirements:

New matter indicated by italics - deletions by strikeout
(1) The school board may increase the following rates only after submitting a proper resolution to the voters of the district at any regular scheduled election and obtaining approval by both a majority of voters living in the portion of the territory included within the high school only classification voting on the proposition and a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition:

(A) The maximum annual authorized grade 9 through 12 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(B) The maximum annual authorized grade 9 through 12 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(C) The maximum annual authorized grade 9 through 12 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(D) The maximum annual authorized transportation purposes rate established in accordance with subdivision (4) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(E) For all other statutorily authorized purposes, any rate exceeding the statutory permissive rate for unit districts established in accordance with subdivision (5) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(2) The school board may increase the following rates only after submitting a proper resolution to the voters of the district.
living in the portion of the territory included within the elementary and high school classification at any regular scheduled election and obtaining approval by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition:

(A) The maximum annual authorized grade K through 8 educational purposes rate established in accordance with subdivision (1) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(B) The maximum annual authorized grade K through 8 operation and maintenance purposes rate established in accordance with subdivision (2) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(C) The maximum annual authorized grade K through 8 special education purposes rate established in accordance with subdivision (3) of subsection (b) of this Section, as may be increased thereafter in accordance with this subsection (d).

(e) The school board may, after submitting a proper resolution to the voters of the district at any regular scheduled election, seek to do either of the following:

(1) Increase or decrease the maximum authorized annual tax rate for grade K through 8 educational purposes with an equal corresponding increase or decrease of the maximum authorized annual tax rate for grade 9 through 12 educational purposes, such that there is no change in the total combined maximum authorized annual tax rate for both purposes.

(2) Increase or decrease the maximum authorized annual tax rate for grade K through 8 operations and maintenance purposes with an equal corresponding increase or decrease of the maximum authorized annual tax rate for grade 9 through 12 operations and maintenance purposes, such that there is no change...
in the total combined maximum authorized annual tax rate for both purposes.

Any modification to maximum authorized annual tax rates pursuant to this subsection (e) must be approved by both a majority of voters living in the portion of the territory included within the high school only classification voting on the proposition and a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. No maximum tax rate secured hereunder may exceed the maximum tax rate for a particular purpose specified elsewhere in statute.

(f) The school board may seek to do either of the following:

(1) Increase the maximum authorized annual tax rate for either grade K through 8 educational purposes or grade K through 8 operations and maintenance purposes with an equal corresponding decrease being effected to the maximum authorized tax rate for the other fund.

(2) Increase the maximum authorized annual tax rate for either grade 9 through 12 educational purposes or grade 9 through 12 operations and maintenance purposes with an equal corresponding decrease being effected to the maximum authorized tax rate for the other fund.

A proper resolution to increase and concurrently decrease the maximum authorized annual tax rates for grade K through 8 purposes in accordance with this subsection (f) shall be submitted to the voters of the district residing in the elementary and high school classification at any regular scheduled election and must be approved by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. A proper resolution to increase and concurrently decrease the maximum authorized annual tax rates for grade 9 through 12 purposes in accordance with this subsection (f) shall be submitted to all of the voters of the district at any regular scheduled election and must be approved by a majority of voters voting on the proposition. No maximum tax rate secured hereunder may exceed the maximum tax rate for a particular purpose specified elsewhere in statute.

New matter indicated by italics - deletions by strikeout
The terms and provisions of this subsection (f) shall apply instead of the terms and provisions of Section 17-6.1 of this Code to any concurrent equal increase and decrease in the maximum authorized rates for educational and operations and maintenance purposes by an optional elementary unit district.

(g) The school board may borrow money and issue bonds for elementary or high school purposes (but not grade K through 12 purposes) as authorized by Articles 10 and 19 and Section 17-2.11 of this Code and as otherwise permitted by law. All notices, resolutions, and ballots related to borrowing money and issuing bonds in accordance with this subsection (g) shall indicate whether the proposed action is for elementary or high school purposes. Taxes to pay the principal of, interest on, and premium, if any, on bonds issued for high school purposes shall be extended against the entire district, and taxes to pay the principal of, interest on, and premium, if any, on bonds issued for elementary purposes shall be extended only against property within the elementary and high school classification. The proposition to issue bonds for high school purposes must be submitted to and approved by a majority of voters of the district voting on the proposition. The proposition to issue bonds for elementary purposes must only be submitted to and approved by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. Notwithstanding the terms and provisions of Section 19-4 of this Code, the board of an optional elementary unit district may not seek to designate any bonds issued for high school purposes as bonds issued for elementary purposes or designate any bonds issued for elementary purposes as bonds issued for high school purposes. Any petition filed in accordance with Section 19-9 of this Code requesting that the proposition to issue bonds for the payment of orders or claims for elementary purposes be submitted to the voters must be signed by 10% or more of the registered voters of the elementary and high school classification. If required pursuant to Section 19-9 of this Code, the proposition to issue bonds for the payment of orders or claims for elementary purposes must only be submitted to and approved by a majority of voters living in the portion of the territory included within
the elementary and high school classification voting on the proposition. Taxes to pay the principal of, interest on, and premium, if any, on any refunding bonds issued in accordance with Article 19 of this Code to refund bonds, coupons, or other evidences of indebtedness for bonds issued by the optional elementary unit district for high school purposes or issued by a district that dissolved to form the optional elementary unit district shall be extended against the entire district. Taxes to pay the principal of, interest on, and premium, if any, on any refunding bonds issued in accordance with Article 19 of this Code to refund bonds, coupons, or other evidences of indebtedness for bonds issued by the optional elementary unit district for elementary purposes shall only be extended against the property within the elementary and high school classification.

(h) The school board may establish, maintain, or re-create a working cash fund for elementary or high school purposes (but not grade K through 12 purposes) as authorized by Article 20 of this Code. All notices, resolutions, and ballots related to the establishment of a working cash fund shall indicate whether the working cash fund shall be for elementary or high school purposes. For purposes of Section 20-2 of this Code, taxes to pay the principal of, interest on, and premium, if any, on bonds issued to create a working cash fund for high school purposes shall be extended against the entire district, and taxes to pay the principal of, interest on, and premium, if any, on bonds issued to create a working cash fund for elementary purposes shall be extended only against property within the elementary and high school classification. Any petition filed in accordance with Section 20-7 of this Code requesting that the proposition to issue bonds to establish a working cash fund for elementary purposes be submitted to the voters must be signed by 10% or more of the registered voters of the elementary and high school classification. If required pursuant to Section 20-7 of this Code, the proposition to issue bonds for a working cash fund for elementary purposes must only be submitted to and approved by a majority of voters living in the portion of the territory included within the elementary and high school classification voting on the proposition. Upon the abolishmen of the working cash fund for
elementary purposes in accordance with Section 20-8 of this Code, the balance shall be transferred to the fund established for the receipt of proceeds from levies specified for grade K through 8 educational purposes. Upon the abolishment of the working cash fund for high school purposes in accordance with Section 20-8 of this Code, the balance shall be transferred to the fund established for the receipt of proceeds from levies specified for grade 9 through 12 educational purposes.

(i) The school board shall establish separate funds for the receipt of tax proceeds from levies specified for grade K through 8 purposes and grade 9 through 12 purposes in accordance with subdivisions (1) through (3) of subsection (b) of this Section and the receipt of tax and other proceeds from bond issuances for grade K through 8 purposes and grade 9 through 12 purposes in accordance with subsection (g) of this Section. Proceeds received from any levy or bond issuance specified for grade K through 8 purposes shall not be used to pay for any staff, equipment, materials, facilities, buildings, land, or services solely related to instruction in grades 9 through 12. Proceeds received from any levy or bond issuance specified for grade 9 through 12 purposes shall not be used to pay for any staff, equipment, materials, facilities, buildings, land, or services solely related to instruction in grades K through 8. Expenses related to staff, equipment, materials, facilities, buildings, land, or services related to instruction in both grades K through 8 and grades 9 through 12 may be paid from proceeds received from a levy or bond issuance specified for either grade K through 8 purposes or grade 9 through 12 purposes.

(j) The school board of an optional elementary unit district may abate or abolish any fund in accordance with this Code, provided that no funds may be transferred from an abated or abolished fund specified for grade K through 8 purposes to a fund specified for grade 9 through 12 purposes, and no funds may be transferred from an abated or abolished fund specified for grade 9 through 12 purposes to a fund specified for grade K through 8 purposes.

(k) To the extent that the specific requirements for borrowing money, levying taxes, issuing bonds, establishing, maintaining, or re-
creating a working cash fund, and transferring funds by an optional elementary unit district set forth in this Section conflicts with any general requirements for school districts set forth in Article 10, 17, 19, or 20 of this Code, the requirements set forth in this Section shall control over any such general requirements.

(105 ILCS 5/11E-100 new)

Sec. 11E-100. Timing of extension of tax levies.
(a) If the election of the school board of the new district occurs at a regular election and the board of education makes its initial levy or levies in that same year, the county clerk shall extend the levy or levies, notwithstanding any other law that requires the adoption of a budget before the clerk may extend the levy. In addition, the districts from which the new district is formed, by joint agreement and with the approval of the regional superintendent of schools, shall be permitted to amend outstanding levies in the same calendar year in which the creation of the new district is approved at the rates specified in the petition.

(b) If the election of the board of education of the new district does not occur in the same calendar year that the proposition to create the new district is approved, the districts from which the new district or districts are formed, by joint agreement and with the approval of the regional superintendent of schools, shall be permitted to levy in the same calendar year in which the creation of the new district is approved at the rates specified in the petition. The county clerks shall extend any such levy notwithstanding any law that requires adoption of a budget before extension of the levy.

(105 ILCS 5/11E-105 new)

Sec. 11E-105. Assets, liabilities and bonded indebtedness; tax rate.
(a) Subject to the terms and provisions of subsections (b) and (c) of this Section, whenever a new district is created under any of the provisions of this Article, the outstanding bonded indebtedness shall be treated as provided in this subsection (a) and in Section 19-29 of this Code. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Code, and, notwithstanding the creation of any such district, the county clerk or clerks shall annually
extend taxes, for each outstanding bond issue against all of the taxable property that was situated within the boundaries of the district, as those boundaries existed at the time of the issuance of the bond issue, regardless of whether the property is still contained in that same district at the time of the extension of the taxes by the county clerk or clerks.

(b) For a unit district formation, whenever a part of a district is included within the boundaries of a newly created unit district, the regional superintendent of schools shall cause an accounting to be had between the districts affected by the change in boundaries as provided for in Article 11C of this Code. Whenever the entire territory of 2 or more school districts is organized into a unit district pursuant to a petition filed under this Article, the petition may provide that the entire territory of the new unit district shall assume the bonded indebtedness of the previously existing school districts. In that case, the tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Code, except that the county clerk shall annually extend taxes for each outstanding bond issue against all the taxable property situated in the new unit district as it exists after the organization.

(c)(1) For a high school-unit conversion, unit to dual conversion, or multi-unit conversion, upon the effective date of the change as provided in Section 11E-70 of this Code and subject to the provisions of paragraph (2) of this subsection (c), each newly created elementary district shall receive all of the assets and assume all of the liabilities and obligations of the dissolved unit district forming the boundary of the newly created elementary district.

(2) Notwithstanding the provisions of paragraph (1) of this subsection (c), upon the stipulation of the school board of the school district serving a newly created elementary district for high school purposes and either (i) the school board of the unit district prior to the effective date of its dissolution or (ii) thereafter the school board of the newly created elementary district and with the approval in either case of the regional superintendent of schools of the educational service region in which the territory described in the petition filed under this Article or the greater percentage of

New matter indicated by italics - deletions by strikeout
equalized assessed valuation of the territory is situated, the assets, liabilities, and obligations of the dissolved unit district may be divided and assumed between and by the newly created elementary district and the school district serving the newly created elementary district for high school purposes, in accordance with the terms and provisions of the stipulation and approval. In this event, the provisions of Section 19-29 shall be applied to determine the debt incurring power of the newly created elementary district and of the school district serving the newly created elementary district for high school purposes.

(3) Without regard to whether the receipt of assets and the assumption of liabilities and obligations of the dissolved unit district is determined pursuant to paragraph (1) or (2) of this subsection (c), the tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7, and, notwithstanding the creation of this new elementary district, the county clerk or clerks shall annually extend taxes for each outstanding bond issue against all of the taxable property that was situated within the boundaries of the dissolved unit district as those boundaries existed at the time of the issuance of the bond issue, regardless of whether the property was still contained in that unit district at the time of its dissolution and regardless of whether the property is contained in the newly created elementary district at the time of the extension of the taxes by the county clerk or clerks.

(105 ILCS 5/11E-110 new)

Sec. 11E-110. Teachers in contractual continued service.

(a) When a school district conversion or multi-unit conversion becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the provisions of Section 24-12 of this Code relative to the contractual continued service status of teachers having contractual continued service whose positions are transferred from one school board to the control of a new or different school board shall apply, and the positions held by teachers, as that term

New matter indicated by italics - deletions by strikeout
is defined in Section 24-11 of this Code, having contractual continued service with the unit district at the time of its dissolution shall be transferred on the following basis:

(1) positions of teachers in contractual continued service that, during the 5 school years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades 9 through 12 shall be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be;

(2) positions of teachers in contractual continued service that, during the 5 school years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades kindergarten through 8 shall be transferred to the control of the school board of the newly created successor elementary district; and

(3) positions of teachers in contractual continued service that were full-time positions not required to be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be, or the school board of the newly created successor elementary district under the provisions of subdivision (1) or (2) of this subsection (a) shall be transferred to the control of whichever of the boards the teacher shall request.

(4) With respect to each position to be transferred under the provisions of this subsection (a), the amount of time required of each position to be spent in one or more of grades kindergarten through 8 and 9 through 12 shall be determined with reference to the applicable records of the unit district being dissolved pursuant to stipulation of the school board of the unit district prior to the effective date of its dissolution or thereafter of the school board of the newly created districts and with the approval in either case of

New matter indicated by italics - deletions by strikeout
the regional superintendent of schools of the educational service region in which the territory described in the petition filed under this Article or the greater percentage of equalized assessed evaluation of the territory is situated; however, if no such stipulation can be agreed upon, the regional superintendent of schools, after hearing any additional relevant and material evidence that any school board desires to submit, shall make the determination.

(b) When the creation of a unit district or a combined school district becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the positions of teachers in contractual continued service in the districts involved in the creation of the new district are transferred to the newly created district pursuant to the provisions of Section 24-12 of this Code relative to teachers having contractual continued service status whose positions are transferred from one board to the control of a different board, and those provisions of Section 24-12 shall apply to these transferred teachers. The contractual continued service status of any teacher thereby transferred to the newly created district is not lost and the new school board is subject to this Code with respect to the transferred teacher in the same manner as if the teacher was that district's employee and had been its employee during the time the teacher was actually employed by the school board of the district from which the position was transferred.

(105 ILCS 5/11E-115 new)

Sec. 11E-115. Limitations on contesting boundary change. Neither the People of the State of Illinois, any person or corporation, private or public, nor any association of persons shall commence an action contesting either directly or indirectly the dissolution, division, annexation, or creation of any new school district under the provisions of this Article, unless the action is commenced within one year after the date of the election provided for in this Article if no proceedings to contest the election are duly instituted within the time permitted by law, or within one year after the final disposition of any proceedings that may be so instituted to contest the election; however, where a limitation of a shorter period is
prescribed by statute, the shorter limitation shall apply, and the limitation set forth in this Section shall not apply to any order where the judge, body, or officer entering the order being challenged did not at the time of the entry of the order have jurisdiction of the subject matter.

(105 ILCS 5/11E-120 new)
Sec. 11E-120. Limitation on successive petitions.
(a) No affected district shall be again involved in proceedings under this Article for at least 2 years after a final non-procedural determination of the first proceeding, unless during that 2 year period a petition filed is substantially different than any other previously filed petition during the previous 2 years or if an affected district is placed on academic watch status or the financial watch list by the State Board of Education or is certified as being in financial difficulty during that 2 year period.

(b) Nothing contained in this Section shall be deemed to limit or restrict the ability of an elementary district to join an optional elementary unit district in accordance with the terms and provisions of subsection (d) of Section 11E-30 of this Code.

(105 ILCS 5/11E-125 new)
Sec. 11E-125. Districts not penalized for nonrecognition. Any school district included in a petition for reorganization as authorized under this Article shall not suffer loss of State aid as a result of being placed on nonrecognition status if the district continues to operate and the petition is granted.

(105 ILCS 5/11E-130 new)
Sec. 11E-130. Unit district formation and joint agreement vocational education program.
(a) If a unit district is established under the provisions of this Article and more than 50% of the territory of the unit district is territory that immediately prior to its inclusion in the unit district was included in a high school district or districts that were signatories under the same joint agreement vocational education program, pursuant to the provisions of this Code, then the unit district shall upon its establishment be deemed to be a member and signatory to the joint agreement and shall also have the

New matter indicated by italics - deletions by strikeout
right to continue to extend taxes under any previous authority to levy a tax under Section 17-2.4 of this Code.

(b) In those instances, however, when more than 50% of the territory of any unit district was not, immediately prior to its establishment, included within the territory of a high school district that was a signatory to the same joint agreement vocational education program, then the unit district shall not be deemed upon its establishment to be a signatory to the joint agreement nor shall the unit district be deemed to have the special tax levy rights under Section 17-2.4 of this Code.

(c) Nothing in this Section shall be deemed to forbid the unit district from subsequently joining a joint agreement vocational education program and to thereafter levy a tax under Section 17-2.4 of this Code by following the provisions of Section 17-2.4. In the event that any such unit district should subsequently join any such joint agreement vocational education program, it shall be entitled to a fair credit, as computed by the State Board of Education, for any capital contributions previously made to the joint agreement vocational education program from taxes levied against the assessed valuation of property situated in any part of the territory included within the unit district.

(105 ILCS 5/11E-135 new)

Sec. 11E-135. Incentives. For districts reorganizing under this Article and for a district or districts that annex all of the territory of one or more entire other school districts in accordance with Article 7 of this Code, the following payments shall be made from appropriations made for these purposes:

(a)(1) For a combined school district, as defined in Section 11E-20 of this Code, or for a unit district, as defined in Section 11E-25 of this Code, for its first year of existence, the general State aid and supplemental general State aid calculated under Section 18-8.05 of this Code shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a
supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district that annexes all of the territory of one or more entire other school districts as defined in Article 7 of this Code, for the first year during which the change of boundaries attributable to the annexation becomes effective for all purposes, as determined under Section 7-9 of this Code, the general State aid and supplemental general State aid calculated under Section 18-8.05 of this Code shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, then a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon the annexation.

(3) For 2 or more school districts that annex all of the territory of one or more entire other school districts, as defined in Article 7 of this Code, for the first year during which the change of boundaries attributable to the annexation becomes effective for all purposes, as determined under Section 7-9 of this Code, the general State aid and supplemental general State aid calculated under Section 18-8.05 of this Code shall be computed for each annexing district as constituted after the annexation and for each annexing and annexed district as constituted prior to the annexation; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing districts as constituted after the annexation is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, as constituted prior to the annexation, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing districts, as constituted upon the annexation, for the first 4 years of their existence. The total difference payment

New matter indicated by italics - deletions by strikeout
shall be allocated between or among the annexing districts in the same ratio as the pupil enrollment from that portion of the annexed district or districts that is annexed to each annexing district bears to the total pupil enrollment from the entire annexed district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation becomes effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data that shall be certified to the State Board of Education, on forms that it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts are located.

(4) For a school district conversion, as defined in Section 11E-15 of this Code, or a multi-unit conversion, as defined in subsection (b) of Section 11E-30 of this Code, if in their first year of existence the newly created elementary districts and the newly created high school district, from a school district conversion, or the newly created elementary district or districts and newly created combined high school - unit district, from a multi-unit conversion, qualify for less general State aid under Section 18-8.05 of this Code than would have been payable under Section 18-8.05 for that same year to the previously existing districts, then a supplementary payment equal to that difference shall be made for the first 4 years of existence of the newly created districts. The aggregate amount of each supplementary payment shall be allocated among the newly created districts in the proportion that the deemed pupil enrollment in each district during its first year of existence bears to the actual aggregate pupil enrollment in all of the districts during their first year of existence. For purposes of each allocation:

(A) the deemed pupil enrollment of the newly created high school district from a school district
conversion shall be an amount equal to its actual pupil enrollment for its first year of existence multiplied by 1.25;

(B) the deemed pupil enrollment of each newly created elementary district from a school district conversion shall be an amount equal to its actual pupil enrollment for its first year of existence reduced by an amount equal to the product obtained when the amount by which the newly created high school district’s deemed pupil enrollment exceeds its actual pupil enrollment for its first year of existence is multiplied by a fraction, the numerator of which is the actual pupil enrollment of the newly created elementary district for its first year of existence and the denominator of which is the actual aggregate pupil enrollment of all of the newly created elementary districts for their first year of existence;

(C) the deemed high school pupil enrollment of the newly created combined high school - unit district from a multi-unit conversion shall be an amount equal to its actual grades 9 through 12 pupil enrollment for its first year of existence multiplied by 1.25; and

(D) the deemed elementary pupil enrollment of each newly created district from a multi-unit conversion shall be an amount equal to each district’s actual grade K through 8 pupil enrollment for its first year of existence, reduced by an amount equal to the product obtained when the amount by which the newly created combined high school - unit district’s deemed high school pupil enrollment exceeds its actual grade 9 through 12 pupil enrollment for its first year of existence is multiplied by a fraction, the numerator of which is the actual grade K through 8 pupil enrollment of each newly created district for its first year of existence and the denominator of which is the actual aggregate grade K through 8 pupil enrollment of all such newly created districts for their first year of existence.

New matter indicated by italics - deletions by strikeout
The aggregate amount of each supplementary payment under this subdivision (4) and the amount thereof to be allocated to the newly created districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data, which shall be certified to the State Board of Education, on forms that it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the newly created districts are located.

(5) For a partial elementary unit district, as defined in subsection (a) or (c) of Section 11E-30 of this Code, if, in the first year of existence, the newly created partial elementary unit district qualifies for less general State aid and supplemental general State aid under Section 18-8.05 of this Code than would have been payable under that Section for that same year to the previously existing districts that formed the partial elementary unit district, then a supplementary payment equal to that difference shall be made to the partial elementary unit district for the first 4 years of existence of that newly created district.

(6) For an elementary opt-in, as described in subsection (d) of Section 11E-30 of this Code, the general State aid difference shall be computed in accordance with paragraph (5) of this subsection (a) as if the elementary opt-in was included in an optional elementary unit district at the optional elementary unit district's original effective date. If the calculation in this paragraph (6) is less than that calculated in paragraph (5) of this subsection (a) at the optional elementary unit district's original effective date, then no adjustments may be made. If the calculation in this paragraph (6) is more than that calculated in paragraph (5) of this subsection (a) at the optional elementary unit district's original effective date, then the excess must be paid as follows:

(A) If the effective date for the elementary opt-in is one year after the effective date for the optional elementary unit district, 100% of the calculated excess shall be paid to
the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(B) If the effective date for the elementary opt-in is 2 years after the effective date for the optional elementary unit district, 75% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(C) If the effective date for the elementary opt-in is 3 years after the effective date for the optional elementary unit district, 50% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(D) If the effective date for the elementary opt-in is 4 years after the effective date for the optional elementary unit district, 25% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(E) If the effective date for the elementary opt-in is 5 years after the effective date for the optional elementary unit district, the optional elementary unit district is not eligible for any additional incentives due to the elementary opt-in.

(7) Claims for financial assistance under this subsection (a) may not be recomputed except as expressly provided under Section 18-8.05 of this Code.

(8) Any supplementary payment made under this subsection (a) must be treated as separate from all other payments made pursuant to Section 18-8.05 of this Code.

(b)(1) After the formation of a combined school district, as defined in Section 11E-20 of this Code, or a unit district, as defined in Section 11E-25 of this Code, a computation shall be made to determine the difference between the salaries effective in each of the previously existing districts on June 30, prior to the creation of the new district. For the first 4 years after the formation of the new district, a supplementary State aid
reimbursement shall be paid to the new district equal to the difference between the sum of the salaries earned by each of the certificated members of the new district, while employed in one of the previously existing districts during the year immediately preceding the formation of the new district, and the sum of the salaries those certificated members would have been paid during the year immediately prior to the formation of the new district if placed on the salary schedule of the previously existing district with the highest salary schedule.

(2) After the territory of one or more school districts is annexed by one or more other school districts as defined in Article 7 of this Code, a computation shall be made to determine the difference between the salaries effective in each annexed district and in the annexing district or districts as they were each constituted on June 30 preceding the date when the change of boundaries attributable to the annexation became effective for all purposes, as determined under Section 7-9 of this Code. For the first 4 years after the annexation, a supplementary State aid reimbursement shall be paid to each annexing district as constituted after the annexation equal to the difference between the sum of the salaries earned by each of the certificated members of the annexing district as constituted after the annexation, while employed in an annexed or annexing district during the year immediately preceding the annexation, and the sum of the salaries those certificated members would have been paid during the immediately preceding year if placed on the salary schedule of whichever of the annexing or annexed districts had the highest salary schedule during the immediately preceding year.

(3) For each new high school district formed under a school district conversion, as defined in Section 11E-15 of this Code, the State shall make a supplementary payment for 4 years equal to the difference between the sum of the salaries earned by each certified member of the new high school district, while employed in one of the previously existing districts, and the sum of the salaries those certified members would have been paid if
placed on the salary schedule of the previously existing district with the highest salary schedule.

(4) For each newly created partial elementary unit district, the State shall make a supplementary payment for 4 years equal to the difference between the sum of the salaries earned by each certified member of the newly created partial elementary unit district, while employed in one of the previously existing districts that formed the partial elementary unit district, and the sum of the salaries those certified members would have been paid if placed on the salary schedule of the previously existing district with the highest salary schedule. The salary schedules used in the calculation shall be those in effect in the previously existing districts for the school year prior to the creation of the new partial elementary unit district.

(5) For an elementary district opt-in, as described in subsection (d) of Section 11E-30 of this Code, the salary difference incentive shall be computed in accordance with paragraph (4) of this subsection (b) as if the opted-in elementary district was included in the optional elementary unit district at the optional elementary unit district's original effective date. If the calculation in this paragraph (5) is less than that calculated in paragraph (4) of this subsection (b) at the optional elementary unit district's original effective date, then no adjustments may be made. If the calculation in this paragraph (5) is more than that calculated in paragraph (4) of this subsection (b) at the optional elementary unit district's original effective date, then the excess must be paid as follows:

(A) If the effective date for the elementary opt-in is one year after the effective date for the optional elementary unit district, 100% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(B) If the effective date for the elementary opt-in is 2 years after the effective date for the optional elementary district
unit district, 75% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(C) If the effective date for the elementary opt-in is 3 years after the effective date for the optional elementary unit district, 50% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(D) If the effective date for the elementary opt-in is 4 years after the effective date for the partial elementary unit district, 25% of the calculated excess shall be paid to the optional elementary unit district in each of the first 4 years after the effective date of the elementary opt-in.

(E) If the effective date for the elementary opt-in is 5 years after the effective date for the optional elementary unit district, the optional elementary unit district is not eligible for any additional incentives due to the elementary opt-in.

(6) The supplementary State aid reimbursement under this subsection (b) shall be treated as separate from all other payments made pursuant to Section 18-8.05 of this Code. In the case of the formation of a new district, reimbursement shall begin during the first year of operation of the new district, and in the case of an annexation of the territory of one or more school districts by one or more other school districts, reimbursement shall begin during the first year when the change in boundaries attributable to the annexation or division becomes effective for all purposes as determined pursuant to Section 7-9 of this Code. Each year that the new, annexing, or resulting district, as the case may be, is entitled to receive reimbursement, the number of eligible certified members who are employed on October 1 in the district shall be certified to the State Board of Education on prescribed forms by October 15 and payment shall be made on or before November 15 of that year.
(c)(1) For the first year after the formation of a combined school
district, as defined in Section 11E-20 of this Code or a unit district, as
defined in Section 11E-25 of this Code, a computation shall be made
totaling each previously existing district's audited fund balances in the
educational fund, working cash fund, operations and maintenance fund,
and transportation fund for the year ending June 30 prior to the
referendum for the creation of the new district. The new district shall be
paid supplementary State aid equal to the sum of the differences between
the deficit of the previously existing district with the smallest deficit and
the deficits of each of the other previously existing districts.

(2) For the first year after the annexation of all of the
territory of one or more entire school districts by another school
district, as defined in Article 7 of this Code, computations shall be
made, for the year ending June 30 prior to the date that the change
of boundaries attributable to the annexation is allowed by the
affirmative decision issued by the regional board of school trustees
under Section 7-6 of this Code, notwithstanding any effort to seek
administrative review of the decision, totaling the annexing
district's and totaling each annexed district's audited fund
balances in their respective educational, working cash, operations
and maintenance, and transportation funds. The annexing district
as constituted after the annexation shall be paid supplementary
State aid equal to the sum of the differences between the deficit of
whichever of the annexing or annexed districts as constituted prior
to the annexation had the smallest deficit and the deficits of each of
the other districts as constituted prior to the annexation.

(3) For the first year after the annexation of all of the
territory of one or more entire school districts by 2 or more other
school districts, as defined by Article 7 of this Code, computations
shall be made, for the year ending June 30 prior to the date that
the change of boundaries attributable to the annexation is allowed
by the affirmative decision of the regional board of school trustees
under Section 7-6 of this Code, notwithstanding any action for
administrative review of the decision, totaling each annexing and

New matter indicated by italics - deletions by strikeout
annexed district's audited fund balances in their respective educational, working cash, operations and maintenance, and transportation funds. The annexing districts as constituted after the annexation shall be paid supplementary State aid, allocated as provided in this paragraph (3), in an aggregate amount equal to the sum of the differences between the deficit of whichever of the annexing or annexed districts as constituted prior to the annexation had the smallest deficit and the deficits of each of the other districts as constituted prior to the annexation. The aggregate amount of the supplementary State aid payable under this paragraph (3) shall be allocated between or among the annexing districts as follows:

(A) the regional superintendent of schools for each educational service region in which an annexed district is located prior to the annexation shall certify to the State Board of Education, on forms that it shall provide for that purpose, the value of all taxable property in each annexed district, as last equalized or assessed by the Department of Revenue prior to the annexation, and the equalized assessed value of each part of the annexed district that was annexed to or included as a part of an annexing district;

(B) using equalized assessed values as certified by the regional superintendent of schools under clause (A) of this paragraph (3), the combined audited fund balance deficit of each annexed district as determined under this Section shall be apportioned between or among the annexing districts in the same ratio as the equalized assessed value of that part of the annexed district that was annexed to or included as a part of an annexing district bears to the total equalized assessed value of the annexed district; and

(C) the aggregate supplementary State aid payment under this paragraph (3) shall be allocated between or among, and shall be paid to, the annexing districts in the

New matter indicated by italics - deletions by strikeout
same ratio as the sum of the combined audited fund balance deficit of each annexing district as constituted prior to the annexation, plus all combined audited fund balance deficit amounts apportioned to that annexing district under clause (B) of this subsection, bears to the aggregate of the combined audited fund balance deficits of all of the annexing and annexed districts as constituted prior to the annexation.

(4) For the new elementary districts and new high school district formed through a school district conversion, as defined in subsection (b) of Section 11E-15 of this Code or the new elementary district or districts and new combined high school - unit district formed through a multi-unit conversion, as defined in subsection (b) of Section 11E-30 of this Code, a computation shall be made totaling each previously existing district’s audited fund balances in the educational fund, working cash fund, operations and maintenance fund, and transportation fund for the year ending June 30 prior to the referendum establishing the new districts. In the first year of the new districts, the State shall make a one-time supplementary payment equal to the sum of the differences between the deficit of the previously existing district with the smallest deficit and the deficits of each of the other previously existing districts. A district with a combined balance among the 4 funds that is positive shall be considered to have a deficit of zero. The supplementary payment shall be allocated among the newly formed high school and elementary districts in the manner provided by the petition for the formation of the districts, in the form in which the petition is approved by the regional superintendent of schools or State Superintendent of Education under Section 11E-50 of this Code.

(5) For each newly created partial elementary unit district, as defined in subsection (a) or (c) of Section 11E-30 of this Code, a computation shall be made totaling the audited fund balances of each previously existing district that formed the new partial...
elementary unit district in the educational fund, working cash fund, operations and maintenance fund, and transportation fund for the year ending June 30 prior to the referendum for the formation of the partial elementary unit district. In the first year of the new partial elementary unit district, the State shall make a one-time supplementary payment to the new district equal to the sum of the differences between the deficit of the previously existing district with the smallest deficit and the deficits of each of the other previously existing districts. A district with a combined balance among the 4 funds that is positive shall be considered to have a deficit of zero.

(6) For an elementary opt-in as defined in subsection (d) of Section 11E-30 of this Code, the deficit fund balance incentive shall be computed in accordance with paragraph (5) of this subsection (c) as if the opted-in elementary was included in the optional elementary unit district at the optional elementary unit district's original effective date. If the calculation in this paragraph (6) is less than that calculated in paragraph (5) of this subsection (c) at the optional elementary unit district's original effective date, then no adjustments may be made. If the calculation in this paragraph (6) is more than that calculated in paragraph (5) of this subsection (c) at the optional elementary unit district's original effective date, then the excess must be paid as follows:

(A) If the effective date for the elementary opt-in is one year after the effective date for the optional elementary unit district, 100% of the calculated excess shall be paid to the optional elementary unit district in the first year after the effective date of the elementary opt-in.

(B) If the effective date for the elementary opt-in is 2 years after the effective date for the optional elementary unit district, 75% of the calculated excess shall be paid to the optional elementary unit district in the first year after the effective date of the elementary opt-in.
(C) If the effective date for the elementary opt-in is 3 years after the effective date for the optional elementary unit district, 50% of the calculated excess shall be paid to the optional elementary unit district in the first year after the effective date of the elementary opt-in.

(D) If the effective date for the elementary opt-in is 4 years after the effective date for the optional elementary unit district, 25% of the calculated excess shall be paid to the optional elementary unit district in the first year after the effective date of the elementary opt-in.

(E) If the effective date for the elementary opt-in is 5 years after the effective date for the optional elementary unit district, the optional elementary unit district is not eligible for any additional incentives due to the elementary opt-in.

(7) For purposes of any calculation required under paragraph (1), (2), (3), (4), (5), or (6) of this subsection (c), a district with a combined fund balance that is positive shall be considered to have a deficit of zero. For purposes of determining each district’s audited fund balances in its educational fund, working cash fund, operations and maintenance fund, and transportation fund for the specified year ending June 30, as provided in paragraphs (1), (2), (3), (4), (5), and (6) of this subsection (c), the balance of each fund shall be deemed decreased by an amount equal to the amount of the annual property tax theretofore levied in the fund by the district for collection and payment to the district during the calendar year in which the June 30 fell, but only to the extent that the tax so levied in the fund actually was received by the district on or before or comprised a part of the fund on such June 30. For purposes of determining each district’s audited fund balances, a calculation shall be made for each fund to determine the average for the 3 years prior to the specified year ending June 30, as provided in paragraphs (1), (2), (3), (4), (5), and (6) of this subsection (c), of the district’s
expenditures in the categories "purchased services", "supplies and materials", and "capital outlay", as those categories are defined in rules of the State Board of Education. If this 3-year average is less than the district's expenditures in these categories for the specified year ending June 30, as provided in paragraphs (1), (2), (3), (4), (5), and (6) of this subsection (c), then the 3-year average shall be used in calculating the amounts payable under this Section in place of the amounts shown in these categories for the specified year ending June 30, as provided in paragraphs (1), (2), (3), (4), (5), and (6) of this subsection (c). Any deficit because of State aid not yet received may not be considered in determining the June 30 deficits. The same basis of accounting shall be used by all previously existing districts and by all annexing or annexed districts, as constituted prior to the annexation, in making any computation required under paragraphs (1), (2), (3), (4), (5), and (6) of this subsection (c).

(8) The supplementary State aid payments under this subsection (c) shall be treated as separate from all other payments made pursuant to Section 18-8.05 of this Code.

(d)(1) Following the formation of a combined school district, as defined in Section 11E-20 of this Code, a new elementary district or districts and a new high school district formed through a school district conversion, as defined in subsection (b) of Section 11E-15 of this Code, a new partial elementary unit district, as defined in Section 11E-30 of this Code, or a new elementary district or districts formed through a multi-unit conversion, as defined in subsection (b) of Section 11E-30 of this Code, or the annexation of all of the territory of one or more entire school districts by one or more other school districts, as defined in Article 7 of this Code, a supplementary State aid reimbursement shall be paid for the number of school years determined under the following table to each new or annexing district equal to the sum of $4,000 for each certified employee who is employed by the district on a full-time basis for the regular term of the school year:

| Reorganized District's | New matter indicated by italics - deletions by strikeout |
Rank by type of district (unit, high school, elementary) in Equalized Assessed Value Per Pupil by Quintile

<table>
<thead>
<tr>
<th>Quintile</th>
<th>1st Quintile</th>
<th>2nd Quintile</th>
<th>3rd, 4th, or 5th Quintile</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Quintile</td>
<td>1 year</td>
<td>1 year</td>
<td>1 year</td>
</tr>
<tr>
<td>2nd Quintile</td>
<td>1 year</td>
<td>2 years</td>
<td>2 years</td>
</tr>
<tr>
<td>3rd Quintile</td>
<td>2 years</td>
<td>3 years</td>
<td>3 years</td>
</tr>
<tr>
<td>4th Quintile</td>
<td>2 years</td>
<td>3 years</td>
<td>3 years</td>
</tr>
<tr>
<td>5th Quintile</td>
<td>2 years</td>
<td>3 years</td>
<td>3 years</td>
</tr>
</tbody>
</table>

The State Board of Education shall make a one-time calculation of a reorganized district's quintile ranks. The average daily attendance used in this calculation shall be the best 3 months' average daily attendance for the district's first year. The equalized assessed value per pupil shall be the district's real property equalized assessed value used in calculating the district's first-year general State aid claim, under Section 18-8.05 of this Code, divided by the best 3 months' average daily attendance.

No annexing or resulting school district shall be entitled to supplementary State aid under this subsection (d) unless the district acquires at least 30% of the average daily attendance of the district from which the territory is being detached or divided.

If a district results from multiple reorganizations that would otherwise qualify the district for multiple payments under this subsection (d) in any year, then the district shall receive a single payment only for that year based solely on the most recent reorganization.

(2) For an elementary opt-in, as defined in subsection (d) of Section 11E-30 of this Code, the full-time certified staff incentive shall be computed in accordance with paragraph (1) of this subsection (d), equal to the sum of $4,000 for each certified employee of the elementary district that opts-in who is employed by the optional elementary unit district on a full-time basis for the

New matter indicated by italics - deletions by strikeout
regular term of the school year. The calculation from this paragraph (2) must be paid as follows:

(A) If the effective date for the elementary opt-in is one year after the effective date for the optional elementary unit district, 100% of the amount calculated in this paragraph (2) shall be paid to the optional elementary unit district for the number of years calculated in paragraph (1) of this subsection (d) at the optional elementary unit district's original effective date, starting in the second year after the effective date of the elementary opt-in.

(B) If the effective date for the elementary opt-in is 2 years after the effective date for the optional elementary unit district, 75% of the amount calculated in this paragraph (2) shall be paid to the optional elementary unit district for the number of years calculated in paragraph (1) of this subsection (d) at the optional elementary unit district's original effective date, starting in the second year after the effective date of the elementary opt-in.

(C) If the effective date for the elementary opt-in is 3 years after the effective date for the optional elementary unit district, 50% of the amount calculated in this paragraph (2) shall be paid to the optional elementary unit district for the number of years calculated in paragraph (1) of this subsection (d) at the optional elementary unit district's original effective date, starting in the second year after the effective date of the elementary opt-in.

(D) If the effective date for the elementary opt-in is 4 years after the effective date for the optional elementary unit district, 25% of the amount calculated in this paragraph (2) shall be paid to the optional elementary unit district for the number of years calculated in paragraph (1) of this subsection (d) at the optional elementary unit district's original effective date, starting in the second year after the effective date of the elementary opt-in.

New matter indicated by italics - deletions by strikeout
(E) If the effective date for the elementary opt-in is 5 years after the effective date for the optional elementary unit district, the optional elementary unit district is not eligible for any additional incentives due to the elementary opt-in.

(3) The supplementary State aid reimbursement payable under this subsection (d) shall be separate from and in addition to all other payments made to the district pursuant to any other Section of this Article.

(4) During May of each school year for which a supplementary State aid reimbursement is to be paid to a new or annexing school district pursuant to this subsection (d), the school board shall certify to the State Board of Education, on forms furnished to the school board by the State Board of Education for purposes of this subsection (d), the number of certified employees for which the district is entitled to reimbursement under this Section, together with the names, certificate numbers, and positions held by the certified employees.

(5) Upon certification by the State Board of Education to the State Comptroller of the amount of the supplementary State aid reimbursement to which a school district is entitled under this subsection (d), the State Comptroller shall draw his or her warrant upon the State Treasurer for the payment thereof to the school district and shall promptly transmit the payment to the school district through the appropriate school treasurer.

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the

New matter indicated by italics - deletions by strikeout
financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

New matter indicated by italics - deletions by strikeout
(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

New matter indicated by italics - deletions by strikeout
(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810. For the 2004-2005 school year, the Foundation Level of support is $4,964.

(3) For the 2005-2006 school year and each school year thereafter, the Foundation Level of support is $5,164 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in

New matter indicated by italics - deletions by strikeout
subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

For partial elementary unit districts created pursuant to Article 11E of this Code, local property tax revenues per pupil shall be calculated as the product of the equalized assessed valuation for property within the elementary and high school classification of the partial elementary unit

New matter indicated by italics - deletions by strikeout
(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this
paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.
attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

New matter indicated by italics - deletions by strikeout
(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the

New matter indicated by italics - deletions by strikeout
classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(i) On the days when the Prairie State Achievement Examination is administered under subsection (c) of Section 2-3.64 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted towards the
176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code (a) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. The county clerk of any county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that

New matter indicated by italics - deletions by strikeout
if the general homestead exemption for a parcel of property is determined under Section 15-176 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total

New matter indicated by italics - deletions by strikeout
initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

New matter indicated by italics - deletions by strikeout
"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

Partial elementary unit districts created in accordance with Article 11E of this Code shall not be eligible for the adjustment in this subsection (G)(3) until the fifth year following the effective date of the reorganization.

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial
reassessment on the equalized assessed valuation used in calculating its
general State financial aid apportionment for the 1998-1999 school year,
the State Board of Education shall calculate the Extension Limitation
Equalized Assessed Valuation that would have been used to calculate the
district's 1998-1999 general State aid. This amount shall equal the product
of the equalized assessed valuation used to calculate general State aid for
the 1997-1998 school year and the district's Extension Limitation Ratio. If
the Extension Limitation Equalized Assessed Valuation of the school
district as calculated under this paragraph (4) is less than the district's
equalized assessed valuation utilized in calculating the district's 1998-1999
general State aid allocation, then for purposes of calculating the district's
general State aid pursuant to paragraph (5) of subsection (E), that
Extension Limitation Equalized Assessed Valuation shall be utilized to
calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of
general State aid allocated to the district for the 1998-1999 school year
under these subsections, then the general State aid of the district for the
1999-2000 school year only shall be increased by the difference between
these amounts. The total payments made under this paragraph (5) shall not
exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted
pursuant to subsection (E), qualifying school districts shall receive a grant,
paid in conjunction with a district's payments of general State aid, for
supplemental general State aid based upon the concentration level of
children from low-income households within the school district.
Supplemental State aid grants provided for school districts under this
subsection shall be appropriated for distribution to school districts as part
of the same line item in which the general State financial aid of school
districts is appropriated under this Section. If the appropriation in any

New matter indicated by italics - deletions by strikeout
fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation.
of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be $1,900 multiplied by the low income eligible pupil count.

New matter indicated by italics - deletions by strikeout
(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

New matter indicated by italics - deletions by strikeout
(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year, 2004-2005 school year, and 2005-2006 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2006-2007 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66.

For the 2007-2008 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33. Notwithstanding the provisions of this paragraph to the contrary, if for any school year supplemental general State aid grants are prorated as provided in paragraph (1) of this subsection (H), then the grants under this paragraph shall be prorated.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

New matter indicated by italics - deletions by strikeout
(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.
(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected

New matter indicated by italics - deletions by strikeout
by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(1) (Blank). General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general

New matter indicated by italics - deletions by strikeout
State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid
and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted prior to the annexation or division, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing or resulting districts, as constituted upon such annexation or division, for the first 4 years of their existence. The total difference payment shall be allocated between or among the annexing or resulting districts in the same ratio as the pupil enrollment from that portion of the annexed or divided district or districts which is annexed to or included in each such annexing or resulting district bears to the total pupil enrollment from the entire annexed or divided district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation or division becomes effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing or resulting districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data which shall be certified to the State Board of Education, on forms which it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts, or resulting and divided districts are located.

(3.5) Claims for financial assistance under this subsection (I) shall not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I) shall be treated as separate from all other payments made pursuant to this Section.

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that
Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A

New matter indicated by italics - deletions by strikeout
laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

New matter indicated by italics - deletions by strikeout
(2) (Blank).
(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

New matter indicated by italics - deletions by strikeout
The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).
(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. Under Section 6 of the Statute on Statutes there is an

New matter indicated by italics - deletions by strikeout

(Source: P.A. 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; revised 8-22-05.)

(105 ILCS 5/19-1) (from Ch. 122, par. 19-1)
(Text of Section before amendment by P.A. 94-234)
Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained

New matter indicated by italics - deletions by strikeout
by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by
not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called

New matter indicated by italics - deletions by strikeout
by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a

New matter indicated by italics - deletions by strikeout
for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (5) of this subsection (e) may, without referendum, incur an additional indebtedness in an amount not to exceed the lesser of $5,000,000 or 1.5% of the value of the taxable property within the district even though the amount of the additional indebtedness authorized by this subsection (e), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring that additional indebtedness, causes the aggregate indebtedness of the district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that district under subsection (a):

(1) The State Board of Education certifies the school district under Section 19-1.5 as a financially distressed district.

(2) The additional indebtedness authorized by this subsection (e) is incurred by the financially distressed district during the school year or school years in which the certification of

New matter indicated by italics - deletions by strikeout
the district as a financially distressed district continues in effect through the issuance of bonds for the lawful school purposes of the district, pursuant to resolution of the school board and without referendum, as provided in paragraph (5) of this subsection.

(3) The aggregate amount of bonds issued by the financially distressed district during a fiscal year in which it is authorized to issue bonds under this subsection does not exceed the amount by which the aggregate expenditures of the district for operational purposes during the immediately preceding fiscal year exceeds the amount appropriated for the operational purposes of the district in the annual school budget adopted by the school board of the district for the fiscal year in which the bonds are issued.

(4) Throughout each fiscal year in which certification of the district as a financially distressed district continues in effect, the district maintains in effect a gross salary expense and gross wage expense freeze policy under which the district expenditures for total employee salaries and wages do not exceed such expenditures for the immediately preceding fiscal year. Nothing in this paragraph, however, shall be deemed to impair or to require impairment of the contractual obligations, including collective bargaining agreements, of the district or to impair or require the impairment of the vested rights of any employee of the district under the terms of any contract or agreement in effect on the effective date of this amendatory Act of 1994.

(5) Bonds issued by the financially distressed district under this subsection shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 40 years from their date of issue, and shall be signed by the president of the school board and treasurer of the school district. In order to issue bonds under this subsection, the school board shall adopt a resolution fixing the amount of the bonds, the date of the bonds, the maturities of the bonds, the rates of interest of the bonds, and their place of payment and denomination, and shall provide for the levy and collection of a
direct annual tax upon all the taxable property in the district sufficient to pay the principal and interest on the bonds to maturity. Upon the filing in the office of the county clerk of the county in which the financially distressed district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes at any time authorized to be levied by the district. If bond proceeds from the sale of bonds include a premium or if the proceeds of the bonds are invested as authorized by law, the school board shall determine by resolution whether the interest earned on the investment of bond proceeds or the premium realized on the sale of the bonds is to be used for any of the lawful school purposes for which the bonds were issued or for the payment of the principal indebtedness and interest on the bonds. The proceeds of the bond sale shall be deposited in the educational purposes fund of the district and shall be used to pay operational expenses of the district. This subsection is cumulative and constitutes complete authority for the issuance of bonds as provided in this subsection, notwithstanding any other law to the contrary.

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

New matter indicated by italics - deletions by strikeout
(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less

New matter indicated by italics - deletions by strikeout
than 1,500 and an equalized assessed valuation of less than 
$29,000,000.

(h) Notwithstanding any other provisions of this Section or the 
provisions of any other law, until January 1, 1998, a community unit 
school district maintaining grades K through 12 may issue bonds up to an 
amount, including existing indebtedness, not exceeding 27.6% of the 
equalized assessed value of the taxable property in the district, if all of the 
following conditions are met:

   (i) The school district has an equalized assessed valuation 
for calendar year 1995 of less than $24,000,000;

   (ii) The bonds are issued for the capital improvement, 
renovation, rehabilitation, or replacement of existing school 
buildings of the district, all of which buildings were originally 
constructed not less than 40 years ago;

   (iii) The voters of the district approve a proposition for the 
issuance of the bonds at a referendum held after March 19, 1996; and

   (iv) The bonds are issued pursuant to Sections 19-2 
through 
19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the 
provisions of any other law, until January 1, 1998, a community unit 
school district maintaining grades K through 12 may issue bonds up to an 
amount, including existing indebtedness, not exceeding 27% of the 
equalized assessed value of the taxable property in the district, if all of the 
following conditions are met:

   (i) The school district has an equalized assessed valuation 
for calendar year 1995 of less than $44,600,000;

   (ii) The bonds are issued for the capital improvement, 
renovation, rehabilitation, or replacement of existing school 
buildings of the district, all of which existing buildings were 
originally constructed not less than 80 years ago;

   (iii) The voters of the district approve a proposition for the 
issuance of the bonds at a referendum held after December 31, 
1996; and

New matter indicated by italics - deletions by strikeout
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

   (i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

   (ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

   (iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

   (iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

   (v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by
which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

New matter indicated by italics - deletions by strikeout
(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

New matter indicated by italics - deletions by strikeout
(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout
(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months’ average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04; 93-1045, eff. 10-15-04; 94-721, eff. 1-6-06.)

(Text of Section after amendment by P.A. 94-234)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school

New matter indicated by italics - deletions by strikeout
districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in

New matter indicated by italics - deletions by strikeout
the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election.
called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

New matter indicated by italics - deletions by strikeout
(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of
the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

   (1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

   (2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

   (3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of

New matter indicated by italics - deletions by strikeout
the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

New matter indicated by italics - deletions by strikeout
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high
school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

New matter indicated by italics - deletions by strikeout
(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;
(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;
(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and
(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not
handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive
a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and
(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished.
and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04; 93-1045, eff. 10-15-04; 94-234, eff. 7-1-06; 94-721, eff. 1-6-06.)

(105 ILCS 5/20-2) (from Ch. 122, par. 20-2)

(Text of Section before amendment by P.A. 94-234)

Sec. 20-2. Indebtedness and bonds. For the purpose of creating a working cash fund, the school board of any such district may incur an indebtedness and issue bonds as evidence thereof in an amount or amounts not exceeding in the aggregate 85% of the taxes permitted to be levied for educational purposes for the then current year to be determined by multiplying the maximum educational tax rate or rates applicable to such school district by the last assessed valuation or assessed valuations as determined at the time of the issue of said bonds plus 85% of the last known entitlement of such district to taxes as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5, paragraph (c) of the Constitution of the

New matter indicated by italics - deletions by strikeout
State of Illinois, except that a district that is certified under Section 19-1.5 as a financially distressed district may incur an indebtedness and issue bonds as evidence thereof in an amount or amounts not exceeding in the aggregate 125% of the taxes permitted to be levied for educational purposes for the then current year to be determined by multiplying the maximum educational tax rate applicable to that school district by the last assessed valuation as determined at the time of the issuance of the bonds plus 125% of the last known entitlement of that district to taxes that by law now or hereafter enacted or amended are imposed by the General Assembly to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5, paragraph (c) of the Constitution of the State of Illinois. The bonds shall bear interest at not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, if issued before January 1, 1972 and not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, if issued after January 1, 1972 and shall mature within 20 years from the date thereof. Subject to the foregoing limitations as to amount, the bonds may be issued in an amount including existing indebtedness which will not exceed the constitutional limitation as to debt, notwithstanding any statutory debt limitation to the contrary. When bonds have been issued under this Article by a school district that is certified as a financially distressed district under Section 19-1.5, the amount of those bonds, when and after they are issued, whether issued before or after such certification, shall not be considered debt under any statutory debt limitation and shall be excluded from the computation and determination of any statutory or other debt limitation applicable to the financially distressed district. The school board shall before or at the time of issuing the bonds provide for the collection of a direct annual tax upon all the taxable property within the district sufficient to pay the principal thereof at maturity and to pay the interest thereon as it falls due, which tax shall be in addition to the maximum amount of all other taxes, either educational; transportation; operations and maintenance; or fire prevention and safety fund taxes, now or hereafter

New matter indicated by italics - deletions by strikeout
authorized and in addition to any limitations upon the levy of taxes as provided by Sections 17-2 through 17-9. The bonds may be issued redeemable at the option of the school board of the district issuing them on any interest payment date on or after 5 years from date of issue.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(Source: P.A. 87-984; 88-641, eff. 9-9-94.)

(Text of Section after amendment by P.A. 94-234)

Sec. 20-2. Indebtedness and bonds. For the purpose of creating a working cash fund, the school board of any such district may incur an indebtedness and issue bonds as evidence thereof in an amount or amounts not exceeding in the aggregate 85% of the taxes permitted to be levied for educational purposes for the then current year to be determined by multiplying the maximum educational tax rate or rates applicable to such school district by the last assessed valuation or assessed valuations as determined at the time of the issue of said bonds plus 85% of the last known entitlement of such district to taxes as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5, paragraph (c) of the Constitution of the State of Illinois. The bonds shall bear interest at not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, if issued before January 1, 1972 and

New matter indicated by italics - deletions by strikeout
not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, if issued after January 1, 1972 and shall mature within 20 years from the date thereof. Subject to the foregoing limitations as to amount, the bonds may be issued in an amount including existing indebtedness which will not exceed the constitutional limitation as to debt, notwithstanding any statutory debt limitation to the contrary. The school board shall before or at the time of issuing the bonds provide for the collection of a direct annual tax upon all the taxable property within the district sufficient to pay the principal thereof at maturity and to pay the interest thereon as it falls due, which tax shall be in addition to the maximum amount of all other taxes, either educational; transportation; operations and maintenance; or fire prevention and safety fund taxes, now or hereafter authorized and in addition to any limitations upon the levy of taxes as provided by Sections 17-2 through 17-9. The bonds may be issued redeemable at the option of the school board of the district issuing them on any interest payment date on or after 5 years from date of issue.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts. (Source: P.A. 94-234, eff. 7-1-06.)

New matter indicated by italics - deletions by strikeout

Section 20. The School District Validation (1995) Act is amended by changing Section 5 as follows:

Sec. 5. Validation. In all cases in which, before the effective date of this Act, the regional superintendent of schools was required to publish notice of a referendum to establish a community unit school district in territory comprising 2 community unit school districts, 2 community consolidated school districts, and 2 community high school districts and such notice was not published by the regional superintendent of schools as required by Section 11A-5 of the School Code (now repealed) and a majority of the voters residing in each of the school districts comprising the proposed community unit school district voted in favor of the creation of such community unit school district in the general election held on November 8, 1994, and in which territory at a subsequent election similarly called and held a board of education has been chosen for such district, each such election is hereby made legal and valid and such territory is hereby declared legally and validly organized and established as a community unit school district, and a valid and existing school district.

(Source: P.A. 89-416, eff. 11-22-95.)

Section 90. Savings clause. Any repeal made by this Act shall not affect or impair any of the following: suits pending or rights existing at the time this Act takes effect; any grant or conveyance made or right acquired or cause of action now existing under any Section, Article, or Act repealed by this Act; the validity of any bonds or other obligations issued or sold and constituting valid obligations of the issuing authority at the time this Act takes effect; the validity of any contract; the validity of any tax levied under any law in effect prior to the effective date of this Act; any offense committed, act done, penalty, punishment, or forfeiture incurred or any claim, right, power, or remedy accrued under any law in effect prior to the

New matter indicated by italics - deletions by strikeout
effective date of this Act; or the corporate existence or powers of any school district lawfully validated under any law in effect prior to the effective date of this Act. For any petition filed with the regional superintendent of schools under Article 7A, 11A, 11B, or 11D of the School Code prior to the effective date of this Act, the proposed action described in the petition, including all notices, hearings, administrative decisions, ballots, elections, and passage requirements relating thereto, shall proceed and be in accordance with the law in effect at the date of the filing. If the petition is approved by voters at a regularly scheduled election, the resulting school districts are eligible for supplementary State aid payments in accordance with Section 11E-135 of the School Code as if the petition was filed and approved in accordance with Article 11E of the School Code. Any school district eligible for supplementary State aid payments in accordance with subsection (f) of Section 18-8.05 or Section 18-8.2, 18-8.3, or 18-8.5 of the School Code prior to the effective date of this Act must have those payments continued in accordance with Section 11E-135 of the School Code.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved July 10, 2006.

PUBLIC ACT 94-1020
(Senate Bill No. 0931)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
ARTICLE 5. GENERAL PROVISIONS.

Section 5-5. Short title. This Act may be cited as the Nurse Educator Assistance Act.

Section 5-10. Purpose. The purpose of this Act is to attract capable and promising students to the nursing educator profession, increase employment and retention of individuals who are working towards or who have received a master's or doctoral degree in nursing, and provide opportunities for persons making mid-career decisions to enter the nurse educator profession.

Section 5-15. Definitions. In this Act:

"Approved program of professional nursing education" and "approved program of practical nursing education" mean programs of professional or practical nursing, respectively, approved by the Department of Financial and Professional Regulation under the provisions of the Nursing and Advanced Practice Nursing Act.

"Commission" means the Illinois Student Assistance Commission.

Section 5-20. Rulemaking. The Commission shall adopt all rules necessary for the administration of this Act.

ARTICLE 10. NURSE EDUCATOR LOAN REPAYMENT PROGRAM.

Section 10-5. Nurse Educator Loan Repayment Program. There is created, beginning July 1, 2007, the Nurse Educator Loan Repayment Program to be administered by the Illinois Student Assistance Commission. The program shall provide assistance, subject to appropriation, to eligible nurse educators.

Section 10-10. Award; maximum time period; maximum amount. Subject to appropriation, the Commission shall award a grant to each qualified applicant for a maximum of 4 years. The amount of this grant shall not exceed $5,000 per year. The Commission shall encourage the recipient of a grant awarded under the program to use the grant award for payment of the recipient's educational loan.

Section 10-15. Application. All applications for grant assistance under the program shall be made to the Commission in a form and manner prescribed by the Commission. Applicants shall also submit any

New matter indicated by italics - deletions by strikeout
supporting documents deemed necessary by the Commission at the time of application.

Section 10-20. Eligibility.

(a) The Commission shall, on an annual basis, receive and consider applications for grant assistance under the program. An applicant is eligible for a grant under the program if the Commission finds that the applicant:

(1) is a United States citizen or permanent resident;
(2) is a resident of Illinois;
(3) has worked for at least 12 consecutive months as a nurse educator in an approved program of professional or practical nursing education in Illinois;
(4) is a borrower with an outstanding balance due on an educational loan; and
(5) has not defaulted on an educational loan.

(b) Preference may be given to previous recipients of a grant under the program, provided that the recipient continues to meet the eligibility requirements set forth in this Section.

(c) A recipient of a grant under the program must fulfill a separate 12-month period as a nurse educator in an approved program of professional or practical nursing education in Illinois for each grant that he or she is awarded.

ARTICLE 15. NURSE EDUCATOR SCHOLARSHIP PROGRAM.

Section 15-5. Nurse Educator Scholarship Program. There is created, beginning July 1, 2006, the Nurse Educator Scholarship Program to be administered by the Illinois Student Assistance Commission. The program shall provide scholarship assistance until July 1, 2010, subject to appropriation, to eligible students for nursing-related graduate study.

Section 15-10. Scholarship award; maximum time period; maximum amount.

(a) Subject to appropriation, the Commission shall award a nurse educator scholarship to each qualified applicant in an amount sufficient to pay the tuition and fees of the Illinois institution of higher learning at which the recipient is enrolled, up to the current maximum amount of

New matter indicated by italics - deletions by strikeout
tuition and fees charged to students enrolled in an approved program of professional or practical nursing education at a public university.

(b) Scholarship recipients shall also receive a stipend, the amount of which shall not exceed $10,000, to cover other costs of attendance, including, but not limited to, living expenses. Stipend amounts for recipients enrolled on less than a full-time basis shall be prorated by credit hour.

(c) A recipient may receive scholarship assistance under the program for the equivalent of 8 semesters or 16 quarters of full-time enrollment.

(d) The total amount of scholarship assistance awarded by the Commission under the program to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, may not exceed the cost of attendance at the institution of higher learning at which the student is enrolled.

Section 15-15. Application. All applications for a scholarship under the program shall be made to the Commission in a form and manner prescribed by the Commission. Applicants shall also submit any supporting documents deemed necessary by the Commission at the time of application.

Section 15-20. Eligibility.

(a) The Commission shall, on an annual basis until July 1, 2010, receive and consider applications for scholarship assistance under the program. An applicant is eligible for a scholarship under the program if the Commission finds that the applicant:

   (1) is a United States citizen or permanent resident;
   (2) is a resident of Illinois;
   (3) is enrolled or accepted for enrollment on at least a half-time basis in an approved program of professional or practical nursing education at the graduate level at an Illinois institution of higher learning.

(b) Scholarship recipients shall be selected from among eligible applicants based on a combination of academic excellence and financial need, as determined by the Commission.

New matter indicated by italics - deletions by strikeout
(c) Preference may be given to previous recipients of a scholarship under the program, provided that the recipient continues to meet the eligibility requirements set forth in this Section and maintains satisfactory academic progress as determined by the institution of higher education at which he or she is enrolled.

(d) Prior to receiving scholarship assistance for an academic year, each recipient of a scholarship awarded under the program must sign an agreement pledging that, within the one-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient shall (i) begin working as an educator in an approved program of professional nursing education or an approved program of practical nursing education in Illinois for a period of not less than 5 years and (ii) upon request of the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the work agreement required under this subsection (d).

Section 15-25. Payment to institution. All scholarship funds distributed under the program shall be paid to the institution on behalf of the scholarship recipient.

Section 15-30. Repayment upon default; exception.

(a) If a recipient of a scholarship awarded under this Section fails to fulfill the work agreement required under the program, the Commission shall require the recipient to repay the amount of the scholarship or scholarships received, prorated according to the fraction of the work agreement not completed, plus interest at a rate of 5% and, if applicable, reasonable collection fees.

(b) Payments received by the Commission under this Section shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(c) A recipient of a scholarship awarded by the Commission under the program shall not be in violation of the agreement entered into pursuant to this Article if the recipient is (i) serving as a member of the

New matter indicated by italics - deletions by strikeout
armed services of the United States, (ii) temporarily totally disabled, as established by a sworn affidavit of a qualified physician, (iii) seeking and unable to find full-time employment as a nursing educator and is able to provide evidence of that fact, or (iv) taking additional courses, on at least a half-time basis, related to nursing education. Any extension of the period during which the work requirement must be fulfilled shall be subject to limitations of duration established by the Commission.

ARTICLE 90. AMENDATORY PROVISIONS.

Section 90-2. The State Finance Act is amended by changing and renumbering Section 5.570, as added by Public Act 92-589, as follows:

(30 ILCS 105/5.569)
Sec. 5.569 5.570. The National Guard and Naval Militia Grant Fund.
(Source: P.A. 92-589, eff. 7-1-02; revised 8-27-02.)

Section 90-5. The Board of Higher Education Act is amended by adding Sections 9.31 and 9.32 as follows:

(110 ILCS 205/9.31 new)
Sec. 9.31. Competitive grants to nursing schools. In order to increase the number of nurses graduating from Illinois institutions of higher learning, the Board shall establish and administer a competitive grant program for institutions of higher learning that award degrees in nursing. The grants may be awarded on the basis of performance criteria that shall include, but not be limited to, degree production, student retention, and passage rates on professional licensure examinations.

The Board shall adopt those rules that are necessary for the implementation and administration of the grants established under this Section.

(110 ILCS 205/9.32 new)
Sec. 9.32. Nurse educator fellowship program. In order to ensure the retention of well-qualified nursing faculty, the Board shall establish and administer a nurse educator fellowship program that supplements nursing faculty salaries at institutions of higher learning that award degrees in nursing. Fellowships awarded under the program may be awarded on a competitive basis.

New matter indicated by italics - deletions by strikeout
The Board shall adopt those rules that are necessary for the implementation and administration of the fellowship program established under this Section.

Section 90-8. The Higher Education Student Assistance Act is amended by changing Section 45 and by adding Section 65.80 as follows:

(110 ILCS 947/45)
Sec. 45. Illinois National Guard and Naval Militia grant program.
(a) As used in this Section:
"State controlled university or community college" means those institutions under the administration of the Chicago State University Board of Trustees, the Eastern Illinois University Board of Trustees, the Governors State University Board of Trustees, the Illinois State University Board of Trustees, the Northeastern Illinois University Board of Trustees, the Northern Illinois University Board of Trustees, the Western Illinois University Board of Trustees, Southern Illinois University Board of Trustees, University of Illinois Board of Trustees, or the Illinois Community College Board.
"Tuition and fees" shall not include expenses for any sectarian or denominational instruction, the construction or maintenance of sectarian or denominational facilities, or any other sectarian or denominational purposes or activity.
"Fees" means matriculation, graduation, activity, term, or incidental fees. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, and union building fees, hospital and medical insurance fees, and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.
(b) Any person who has served at least one year in the Illinois National Guard or the Illinois Naval Militia and who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a grant to the State-controlled university or community college of his or her choice, consisting of exemption from tuition and fees for not more than the equivalent of 4 years of full-time enrollment, including

New matter indicated by italics - deletions by strikeout
summer terms, in relation to his or her course of study at that State controlled university or community college while he or she is a member of the Illinois National Guard or the Illinois Naval Militia. Except as otherwise provided in this Section, if the recipient of any grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant, the grant shall be terminated as of the date membership in the Illinois National Guard or the Illinois Naval Militia ended, and the recipient shall be permitted to complete the school term in which he or she is then enrolled only upon payment of tuition and other fees allocable to the part of the term then remaining. If the recipient of a grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant but (i) has served in the Illinois National Guard or the Illinois Naval Militia for at least 5 years and (ii) has served a cumulative total of at least 6 months of active duty, then that recipient shall continue to be eligible for a grant for one year after membership in the Illinois National Guard or the Illinois Naval Militia ended, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of 4 years of full-time enrollment, including summer terms, under this Section. If the recipient of the grant fails to complete his or her military service obligations or requirements for satisfactory participation, the Department of Military Affairs shall require the recipient to repay the amount of the grant received, prorated according to the fraction of the service obligation not completed, and, if applicable, reasonable collection fees. The Department of Military Affairs may adopt rules relating to its collection activities for repayment of the grant under this Section. Unsatisfactory participation shall be defined by rules adopted by the Department of Military Affairs. Repayments shall be deposited in the National Guard and Naval Militia Grant Fund. The National Guard and Naval Militia Grant Fund is created as a special fund in the State treasury. All money in the National Guard and Naval Militia Grant Fund shall be used, subject to appropriation, by the Illinois Student Assistance Commission for the purposes of this Section.

New matter indicated by italics - deletions by strikeout
A grant awarded under this Section shall be considered an entitlement which the State-controlled university or community college in which the holder is enrolled shall honor without any condition other than the holder's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(c) Subject to a separate appropriation for such purposes, the Commission may reimburse the State-controlled university or community college for grants authorized by this Section.

(Source: P.A. 93-838, eff. 7-30-04; 93-856, eff. 8-3-04; 94-583, eff. 8-15-05.)

(110 ILCS 947/65.80 new)

Sec. 65.80. Forensic science grant program.

(a) In order to encourage graduate students to enter the field of forensic science and continue their careers as forensic scientists with the Department of State Police in one of the specialty areas of forensic sciences that is considered a shortage specialty area, the Commission shall, subject to appropriation, establish and administer a forensic science grant program.

(b) A qualified applicant may receive a maximum grant amount of $30,000 to cover those expenses related to the forensic science program in which he or she is enrolled.

(c) The Commission shall, on an annual basis until July 1, 2010, receive and consider applications for grant assistance under the program. An applicant is eligible for a grant under the program if the Commission finds that the applicant:

(1) is a United States citizen or permanent resident;
(2) is a resident of Illinois or will be a resident of Illinois upon completion of the forensic science program;
(3) is enrolled on a full-time basis in a minimum one-year program that combines graduate education with training in a specific forensic discipline in a manner equivalent to the Department of State Police's new examiner training so as to prepare him or her to do casework; and

New matter indicated by italics - deletions by strikeout
(4) meets or will meet all of the evaluation criteria required by the Department of State Police for employment.

(d) Prior to receiving grant assistance for an academic year, each recipient shall be required by the Commission to sign an agreement under which the recipient pledges to seek employment as a forensic scientist with the Department of State Police and, if such employment is obtained, to continue as an employee of the Department of State Police for a minimum period of 4 years. If a recipient of a grant under this Section fails to fulfill the employment obligation, the Commission shall require that the recipient repay the amount of the grant award, prorated according to the fraction of the obligation not completed, plus interest at a rate of 5% and, if applicable, reasonable collection fees, as established by the Commission.

(e) A recipient of a grant award under this Section shall not be in violation of the agreement entered into pursuant to subsection (d) of this Section if the Department of State Police is unable to offer employment to the recipient. The Commission may adopt rules relating to other conditions under which a recipient is not considered to be in violation of the agreement entered into pursuant to subsection (d) of this Section. Any extension of the period during which the employment requirement under subsection (d) of this Section must be fulfilled shall be subject to the limitations of duration established by the Commission.

(f) The Commission and the Department of State Police shall adopt all rules that are necessary for the implementation and administration of this Section.

Section 90-10. The Nursing Education Scholarship Law is amended by changing Section 5 as follows:

(110 ILCS 975/5) (from Ch. 144, par. 2755)

Sec. 5. Nursing education scholarships. Beginning with the fall term of the 2004-2005 academic year, the Department, in accordance with rules and regulations promulgated by it for this program, shall provide scholarships to individuals selected from among those applicants who qualify for consideration by showing:

New matter indicated by italics - deletions by strikeout
(1) that he or she has been a resident of this State for at least one year prior to application, and is a citizen or a lawful permanent resident alien of the United States;

(2) that he or she is enrolled in or accepted for admission to an associate degree in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program, or practical nursing program at an approved institution; and

(3) that he or she agrees to meet the nursing employment obligation.

If in any year the number of qualified applicants exceeds the number of scholarships to be awarded, the Department shall, in consultation with the Center for Nursing Advisory Board, consider the following factors in granting priority in awarding scholarships:

(A) Financial need, as shown on a standardized financial needs assessment form used by an approved institution, of students who will pursue their education on a full-time or close to full-time basis and who already have a certificate in practical nursing, a diploma in nursing, or an associate degree in nursing and are pursuing a higher degree.

(B) A student's status as a registered nurse who is pursuing a graduate degree in nursing to pursue employment in an approved institution that educates licensed practical nurses and that educates registered nurses in undergraduate and graduate nursing programs.

(C) A student's merit, as shown through his or her grade point average, class rank, and other academic and extracurricular activities. The Department may add to and further define these merit criteria by rule.

Unless otherwise indicated, scholarships shall be awarded to recipients at approved institutions for a period of up to 2 years if the recipient is enrolled in an associate degree in nursing program, up to 3 years if the recipient is enrolled in a hospital-based diploma in nursing program, up to 4 years if the recipient is enrolled in a baccalaureate degree program.
in nursing program, up to 5 years if the recipient is enrolled in a graduate degree in nursing program, and up to one year if the recipient is enrolled in a certificate in practical nursing program. At least 40% of the scholarships awarded shall be for recipients who are pursuing baccalaureate degrees in nursing, 30% of the scholarships awarded shall be for recipients who are pursuing associate degrees in nursing or a diploma in nursing, 10% of the scholarships awarded shall be for recipients who are pursuing a certificate in practical nursing, and 20% of the scholarships awarded shall be for recipients who are pursuing a graduate degree in nursing.

(Source: P.A. 92-43, eff. 1-1-02; 93-879, eff. 1-1-05.)

Section 90-15. The Nursing and Advanced Practice Nursing Act is amended by changing Section 10-10 and by adding Title 17 as follows:

(225 ILCS 65/10-10)
(Section scheduled to be repealed on January 1, 2008)
Sec. 10-10. Department powers and duties.
(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for administration of licensing acts and shall exercise other powers and duties necessary for effectuating the purpose of this Act. None of the functions, powers, or duties of the Department with respect to licensure and examination shall be exercised by the Department except upon review by the Board. The Department shall adopt rules to implement, interpret, or make specific the provisions and purposes of this Act; however no such rules shall be adopted by the Department except upon review by the Board.
(b) The Department shall:

(1) prepare and maintain a list of approved programs of professional nursing education and programs of practical nursing education in this State, whose graduates, if they have the other necessary qualifications provided in this Act, shall be eligible to apply for a license to practice nursing in this State;

(2) promulgate rules defining what constitutes an approved program of professional nursing education and what constitutes an approved program of practical nursing education; and

New matter indicated by italics - deletions by strikeout
(3) adopt rules for examination of candidates for licenses and for issuance of licenses authorizing candidates upon passing an examination to practice under this Act.

(c) The Department may act upon the recommendations of the Center for Nursing Advisory Board.

(Source: P.A. 90-742, eff. 8-13-98.)

(225 ILCS 65/Tit. 17 heading new)

(Title heading scheduled to be repealed on January 1, 2008)

TITLE 17. ILLINOIS CENTER FOR NURSING

(225 ILCS 65/17-5 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-5. Definitions. In this Title:

"Board" means the Center for Nursing Advisory Board.

"Center" means the Illinois Center for Nursing.

(225 ILCS 65/17-10 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-10. Illinois Center for Nursing. There is created the Illinois Center for Nursing to address issues of supply and demand in the nursing profession, including issues of recruitment, retention, and utilization of nurse manpower resources. The General Assembly finds that the Center will enhance the delivery of quality health care services by providing an ongoing strategy for the allocation of the State’s resources directed towards nursing. Each of the following objectives shall serve as the primary goals for the Center:

(1) To develop a strategic plan for nursing manpower in Illinois by selecting priorities that must be addressed.

(2) To convene various groups of representatives of nurses, other health care providers, businesses and industries, consumers, legislators, and educators to:

(A) review and comment on data analysis prepared for the Center;

(B) recommend systemic changes, including strategies for implementation of recommended changes; and

New matter indicated by italics - deletions by strikeout
(C) evaluate and report the results of the Board's efforts to the General Assembly and others.

(3) To enhance and promote recognition, reward, and renewal activities for nurses in Illinois by:

(A) proposing and creating reward, recognition, and renewal activities for nursing; and

(B) promoting media and positive image-building efforts for nursing.

(225 ILCS 65/17-15 new)
(Section scheduled to be repealed on January 1, 2008)

Sec. 17-15. Center for Nursing Advisory Board.

(a) There is created the Center for Nursing Advisory Board, which shall consist of 11 members appointed by the Governor, with 6 members of the Board being nurses representative of various nursing specialty areas. The other 5 members may include representatives of associations, health care providers, nursing educators, and consumers. The Board shall be chaired by the Nursing Act Coordinator, who shall be a voting member of the Board.

(b) The membership of the Board shall reasonably reflect representation from the geographic areas in this State.

(c) Members of the Board appointed by the Governor shall serve for terms of 4 years, with no member serving more than 10 successive years, except that, initially, 4 members shall be appointed to the Board for terms that expire on June 30, 2009, 4 members shall be appointed to the Board for terms that expire on June 30, 2008, and 3 members shall be appointed to the Board for terms that expire on June 30, 2007. A member shall serve until his or her successor is appointed and has qualified. Vacancies shall be filled in the same manner as original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred.

(d) A quorum of the Board shall consist of a majority of Board members currently serving. A majority vote of the quorum is required for Board decisions. A vacancy in the membership of the Board shall not
impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

(e) The Governor may remove any appointed member of the Board for misconduct, incapacity, or neglect of duty and shall be the sole judge of the sufficiency of the cause for removal.

(f) Members of the Board are immune from suit in any action based upon any activities performed in good faith as members of the Board.

(e) Members of the Board shall not receive compensation, but shall be reimbursed for actual traveling, incidentals, and expenses necessarily incurred in carrying out their duties as members of the Board, as approved by the Department.

(225 ILCS 65/17-20 new)
(Section scheduled to be repealed on January 1, 2008)
Sec. 17-20. Powers and duties of the Board.
(a) The Board shall be advisory to the Department and shall possess and perform each of the following powers and duties:
   (1) determine operational policy;
   (2) administer grants, scholarships, internships, and other programs, as defined by rule, including the administration of programs, as determined by law, that further those goals set forth in Section 17-10 of this Title, in consultation with other State agencies, as provided by law;
   (3) establish committees of the Board as needed;
   (4) recommend the adoption and, from time to time, the revision of those rules that may be adopted and necessary to carry out the provisions of this Act;
   (5) implement the major functions of the Center, as established in the goals set forth in Section 17-10 of this Title; and
   (6) seek and accept non-State funds for carrying out the policy of the Center.
(b) The Center shall work in consultation with other State agencies as necessary.

ARTICLE 99. EFFECTIVE DATE.

New matter indicated by italics - deletions by strikeout
Section 99-99. Effective date. This Act takes effect upon becoming law.

Passed into the General Assembly May 4, 2006. 
Approved July 11, 2006. 
Effective July 11, 2006. 

PUBLIC ACT 94-1021 
(Senate Bill No. 0017)

AN ACT in relation to economic development. 
Be it enacted by the People of the State of Illinois, represented in 
the General Assembly:

ARTICLE 5. 
SOUTHERN ILLINOIS ECONOMIC DEVELOPMENT AUTHORITY 
ACT 

Section 5-5. Short title. This Article may be cited as the Southern 
Illinois Economic Development Authority Act, and references in this 
Article to "this Act" mean this Article. 

Section 5-10. Findings. The General Assembly determines and 
declares the following:

(1) that labor surplus areas currently exist in southern Illinois; 
(2) that the economic burdens resulting from involuntary 
unemployment fall, in part, upon the State in the form of increased need 
for public assistance and reduced tax revenues and, in the event that the 
unemployed worker and his or her family migrate elsewhere to find work, 
the burden may also fall upon the municipalities and other taxing districts 
within the areas of unemployment in the form of reduced tax revenues, 
thereby endangering their financial ability to support necessary 
governmental services for their remaining inhabitants;
(3) that the State has a responsibility to help create a favorable 
climate for new and improved job opportunities for its citizens by 
encouraging the development of commercial and service businesses and 
industrial and manufacturing plants within the southern region of Illinois; 

New matter indicated by italics - deletions by strikeout
(4) that a lack of decent housing contributes to urban blight, crime, anti-social behavior, disease, a higher need for public assistance, reduced tax revenues, and the migration of workers and their families away from areas which fail to offer adequate, decent, and affordable housing;

(5) that decent, affordable housing is a necessary ingredient of life affording each citizen basic human dignity, a sense of self-worth, confidence, and a firm foundation upon which to build a family and educate children;

(6) that in order to foster civic and neighborhood pride, citizens require access to educational institutions, recreation, parks and open spaces, entertainment, sports, a reliable transportation network, cultural facilities, and theaters; and

(7) that the main purpose of this Act is to promote industrial, commercial, residential, service, transportation, and recreational activities and facilities, thereby reducing the evils attendant upon unemployment and enhancing the public health, safety, morals, happiness, and general welfare of the State.

Section 5-15. Definitions. In this Act:

"Authority" means the Southern Illinois Economic Development Authority.

"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.

"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.

"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Southern Illinois Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

New matter indicated by italics - deletions by strikeout
"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.

"Industrial project" means the following:

(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other
pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;

New matter indicated by italics - deletions by strikeout
(2) financing charges;
(3) interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;
(4) engineering and legal expenses; and
(5) the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insure, acquisition, and construction of a specific project and the placing of the same in operation.

Section 5-20. Creation.

(a) There is created a political subdivision, body politic, and municipal corporation named the Southern Illinois Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of the following counties: Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 21 members as follows:

(1) Ex officio member. The Director of Commerce and Economic Opportunity, or a designee of that Department, shall serve as an ex officio member.

(2) Public members. Six members shall be appointed by the Governor with the advice and consent of the Senate. The county board chairmen of the following counties shall each appoint one member: Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac. All public members shall reside within the territorial jurisdiction of the Authority. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, state or local government, commercial
agriculture, small business management, real estate development, community development, venture finance, organized labor, or civic or community organization.

(c) 11 members shall constitute a quorum.

(d) The chairman of the Authority shall be elected annually by the Board and must be a public member that resides within the territorial jurisdiction of the Authority.

(e) The terms of all initial members of the Authority shall begin 30 days after the effective date of this Act. Of the 6 original public members appointed by the Governor, 2 shall serve until the third Monday in January, 2007; 1 shall serve until the third Monday in January, 2008; 1 shall serve until the third Monday in January, 2009; 1 shall serve until the third Monday in January, 2010; and 1 shall serve until the third Monday in January, 2011. The initial terms of the original public members appointed by the county board chairmen shall be determined by lot, according to the following schedule: (i) 3 shall serve until the third Monday in January, 2007, (ii) 3 shall serve until the third Monday in January, 2008, (iii) 3 shall serve until the third Monday in January, 2009, (iv) 3 shall serve until the third Monday in January, 2010, and (v) 2 shall serve until the third Monday in January, 2011. All successors to these original public members shall be appointed by the original appointing authority and all appointments made by the Governor shall be made with the advice and consent of the Senate, pursuant to subsection (b), and shall hold office for a term of 6 years commencing the third Monday in January of the year in which their term commences, except in the case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office and, upon confirmation by the Senate, he or she shall hold office during the remainder of the term and until a successor is appointed and qualified. Members of the Authority are not entitled to compensation for their services as members but are entitled to

New matter indicated by italics - deletions by strikeout
reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(f) The Governor may remove any public member of the Authority in case of incompetence, neglect of duty, or malfeasance in office. The chairman of a county board may remove any public member appointed by that chairman in the case of incompetence, neglect of duty, or malfeasance in office.

(g) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate, or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, perform such other duties as may be prescribed from time to time by the members, and receive compensation fixed by the Authority. The Department of Commerce and Community Affairs shall pay the compensation of the Executive Director from appropriations received for that purpose. The Executive Director shall attend all meetings of the Authority. However, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of the Executive Director from the Illinois Finance Authority, attorneys, appraisers, engineers, accountants, credit analysts, and other consultants if the Southern Illinois Economic Development Authority deems it advisable.

Section 5-25. Duty. All official acts of the Authority shall require the approval of at least 11 members. It shall be the duty of the Authority to promote development within the geographic confines of Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac counties. The Authority shall use the powers conferred upon it to assist in the development, construction, and acquisition of industrial, commercial, housing, or residential projects within those counties.

Section 5-30. Powers.
(a) The Authority possesses all the powers of a body corporate necessary and convenient to accomplish the purposes of this Act, including, without any intended limitation upon the general powers hereby conferred, the following powers:

1. to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;
2. to sue and be sued;
3. to utilize services of the Illinois Finance Authority necessary to carry out its purposes;
4. to have and use a common seal and to alter the seal at its discretion;
5. to adopt all needful ordinances, resolutions, bylaws, rules, and regulations for the conduct of its business and affairs and for the management and use of the projects developed, constructed, acquired, and improved in furtherance of its purposes;
6. to designate the fiscal year for the Authority;
7. to accept and expend appropriations;
8. to acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated on that real property and in personal property necessary to fulfill the purposes of the Authority;
9. to engage in any activity or operation which is incidental to and in furtherance of efficient operation to accomplish the Authority's primary purpose;
10. to acquire, own, construct, lease, operate, and maintain bridges, terminals, terminal facilities, and port facilities and to fix and collect just, reasonable, and nondiscriminatory charges for the use of such facilities. These charges shall be used to defray the reasonable expenses of the Authority and to pay the principal and interest of any revenue bonds issued by the Authority;
11. subject to any applicable condition imposed by this Act, to locate, establish and maintain a public airport, public airports and public airport facilities within its corporate limits or

New matter indicated by italics - deletions by strikeout
within or upon any body of water adjacent thereto and to construct, develop, expand, extend and improve any such airport or airport facility; and
(12) to have and exercise all powers and be subject to all duties usually incident to boards of directors of corporations.
(b) The Authority shall not issue any bonds relating to the financing of a project located within the planning and subdivision control jurisdiction of any municipality or county unless: (i) notice, including a description of the proposed project and the financing for that project, is submitted to the corporate authorities of the municipality or, in the case of a proposed project in an unincorporated area, to the county board and (ii) the corporate authorities of the municipality do not, or the county board does not, adopt a resolution disapproving the project within 45 days after receipt of the notice.
(c) If any of the powers set forth in this Act are exercised within the jurisdictional limits of any municipality, all ordinances of the municipality remain in full force and effect and are controlling.

Section 5-35. Tax avoidance. Notwithstanding any other provision of law, the Authority shall not enter into any agreement providing for the purchase and lease of tangible personal property which results in the avoidance of taxation under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, or the Service Occupation Tax Act, without the prior written consent of the Governor.

Section 5-40. Bonds.
(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount not to exceed $250,000,000 for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; and (iii) acquisition and improvement of any property necessary and useful in connection therewith. For the purpose of evidencing the obligations of
the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to
compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the
Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

Section 5-45. Bonds and notes; exemption from taxation. The creation of the Authority is in all respects for the benefit of the people of Illinois and for the improvement of their health, safety, welfare, comfort, and security, and its purposes are public purposes. In consideration thereof, the notes and bonds of the Authority issued pursuant to this Act

New matter indicated by italics - deletions by strikeout
and the income from these notes and bonds may be free from all taxation by the State or its political subdivisions, exempt for estate, transfer, and inheritance taxes. The exemption from taxation provided by the preceding sentence shall apply to the income on any notes or bonds of the Authority only if the Authority in its sole judgment determines that the exemption enhances the marketability of the bonds or notes or reduces the interest rates that would otherwise be borne by the bonds or notes. For purposes of Section 250 of the Illinois Income Tax Act, the exemption of the Authority shall terminate after all of the bonds have been paid. The amount of such income that shall be added and then subtracted on the Illinois income tax return of a taxpayer, subject to Section 203 of the Illinois Income Tax Act, from federal adjusted gross income or federal taxable income in computing Illinois base income shall be the interest net of any bond premium amortization.

Section 5-50. Acquisition.

(a) The Authority may, but need not, acquire title to any project with respect to which it exercises its authority.

(b) The Authority shall have power to acquire by purchase, lease, gift, or otherwise any property or rights therein from any person or persons, the State of Illinois, any municipal corporation, any local unit of government, the government of the United States and any agency or instrumentality of the United States, any body politic, or any county useful for its purposes, whether improved for the purposes of any prospective project or unimproved. The Authority may also accept any donation of funds for its purposes from any of these sources.

(c) The Authority shall have power to develop, construct, and improve, either under its own direction or through collaboration with any approved applicant, or to acquire, through purchase or otherwise, any project, using for this purpose the proceeds derived from its sale of revenue bonds, notes, or other evidences of indebtedness or governmental loans or grants and shall have the power to hold title to those projects in the name of the Authority.

(d) The Authority shall have the power to enter into intergovernmental agreements with the State of Illinois, the counties of
Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, or Massac, the Illinois Finance Authority, the Illinois Housing Development Authority, the United States government and any agency or instrumentality of the United States, any unit of local government located within the territory of the Authority, or any other unit of government to the extent allowed by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act.

(e) The Authority shall have the power to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois, and agencies or personnel of any unit of local government.

(f) The Authority shall have the power to exercise powers and issue bonds as if it were a municipality so authorized in Divisions 12.1, 74, 74.1, 74.3, and 74.5 of Article 11 of the Illinois Municipal Code.

Section 5-60. Designation of depository. The Authority shall biennially designate a national or State bank or banks as depositories of its money. Such depositories shall be designated only within the State and upon condition that bonds approved as to form and surety by the Authority and at least equal in amount to the maximum sum expected to be on deposit at any one time shall be first given by such depositories to the Authority, such bonds to be conditioned for the safe keeping and prompt repayment of such deposits. When any of the funds of the Authority shall be deposited by the treasurer in any such depository, the treasurer and the sureties on his official bond shall, to such extent, be exempt from liability for the loss of any such deposited funds by reason of the failure, bankruptcy, or any other act or default of such depository; provided that the Authority may accept assignments of collateral by any depository of its funds to secure such deposits to the same extent and conditioned in the same manner as assignments of collateral are permitted by law to secure deposits of the funds of any city.

Section 5-65. Taxation prohibited. The Authority shall have no right or authority to levy any tax or special assessment, to pledge the credit of the State or any other subdivision or municipal corporation thereof, or

New matter indicated by italics - deletions by strikeout
to incur any obligation enforceable upon any property, either within or without the territory of the Authority.

Section 5-70. Fees. The Authority may collect fees and charges in connection with its loans, commitments, and servicing and may provide technical assistance in the development of the region.

Section 5-75. Reports. The Authority shall annually submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly.

ARTICLE 10.

RIVER EDGE REDEVELOPMENT ZONE ACT

Section 10-1. This Article may be cited as the River Edge Redevelopment Zone Act, and references in this Article to "this Act" mean this Article.

Section 10-2. Findings. The General Assembly finds and declares that those municipalities adjacent to or surrounding river areas often lack critical tools to safely revive and redevelop environmentally-challenged properties that will stimulate economic revitalization and create jobs in Illinois. Environmentally-challenged properties adjacent to or surrounding Illinois rivers are a threat to the health, safety, and welfare of the people of this State. Many of these environmentally-challenged properties adjacent to or surrounding rivers were former industrial areas that now, subject to appropriate environmental clean-up and remediation, would be ideal for office, residential, retail, hospitality, commercial, recreational, warehouse and distribution, and other economically productive uses. The cost of the cleaning and remediation of these environmentally-challenged properties is often the primary obstacle to returning these properties to a safe and economically productive use.

Cooperative and continuous partnership among the State, through the Department of Commerce and Economic Opportunity and the Environmental Protection Agency, municipalities adjacent to or surrounding rivers, and the private sector is necessary to appropriately encourage the cost-effective cleaning and remediation of these environmentally-challenged properties in order to bring about a safe and economically productive use of the properties.

New matter indicated by italics - deletions by strikeout
Therefore, it is declared to be the purpose of this Act to identify and initiate 2 pilot River Edge Redevelopment Zones to stimulate the safe and cost-effective re-use of environmentally-challenged properties adjacent to or surrounding rivers by means of tax incentives or grants.

Section 10-3. Definitions. As used in this Act:
"Department" means the Department of Commerce and Economic Opportunity.
"River Edge Redevelopment Zone" means an area of the State certified by the Department as a River Edge Redevelopment Zone pursuant to this Act.
"Designated zone organization" means an association or entity: (1) the members of which are substantially all residents of the River Edge Redevelopment Zone or of the municipality in which the River Edge Redevelopment Zone is located; (2) the board of directors of which is elected by the members of the organization; (3) that satisfies the criteria set forth in Section 501(c) (3) or 501(c) (4) of the Internal Revenue Code; and (4) that exists primarily for the purpose of performing within the zone, for the benefit of the residents and businesses thereof, any of the functions set forth in Section 8 of this Act.
"Agency" means: each officer, board, commission, and agency created by the Constitution, in the executive branch of State government, other than the State Board of Elections; each officer, department, board, commission, agency, institution, authority, university, and body politic and corporate of the State; each administrative unit or corporate outgrowth of the State government that is created by or pursuant to statute, other than units of local government and their officers, school districts, and boards of election commissioners; and each administrative unit or corporate outgrowth of the above and as may be created by executive order of the Governor. No entity is an "agency" for the purposes of this Act unless the entity is authorized by law to make rules or regulations.
"Rule" means each agency statement of general applicability that implements, applies, interprets, or prescribes law or policy, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons.

New matter indicated by italics - deletions by strikeout
or entities outside the agency, (ii) intra-agency memoranda, or (iii) the
prescription of standardized forms.

Section 10-4. Qualifications for River Edge Redevelopment Zones. An area is qualified to become a zone if it:
   (1) is a contiguous area adjacent to or surrounding a river;
   (2) comprises a minimum of one half square mile and not
       more than 12 square miles, exclusive of lakes and waterways;
   (3) satisfies any additional criteria established by the
       Department consistent with the purposes of this Act;
   (4) is entirely within a single home rule municipality; and
   (5) has at least 100 acres of environmentally challenged
       land within 1500 yards of the riverfront.

Section 10-5. Initiation of River Edge Redevelopment Zones by Municipality.
   (a) No area may be designated as a river edge redevelopment zone
       except pursuant to an initiating ordinance adopted in accordance with this
       Section.
   (b) A municipality may by ordinance designate an area within its
       jurisdiction as a river edge redevelopment zone, subject to the certification
       of the Department in accordance with this Act, if:
       (i) the area is qualified in accordance with Section 10-4; and
       (ii) the municipality has conducted at least one public
           hearing within the proposed zone area on the question of whether
           to create the zone, what local plans, tax incentives and other
           programs should be established in connection with the zone, and
           what the boundaries of the zone should be; public notice of such
           hearing shall be published in at least one newspaper of general
           circulation within the zone area, not more than 20 days nor less
           than 5 days before the hearing.
   (c) An ordinance designating an area as a river edge redevelopment
       zone shall set forth:

New matter indicated by italics - deletions by strikeout
(i) a precise description of the area comprising the zone, either in the form of a legal description or by reference to roadways, lakes and waterways, and municipality boundaries;

(ii) a finding that the zone area meets the qualifications of Section 10-4;

(iii) provisions for any tax incentives or reimbursement for taxes, which pursuant to State and federal law apply to business enterprises within the zone at the election of the designating municipality, and which are not applicable throughout the municipality;

(iv) a designation of the area as a river edge redevelopment zone, subject to the approval of the Department in accordance with this Act; and

(v) the duration or term of the river edge redevelopment zone.

(d) This Section does not prohibit a municipality from extending additional tax incentives or reimbursement for business enterprises in river edge redevelopment zones or throughout their territory by separate ordinance.

Section 10-5.1. Application to Department. A municipality that has adopted an ordinance designating an area as a river edge redevelopment zone shall make written application to the Department to have the proposed zone certified. The application shall include:

(1) a certified copy of the ordinance designating the proposed zone;

(2) a map of the proposed zone;

(3) an analysis, and any appropriate supporting documents, demonstrating that the proposed zone area is qualified in accordance with Section 10-4;

(4) a statement detailing any tax, grant, and other financial incentives or benefits, and any programs, to be provided by the municipality to business enterprises or organizations within the zone, other than those provided in the designating ordinance, which are not to be provided throughout the municipality;

New matter indicated by italics - deletions by strikeout
(5) a statement setting forth the economic development and planning objectives for the zone;

(6) an estimate of the economic impact of the zone, considering all of the tax incentives, financial benefits and programs contemplated, upon the revenues of the municipality;

(7) a transcript of all public hearings on the zone;

(8) a statement describing the functions, programs, and services to be performed by designated zone organizations within the zone; and

(9) such additional information as the Department by rule may require.

Section 10-5.2. Department Review of River Edge Redevelopment Zone Applications.

(a) All applications must be considered and acted upon by the Department no later than 180 days after being received by the Department.

(b) Upon receipt of an application from a municipality the Department shall review the application to determine whether the designated area qualifies as a River Edge Redevelopment Zone under Section 10-4 of this Act.

(c) If any such designated area is found to be qualified to be a River Edge Redevelopment Zone, the Department shall publish a notice in at least one newspaper of general circulation within the municipality in which the proposed zone is located to notify the general public of the application and their opportunity to comment. Such notice shall include a description of the area and a brief summary of the application and shall indicate locations where the applicant has provided copies of the application for public inspection. The notice shall also indicate appropriate procedures for the filing of written comments from zone residents, business, civic, and other organizations and property owners to the Department.

(d) Within 180 days after receiving an application, the Department shall either approve or deny that application. If an approval of an application is not received within 180 days after the Department's receipt of the application, then the application is considered to be denied. If an
application is denied, the Department shall inform the municipality of the specific reasons for the denial.

(e) In determining which designated areas shall be approved and certified as River Edge Redevelopment Zones, the Department shall give preference to:

1. areas with high levels of environmentally challenged areas;
2. areas that have evidenced the widest support from the municipality seeking to have such areas designated as River Edge Redevelopment Zones;
3. areas for which a specific plan has been submitted to effect economic growth and expansion;
4. areas for which there is evidence of prior consultation between the municipality seeking designation of an area as a River Edge Redevelopment Zone and business, labor, and neighborhood organizations within the proposed Zone;
5. areas for which a specific plan has been submitted which will or may be expected to benefit zone residents and workers by increasing their ownership opportunities and participation in a River Edge Redevelopment Zone development.

(f) The Department's determination of whether to certify a River Edge Redevelopment Zone shall be based on the purposes of this Act, the criteria set forth in Section 10-4 and subsection (e) of this Section, and any additional criteria adopted by regulation of the Department under paragraph (d) of Section 10-4.

Section 10-5.3. Certification of River Edge Redevelopment Zones.
(a) Approval of designated River Edge Redevelopment Zones shall be made by the Department by certification of the designating ordinance. The Department shall promptly issue a certificate for each zone upon its approval. The certificate shall be signed by the Director of the Department, shall make specific reference to the designating ordinance, which shall be attached thereto, and shall be filed in the office of the Secretary of State. A certified copy of the River Edge Redevelopment Zone Certificate, or a
duplicate original thereof, shall be recorded in the office of the recorder of deeds of the county in which the River Edge Redevelopment Zone lies.

(b) A River Edge Redevelopment Zone shall be effective upon its certification. The Department shall transmit a copy of the certification to the Department of Revenue, and to the designating municipality. Upon certification of a River Edge Redevelopment Zone, the terms and provisions of the designating ordinance shall be in effect, and may not be amended or repealed except in accordance with Section 10-5.4.

(c) A River Edge Redevelopment Zone shall be in effect for the period stated in the certificate, which shall in no event exceed 30 calendar years. Zones shall terminate at midnight of December 31 of the final calendar year of the certified term, except as provided in Section 10-5.4.

(d) In calendar years 2006 and 2007, the Department may certify one pilot River Edge Redevelopment Zone in the City of East St. Louis and one pilot River Edge Redevelopment Zone in the City of Aurora.

Thereafter the Department may not certify any additional River Edge Redevelopment Zones, but may amend and rescind certifications of existing River Edge Redevelopment Zones in accordance with Section 10-5.4.

(e) A municipality in which a River Edge Redevelopment Zone has been certified must submit to the Department, within 60 days after the certification, a plan for encouraging the participation by minority persons, females, persons with disabilities, and veterans in the zone. The Department may assist the municipality in developing and implementing the plan. The terms "minority person", "female", and "person with a disability" have the meanings set forth under Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. "Veteran" means an Illinois resident who is a veteran as defined in subsection (h) of Section 1491 of Title 10 of the United States Code.

Section 10-5.4. Amendment and decertification of River Edge Redevelopment Zones.

(a) The terms of a certified zone designating ordinance may be amended to:

(1) alter the boundaries of the Zone;

New matter indicated by italics - deletions by strikeout
(2) expand, limit or repeal tax incentives or benefits provided in the ordinance;
(3) alter the termination date of the zone; or
(4) make technical corrections in the river edge redevelopment zone designating ordinance.

An amendment shall not be effective unless the Department issues an amended certificate for the River Edge Redevelopment Zone, approving the amended designating ordinance. Upon the adoption of any ordinance amending or repealing the terms of a certified river edge redevelopment zone designating ordinance, the municipality shall promptly file with the Department an application for approval thereof, containing substantially the same information as required for an application under Section 10-5.1 insofar as material to the proposed changes. The municipality must hold a public hearing on the proposed changes as specified in Section 10-5 and, if the amendment is to effectuate the limitation of tax abatements under Section 10-5.4.1, then the public notice of the hearing shall state that property that is in both the zone and a redevelopment project area may not receive tax abatements unless within 60 days after the adoption of the amendment to the designating ordinance the municipality has determined that eligibility for tax abatements has been established.

(b) The Department shall approve or disapprove a proposed amendment to a certified zone within 90 days after its receipt of the application from the municipality. The Department may not approve changes in a Zone that are not in conformity with this Act, as now or hereafter amended, or with other applicable laws. If the Department issues an amended certificate for a Zone, the amended certificate, together with the amended zone designating ordinance, shall be filed, recorded, and transmitted as provided in Section 10-5.3.

(c) A River Edge Redevelopment Zone may be decertified by joint action of the Department and by the municipality in which the River Edge Development Zone is located. The designating municipality shall conduct at least one public hearing within the zone prior to its adoption of an ordinance of decertification. The mayor of the designating municipality

New matter indicated by italics - deletions by strikeout
shall execute a joint decertification agreement with the Department. A decertification of a River Edge Redevelopment Zone that was initiated by the joint action of the Department and one or more of the municipalities in which the zone is located shall not become effective until at least 6 months after the execution of the decertification agreement, which shall be filed in the office of the Secretary of State.

(d) A River Edge Redevelopment Zone may be decertified for cause by the Department in accordance with this Section. Prior to decertification:

(1) the Department shall notify the chief elected official of the designating municipality in writing of the specific deficiencies that provide cause for decertification;

(2) the Department shall place the designating municipality on probationary status for at least 6 months during which time corrective action may be achieved in the zone by the designating municipality; and

(3) the Department shall conduct at least one public hearing within the zone.

If such corrective action is not achieved during the probationary period, the Department shall issue an amended certificate signed by the Director of the Department decertifying the zone, which certificate shall be filed in the office of the Secretary of State. A certified copy of the amended certificate, or a duplicate original thereof, shall be recorded in the office of recorder of the county in which the River Edge Redevelopment Zone lies, and shall be provided to the chief elected official of the designating municipality. Decertification of a River Edge Redevelopment Zone for cause shall not become effective until 60 days after the date of filing.

(e) In the event of a decertification, an amendment reducing the length of the term or the area of a River Edge Redevelopment Zone, or the adoption of an ordinance reducing or eliminating tax benefits in a zone, all benefits previously extended within the zone pursuant to this Act or pursuant to any other Illinois law providing benefits specifically to or within River Edge Redevelopment Zones shall remain in effect for the
original stated term of the zone, with respect to business enterprises within the zone on the effective date of such decertification or amendment.

(f) With respect to a business enterprise (or expansion thereof) that is proposed or under development within a zone at the time of a decertification or an amendment reducing the length of the term of the zone, or excluding from the zone area the site of the proposed enterprise, or an ordinance reducing or eliminating tax benefits in a zone, such business enterprise is entitled to the benefits previously applicable within the zone for the original stated term of the zone, if the business enterprise establishes:

   (i) that the proposed business enterprise or expansion has been committed to be located within the zone;
   (ii) that substantial and binding financial obligations have been made towards the development of such enterprise; and
   (iii) that such commitments have been made in reasonable reliance on the benefits and programs which were to have been applicable to the enterprise by reason of the zone, including in the case of a reduction in term of a zone, the original length of the term.

In declaratory judgment actions under this subsection, the Department and the designating municipality shall be necessary parties defendant.

Section 10-5.4.1. Adoption of tax increment financing.

(a) If (i) a redevelopment project area is, will be, or has been created by a municipality under Division 74.4 of Article 11 of the Illinois Municipal Code, (ii) the redevelopment project area contains property that is located in a River Edge Redevelopment Zone, (iii) the municipality adopts an amendment to the River Edge Redevelopment Zone designating ordinance pursuant to Section 10-4 of this Act specifically concerning the abatement of taxes on property located within a redevelopment project area created pursuant to Division 74.4 of Article 11 of the Illinois Municipal Code, and (iv) the Department certifies the ordinance amendment, then the property that is located in both the River Edge Redevelopment Zone and the redevelopment project area shall not be
eligible for the abatement of taxes under Section 18-170 of the Property Tax Code.

No business enterprise or expansion or individual, however, that has constructed a new improvement or renovated or rehabilitated an existing improvement and has received an abatement on the improvement under Section 18-170 of the Property Tax Code shall be denied any benefit previously extended within the zone pursuant to this Act or pursuant to any other Illinois law providing benefits specifically to or within River Edge Redevelopment Zones. Moreover, if the business enterprise or individual presents evidence to the municipality within 30 days after the adoption by the municipality of an amendment to the designating ordinance the sufficiency of which shall be determined by findings of the corporate authorities made within 30 days of the receipt of such evidence by the municipality, that before the date of the notice of the public hearing provided by the municipality regarding the amendment to the designating ordinance (i) the business enterprise or expansion or individual was committed to locate within the River Edge Redevelopment Zone, (ii) substantial and binding financial obligations were made towards the development of the enterprise, and (iii) those commitments were made in reasonable reliance on the benefits and programs that were applicable to the enterprise or individual by reason of River Edge Redevelopment Zone, then the enterprise or expansion or individual shall not be denied any benefit previously extended within the zone pursuant to this Act or pursuant to any other Illinois law providing benefits specifically to or within River Edge Redevelopment Zones.

(b) This Section applies to all property located within both a redevelopment project area adopted under Division 74.4 of Article 11 of the Illinois Municipal Code and a River Edge Redevelopment Zone even if the redevelopment project area was adopted before the effective date of this Act.

(c) After the effective date of this Act, if (i) a redevelopment project area is created by a municipality under Division 74.4 of Article 11 of the Illinois Municipal Code and (ii) the redevelopment project area contains property that is located in a River Edge Redevelopment Zone, the

New matter indicated by italics - deletions by strikeout
municipality must adopt an amendment to the certified River Edge Redevelopment Zone designating ordinance under Section 10-5.4 specifying that property that is located in both the River Edge Redevelopment Zone and the redevelopment project area shall not be eligible for any abatement of taxes under Section 18-170 of the Property Tax Code for new improvements or the renovation or rehabilitation of existing improvements.

(d) In declaratory judgment actions under this Section, the Department and the designating municipality shall be necessary parties defendant.

Section 10-6. Powers and duties of Department.
(a) The Department shall administer this Act and shall have the following powers and duties:

(1) To monitor the implementation of this Act and submit reports evaluating the effectiveness of the program and setting forth any suggestions for legislation to the Governor and General Assembly by October 1 of each year preceding a regular Session of the General Assembly.

(2) To adopt all necessary rules and regulations to carry out the purposes of this Act in accordance with The Illinois Administrative Procedure Act.

(b) The Department shall provide information and appropriate assistance to persons desiring to locate and engage in business in a River Edge Redevelopment Zone and to persons engaged in business in a zone.

(c) The Department shall publicize existing tax incentives and economic development programs within the Zone and upon request, offer technical assistance in abatement and alternative revenue source development to local units of government which have River Edge Redevelopment Zones within their jurisdiction.

(d) In addition to the reports authorized under subsection (a), no later than December 31, 2009, the Department must submit a report to the General Assembly evaluating the effectiveness of this Act in stimulating economic revitalization in the pilot River Edge Redevelopment Zones authorized by this Act.

New matter indicated by italics - deletions by strikeout
Section 10-8. Zone Administration. The administration of a River Edge Redevelopment Zone shall be under the jurisdiction of the designing municipality. Each designing municipality shall, by ordinance, designate a Zone Administrator for the certified zones within its jurisdiction. A Zone Administrator must be an officer or employee of the municipality. The Zone Administrator shall be the liaison between the designing municipality, the Department, and any designated zone organizations within zones under his or her jurisdiction.

A designing municipality may designate one or more organizations to be a designated zone organization, as defined under Section 10-3. The municipality, may, by ordinance, delegate functions within a River Edge Redevelopment Zone to one or more designated zone organizations in such zones.

Subject to the necessary governmental authorizations, designated zone organizations may, in coordination with the municipality, provide or contract for provision of public services including, but not limited to:

(1) crime-watch patrols within zone neighborhoods;
(2) volunteer day-care centers;
(3) recreational activities for zone-area youth;
(4) garbage collection;
(5) street maintenance and improvements;
(6) bridge maintenance and improvements;
(7) maintenance and improvement of water and sewer lines;
(8) energy conservation projects;
(9) health and clinic services;
(10) drug abuse programs;
(11) senior citizen assistance programs;
(12) park maintenance;
(13) rehabilitation, renovation, and operation and maintenance of low and moderate income housing; and
(14) other types of public services as provided by law or regulation.

Section 10-9. Notice of cessation of business operations. Any business located within the River Edge Redevelopment Zone that has
received tax credits or exemptions, regulatory relief or any other benefits under this Act shall notify the Department and the municipal officials in which the Zone is located within 60 days after the cessation of any business operations conducted within the Zone. The Department shall adopt rules to implement and administer this Section.

Section 10-10. Income tax deduction.

(a) A business entity may receive a deduction against income subject to State taxes for a contribution to a designated zone organization if the project for which the contribution is made has been specifically approved by the designating municipality and by the Department.

(b) Any designated zone organization seeking to have a project approved for contribution must submit an application to the Department describing the nature and benefit of the project and its potential contributors. The application must address how the following criteria will be met:

(1) The project must contribute to the self-help efforts of the residents of the area involved.
(2) The project must involve the residents of the area in planning and implementing the project.
(3) The project must lack sufficient resources.
(4) The designated zone organization must be fiscally responsible for the project.

(c) The project must enhance the River Edge Redevelopment Zone in one of the following ways:
(1) by creating permanent jobs;
(2) by physically improving the housing stock;
(3) by stimulating neighborhood business activity; or
(4) by preventing crime.

(d) If the designated zone organization demonstrates its ability to meet the criteria in subsection (b), and the project will enhance the neighborhood in one of the ways listed in subsection (c), the Department shall approve the organization's proposed project and specify the amount of contributions it is eligible to receive for such project. Comments from State elected officials and municipal officials of the units of local

New matter indicated by italics - deletions by strikeout
government in which all or part of the river edge redevelopment zone is located, or in which the project is proposed to be located, shall be solicited by the Department in making such decision.

(e) Within 45 days of the receipt of an application, the Department shall give notice to the applicant as to whether the application has been approved or disapproved. If the Department disapproves the application, it shall specify the reasons for this decision and allow 60 days for the applicant to amend and resubmit its application. The Department shall provide assistance upon request to applicants. Resubmitted applications shall receive the Department's approval or disapproval within 30 days of resubmission. Those resubmitted applications satisfying initial Department objectives shall be approved unless reasonable circumstances warrant disapproval.

(f) On an annual basis, the designated zone organization shall furnish a statement to the Department on the programmatic and financial status of any approved project and an audited financial statement of the project.

(g) For any project which is approved and for which there is a specified amount of contributions which the designated zone organization may receive as provided in subsection (d) of this Section, the designated zone organization shall provide to the Department any information necessary to determine the eligibility of a contribution to the project for a deduction pursuant to subsection (b)(2)(N) of Section 203 of the Illinois Income Tax Act. The Department shall certify to the Department of Revenue the taxpayers eligible for and the amounts of contributions which those taxpayers may claim as a deduction pursuant to subsection (b)(2)(N) of Section 203 of the Illinois Income Tax Act. The total of all actual contributions approved by the Department for deductions pursuant to subsection (b)(2)(N) of Section 203 of the Illinois Income Tax Act shall not exceed $15,400,000 in any one calendar year.

ARTICLE 90.
AMENDATORY PROVISIONS

New matter indicated by italics - deletions by strikeout
Section 90-5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-907 as follows:

(20 ILCS 605/605-907 new)

Sec. 605-907. River Edge Redevelopment Zone assistance program. The Department may establish and maintain a program to provide, subject to appropriation, grants and assistance in connection River Edge Redevelopment Zones that are established under the River Edge Redevelopment Zone Act. The Department may adopt any rules necessary for the administration of the program under this Section.

Section 90-10. The Corporate Accountability for Tax Expenditures Act is amended by changing Section 5 as follows:

(20 ILCS 715/5)

Sec. 5. Definitions. As used in this Act:

"Base years" means the first 2 complete calendar years following the effective date of a recipient receiving development assistance.

"Date of assistance" means the commencement date of the assistance agreement, which date triggers the period during which the recipient is obligated to create or retain jobs and continue operations at the specific project site.

"Default" means that a recipient has not achieved its job creation, job retention, or wage or benefit goals, as applicable, during the prescribed period therefor.

"Department" means, unless otherwise noted, the Department of Commerce and Economic Opportunity Community Affairs or any successor agency.

"Development assistance" means (1) tax credits and tax exemptions (other than given under tax increment financing) given as an incentive to a recipient business organization pursuant to an initial certification or an initial designation made by the Department under the Economic Development for a Growing Economy Tax Credit Act, River Edge Redevelopment Zone Act, and the Illinois Enterprise Zone Act, including the High Impact Business program, (2) grants or loans given to a recipient as an incentive to a business organization pursuant to the River

New matter indicated by italics - deletions by strikeout
"Development assistance agreement" means any agreement executed by the State granting body and the recipient setting forth the terms and conditions of development assistance to be provided to the recipient consistent with the final application for development assistance, including but not limited to the date of assistance, submitted to and approved by the State granting body.

"Full-time, permanent job" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act.

On and after the effective date of this Act, if there is no definition of "full-time, permanent job" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "full-time, permanent job" means a job in which the new employee works for the recipient at a rate of at least 35 hours per week.

"New employee" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided
the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "new employee" in either the legislation authorizing a program that constitutes economic development assistance under this Act nor in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "new employee" means a full-time, permanent employee who represents a net increase in the number of the recipient's employees statewide. "New employee" includes an employee who previously filled a new employee position with the recipient who was rehired or called back from a layoff that occurs during or following the base years.

The term "New Employee" does not include any of the following:

(1) An employee of the recipient who performs a job that was previously performed by another employee in this State, if that job existed in this State for at least 6 months before hiring the employee.

(2) A child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or indirect ownership interest of at least 5% in the profits, capital, or value of any member of the recipient.

"Part-time job" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "part-time job" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "part-time job" means a job in which the new employee works for the recipient at a rate of less than 35 hours per week.

"Recipient" means any business that receives economic development assistance. A business is any corporation, limited liability
company, partnership, joint venture, association, sole proprietorship, or other legally recognized entity.

"Retained employee" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "retained employee" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "retained employee" means any employee defined as having a full-time or full-time equivalent job preserved at a specific facility or site, the continuance of which is threatened by a specific and demonstrable threat, which shall be specified in the application for development assistance.

"Specific project site" means that distinct operational unit to which any development assistance is applied.

"State granting body" means the Department, any State department or State agency that provides development assistance that has reporting requirements under this Act, and any successor agencies to any of the preceding.

"Temporary job" means either: (1) the definition therefor in the legislation authorizing the programs described in the definition of development assistance in the Act or (2) if there is no such definition, then as defined in administrative rules implementing such legislation, provided the administrative rules were in place prior to the effective date of this Act. On and after the effective date of this Act, if there is no definition of "temporary job" in either the legislation authorizing a program that constitutes economic development assistance under this Act or in any administrative rule implementing such legislation that was in place prior to the effective date of this Act, then "temporary job" means a job in which the new employee is hired for a specific duration of time or season.
"Value of assistance" means the face value of any form of development assistance.
(Source: P.A. 93-552, eff. 8-20-03; revised 12-6-03.)

Section 90-15. The Illinois Income Tax Act is amended by changing Sections 201 and 203 as follows:
(35 ILCS 5/201) (from Ch. 120, par. 2-201)
Sec. 201. Tax Imposed.
(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):
   (1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.
   (2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.
   (3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, an amount equal to 3% of the taxpayer's net income for the taxable year.
   (4) (Blank).
   (5) (Blank).
   (6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.
   (7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount

New matter indicated by italics - deletions by strikeout
equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except

New matter indicated by italics - deletions by strikeout
that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code, equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net

New matter indicated by italics - deletions by strikeout
of all credits allowed under this Section other than the credit
allowed under subsection (i) has been reduced to zero, against the
rates imposed by subsection (d).
This subsection (d-1) is exempt from the provisions of Section
250.

(e) Investment credit. A taxpayer shall be allowed a credit against
the Personal Property Tax Replacement Income Tax for investment in
qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the
basis of qualified property placed in service during the taxable
year, provided such property is placed in service on or after July 1,
1984. There shall be allowed an additional credit equal to .5% of
the basis of qualified property placed in service during the taxable
year, provided such property is placed in service on or after July 1,
1986, and the taxpayer's base employment within Illinois has
increased by 1% or more over the preceding year as determined by
the taxpayer's employment records filed with the Illinois
Department of Employment Security. Taxpayers who are new to
Illinois shall be deemed to have met the 1% growth in base
employment for the first year in which they file employment
records with the Illinois Department of Employment Security. The
provisions added to this Section by Public Act 85-1200 (and
restored by Public Act 87-895) shall be construed as declaratory of
existing law and not as a new enactment. If, in any year, the
increase in base employment within Illinois over the preceding year
is less than 1%, the additional credit shall be limited to that
percentage times a fraction, the numerator of which is .5% and the
denominator of which is 1%, but shall not exceed .5%. The
investment credit shall not be allowed to the extent that it would
reduce a taxpayer's liability in any tax year below zero, nor may
any credit for qualified property be allowed for any year other than
the year in which the property was placed in service in Illinois. For
tax years ending on or after December 31, 1987, and on or before
December 31, 1988, the credit shall be allowed for the tax year in

New matter indicated by italics - deletions by strikeout
which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as
defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property or services rendered in conjunction with the sale of tangible consumer goods or commodities.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

New matter indicated by italics - deletions by strikeout
(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2008, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2008.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

New matter indicated by italics - deletions by strikeout
For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be $.5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed
for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:
   (A) is tangible, whether new or used, including buildings and structural components of buildings;
   (B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);
   (C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;
   (D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and
   (E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.
(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(g) Jobs Tax Credit; Enterprise Zone, River Edge Redevelopment Zone, and Foreign Trade Zone or Sub-Zone.
(1) A taxpayer conducting a trade or business in an enterprise zone or a High Impact Business designated by the Department of Commerce and Economic Opportunity or for taxable years ending on or after December 31, 2006, in a River Edge Redevelopment Zone conducting a trade or business in a federally designated Foreign Trade Zone or Sub-Zone shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section in the amount of $500 per eligible employee hired to work in the zone during the taxable year.

(2) To qualify for the credit:

(A) the taxpayer must hire 5 or more eligible employees to work in an enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone during the taxable year;

(B) the taxpayer's total employment within the enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone must increase by 5 or more full-time employees beyond the total employed in that zone at the end of the previous tax year for which a jobs tax credit under this Section was taken, or beyond the total employed by the taxpayer as of December 31, 1985, whichever is later; and

(C) the eligible employees must be employed 180 consecutive days in order to be deemed hired for purposes of this subsection.

(3) An "eligible employee" means an employee who is:

(A) Certified by the Department of Commerce and Economic Opportunity as "eligible for services" pursuant to regulations promulgated in accordance with Title II of the Job Training Partnership Act, Training Services for the Disadvantaged or Title III of the Job Training Partnership Act, Employment and Training Assistance for Dislocated Workers Program.

New matter indicated by italics - deletions by strikeout
(B) Hired after the enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone was designated or the trade or business was located in that zone, whichever is later.

(C) Employed in the enterprise zone, River Edge Redevelopment Zone, or Foreign Trade Zone or Sub-Zone. An employee is employed in an enterprise zone or federally designated Foreign Trade Zone or Sub-Zone if his services are rendered there or it is the base of operations for the services performed.

(D) A full-time employee working 30 or more hours per week.

(4) For tax years ending on or after December 31, 1985 and prior to December 31, 1988, the credit shall be allowed for the tax year in which the eligible employees are hired. For tax years ending on or after December 31, 1988, the credit shall be allowed for the tax year immediately following the tax year in which the eligible employees are hired. If the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(5) The Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this subsection (g).

(6) The credit shall be available for eligible employees hired on or after January 1, 1986.

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this

New matter indicated by italics - deletions by strikeout
Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

New matter indicated by italics - deletions by strikeout
(2) The term qualified property means property which:
   (A) is tangible, whether new or used, including buildings and structural components of buildings;
   (B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);
   (C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and
   (D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the

New matter indicated by italics - deletions by strikeout
amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

New matter indicated by italics - deletions by strikeout
If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit.

New matter indicated by italics - deletions by strikeout
For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the
given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this

New matter indicated by italics - deletions by strikeout
Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer

New matter indicated by italics - deletions by strikeout
in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed $500. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:
"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.
"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.
"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require

New matter indicated by italics - deletions by strikeout
a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of
being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer or a related party who would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(iv) This subsection is exempt from the provisions of Section 250.

(Source: P.A. 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-651, eff. 7-11-02; 93-840, eff. 7-30-04; 92-846, eff. 8-23-02; 93-29, eff. 6-20-03; 93-840, eff. 7-30-04; 93-871, eff. 8-6-04; revised 10-25-04.)

(35 ILCS 5/203) (from Ch. 120, par. 2-203)
Sec. 203. Base income defined.
(a) Individuals.

New matter indicated by italics - deletions by strikeout
(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings account and the interest earned on the
account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-16) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-17) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The
addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

New matter indicated by italics - deletions by strikeout
(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-18) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received
by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a

New matter indicated by italics - deletions by strikeout
preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-20) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College

New matter indicated by italics - deletions by strikeout
Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B); and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a),
402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones or a River Edge Redevelopment Zone or zones. This subparagraph (J) is exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

New matter indicated by italics - deletions by strikeout
(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the
payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section
213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on

New matter indicated by italics - deletions by strikeout
the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2004, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). For taxable years beginning on or after January 1, 2005, a maximum of $10,000 contributed in the taxable year to (i) a College Savings Pool account under Section 16.5 of the State Treasurer Act or (ii) the Illinois Prepaid Tuition Trust Fund, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;
(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

New matter indicated by italics - deletions by strikeout
(BB) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle;

(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-13), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-14), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

New matter indicated by italics - deletions by strikeout
States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

New matter indicated by italics - deletions by strikeout
(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

New matter indicated by italics - deletions by strikeout
(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue

New matter indicated by italics - deletions by strikeout
Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

   (a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and
   (b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing

New matter indicated by italics - deletions by strikeout
evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a

New matter indicated by italics - deletions by strikeout
reduction to the addition modification required under Section 203(b)(2)(E-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have

New matter indicated by italics - deletions by strikeout
as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

New matter indicated by italics - deletions by strikeout
(I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones or a River Edge Redevelopment Zone or zones. This subparagraph (K) is exempt from the provisions of Section 250;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact
Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit or the River Edge Redevelopment Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone or the River Edge Redevelopment Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence. *This subparagraph (M) is exempt from the provisions of Section 250;*

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit

New matter indicated by italics - deletions by strikeout
to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity under Section 11 of the Illinois Enterprise Zone Act or under Section 10-10 of the Illinois River Edge Redevelopment Zone Act. This subparagraph (N) is exempt from the provisions of Section 250;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after

New matter indicated by italics - deletions by strikeout
December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

New matter indicated by italics - deletions by strikeout
(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

New matter indicated by italics - deletions by strikeout
(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

New matter indicated by italics - deletions by strikeout
(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, $600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, $300; and (iii) any other trust, $100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

New matter indicated by italics - deletions by strikeout
(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently.
under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

New matter indicated by italics - deletions by strikeout
(G-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

New matter indicated by italics - deletions by strikeout
(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if

the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign

New matter indicated by italics - deletions by strikeout
person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is
subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department.

New matter indicated by italics - deletions by strikeout
and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable

New matter indicated by italics - deletions by strikeout
to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones or a River Edge Redevelopment Zone or zones. This subparagraph (M) is exempt from the provisions of Section 250;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent

New matter indicated by italics - deletions by strikeout
includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code.

New matter indicated by italics - deletions by strikeout
and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but

New matter indicated by italics - deletions by strikeout
not to exceed the amount of such addition modification and
(ii) any income from intangible property (net of the
deductions allocable thereto) taken into account for the
taxable year with respect to a transaction with a taxpayer
that is required to make an addition modification with
respect to such transaction under Section 203(a)(2)(D-18),
203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but
not to exceed the amount of such addition modification;

(U) An amount equal to the interest income taken
into account for the taxable year (net of the deductions
allocable thereto) with respect to transactions with a foreign
person who would be a member of the taxpayer's unitary
business group but for the fact the foreign person's business
activity outside the United States is 80% or more of that
person's total business activity, but not to exceed the
addition modification required to be made for the same
taxable year under Section 203(c)(2)(G-12) for interest
paid, accrued, or incurred, directly or indirectly, to the same
foreign person; and

(V) An amount equal to the income from intangible
property taken into account for the taxable year (net of the
deductions allocable thereto) with respect to transactions
with a foreign person who would be a member of the
taxpayer's unitary business group but for the fact that the
foreign person's business activity outside the United States
is 80% or more of that person's total business activity, but
not to exceed the addition modification required to be made
for the same taxable year under Section 203(c)(2)(G-13) for
intangible expenses and costs paid, accrued, or incurred,
directly or indirectly, to the same foreign person.

(3) Limitation. The amount of any modification otherwise
required under this subsection shall, under regulations prescribed
by the Department, be adjusted by any amounts included therein
which were properly paid, credited, or required to be distributed, or
permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then
amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-7) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a

New matter indicated by italics - deletions by strikeout
preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards
by which the Department will utilize its authority under Section 404 of this Act; and

(D-8) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, New matter indicated by italics - deletions by strikeout
patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to

New matter indicated by italics - deletions by strikeout
the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for
services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones or from a River Edge Redevelopment Zone or zones.
This subparagraph (K) is exempt from the provisions of Section 250;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted

New matter indicated by italics - deletions by strikeout
basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition

New matter indicated by italics - deletions by strikeout
modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and

New matter indicated by italics - deletions by strikeout
costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

New matter indicated by italics - deletions by strikeout
(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer’s separate taxable income shall be determined as if the election provided by Section 243(b)(2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions
(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of asset or business. Notwithstanding any other law to the contrary, if in prior years income from an asset or business has been classified as business income and in a later year is demonstrated to be non-business income, then all expenses, without limitation, deducted in such later year and in the 2 immediately preceding taxable years related to that asset or business that generated the non-business income shall be added back and recaptured as business income in the year of the disposition of the asset or business. Such amount shall be apportioned to Illinois using the greater of the

New matter indicated by italics - deletions by strikeout
apportionment fraction computed for the business under Section 304 of this Act for the taxable year or the average of the apportionment fractions computed for the business under Section 304 of this Act for the taxable year and for the 2 immediately preceding taxable years.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

(A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

New matter indicated by italics - deletions by strikeout
(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; 93-812, eff. 7-26-04; 93-840, eff. 7-30-04; revised 10-12-04.)

Section 90-20. The Use Tax Act is amended by changing Section 12 as follows:

(35 ILCS 105/12) (from Ch. 120, par. 439.12)

Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-54, 2a, 2b, 2c, 3, 4 (except that the time

New matter indicated by italics - deletions by strikeout
limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after each July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, which are not inconsistent with this Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

(Source: P.A. 90-42, eff. 1-1-98; 90-792, eff. 1-1-99.)

Section 90-25. The Service Use Tax Act is amended by changing Section 12 as follows:

(35 ILCS 110/12) (from Ch. 120, par. 439.42)

Sec. 12. Applicability of Retailers' Occupation Tax Act and Uniform Penalty and Interest Act. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-54, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the money collected under this Act), 4 (except that the time limitation provisions shall run from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after July 1 and January 1 covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5k, 5l, 7, 8, 9, 10, 11 and 12 of the Retailers' Occupation Tax Act which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act, shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

New matter indicated by italics - deletions by strikeout
Section 90-30. The Service Occupation Tax Act is amended by changing Section 12 as follows:

(35 ILCS 115/12) (from Ch. 120, par. 439.112)

Sec. 12. All of the provisions of Sections 1d, 1e, 1f, 1i, 1j, 1j.1, 1k, 1m, 1n, 1o, 2-54, 2a, 2b, 2c, 3 (except as to the disposition by the Department of the tax collected under this Act), 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5j, 5k, 5l, 5m, 5n, 5o, 5p, 5q, 6, 6a, 6b, 7, 8, 9, 10, 11 and 12 of the "Retailers' Occupation Tax Act" which are not inconsistent with this Act, and Section 3-7 of the Uniform Penalty and Interest Act shall apply, as far as practicable, to the subject matter of this Act to the same extent as if such provisions were included herein.

(Source: P.A. 90-42, eff. 1-1-98; 90-792, eff. 1-1-99.)

Section 90-35. The Retailers' Occupation Tax Act is amended by adding Section 2-54 as follows:

(35 ILCS 120/2-54 new)

Sec. 2-54. Building materials exemption; River Edge Redevelopment Zones. Each retailer that makes a qualified sale of building materials to be incorporated into real estate within a River Edge Redevelopment Zone in accordance with the River Edge Redevelopment Zone Act by remodeling, rehabilitating, or new construction may deduct receipts from those sales when calculating the tax imposed by this Act. For purposes of this Section, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of an industrial or commercial project for which a Certificate of Eligibility for Sales Tax Exemption has been issued by the corporate authorities of the municipality in which the building project is located. To document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued by the corporate authorities of the municipality in which the real estate into
which the building materials will be incorporated is located. The Certificate of Eligibility for Sales Tax Exemption must contain all of the following:

(1) A statement that the commercial or industrial project identified in the Certificate meets all the requirements of the jurisdiction in which the project is located.
(2) The location or address of the building project.
(3) The signature of the chief executive officer of the municipality in which the building project is located, or the chief executive officer's delegate.

In addition, the retailer must obtain a certificate from the purchaser that contains all of the following:

(1) A statement that the building materials are being purchased for incorporation into real estate located in a River Edge Redevelopment Zone included in a redevelopment project area in accordance with River Edge Redevelopment Zone Act.
(2) The location or address of the real estate into which the building materials will be incorporated.
(3) The name of the River Edge Redevelopment Zone in which that real estate is located.
(4) A description of the building materials being purchased.
(5) The purchaser's signature and date of purchase. The provisions of this Section are exempt from Section 2-70.

Section 90-40. The Property Tax Code is amended by changing Section 18-170 as follows:

(35 ILCS 200/18-170)
Sec. 18-170. Enterprise zone and River Edge Redevelopment Zone abatement. In addition to the authority to abate taxes under Section 18-165, any taxing district, upon a majority vote of its governing authority, may order the county clerk to abate any portion of its taxes on property, or any class thereof, located within an Enterprise Zone created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone created under the River Edge Redevelopment Zone Act, and upon which either new improvements have been constructed or existing improvements have been

New matter indicated by italics - deletions by strikeout
renovated or rehabilitated after December 7, 1982. However, any abatement of taxes on any parcel shall not exceed the amount attributable to the construction of the improvements and the renovation or rehabilitation of existing improvements on the parcel. In the case of property within a redevelopment area created under the Tax Increment Allocation Redevelopment Act, the abatement shall not apply unless a business enterprise or individual with regard to new improvements or renovated or rehabilitated improvements has met the requirements of Section 5.4.1 of the Illinois Enterprise Zone Act or under Section 10-5.4.1 of the River Edge Redevelopment Zone Act. If an abatement is discontinued under this Section, a municipality shall notify the county clerk and the board of review or board of appeals of the change in writing not later than July 1 of the assessment year to be first affected by the change. However, within a county economic development project area created under the County Economic Development Project Area Property Tax Allocation Act, any municipality or county which has adopted tax increment allocation financing under the Tax Increment Allocation Redevelopment Act or the County Economic Development Project Area Tax Increment Allocation Act may abate any portion of its taxes as provided in this Section. Any other taxing district within the county economic development project area may order any portion or all of its taxes abated as provided above if the county or municipality which created the tax increment district has agreed, in writing, to the abatement.

A copy of an abatement order adopted under this Section shall be delivered to the county clerk and to the board of review or board of appeals not later than July 1 of the assessment year to be first affected by the order. If it is delivered on or after that date, it will first affect the taxes extended on the assessment of the following year. The board of review or board of appeals shall, each time the assessment books are delivered to the county clerk, also deliver a list of parcels affected by an abatement and the assessed value attributable to new improvements or to the renovation or rehabilitation of existing improvements.

(Source: P.A. 89-126, eff. 7-11-95; 89-671, eff. 8-14-96; 90-258, eff. 7-30-97.)

New matter indicated by italics - deletions by strikeout
Section 90-45. The Environmental Protection Act is amended by changing Sections 58.13 and 58.14 as follows:

(415 ILCS 5/58.13)

Sec. 58.13. Municipal Brownfields Redevelopment Grant Program. (a) (1) The Agency shall establish and administer a program of grants, to be known as the Municipal Brownfields Redevelopment Grant Program, to provide municipalities in Illinois with financial assistance to be used for coordination of activities related to brownfields redevelopment, including but not limited to identification of brownfields sites, including those sites within River Edge Redevelopment Zones, site investigation and determination of remediation objectives and related plans and reports, development of remedial action plans, and implementation of remedial action plans and remedial action completion reports. The plans and reports shall be developed in accordance with Title XVII of this Act.

(2) Grants shall be awarded on a competitive basis subject to availability of funding. Criteria for awarding grants shall include, but shall not be limited to the following:

(A) problem statement and needs assessment;
(B) community-based planning and involvement;
(C) implementation planning; and
(D) long-term benefits and sustainability.

(3) The Agency may give weight to geographic location to enhance geographic distribution of grants across this State.

(4) Except for grants to municipalities with designated River Edge Redevelopment Zones, grants shall be limited to a maximum of $240,000, and no municipality shall receive more than this amount under this Section. For grants to municipalities with designated River Edge Redevelopment Zones, grants shall be limited to a maximum of $2,000,000 and no municipality shall receive more than this amount under this Section.
(5) Grant amounts shall not exceed 70% of the project amount, with the remainder to be provided by the municipality as local matching funds.

(b) The Agency shall have the authority to enter into any contracts or agreements that may be necessary to carry out its duties or responsibilities under this Section. The Agency shall have the authority to adopt rules setting forth procedures and criteria for administering the Municipal Brownfields Redevelopment Grant Program. The rules adopted by the Agency may include but shall not be limited to the following:

(1) purposes for which grants are available;
(2) application periods and content of applications;
(3) procedures and criteria for Agency review of grant applications, grant approvals and denials, and grantee acceptance;
(4) grant payment schedules;
(5) grantee responsibilities for work schedules, work plans, reports, and record keeping;
(6) evaluation of grantee performance, including but not limited to auditing and access to sites and records;
(7) requirements applicable to contracting and subcontracting by the grantee;
(8) penalties for noncompliance with grant requirements and conditions, including stop-work orders, termination of grants, and recovery of grant funds;
(9) indemnification of this State and the Agency by the grantee; and
(10) manner of compliance with the Local Government Professional Services Selection Act.

(Source: P.A. 92-486, eff. 1-1-02; 92-715, eff. 7-23-02.)

Sec. 58.14. Environmental Remediation Tax Credit review.

(a) Prior to applying for the Environmental Remediation Tax Credit under Section 201 of the Illinois Income Tax Act, Remediation Applicants shall first submit to the Agency an application for review of remediation costs. The Agency shall review the application jointly with the
Department of Commerce and Economic Opportunity. The application and review process shall be conducted in accordance with the requirements of this Section and the rules adopted under subsection (g). A preliminary review of the estimated remediation costs for development and implementation of the Remedial Action Plan may be obtained in accordance with subsection (d).

(b) No application for review shall be submitted until a No Further Remediation Letter has been issued by the Agency and recorded in the chain of title for the site in accordance with Section 58.10. The Agency shall review the application to determine whether the costs submitted are remediation costs, and whether the costs incurred are reasonable. The application shall be on forms prescribed and provided by the Agency. At a minimum, the application shall include the following:

(1) information identifying the Remediation Applicant and the site for which the tax credit is being sought and the date of acceptance of the site into the Site Remediation Program;

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

(3) a demonstration that the release of the regulated substances of concern for which the No Further Remediation Letter was issued were not caused or contributed to in any material respect by the Remediation Applicant. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability shall be made consistent with those rules;

(4) an itemization and documentation, including receipts, of the remediation costs incurred;

(5) a demonstration that the costs incurred are remediation costs as defined in this Act and its rules;
(6) a demonstration that the costs submitted for review were incurred by the Remediation Applicant who received the No Further Remediation Letter;

(7) an application fee in the amount set forth in subsection (e) for each site for which review of remediation costs is requested and, if applicable, certification from the Department of Commerce and Economic Opportunity Community Affairs that the site is located in an enterprise zone;

(8) any other information deemed appropriate by the Agency.

(c) Within 60 days after receipt by the Agency of an application meeting the requirements of subsection (b), the Agency shall issue a letter to the applicant approving, disapproving, or modifying the remediation costs submitted in the application. If the remediation costs are approved as submitted, the Agency's letter shall state the amount of the remediation costs to be applied toward the Environmental Remediation Tax Credit. If an application is disapproved or approved with modification of remediation costs, the Agency's letter shall set forth the reasons for the disapproval or modification and state the amount of the remediation costs, if any, to be applied toward the Environmental Remediation Tax Credit.

If a preliminary review of a budget plan has been obtained under subsection (d), the Remediation Applicant may submit, with the application and supporting documentation under subsection (b), a copy of the Agency's final determination accompanied by a certification that the actual remediation costs incurred for the development and implementation of the Remedial Action Plan are equal to or less than the costs approved in the Agency's final determination on the budget plan. The certification shall be signed by the Remediation Applicant and notarized. Based on that submission, the Agency shall not be required to conduct further review of the costs incurred for development and implementation of the Remedial Action Plan and may approve costs as submitted.

Within 35 days after receipt of an Agency letter disapproving or modifying an application for approval of remediation costs, the
Remediation Applicant may appeal the Agency's decision to the Board in the manner provided for the review of permits in Section 40 of this Act.

(d) (1) A Remediation Applicant may obtain a preliminary review of estimated remediation costs for the development and implementation of the Remedial Action Plan by submitting a budget plan along with the Remedial Action Plan. The budget plan shall be set forth on forms prescribed and provided by the Agency and shall include but shall not be limited to line item estimates of the costs associated with each line item (such as personnel, equipment, and materials) that the Remediation Applicant anticipates will be incurred for the development and implementation of the Remedial Action Plan. The Agency shall review the budget plan along with the Remedial Action Plan to determine whether the estimated costs submitted are remediation costs and whether the costs estimated for the activities are reasonable.

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

(3) The budget plan shall be accompanied by the applicable fee as set forth in subsection (e).

(4) Submittal of a budget plan shall be deemed an automatic 60-day waiver of the Remedial Action Plan review deadlines set forth in this Section and its rules.

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

(6) Within 35 days after receipt of an Agency letter disapproving or modifying a budget plan, the Remediation

New matter indicated by italics - deletions by strikeout
Applicant may appeal the Agency's decision to the Board in the manner provided for the review of permits in Section 40 of this Act.

(e) The fees for reviews conducted under this Section are in addition to any other fees or payments for Agency services rendered pursuant to the Site Remediation Program and shall be as follows:

1. The fee for an application for review of remediation costs shall be $1,000 for each site reviewed.
2. The fee for the review of the budget plan submitted under subsection (d) shall be $500 for each site reviewed.
3. In the case of a Remediation Applicant submitting for review total remediation costs of $100,000 or less for a site located within a River Edge Redevelopment Zone an enterprise zone (as set forth in paragraph (i) of subsection (n) (f) of Section 201 of the Illinois Income Tax Act), the fee for an application for review of remediation costs shall be $250 for each site reviewed. For those sites, there shall be no fee for review of a budget plan under subsection (d).

The application fee shall be made payable to the State of Illinois, for deposit into the Hazardous Waste Fund.

Pursuant to appropriation, the Agency shall use the fees collected under this subsection for development and administration of the review program.

(f) The Agency shall have the authority to enter into any contracts or agreements that may be necessary to carry out its duties and responsibilities under this Section.

(g) Within 6 months after July 21, 1997, the Agency shall propose rules prescribing procedures and standards for its administration of this Section. Within 6 months after receipt of the Agency's proposed rules, the Board shall adopt on second notice, pursuant to Sections 27 and 28 of this Act and the Illinois Administrative Procedure Act, rules that are consistent with this Section. Prior to the effective date of rules adopted under this Section, the Agency may conduct reviews of applications under this Section.

New matter indicated by italics - deletions by strikeout
Section and the Agency is further authorized to distribute guidance documents on costs that are eligible or ineligible as remediation costs.  
(Source: P.A. 92-574, eff. 6-26-02; revised 12-6-03.)

ARTICLE 900.
SEVERABILITY; EFFECTIVE DATE
Section 900-5. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.
Section 900-10. Effective date. This Act takes effect upon becoming law.
Approved July 12, 2006.
Effective July 12, 2006.

PUBLIC ACT 94-1022
(Senate Bill No. 1892)

AN ACT concerning business.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. If and only if Senate Bill 17 of the 94th General Assembly becomes law, the River Edge Redevelopment Zone Act is amended by changing Sections 10-2, 10-4, and 10-5.3 as follows:
(94SB17 Art. 10, Sec. 10-2)
Sec. 10-2. Findings. The General Assembly finds and declares that those municipalities adjacent to or surrounding river areas often lack critical tools to safely revive and redevelop environmentally-challenged properties that will stimulate economic revitalization and create jobs in Illinois. Environmentally-challenged properties adjacent to or surrounding Illinois rivers are a threat to the health, safety, and welfare of the people of this State. Many of these environmentally-challenged properties adjacent to or surrounding rivers were former industrial areas that now, subject to appropriate environmental clean-up and remediation, would be ideal for office, residential, retail, hospitality, commercial, recreational, warehouse and distribution, and other economically productive uses. The cost of the

New matter indicated by italics - deletions by strikeout
cleaning and remediation of these environmentally-challenged properties is often the primary obstacle to returning these properties to a safe and economically productive use.

Cooperative and continuous partnership among the State, through the Department of Commerce and Economic Opportunity and the Environmental Protection Agency, municipalities adjacent to or surrounding rivers, and the private sector is necessary to appropriately encourage the cost-effective cleaning and remediation of these environmentally-challenged properties in order to bring about a safe and economically productive use of the properties.

Therefore, it is declared to be the purpose of this Act to identify and initiate 3 pilot River Edge Redevelopment Zones to stimulate the safe and cost-effective re-use of environmentally-challenged properties adjacent to or surrounding rivers by means of tax incentives or grants.

(Source: 94SB17ham003.)

(94SB17 Art. 10, Sec. 10-4)

Sec. 10-4. Qualifications for River Edge Redevelopment Zones. An area is qualified to become a zone if it:

(1) is a contiguous area adjacent to or surrounding a river;
(2) comprises a minimum of one half square mile and not more than 12 square miles, exclusive of lakes and waterways;
(3) satisfies any additional criteria established by the Department consistent with the purposes of this Act;
(4) is entirely within a single home rule municipality; and
(5) has at least 100 acres of environmentally challenged land within 1500 yards of the riverfront.

(Source: 94SB17ham003.)

(94SB17 Art. 10, Sec. 10-5.3)

Sec. 10-5.3. Certification of River Edge Redevelopment Zones.

(a) Approval of designated River Edge Redevelopment Zones shall be made by the Department by certification of the designating ordinance. The Department shall promptly issue a certificate for each zone upon its approval. The certificate shall be signed by the Director of the Department, shall make specific reference to the designating ordinance, which shall be

New matter indicated by italics - deletions by strikeout
attached thereto, and shall be filed in the office of the Secretary of State. A certified copy of the River Edge Redevelopment Zone Certificate, or a duplicate original thereof, shall be recorded in the office of the recorder of deeds of the county in which the River Edge Redevelopment Zone lies.

(b) A River Edge Redevelopment Zone shall be effective upon its certification. The Department shall transmit a copy of the certification to the Department of Revenue, and to the designating municipality. Upon certification of a River Edge Redevelopment Zone, the terms and provisions of the designating ordinance shall be in effect, and may not be amended or repealed except in accordance with Section 10-5.4.

(c) A River Edge Redevelopment Zone shall be in effect for the period stated in the certificate, which shall in no event exceed 30 calendar years. Zones shall terminate at midnight of December 31 of the final calendar year of the certified term, except as provided in Section 10-5.4.

(d) In calendar years 2006 and 2007, the Department may certify one pilot River Edge Redevelopment Zone in the City of East St. Louis, one pilot River Edge Redevelopment Zone in the City of Rockford, and one pilot River Edge Redevelopment Zone in the City of Aurora.

Thereafter the Department may not certify any additional River Edge Redevelopment Zones, but may amend and rescind certifications of existing River Edge Redevelopment Zones in accordance with Section 10-5.4.

(e) A municipality in which a River Edge Redevelopment Zone has been certified must submit to the Department, within 60 days after the certification, a plan for encouraging the participation by minority persons, females, persons with disabilities, and veterans in the zone. The Department may assist the municipality in developing and implementing the plan. The terms "minority person", "female", and "person with a disability" have the meanings set forth under Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. "Veteran" means an Illinois resident who is a veteran as defined in subsection (h) of Section 1491 of Title 10 of the United States Code.

(Source: 94SB17ham003.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved July 12, 2006.
Effective July 12, 2006.

PUBLIC ACT 94-1023
(Senate Bill No. 2399)

AN ACT concerning employment.

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

Section 5. The Prevailing Wage Act is amended by changing Section 5 as follows:

(820 ILCS 130/5) (from Ch. 48, par. 39s-5)
Sec. 5. Certified payroll.
(a) While participating on public works, the contractor and each subcontractor shall:

(1) make and keep, for a period of not less than 3 years, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include each worker's name, address, telephone number when available, social security number, classification or classifications, the hourly wages paid in each pay period, the number of hours worked each day, and the starting and ending times of work each day; and

(2) submit monthly, in person, by mail, or electronically a certified payroll to the public body in charge of the project. The certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (a), but may exclude the starting and ending times of work each day. The certified payroll shall be accompanied by a statement signed by the contractor or subcontractor which avers that: (i) such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by this

New matter indicated by italics - deletions by strikeout
Act; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class B misdemeanor. A general contractor is not prohibited from relying on the certification of a lower tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification. Any contractor or subcontractor subject to this Act who fails to submit a certified payroll or knowingly files a false certified payroll is in violation of this Act and guilty of a Class B misdemeanor. The public body in charge of the project shall keep the records submitted in accordance with this paragraph (2) of subsection (a) for a period of not less than 3 years. The records submitted in accordance with this paragraph (2) of subsection (a) shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The public body shall accept any reasonable submissions by the contractor that meet the requirements of this Section.

(b) Upon 72 business days' notice, the contractor and each subcontractor shall make available for inspection the records identified in paragraph (1) of subsection (a) of this Section to the public body in charge of the project, its officers and agents, and to the Director of Labor and his deputies and agents. Upon 72 business days' notice, the contractor and each subcontractor shall make such records available at all reasonable hours at a location within this State.

(Source: P.A. 93-38, eff. 6-1-04; 94-515, eff. 8-10-05.)

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

Approved July 12, 2006.
Effective July 12, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning wildlife.

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

Section 5. The Wildlife Code is amended by changing Section 3.1 and by adding Section 3.1-5 as follows:

(520 ILCS 5/3.1) (from Ch. 61, par. 3.1)

Sec. 3.1. License and stamps required.

(a) Before any person shall take or attempt to take any of the species protected by Section 2.2 for which an open season is established under this Act, he shall first have procured and possess a valid hunting license, except as provided in Section 3.1-5 of this Code.

Before any person 16 years of age or older shall take or attempt to take any bird of the species defined as migratory waterfowl by Section 2.2, including coots, he shall first have procured a State Migratory Waterfowl Stamp.

Before any person 16 years of age or older takes, attempts to take, or pursues any species of wildlife protected by this Code, except migratory waterfowl, coots, and hand-reared birds on licensed game breeding and hunting preserve areas and state controlled pheasant hunting areas, he or she shall first obtain a State Habitat Stamp. Disabled veterans and former prisoners of war shall not be required to obtain State Habitat Stamps. Any person who obtained a lifetime license before January 1, 1993, shall not be required to obtain State Habitat Stamps. Income from the sale of State Furbearer Stamps and State Pheasant Stamps received after the effective date of this amendatory Act of 1992 shall be deposited into the State Furbearer Fund and State Pheasant Fund, respectively.

Before any person 16 years of age or older shall take, attempt to take, or sell the green hide of any mammal of the species defined as fur-bearing mammals by Section 2.2 for which an open season is established under this Act, he shall first have procured a State Habitat Stamp.

New matter indicated by italics - deletions by strikeout
(b) Before any person who is a non-resident of the State of Illinois shall take or attempt to take any of the species protected by Section 2.2 for which an open season is established under this Act, he shall, unless specifically exempted by law, first procure a non-resident license as provided by this Act for the taking of any wild game.

Before a nonresident shall take or attempt to take white-tailed deer, he shall first have procured a Deer Hunting Permit as defined in Section 2.26 of this Code.

Before a nonresident shall take or attempt to take wild turkeys, he shall have procured a Wild Turkey Hunting Permit as defined in Section 2.11 of this Code.

(c) The owners residing on, or bona fide tenants of, farm lands and their children, parents, brothers, and sisters actually permanently residing on their lands shall have the right to hunt any of the species protected by Section 2.2 upon their lands and waters without procuring hunting licenses; but the hunting shall be done only during periods of time and with devices and by methods as are permitted by this Act. Any person on active duty with the Armed Forces of the United States who is now and who was at the time of entering the Armed Forces a resident of Illinois and who entered the Armed Forces from this State, and who is presently on ordinary leave from the Armed Forces, and any resident of Illinois who is disabled may hunt any of the species protected by Section 2.2 without procuring a hunting license, but the hunting shall be done only during such periods of time and with devices and by methods as are permitted by this Act. For the purpose of this Section a person is disabled when that person has a Type 1 or Type 4, Class 2 disability as defined in Section 4A of the Illinois Identification Card Act. For purposes of this Section, an Illinois Disabled Person Identification Card issued pursuant to the Illinois Identification Card Act indicating that the person named has a Type 1 or Type 4, Class 2 disability shall be adequate documentation of the disability.

(d) A courtesy non-resident license, permit, or stamp for taking game may be issued at the discretion of the Director, without fee, to any person officially employed in the game and fish or conservation

New matter indicated by italics - deletions by strikeout
department of another state or of the United States who is within the State to assist or consult or cooperate with the Director; or to the officials of other states, the United States, foreign countries, or officers or representatives of conservation organizations or publications while in the State as guests of the Governor or Director. The Director may provide to nonresident participants and official gunners at field trials an exemption from licensure while participating in a field trial.

(e) State Migratory Waterfowl Stamps shall be required for those persons qualifying under subsections (c) and (d) who intend to hunt migratory waterfowl, including coots, to the extent that hunting licenses of the various types are authorized and required by this Section for those persons.

(f) Registration in the U.S. Fish and Wildlife Migratory Bird Harvest Information Program shall be required for those persons who are required to have a hunting license before taking or attempting to take any bird of the species defined as migratory game birds by Section 2.2, except that this subsection shall not apply to crows in this State or hand-reared birds on licensed game breeding and hunting preserve areas, for which an open season is established by this Act. Persons registering with the Program must carry proof of registration with them while migratory bird hunting.

The Department shall publish suitable prescribed regulations pertaining to registration by the migratory bird hunter in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program.

(Source: P.A. 92-177, eff. 7-27-01.)

(520 ILCS 5/3.1-5 new)

Sec. 3.1-5. Apprentice Hunter License Program.

(a) Beginning 120 days after the effective date of this amendatory Act of the 94th General Assembly, the Department shall establish an Apprentice Hunter License Program. The purpose of this Program shall be to extend limited hunting privileges, in lieu of obtaining a valid hunting license, to persons interested in learning about hunting sports.

(b) Any resident who is at least 10 years old may apply to the Department for an Apprentice Hunter License. The Apprentice Hunter
License shall be a one-time, non-renewable license that shall expire on the March 31 following the date of issuance.

(c) For persons aged 10 through 17, the Apprentice Hunter License shall entitle the licensee to hunt while supervised by a validly licensed resident parent, guardian, or grandparent. For persons 18 or older, the Apprentice Hunter License shall entitle the licensee to hunt while supervised by a validly licensed resident hunter. Possession of an Apprentice Hunter License shall serve in lieu of a valid hunting license, but does not exempt the licensee from compliance with the requirements of this Code and any rules and regulations adopted pursuant to this Code.

(d) In order to be approved for the Apprentice Hunter License, the applicant must be a resident of Illinois, request an Apprentice Hunter License on a form designated and made available by the Department, and submit a $7 fee, which shall be separate from and additional to any other stamp, permit, tag, or license fee that may be required for hunting under this Code. The Department shall adopt suitable administrative rules that are reasonable and necessary for the administration of the program, but shall not require any certificate of competency or other hunting education as a condition of the Apprentice Hunter License.

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

Passed in the General Assembly April 18, 2006.
Approved July 14, 2006.
Effective July 14, 2006.

PUBLIC ACT 94-1025
(Senate Bill No. 2339)

AN ACT concerning employment.

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

Section 5. The Minimum Wage Law is amended by changing Sections 3, 7, and 12 as follows:

(820 ILCS 105/3) (from Ch. 48, par. 1003)

New matter indicated by italics - deletions by strikeout
Sec. 3. As used in this Act:

(a) "Director" means the Director of the Department of Labor, and "Department" means the Department of Labor.

(b) "Wages" means compensation due to an employee by reason of his employment, including allowances determined by the Director in accordance with the provisions of this Act for gratuities and, when furnished by the employer, for meals and lodging actually used by the employee.

(c) "Employer" includes any individual, partnership, association, corporation, limited liability company, business trust, governmental or quasi-governmental body, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons are gainfully employed on some day within a calendar year. An employer is subject to this Act in a calendar year on and after the first day in such calendar year in which he employs one or more persons, and for the following calendar year.

(d) "Employee" includes any individual permitted to work by an employer in an occupation, but does not include any individual permitted to work:

(1) For an employer employing fewer than 4 employees exclusive of the employer's parent, spouse or child or other members of his immediate family.

(2) As an employee employed in agriculture or aquaculture (A) if such employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than 500 man-days of agricultural or aquacultural labor, (B) if such employee is the parent, spouse or child, or other member of the employer's immediate family, (C) if such employee (i) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) commutes daily from his permanent residence to the farm on which he is so employed, and (iii) has been employed in agriculture less than 13 weeks during the preceding
calendar year, (D) if such employee (other than an employee described in clause (C) of this subparagraph): (i) is 16 years of age or under and is employed as a hand harvest laborer, is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) is employed on the same farm as his parent or person standing in the place of his parent, and (iii) is paid at the same piece rate as employees over 16 are paid on the same farm.

(3) In domestic service in or about a private home.
(4) As an outside salesman.
(5) As a member of a religious corporation or organization.
(6) At an accredited Illinois college or university employed by the college or university at which he is a student who is covered under the provisions of the Fair Labor Standards Act of 1938, as heretofore or hereafter amended.
(7) For a motor carrier and with respect to whom the U.S. Secretary of Transportation has the power to establish qualifications and maximum hours of service under the provisions of Title 49 U.S.C. or the State of Illinois under Section 18b-105 (Title 92 of the Illinois Administrative Code, Part 395 - Hours of Service of Drivers) of the Illinois Vehicle Code.

The above exclusions from the term "employee" may be further defined by regulations of the Director.

(e) "Occupation" means an industry, trade, business or class of work in which employees are gainfully employed.
(f) "Gratuites" means voluntary monetary contributions to an employee from a guest, patron or customer in connection with services rendered.
(g) "Outside salesman" means an employee regularly engaged in making sales or obtaining orders or contracts for services where a major portion of such duties are performed away from his employer's place of business.

(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
Sec. 7. The Director or his authorized representatives have the authority to:

(a) Investigate and gather data regarding the wages, hours and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof) at reasonable times during regular business hours, not including lunch time at a restaurant, question such employees, and investigate such facts, conditions, practices or matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of this Act.

(b) Require from any employer full and correct statements and reports in writing, including sworn statements, at such times as the Director may deem necessary, of the wages, hours, names, addresses, and other information pertaining to his employees as he may deem necessary for the enforcement of this Act.

(c) Require by subpoena the attendance and testimony of witnesses and the production of all books, records, and other evidence relative to a matter under investigation or hearing. The subpoena shall be signed and issued by the Director or his or her authorized representative. If a person fails to comply with any subpoena lawfully issued under this Section or a witness refuses to produce evidence or testify to any matter regarding which he or she may be lawfully interrogated, the court may, upon application of the Director or his or her authorized representative, compel obedience by proceedings for contempt.

(Source: P.A. 77-1451.)

Sec. 12. (a) If any employee is paid by his employer less than the wage to which he is entitled under the provisions of this Act, the employee may recover in a civil action the amount of any such underpayments together with costs and such reasonable attorney's fees as may be allowed by the Court, and damages of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. Any agreement between

New matter indicated by italics - deletions by strikeout
the employee him and the his employer to work for less than such wage is no defense to such action. At the request of the employee or on motion of the Director of Labor, the Department of Labor may make an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs incurred in collecting such claim. Every such action shall be brought within 3 years from the date of the underpayment. Such employer shall be liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act. Such employer and shall be additionally liable to the employee for punitive damages in the amount of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. These penalties and damages The Director may promulgate rules for the collection of these penalties. The amount of a penalty may be determined, and the penalty may be assessed, through an administrative hearing. The penalty may be recovered in a civil action brought by the Director of Labor in any circuit court. The penalty shall be imposed in cases in which an employer's conduct is proven by a preponderance of the evidence to be willful. In any such action, the Director of Labor shall be represented by the Attorney General.

If an employee collects damages of 2% of the amount of underpayments as a result of an action brought by the Director of Labor, the employee may not also collect those damages in a private action brought by the employee for the same violation. If an employee collects damages of 2% of the amount of underpayments in a private action brought by the employee, the employee may not also collect those damages as a result of an action brought by the Director of Labor for the same violation.

(b) If an employee has not collected damages under subsection (a) for the same violation, the Director is authorized to supervise the payment of the unpaid minimum wages and the unpaid overtime compensation owing to any employee or employees under Sections 4 and

New matter indicated by italics - deletions by strikeout
4a of this Act and may bring any legal action necessary to recover the amount of the unpaid minimum wages and unpaid overtime compensation and an equal additional amount as punitive damages, and the employer shall be required to pay the costs incurred in collecting such claim. Such and the employer shall be additionally liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act. be required to pay the costs. The action shall be brought within 5 years from the date of the failure to pay the wages or compensation. Any sums thus recovered by the Director on behalf of an employee pursuant to this subsection shall be paid to the employee or employees affected. Any sums which, more than one year after being thus recovered, the Director is unable to pay to an employee shall be deposited into the General Revenue Fund.

(Source: P.A. 92-392, eff. 1-1-02.)

Section 10. The Illinois Wage Payment and Collection Act is amended by changing Sections 2 and 14 as follows:

(820 ILCS 115/2) (from Ch. 48, par. 39m-2)

Sec. 2. For all employees, other than separated employees, "wages" shall be defined as any compensation owed an employee by an employer pursuant to an employment contract or agreement between the 2 parties, whether the amount is determined on a time, task, piece, or any other basis of calculation. Payments to separated employees shall be termed "final compensation" and shall be defined as wages, salaries, earned commissions, earned bonuses, and the monetary equivalent of earned vacation and earned holidays, and any other compensation owed the employee by the employer pursuant to an employment contract or agreement between the 2 parties. Where an employer is legally committed through a collective bargaining agreement or otherwise to make contributions to an employee benefit, trust or fund on the basis of a certain amount per hour, day, week or other period of time, the amount due from the employer to such employee benefit, trust, or fund shall be defined as "wage supplements", subject to the wage collection provisions of this Act.

New matter indicated by italics - deletions by strikeout
As used in this Act, the term "employer" shall include any individual, partnership, association, corporation, limited liability company, business trust, employment and labor placement agencies where wage payments are made directly or indirectly by the agency or business for work undertaken by employees under hire to a third party pursuant to a contract between the business or agency with the third party, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons is gainfully employed.

As used in this Act, the term "employee" shall include any individual permitted to work by an employer in an occupation, but shall not include any individual:

(1) who has been and will continue to be free from control and direction over the performance of his work, both under his contract of service with his employer and in fact; and

(2) who performs work which is either outside the usual course of business or is performed outside all of the places of business of the employer unless the employer is in the business of contracting with third parties for the placement of employees; and

(3) who is in an independently established trade, occupation, profession or business.

(Source: P.A. 89-364, eff. 8-18-95; 89-626, eff. 8-9-96.)

(820 ILCS 115/14) (from Ch. 48, par. 39m-14)

Sec. 14. (a) Any employer or any agent of an employer, who, being able to pay wages, final compensation, or wage supplements and being under a duty to pay, wilfully refuses to pay as provided in this Act, or falsely denies the amount or validity thereof or that the same is due, with intent to secure for himself or other person any underpayment of such indebtedness or with intent to annoy, harass, oppress, hinder, delay or defraud the person to whom such indebtedness is due, upon conviction, is guilty of a Class C misdemeanor. Each day during which any violation of this Act continues shall constitute a separate and distinct offense.

(b) Any employer who has been demanded ordered by the Director of Labor or ordered by the court to pay wages due an employee and who

New matter indicated by italics - deletions by strikeout
shall fail to do so within 15 days after such demand or order is entered shall be liable to pay a penalty of 1% per calendar day to the employee for each day of delay in paying such wages to the employee up to an amount equal to twice the sum of unpaid wages due the employee.

(c) Any employer, or any agent of an employer, who knowingly discharges or in any other manner knowingly discriminates against any employee because that employee has made a complaint to his employer, or to the Director of Labor or his authorized representative, that he or she has not been paid in accordance with the provisions of this Act, or because that employee has caused to be instituted any proceeding under or related to this Act, or because that employee has testified or is about to testify in an investigation or proceeding under this Act, is guilty, upon conviction, of a Class C misdemeanor.

(Source: P.A. 83-202.)

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

Approved July 14, 2006.
Effective July 14, 2006.
pursuant to Section 708, the court shall require the parties to identify reasonable alternative arrangements for visitation by a non-custodial parent, including but not limited to visitation of the minor child at the residence of another person or at a local public or private facility.

(a-3) Grandparents, great-grandparents, and siblings of a minor child, who is one year old or older, have standing to bring an action in circuit court by petition, requesting visitation in accordance with this Section. The term “sibling” in this Section means a brother, sister, stepbrother, or stepsister of the minor child. Grandparents, great-grandparents, and siblings also have standing to file a petition for visitation rights in a pending dissolution proceeding or any other proceeding that involves custody or visitation issues, requesting visitation in accordance with this Section. A petition for visitation with a child by a person other than a parent must be filed in the county in which the child resides. Nothing in this subsection (a-3) and subsection (a-5) of this Section shall apply to a child in whose interests a petition is pending under Section 2-13 of the Juvenile Court Act of 1987 or a petition to adopt an unrelated child is pending under the Adoption Act.

(a-5)(1) Except as otherwise provided in this subsection (a-5), any grandparent, great-grandparent, or sibling may file a petition for visitation rights to a minor child if there is an unreasonable denial of visitation by a parent and at least one of the following conditions exists:

(A) (Blank); one parent of the child is incompetent as a matter of law or deceased or has been sentenced to a period of imprisonment for more than 1 year;

(A-5) the child’s other parent is deceased or has been missing for at least 3 months. For the purposes of this Section a parent is considered to be missing if the parent’s location has not been determined and the parent has been reported as missing to a law enforcement agency;

(A-10) a parent of the child is incompetent as a matter of law;

(A-15) a parent has been incarcerated in jail or prison during the 3 month period preceding the filing of the petition;

New matter indicated by italics - deletions by strikeout
(B) the child's mother and father are divorced or have been legally separated from each other or there is pending a dissolution proceeding involving a parent of the child or another court proceeding involving custody or visitation of the child (other than any adoption proceeding of an unrelated child) during the 3-month period prior to the filing of the petition and at least one parent does not object to the grandparent, great-grandparent, or sibling having visitation with the child. The visitation of the grandparent, great-grandparent, or sibling must not diminish the visitation of the parent who is not related to the grandparent, great-grandparent, or sibling seeking visitation;

(C) (Blank); the court, other than a Juvenile Court, has terminated a parent-child relationship and the grandparent, great-grandparent, or sibling is the parent of the person whose parental rights have been terminated; except in cases of adoption. The visitation must not be used to allow the parent who lost parental rights to unlawfully visit with the child;

(D) the child is born out of wedlock, the parents are not living together, and the petitioner is a maternal grandparent, great-grandparent, or sibling of the child born out of wedlock; or

(E) the child is born out of wedlock, the parents are not living together, the petitioner is a paternal grandparent, great-grandparent, or sibling, and the paternity has been established by a court of competent jurisdiction.

(2) Any visitation rights granted pursuant to this Section before the filing of a petition for adoption of a child shall automatically terminate by operation of law upon the entry of an order terminating parental rights or granting the adoption of the child, whichever is earlier. If the person or persons who adopted the child are related to the child, as defined by Section 1 of the Adoption Act, any person who was related to the child as grandparent, great-grandparent, or sibling prior to the adoption shall have standing to bring an action pursuant to this Section requesting visitation with the child. The grandparent, great-grandparent, or sibling of
a parent whose parental rights have been terminated through an adoption proceeding may not petition for visitation rights.

(3) In making a determination under this subsection (a-5), there is a rebuttable presumption that a fit parent's actions and decisions regarding grandparent, great-grandparent, or sibling visitation are not harmful to the child's mental, physical, or emotional health. The burden is on the party filing a petition under this Section to prove that the parent's actions and decisions regarding visitation times are harmful to the child's mental, physical, or emotional health.

(4) In determining whether to grant visitation, the court shall consider the following:

(A) the preference of the child if the child is determined to be of sufficient maturity to express a preference;
(B) the mental and physical health of the child;
(C) the mental and physical health of the grandparent, great-grandparent, or sibling;
(D) the length and quality of the prior relationship between the child and the grandparent, great-grandparent, or sibling;
(E) the good faith of the party in filing the petition;
(F) the good faith of the person denying visitation;
(G) the quantity of the visitation time requested and the potential adverse impact that visitation would have on the child's customary activities;
(H) whether the child resided with the petitioner for at least 6 consecutive months with or without the current custodian present;
(I) whether the petitioner had frequent or regular contact or visitation with the child for at least 12 consecutive months; and
(J) any other fact that establishes that the loss of the relationship between the petitioner and the child is likely to harm the child's mental, physical, or emotional health; and 

(K) whether the grandparent, great-grandparent, or sibling was a primary caretaker of the child for a period of not less than 6 consecutive months.

New matter indicated by italics - deletions by strikeout
(5) The court may order visitation rights for the grandparent, great-grandparent, or sibling that include reasonable access without requiring overnight or possessory visitation.

(a-7)(1) Unless by stipulation of the parties, no motion to modify a grandparent, great-grandparent, or sibling visitation order may be made earlier than 2 years after the date the order was filed, unless the court permits it to be made on the basis of affidavits that there is reason to believe the child's present environment may endanger seriously the child's mental, physical, or emotional health.

(2) The court shall not modify an a prior grandparent, great-grandparent, or sibling visitation order that grants visitation to a grandparent, great-grandparent, or sibling unless it finds by clear and convincing evidence, upon the basis of facts that have arisen since the prior visitation order or that were unknown to the court at the time of entry of the prior visitation, that a change has occurred in the circumstances of the child or his or her custodian, and that the modification is necessary to protect the mental, physical, or emotional health of the child. The court shall state in its decision specific findings of fact in support of its modification or termination of the grandparent, great-grandparent, or sibling visitation. A child's parent may always petition to modify visitation upon changed circumstances when necessary to promote the child's best interest.

(3) Attorney fees and costs shall be assessed against a party seeking modification of the visitation order if the court finds that the modification action is vexatious and constitutes harassment.

(4) Notice under this subsection (a-7) shall be given as provided in subsections (c) and (d) of Section 601.

(b) (1) (Blank.)

(1.5) The Court may grant reasonable visitation privileges to a stepparent upon petition to the court by the stepparent, with notice to the parties required to be notified under Section 601 of this Act, if the court determines that it is in the best interests and welfare of the child, and may issue any necessary orders to enforce those visitation privileges. A petition for visitation privileges may be filed under this paragraph (1.5) whether or
not a petition pursuant to this Act has been previously filed or is currently pending if the following circumstances are met:

(A) the child is at least 12 years old;

(B) the child resided continuously with the parent and stepparent for at least 5 years;

(C) the parent is deceased or is disabled and is unable to care for the child;

(D) the child wishes to have reasonable visitation with the stepparent; and

(E) the stepparent was providing for the care, control, and welfare to the child prior to the initiation of the petition for visitation.

(2)(A) A petition for visitation privileges shall not be filed pursuant to this subsection (b) by the parents or grandparents of a putative father if the paternity of the putative father has not been legally established.

(B) A petition for visitation privileges may not be filed under this subsection (b) if the child who is the subject of the grandparents' or great-grandparents' petition has been voluntarily surrendered by the parent or parents, except for a surrender to the Illinois Department of Children and Family Services or a foster care facility, or has been previously adopted by an individual or individuals who are not related to the biological parents of the child or is the subject of a pending adoption petition by an individual or individuals who are not related to the biological parents of the child.

(3) (Blank).

(c) The court may modify an order granting or denying visitation rights of a parent whenever modification would serve the best interest of the child; but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger seriously the child's physical, mental, moral or emotional health. The court may modify an order granting, denying, or limiting visitation rights of a grandparent, great-grandparent, or sibling of any minor child whenever a change of circumstances has occurred based on facts occurring subsequent to the
judgment and the court finds by clear and convincing evidence that the modification is in the best interest of the minor child.

(d) If any court has entered an order prohibiting a non-custodial parent of a child from any contact with a child or restricting the non-custodial parent's contact with the child, the following provisions shall apply:

(1) If an order has been entered granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent, the visitation privileges of the grandparent or great-grandparent may be revoked if:

(i) a court has entered an order prohibiting the non-custodial parent from any contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent; or

(ii) a court has entered an order restricting the non-custodial parent's contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent in a manner that violates the terms of the order restricting the non-custodial parent's contact with the child.

Nothing in this subdivision (1) limits the authority of the court to enforce its orders in any manner permitted by law.

(2) Any order granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent shall contain the following provision:

"If the (grandparent or great-grandparent, whichever is applicable) who has been granted visitation privileges under this order uses the visitation privileges to facilitate contact between the child and the child's non-custodial parent, the visitation privileges granted under this order shall be permanently revoked."

New matter indicated by italics - deletions by strikeout
(e) No parent, not granted custody of the child, or grandparent, or great-grandparent, or stepparent, or sibling of any minor child, convicted of any offense involving an illegal sex act perpetrated upon a victim less than 18 years of age including but not limited to offenses for violations of Article 12 of the Criminal Code of 1961, is entitled to visitation rights while incarcerated or while on parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for that offense, and upon discharge from incarceration for a misdemeanor offense or upon discharge from parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for a felony offense, visitation shall be denied until the person successfully completes a treatment program approved by the court.

(f) Unless the court determines, after considering all relevant factors, including but not limited to those set forth in Section 602(a), that it would be in the best interests of the child to allow visitation, the court shall not enter an order providing visitation rights and pursuant to a motion to modify visitation shall revoke visitation rights previously granted to any person who would otherwise be entitled to petition for visitation rights under this Section who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child who is the subject of the order. Until an order is entered pursuant to this subsection, no person shall visit, with the child present, a person who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child without the consent of the child's parent, other than a parent convicted of first degree murder as set forth herein, or legal guardian.

(g) (Blank). If an order has been entered limiting, for cause, a minor child's contact or visitation with a grandparent, great-grandparent, or sibling on the grounds that it was in the best interest of the child to do so, that order may be modified only upon a showing of a substantial change in circumstances occurring subsequent to the entry of the order with proof by clear and convincing evidence that modification is in the best interest of the minor child.

(Source: P.A. 93-911, eff. 1-1-05; 94-229, eff. 1-1-06.)

New matter indicated by italics - deletions by strikeout
Passed in the General Assembly April 19, 2006.
Approved July 14, 2006.

PUBLIC ACT 94-1027
(Senate Bill No. 0094)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:

Section 5. The Counties Code is amended by adding Section 5-12012.1 as follows:
(55 ILCS 5/5-12012.1 new)
Sec. 5-12012.1. Actions subject to de novo review; due process.
(a) Any special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the county board of any county, home rule or non-home rule, shall be subject to de novo judicial review as a legislative decision, regardless of whether the process of its adoption is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.
(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

Section 10. The Township Code is amended by adding Section 110-50.1 as follows:
(60 ILCS 1/110-50.1 new)
Sec. 110-50.1. Actions subject to de novo review; due process.
(a) Any special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the township board of any township shall be subject to de novo judicial review as a legislative decision, regardless of whether the process of its adoption is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.

New matter indicated by italics - deletions by strikeout
(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

Section 15. The Illinois Municipal Code is amended by adding Section 11-13-25 as follows:

(65 ILCS 5/11-13-25 new)
Sec. 11-13-25. Actions subject to de novo review; due process.
(a) Any special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the corporate authorities of any municipality, home rule or non-home rule, shall be subject to de novo judicial review as a legislative decision, regardless of whether the process of its adoption is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.
(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

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

Approved July 14, 2006.
Effective July 14, 2006.

PUBLIC ACT 94-1028
(Senate Bill No. 0279)

AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Dental Practice Act is amended by changing Sections 37 and 38.1 and by adding Section 38.2 as follows:
(225 ILCS 25/37) (from Ch. 111, par. 2337)
(Section scheduled to be repealed on January 1, 2016)
Sec. 37. Unlicensed practice; injunctions. The practice of dentistry by any person not holding a valid and current license under this Act is

New matter indicated by italics - deletions by strikeout
declared to be inimical to the public welfare, to constitute a public
nuisance, and to cause irreparable harm to the public welfare.
A person is considered to practice dentistry who:

(1) employs a dentist, dental hygienist, or other entity
which can provide dental services under this Act;

(2) directs or controls the use of any dental equipment or
material while such equipment or material is being used for the
provision of dental services, provided that this provision shall not
be construed to prohibit a person from obtaining professional
advice or assistance in obtaining or from leasing the equipment or
material, provided the advice, assistance, or lease does not restrict
or interfere with the custody, control, or use of the equipment or
material by the person;

(3) directs, controls or interferes with a dentist's or dental
hygienist's clinical judgment; or

(4) exercises direction or control, by written contract,
license, or otherwise, over a dentist, dental hygienist, or other
entity which can provide dental services under this Act in the
selection of a course of treatment; limitation of patient referrals;
content of patient records; policies and decisions relating to
refunds (if the refund payment would be reportable under federal
law to the National Practitioner Data Bank) and warranties and the
clinical content of advertising; and final decisions relating to
employment of dental assistants and dental hygienists. Nothing in
this Act shall, however, be construed as prohibiting the seeking or
giving of advice or assistance with respect to these matters.

The purpose of this Section is to prevent a non-dentist from
influencing or otherwise interfering with the exercise of independent
professional judgment by a dentist, dental hygienist, or other entity which
can provide dental services under this Act. Nothing in this Section shall be
construed to prohibit insurers and managed care plans from operating
pursuant to the applicable provisions of the Illinois Insurance Code under
which the entities are licensed.
The Director, the Attorney General, the State's attorney of any county in the State, or any person may maintain an action in the name of the People of the State of Illinois, and may apply for injunctive relief in any circuit court to enjoin such person from engaging in such practice; and upon the filing of a verified petition in such court, the court if satisfied by affidavit, or otherwise, that such person has been engaged in such practice without a valid and current license so to do, may enter a temporary restraining order without notice or bond, enjoining the defendant from such further practice. Only the showing of non-licensure, by affidavit or otherwise, is necessary in order for a temporary injunction to issue. A copy of the verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as in other civil cases except as modified by this Section. If it is established that the defendant has been, or is engaged in such unlawful practice, the court may enter an order or judgment perpetually enjoining the defendant from further such practice. In all proceedings hereunder the court, in its discretion, may apportion the costs among the parties interested in the action, including cost of filing the complaint, service of process, witness fees and expenses, court reporter charges and reasonable attorneys' fees. In case of violation of any injunctive order entered under the provisions of this Section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies provided in this Act.

This Section does not apply to an executor, administrator, guardian, or authorized representative contracting with another dentist or dentists to continue the operations of a deceased or incapacitated dentist's practice under Section 38.2 of this Act.

(Source: P.A. 91-520, eff. 1-1-00.)

(225 ILCS 25/38.1)

(Section scheduled to be repealed on January 1, 2016)

Sec. 38.1. Prohibition against interference by non-dentists. The purpose of this Section is to ensure that each dentist or dental hygienist practicing in this State meets minimum requirements for safe practice without clinical interference by persons not licensed under this Act. It is

New matter indicated by italics - deletions by strikeout
the legislative intent that dental services be provided only in accordance with the provisions of this Act and not be delegated to unlicensed persons.

Unless otherwise authorized by this Act, a dentist or dental hygienist is prohibited from providing dental services in this State, if the dentist or dental hygienist:

(1) is employed by any person other than a dentist to provide dental services, except as set forth in Section 38.2 of this Act; or

(2) allows any person other than another dentist to direct, control, or interfere with the dentist's or dental hygienist's clinical judgment. Clinical judgment shall include but not be limited to such matters as the dentist's or dental hygienist's selection of a course of treatment, limitation of patient referrals, content of patient records, policies and decisions relating to refunds (if the refund payment would be reportable under federal law to the National Practitioner Data Bank) and warranties and the clinical content of advertising, and final decisions relating to employment of dental assistants and dental hygienists. This paragraph shall not be construed to limit a patient's right of informed consent. An executor, administrator, guardian, or authorized representative contracting with another dentist or dentists to continue the operations of a deceased or incapacitated dentist's practice under Section 38.2 of this Act who violates this paragraph (2) is subject to the civil penalties set forth in Section 8.5 of this Act.

(Source: P.A. 91-520, eff. 1-1-00.)

(225 ILCS 25/38.2 new)

(Section scheduled to be repealed on January 1, 2016)

Sec. 38.2. Death or incapacitation of dentist.

(a) The executor or administrator of a dentist's estate or the legal guardian or authorized representative of a dentist who has become incapacitated may contract with another dentist or dentists to continue the operations of the deceased or incapacitated dentist's practice (if the practice of the deceased or incapacitated dentist is a sole proprietorship, a corporation where the deceased or incapacitated dentist is the sole 

New matter indicated by italics - deletions by strikeout
shareholder, or a limited liability company where the deceased or incapacitated dentist is the sole member) for a period of no more than one year from the time of death or incapacitation of the dentist or until the practice is sold, whichever occurs first, if all the following conditions are met:

(1) The executor, administrator, guardian, or authorized representative executes and files with the Department a notification of death or incapacitation on a form provided by the Department, which notification shall include the following:
   (A) the name and license number of the deceased or incapacitated dentist;
   (B) the name and address of the dental practice;
   (C) the name, address, and tax identification number of the estate;
   (D) the name and license number of each dentist who will operate the dental practice; and
   (E) an affirmation, under penalty of perjury, that the information provided is true and correct and that the executor, administrator, guardian, or authorized representative understands that any interference by the executor, administrator, guardian, or authorized representative or any agent or assignee of the executor, administrator, guardian, or authorized representative with the contracting dentist's or dentists' practice of dentistry or professional judgment or any other violation of this Section is grounds for an immediate termination of the operations of the dental practice.

(2) Within 30 days after the death or incapacitation of a dentist, the executor, administrator, guardian, or authorized representative shall send notification of the death or incapacitation by mail to the last known address of each patient of record that has seen the deceased or incapacitated dentist within the previous 12 months, with an explanation of how copies of the practitioner's records may be obtained. This notice may also contain any other
relevant information concerning the continuation of the dental practice.

Continuation of the operations of the dental practice of a deceased or incapacitated dentist shall not begin until the provisions of this subsection (a) have been met.

(b) The Secretary may terminate the operations of a dental practice operating pursuant to this Section if the Department has evidence of a violation of this Section or Section 23 or 24 of this Act. The Secretary must conduct a hearing before terminating the operations of a dental practice operating pursuant to this Section. At least 15 days before the hearing date, the Department (i) must notify, in writing, the executor, administrator, guardian, or authorized representative at the address provided, pursuant to item (C) of subdivision (1) of subsection (a) of this Section, and to the contracting dentist or dentists at the address of the dental practice provided pursuant to item (B) of subdivision (1) of subsection (a) of this Section, of any charges made and of the time and place of the hearing on the charges before the Secretary or hearing officer, as provided in Section 30 of this Act, (ii) direct the executor, administrator, guardian, or authorized representative to file his or her written answer to such charges with the Secretary under oath within 10 days after the service on the executor, administrator, guardian, or authorized representative of the notice, and (iii) inform the executor, administrator, guardian, or authorized representative that if he or she fails to file such answer, a default judgment will be entered against him or her and the operations of the dental practice shall be terminated.

(c) If the Secretary finds that evidence in his or her possession indicates that a violation of this Section or Section 23 or 24 of this Act constitutes an immediate threat to the public health, safety, or welfare, the Secretary may immediately terminate the operations of the dental practice without a hearing. Upon service by certified mail to the executor, administrator, guardian, or authorized representative, at the address provided pursuant to item (C) of subdivision (1) of subsection (a) of this Section, and the contracting dentist or dentists, at the address of the dental practice provided pursuant to item (B) of subdivision (1) of subsection (a)
of this Section, of notice of an order immediately terminating the operations of the dental practice, the executor, administrator, guardian, or authorized representative may petition the Department within 30 days for a hearing to take place within 30 days after the petition is filed.

(d) The Department may require, by rule, the submission to the Department of any additional information necessary for the administration of this Section.

Approved July 14, 2006.

PUBLIC ACT 94-1029
(Senate Bill No. 0304)

AN ACT concerning government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Residential Real Property Disclosure Act is amended by changing Section 70 as follows:

(765 ILCS 77/70)
Sec. 70. Predatory lending database pilot program.
(a) As used in this Article:
"Borrower" means a person seeking a mortgage loan.
"Broker" means a "broker" or "loan broker", as defined in subsection (p) of Section 1-4 of the Residential Mortgage License Act of 1987.
"Closing agent" means an individual assigned by a title insurance company or a broker or originator to ensure that the execution of documents related to the closing of a real estate sale or the refinancing of a real estate loan and the disbursement of closing funds are in conformity with the instructions of the entity financing the transaction.
"Department" means the Department of Financial and Professional Regulation.

New matter indicated by italics - deletions by strikeout
"Exempt person" means that term as it is defined in subsections (d)(1) and (d)(1.5) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Lender" means that term as it is defined in subsection (g) of Section 1-4 of the Residential Mortgage License Act.

"Licensee" means that term as it is defined in subsection (e) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Mortgage loan" means that term as it is defined in subsection (f) of Section 1-4 of the Residential Mortgage License Act of 1987.

"Originator" means a "loan originator" as defined in subsection (hh) of Section 1-4 of the Residential Mortgage License Act of 1987, except an exempt person.

"Pilot program area" means all areas within Cook County designated as such by the Department due to the high rate of foreclosure on residential home mortgages that is primarily the result of predatory lending practices. The Department shall designate the pilot program area within 30 days after the effective date of this amendatory Act of the 94th General Assembly.

"Title insurance company" means any domestic company organized under the laws of this State for the purpose of conducting the business of guaranteeing or insuring titles to real estate and any title insurance company organized under the laws of another State, the District of Columbia, or a foreign government and authorized to transact the business of guaranteeing or insuring titles to real estate in this State.

(a-5) Inception date. The Secretary of Financial and Professional Regulation shall declare in writing the date of inception of the pilot program. The inception date shall be no later than September 1, 2006, and shall be at least 30 days after the date the Secretary issues a declaration establishing that date. The Secretary's declaration shall be posted on the Department's website, and the Department shall communicate the declaration to affected licensees of the Department. Until the inception date, none of the duties, obligations, contingencies, or consequences of or from the pilot program shall be imposed. The pilot program shall apply to

New matter indicated by italics - deletions by strikeout
all mortgage applications that are governed by this Article and that are made or taken on or after the inception of the pilot program.

(b) A predatory lending database pilot program is established within the pilot program area, effective upon the inception date established by the Secretary of the Department. The pilot program shall be in effect and operational for a total of 4 years after its creation and shall continue for a total of 4 years after its creation and shall be administered in accordance with Article 3 of this Act. The database created under this program shall be maintained and administered by the Department. The database shall be designed to allow brokers, originators, credit counselors, title insurance companies, and closing agents to submit information to the database online. The database shall not be designed to allow those entities to retrieve information from the database, except as otherwise provided in this Article. Information submitted by the broker or originator to the Department may be used to populate the online form submitted by a credit counselor, title insurance company, or closing agent.

(c) Within 10 days after taking a mortgage application, the broker or originator for any mortgage on residential property within the pilot program area must submit to the predatory lending database all of the information required under Section 72 and any other information required by the Department by rule. Within 7 days after receipt of the information, the Department shall compare that information to credit counseling standards developed by the Department by rule and issue to the borrower and the broker or originator a determination of whether credit counseling is recommended for the borrower. The borrower may not waive credit counseling. If at any time after submitting the information required under Section 72 the broker or originator (i) changes the terms of the loan or (ii) issues a new commitment to the borrower, then, within 5 days thereafter, the broker or originator shall re-submit all of the information required under Section 72 and, within 4 days after receipt of the information re-submitted by the broker or originator, the Department shall compare that information to credit counseling standards developed by the Department by rule and shall issue to the borrower and the broker or originator a new determination of whether credit counseling is recommended for the
borrower based on the information re-submitted by the broker or originator.

(d) If the Department recommends credit counseling for the borrower under subsection (c), then the Department shall notify the borrower of all HUD-certified counseling agencies located within the State and direct the borrower to interview with a counselor associated with one of those agencies. Within 10 days after receipt of the notice of HUD-certified counseling agencies, the borrower shall select one of those agencies and shall engage in an interview with a counselor associated with that agency. Within 7 days after interviewing the borrower, the credit counselor must submit to the predatory lending database all of the information required under Section 74 and any other information required by the Department by rule. Any costs associated with credit counseling provided under the pilot program shall be paid by the broker or originator. A credit counselor who in good faith provides counseling services shall not be liable to a broker or originator for civil damages, except for willful or wanton misconduct on the part of the counselor in providing the counseling services.

(e) The broker or originator and the borrower may not take any legally binding action concerning the loan transaction until the later of the following:

(1) the Department issues a determination not to recommend credit counseling for the borrower in accordance with subsection (c); or

(2) the Department issues a determination that credit counseling is recommended for the borrower and the credit counselor submits all required information to the database in accordance with subsection (d).

(f) Within 10 days after closing, the title insurance company or closing agent must submit to the predatory lending database all of the information required under Section 76 and any other information required by the Department by rule.

(g) Upon recording the mortgage, the title insurance company or closing agent shall attach to the mortgage must simultaneously file with

New matter indicated by italics - deletions by strikeout
the recorder a certificate of its compliance with the requirements of this Article, as generated by the database. If the title insurance company or closing agent fails to attach the certificate of compliance, then the mortgage is not recordable. In addition, if any lis pendens for a residential mortgage foreclosure is recorded on the property within the pilot program area, a certificate of service must be simultaneously recorded that affirms that a copy of the lis pendens was filed with the Department. If the certificate of service is not recorded, then the lis pendens pertaining to the residential mortgage foreclosure in question is not recordable and is of no force and effect.

(h) All information provided to the predatory lending database under the program is confidential and is not subject to disclosure under the Freedom of Information Act, except as otherwise provided in this Article. Any borrower may authorize in writing the release of database information. The Department may use the information in the database without the consent of the borrower: (i) for the purposes of administering and enforcing the pilot program; (ii) to provide relevant information to a credit counselor providing credit counseling to a borrower under the pilot program; or (iii) to the appropriate law enforcement agency or the applicable administrative agency if the database information demonstrates criminal, fraudulent, or otherwise illegal activity.

(i) Nothing in this Article is intended to prevent a borrower from making his or her own decision as to whether to proceed with a transaction.

(j) Any person who violates any provision of this Article commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act.

(k) Not later than one year after the Department designates the pilot program area and annually thereafter during the existence of the pilot program, the Department shall report to the Governor and to the General Assembly concerning its administration and the effectiveness of the pilot program.

(Source: P.A. 94-280, eff. 1-1-06.)

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved July 14, 2006.
Effective July 14, 2006.

PUBLIC ACT 94-1030
(Senate Bill No. 0619)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-332 as follows:

(20 ILCS 605/605-332)
Sec. 605-332. Financial assistance to energy generation facilities.
(a) As used in this Section:
"New electric generating facility" means a newly-constructed electric generation plant or a newly constructed generation capacity expansion at an existing facility, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which foundation construction commenced not sooner than July 1, 2001, which is designed to provide baseload electric generation operating on a continuous basis throughout the year and:

(1) has an aggregate rated generating capacity of at least 400 megawatts for all new units at one site, uses coal or gases derived from coal as its primary fuel source, and supports the creation of at least 150 new Illinois coal mining jobs; or

(2) is funded through a federal Department of Energy grant before December 31, 2007 and supports the creation of Illinois coal-mining jobs; or

New matter indicated by italics - deletions by strikeout
(3) uses coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and supports the creation of Illinois coal-mining jobs.

"New gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2006. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal.

"New facility" means a new electric generating facility or a new gasification facility. A new facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal.

"Eligible business" means an entity that proposes to construct a new facility and that has applied to the Department to receive financial assistance pursuant to this Section. With respect to use and occupation taxes, wherever there is a reference to taxes, that reference means only those taxes paid on Illinois-mined coal used in a new facility.

"Department" means the Illinois Department of Commerce and Economic Opportunity.

(b) The Department is authorized to provide financial assistance to eligible businesses for new facilities from funds appropriated by the General Assembly as further provided in this Section.

An eligible business seeking qualification for financial assistance for a new facility, for purposes of this Section only, shall apply to the Department in the manner specified by the Department. Any projections provided by an eligible business as part of the application shall be independently verified in a manner as set forth by the Department. An application shall include, but not be limited to:

(1) the projected or actual completion date of the new facility for which financial assistance is sought;

New matter indicated by italics - deletions by strikeout
(2) copies of documentation deemed acceptable by the Department establishing either (i) the total State occupation and use taxes paid on Illinois-mined coal used at the new facility for a minimum of 4 preceding calendar quarters or (ii) the projected amount of State occupation and use taxes paid on Illinois-mined coal used at the new facility in 4 calendar year quarters after completion of the new facility. Bond proceeds subject to this Section shall not be allocated to an eligible business until the eligible business has demonstrated the revenue stream sufficient to service the debt on the bonds; and

(3) the actual or projected amount of capital investment by the eligible business in the new facility.

The Department shall determine the maximum amount of financial assistance for eligible businesses in accordance with this paragraph. The Department shall not provide financial assistance from general obligation bond funds to any eligible business unless it receives a written certification from the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) that 80% of the State occupation and use tax receipts for a minimum of the preceding 4 calendar quarters for all eligible businesses or as included in projections on approved applications by eligible businesses equal or exceed 110% of the maximum annual debt service required with respect to general obligation bonds issued for that purpose. The Department may provide financial assistance not to exceed the amount of State general obligation debt calculated as above, the amount of actual or projected capital investment in the facility, or $100,000,000, whichever is less. Financial assistance received pursuant to this Section may be used for capital facilities consisting of buildings, structures, durable equipment, and land at the new facility. Subject to the provisions of the agreement covering the financial assistance, a portion of the financial assistance may be required to be repaid to the State if certain conditions for the governmental purpose of the assistance were not met.

An eligible business shall file a monthly report with the Illinois Department of Revenue stating the amount of Illinois-mined coal purchased during the previous month for use in the new facility, the

New matter indicated by italics - deletions by strikeout
purchase price of that coal, the amount of State occupation and use taxes paid on that purchase to the seller of the Illinois-mined coal, and such other information as that Department may reasonably require. In sales of Illinois-mined coal between related parties, the purchase price of the coal must have been determined in an arms-length transaction. The report shall be filed with the Illinois Department of Revenue on or before the 20th day of each month on a form provided by that Department. However, no report need be filed by an eligible business in a month when it made no reportable purchases of coal in the previous month. The Illinois Department of Revenue shall provide a summary of such reports to the Governor's Office of Management and Budget.

Upon granting financial assistance to an eligible business, the Department shall certify the name of the eligible business to the Illinois Department of Revenue. Beginning with the receipt of the first report of State occupation and use taxes paid by an eligible business and continuing for a 25-year period, the Illinois Department of Revenue shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business.

(Source: P.A. 93-167, eff. 7-10-03; 93-1064, eff. 1-13-05; 94-65, eff. 6-21-05.)

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

Approved July 14, 2006.
Effective July 14, 2006.

PUBLIC ACT 94-1031
(Senate Bill No. 0680)

AN ACT concerning revenue.

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

New matter indicated by italics - deletions by strikeout
Section 5. The Property Tax Code is amended by changing Section 16-70 as follows:

(35 ILCS 200/16-70)

Sec. 16-70. Determination of exemptions. The board of review shall hear and determine the application of any person who is assessed on property claimed to be exempt from taxation. However, the decision of the board shall not be final, except as to homestead exemptions. Upon filing of any application for a non-homestead exemption which would reduce the assessed valuation of any property by more than $100,000, the owner shall deliver, in person or by mail, a copy of the application to any municipality, school district, and community college district, and fire protection district in which the property is situated. Failure of a municipality, school district, or community college district, or fire protection district to receive the notice shall not invalidate any exemption. The board shall give the municipalities, school districts, and community college districts, fire protection districts, and the taxpayer an opportunity to be heard. The clerk of the board in all cases other than homestead exemptions, under the direction of the board, shall make out and forward to the Department, a full and complete statement of all the facts in the case. The Department shall determine whether the property is legally liable to taxation. It shall notify the board of review of its decision, and the board shall correct the assessment if necessary. The decision of the Department is subject to review under Sections 8-35 and 8-40. The extension of taxes on any assessment shall not be delayed by any proceedings under this Section, and, if the Department rules that the property is exempt, any taxes extended upon the unauthorized assessment shall be abated or, if paid, shall be refunded.

(Source: P.A. 86-345; 86-413; 86-1028; 86-1481; 88-455.)

Approved July 14, 2006.
AN ACT concerning criminal law.

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

Section 5. The Probation and Probation Officers Act is amended by changing Section 16.1 as follows:

(730 ILCS 110/16.1)

Sec. 16.1. Redeploy Illinois Program.

(a) The purpose of this Section is to encourage the deinstitutionalization of juvenile offenders establishing pilot projects in counties or groups of counties that reallocate State funds from juvenile correctional confinement to local jurisdictions, which will establish a continuum of local, community-based sanctions and treatment alternatives for juvenile offenders who would be incarcerated if those local services and sanctions did not exist. The allotment of funds will be based on a formula that rewards local jurisdictions for the establishment or expansion of local alternatives to incarceration, and requires them to pay for utilization of incarceration as a sanction. This redeployment of funds shall be made in a manner consistent with the Juvenile Court Act of 1987 and the following purposes and policies:

(1) The juvenile justice system should protect the community, impose accountability to victims and communities for violations of law, and equip juvenile offenders with competencies to live responsibly and productively.

(2) Juveniles should be treated in the least restrictive manner possible while maintaining the safety of the community.

(3) A continuum of services and sanctions from least restrictive to most restrictive should be available in every community.

(4) There should be local responsibility and authority for planning, organizing, and coordinating service resources in the community. People in the community can best choose a range of

New matter indicated by italics - deletions by strikeout
services which reflect community values and meet the needs of their own youth.

(5) Juveniles who pose a threat to the community or themselves need special care, including secure settings. Such services as detention, long-term incarceration, or residential treatment are too costly to provide in each community and should be coordinated and provided on a regional or Statewide basis.

(6) The roles of State and local government in creating and maintaining services to youth in the juvenile justice system should be clearly defined. The role of the State is to fund services, set standards of care, train service providers, and monitor the integration and coordination of services. The role of local government should be to oversee the provision of services.

(b) Each county or circuit participating in the pilot program must create a local plan demonstrating how it will reduce the county or circuit's utilization of secure confinement of juvenile offenders in the Illinois Department of Juvenile Justice or county detention centers by the creation or expansion of individualized services or programs that may include but are not limited to the following:

(1) Assessment and evaluation services to provide the juvenile justice system with accurate individualized case information on each juvenile offender including mental health, substance abuse, educational, and family information;

(2) Direct services to individual juvenile offenders including educational, vocational, mental health, substance abuse, supervision, and service coordination; and

(3) Programs that seek to restore the offender to the community, such as victim offender panels, teen courts, competency building, enhanced accountability measures, restitution, and community service. The local plan must be directed in such a manner as to emphasize an individualized approach to providing services to juvenile offenders in an integrated community based system including probation as the broker of services. The plan must also detail the reduction in utilization of

New matter indicated by italics - deletions by strikeout
secure confinement. The local plan shall be limited to services and shall not include costs for:

(i) capital expenditures;
(ii) renovations or remodeling;
(iii) personnel costs for probation.

The local plan shall be submitted to the Department of Human Services.

(c) A county or group of counties may develop an agreement with the Department of Human Services to reduce their number of commitments of juvenile offenders, excluding minors sentenced based upon a finding of guilt of first degree murder or an offense which is a Class X forcible felony as defined in the Criminal Code of 1961, to the Department of Juvenile Justice, and then use the savings to develop local programming for youth who would otherwise have been committed to the Department of Juvenile Justice. The county or group of counties shall agree to limit their commitments to 75% of the level of commitments from the average number of juvenile commitments for the past 3 years, and will receive the savings to redeploy for local programming for juveniles who would otherwise be held in confinement. For any county or group of counties with a decrease of juvenile commitments of at least 25%, based on the average reductions of the prior 3 years, which are chosen to participate or continue as pilot sites, the Redeploy Illinois Oversight Board has the authority to reduce the required percentage of future commitments to achieve the purpose of this Section. The agreement shall set forth the following:

(1) a Statement of the number and type of juvenile offenders from the county who were held in secure confinement by the Illinois Department of Juvenile Justice or in county detention the previous year, and an explanation of which, and how many, of these offenders might be served through the proposed Redeploy Illinois Program for which the funds shall be used;

(2) a Statement of the service needs of currently confined juveniles;

New matter indicated by italics - deletions by strikeout
(3) a Statement of the type of services and programs to provide for the individual needs of the juvenile offenders, and the research or evidence base that qualifies those services and programs as proven or promising practices;

(4) a budget indicating the costs of each service or program to be funded under the plan;

(5) a summary of contracts and service agreements indicating the treatment goals and number of juvenile offenders to be served by each service provider; and

(6) a Statement indicating that the Redeploy Illinois Program will not duplicate existing services and programs. Funds for this plan shall not supplant existing county funded programs.

(d) (Blank).

(e) The Department of Human Services shall be responsible for the following:

(1) Reviewing each Redeploy Illinois Program plan for compliance with standards established for such plans. A plan may be approved as submitted, approved with modifications, or rejected. No plan shall be considered for approval if the circuit or county is not in full compliance with all regulations, standards and guidelines pertaining to the delivery of basic probation services as established by the Supreme Court.

(2) Monitoring on a continual basis and evaluating annually both the program and its fiscal activities in all counties receiving an allocation under the Redeploy Illinois Program. Any program or service that has not met the goals and objectives of its contract or service agreement shall be subject to denial for funding in subsequent years. The Department of Human Services shall evaluate the effectiveness of the Redeploy Illinois Program in each circuit or county. In determining the future funding for the Redeploy Illinois Program under this Act, the evaluation shall include, as a primary indicator of success, a decreased number of confinement days for the county's juvenile offenders.

New matter indicated by italics - deletions by strikeout
(f) Any Redeploy Illinois Program allocations not applied for and approved by the Department of Human Services shall be available for redistribution to approved plans for the remainder of that fiscal year. Any county that invests local moneys in the Redeploy Illinois Program shall be given first consideration for any redistribution of allocations. Jurisdictions participating in Redeploy Illinois that exceed their agreed upon level of commitments to the Department of Juvenile Justice shall reimburse the Department of Corrections for each commitment above the agreed upon level.

(g) Implementation of Redeploy Illinois.

(1) Planning Phase.

   (i) Redeploy Illinois Oversight Board. The Department of Human Services shall convene an oversight board to develop plans for a pilot Redeploy Illinois Program. The Board shall include, but not be limited to, designees from the Department of Juvenile Justice, the Administrative Office of Illinois Courts, the Illinois Juvenile Justice Commission, the Illinois Criminal Justice Information Authority, the Department of Children and Family Services, the State Board of Education, the Cook County State's Attorney, and a State's Attorney selected by the President of the Illinois State's Attorney's Association.

   (ii) Responsibilities of the Redeploy Illinois Oversight Board. The Oversight Board shall:

   (A) Identify jurisdictions to be invited in the initial pilot program of Redeploy Illinois.

   (B) Develop a formula for reimbursement of local jurisdictions for local and community-based services utilized in lieu of commitment to the Department of Juvenile Justice, as well as for any charges for local jurisdictions for commitments above the agreed upon limit in the approved plan.

New matter indicated by italics - deletions by strikeout
(C) Identify resources sufficient to support the administration and evaluation of Redeploy Illinois.

(D) Develop a process and identify resources to support on-going monitoring and evaluation of Redeploy Illinois.

(E) Develop a process and identify resources to support training on Redeploy Illinois.

(F) Report to the Governor and the General Assembly on an annual basis on the progress of Redeploy Illinois.

(iii) Length of Planning Phase. The planning phase may last up to, but may in no event last longer than, July 1, 2004.

(2) Pilot Phase. In the second phase of the Redeploy Illinois program, the Department of Human Services shall implement several pilot programs of Redeploy Illinois in counties or groups of counties as identified by the Oversight Board. Annual review of the Redeploy Illinois program by the Oversight Board shall include recommendations for future sites for Redeploy Illinois.

(Source: P.A. 93-641, eff. 12-31-03; 94-696, eff. 6-1-06.)

Approved July 14, 2006.

PUBLIC ACT 94-1033
(Senate Bill No. 2199)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Sections 10-5, 10-10, 10-15, and 15-10 as follows:

New matter indicated by italics - deletions by strikeout
(20 ILCS 301/10-5)

Sec. 10-5. Illinois Advisory Council established. There is established the Illinois Advisory Council on Alcoholism and Other Drug Dependency. The members of the Council shall receive no compensation for their service but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties under this Act, and within the amounts made available to them by the Department. The Council shall annually elect a presiding officer from among its membership. The Council shall meet quarterly or from time to time at the call of the Department, or at the call of its presiding officer, or upon the request of a majority of its members. The Department shall provide space and clerical and consulting services to the Council.

(Source: P.A. 88-80.)

(20 ILCS 301/10-10)

Sec. 10-10. Powers and duties of the Council. The Council shall:

(a) advise the Department on ways to encourage public understanding and support of the Department's programs.

(b) advise the Department on regulations and licensure proposed by the Department.

(c) advise the Department in the formulation, preparation and implementation of the comprehensive State plan for prevention, intervention, treatment and relapse prevention of alcoholism and other drug abuse and dependency.

(d) advise the Department on implementation of alcoholism and other drug abuse and dependency education and prevention programs throughout the State.

(e) by January 1, 1995, and by January 1 of every third year thereafter, in cooperation with the Committee on Women's Alcohol and Substance Abuse Treatment, submit to the Governor and General Assembly a planning document, specific to Illinois' female population. The document shall contain, but need not be limited to, interagency information concerning the types of services funded, the client population served, the support services available and provided during the preceding 3 year period, and the goals,

New matter indicated by italics - deletions by strikeout
objectives, proposed methods of achievement, client projections and cost estimate for the upcoming 3 year period. The document may include, if deemed necessary and appropriate, recommendations regarding the reorganization of the Department to enhance and increase prevention, treatment and support services available to women.

(f) perform other duties as requested by the Secretary.

(g) advise the Department in the planning, development, and coordination of programs among all agencies and departments of State government, including programs to reduce alcoholism and drug addiction, prevent the use of illegal drugs and abuse of legal drugs by persons of all ages, and prevent the use of alcohol by minors.

(h) promote and encourage participation by the private sector, including business, industry, labor, and the media, in programs to prevent alcoholism and other drug abuse and dependency.

(i) encourage the implementation of programs to prevent alcoholism and other drug abuse and dependency in the public and private schools and educational institutions, including establishment of alcoholism and other drug abuse and dependency programs.

(j) gather information, conduct hearings, and make recommendations to the Secretary concerning additions, deletions, or rescheduling of substances under the Illinois Controlled Substances Act.

(k) report annually to the General Assembly regarding the activities and recommendations made by the Council.

With the advice and consent of the Secretary, the presiding officer shall annually appoint a Special Committee on Licensure, which shall advise the Secretary on particular cases on which the Department intends to take action that is adverse to an applicant or license holder, and shall review an annual report submitted by the Secretary summarizing all licensure sanctions imposed by the Department.

New matter indicated by italics - deletions by strikeout
Sec. 10-15. Qualification and appointment of members. The membership of the Illinois Advisory Council shall consist of:

(a) a State's Attorney designated by the President of the Illinois State's Attorneys Association.

(b) a judge designated by the Chief Justice of the Illinois Supreme Court.

(c) a Public Defender appointed by the President of the Illinois Public Defenders Association.

(d) a local law enforcement officer appointed by the Governor.

(e) a labor representative appointed by the Governor.

(f) an educator appointed by the Governor.

(g) a physician licensed to practice medicine in all its branches appointed by the Governor with due regard for the appointee's knowledge of the field of alcoholism and other drug abuse and dependency.

(h) 4 members of the Illinois House of Representatives, 2 each appointed by the Speaker and Minority Leader.

(i) 4 members of the Illinois Senate, 2 each appointed by the President and Minority Leader.

(j) the President of the Illinois Alcoholism and Drug Dependence Association.

(k) an advocate for the needs of youth appointed by the Governor.

(l) the President of the Illinois State Medical Society or his or her designee.

(m) the President of the Illinois Hospital Association or his or her designee.

(n) the President of the Illinois Nurses Association or a registered nurse designated by the President.

(o) the President of the Illinois Pharmacists Association or a licensed pharmacist designated by the President.

New matter indicated by italics - deletions by strikeout
(p) the President of the Illinois Chapter of the Association of Labor Management Administrators and Consultants on Alcoholism.

(p-1) the President of the Community Behavioral Healthcare Association of Illinois or his or her designee.

(q) the Attorney General or his or her designee.

(r) the State Comptroller or his or her designee.

(s) 20 public members, 8 appointed by the Governor, 3 of whom shall be representatives of alcoholism or other drug abuse and dependency treatment programs and one of whom shall be a representative of a manufacturer or importing distributor of alcoholic liquor licensed by the State of Illinois, and 3 public members appointed by each of the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House.

(t) The Director, Secretary, or other chief administrative officer, ex officio, or his or her designee, of each of the following: the Department on Aging, the Department of Children and Family Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Healthcare and Family Services, the Department of Revenue, the Department of Public Health, the Department of Financial and Professional Regulation, the Department of State Police, the Administrative Office of the Illinois Courts, the Criminal Justice Information Authority, and the Department of Transportation.

(u) Each of the following, ex officio, or his or her designee: the Secretary of State, the State Superintendent of Education, and the Chairman of the Board of Higher Education.

The public members may not be officers or employees of the executive branch of State government; however, the public members may be officers or employees of a State college or university or of any law enforcement agency. In appointing members, due consideration shall be given to the experience of appointees in the fields of medicine, law, prevention, correctional activities, and social welfare. Vacancies in the public membership shall be filled for the unexpired term by appointment

New matter indicated by italics - deletions by strikeout
in like manner as for original appointments, and the appointive members shall serve until their successors are appointed and have qualified. Vacancies among the public members appointed by the legislative leaders shall be filled by the leader of the same house and of the same political party as the leader who originally appointed the member.

Each non-appointive member may designate a representative to serve in his place by written notice to the Department. All General Assembly members shall serve until their respective successors are appointed or until termination of their legislative service, whichever occurs first. The terms of office for each of the members appointed by the Governor shall be for 3 years, except that of the members first appointed, 3 shall be appointed for a term of one year, and 4 shall be appointed for a term of 2 years. The terms of office of each of the public members appointed by the legislative leaders shall be for 2 years.
(Source: P.A. 91-329, eff. 7-29-99.)
(20 ILCS 301/15-10)

Sec. 15-10. Licensure categories. No person or program may provide the services or conduct the activities described in this Section without first obtaining a license therefor from the Department. The Department shall, by rule, provide licensure requirements for each of the following categories of service:

(a) Residential treatment for alcoholism and other drug abuse and dependency, sub-acute inpatient treatment, clinically managed or medically monitored detoxification, and residential extended care (formerly halfway house).

(b) Outpatient treatment for alcoholism and other drug abuse and dependency.

(c) The screening, assessment, referral or tracking of clients identified by the criminal justice system as having indications of alcoholism or other drug abuse or dependency.

(d) D.U.I. evaluation services for Illinois courts and the Secretary of State.

(e) D.U.I. remedial education services for Illinois courts or the Secretary of State.

New matter indicated by italics - deletions by strikeout
Recovery home services for persons in early recovery from substance abuse or for persons who have recently completed or who may still be receiving substance abuse treatment services.

The Department may, under procedures established by rule and upon a showing of good cause for such, exempt off-site services from having to obtain a separate license for services conducted away from the provider's primary service location.

(Source: P.A. 91-922, eff. 7-7-00.)

(20 ILCS 301/10-40 rep.)
(20 ILCS 301/10-45 rep.)
(20 ILCS 301/10-50 rep.)

Section 10. The Alcoholism and Other Drug Abuse and Dependency Act is amended by repealing Sections 10-40, 10-45, and 10-50.

Section 99. Effective date. This Act takes effect July 1, 2007.
Approved July 14, 2006.
Effective July 1, 2007.

PUBLIC ACT 94-1034
(Senate Bill No. 2202)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 21-2.1 as follows:

(105 ILCS 5/21-2.1) (from Ch. 122, par. 21-2.1)
Sec. 21-2.1. Early childhood certificate.
(a) An early childhood certificate shall be valid for 4 years for teaching children up to 6 years of age, exclusive of children enrolled in kindergarten, in facilities approved by the State Superintendent of Education. Beginning July 1, 1988, such certificate shall be valid for 4 years for Teaching children through grade 3 in facilities approved by the
State Superintendent of Education. Subject to the provisions of Section 21-1a, it shall be issued to persons who have graduated from a recognized institution of higher learning with a bachelor's degree and with not fewer than 120 semester hours including professional education or human development or, until July 1, 1992, to persons who have early childhood education instruction and practical experience involving supervised work with children under 6 years of age or with children through grade 3. Such persons shall be recommended for the early childhood certificate by a recognized institution as having completed an approved program of preparation which includes the requisite hours and academic and professional courses and practical experience approved by the State Superintendent of Education in consultation with the State Teacher Certification Board. The student teaching portion of such practical experience may be satisfied through placement in any of grades pre-kindergarten (which consists of children from 3 years through 5 years of age) through 3, provided that the student is under the active supervision of a cooperating teacher who is certified and qualified in early childhood education. Paraprofessionals with at least one year of experience in a school or community-based early childhood setting who are enrolled in early-childhood teacher preparation programs may be paid and receive credit while student teaching with their current employer, provided that their student teaching experience meets the requirements of their early-childhood teacher preparation program.

(b) Beginning February 15, 2000, Initial and Standard Early Childhood Education Certificates shall be issued to persons who meet the criteria established by the State Board of Education.

(Source: P.A. 90-548, eff. 1-1-98; 90-811, eff. 1-26-99; 91-102, eff. 7-12-99.)

Passed in the General Assembly May 3, 2006
Approved July 14, 2006
Effective January 1, 2007

New matter indicated by italics - deletions by strikeout
AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Vehicle Code is amended by changing Sections 3-707 and 6-118 as follows:
(625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)
Sec. 3-707. Operation of uninsured motor vehicle - penalty.
(a) No person shall operate a motor vehicle unless the motor vehicle is covered by a liability insurance policy in accordance with Section 7-601 of this Code.
(b) Any person who fails to comply with a request by a law enforcement officer for display of evidence of insurance, as required under Section 7-602 of this Code, shall be deemed to be operating an uninsured motor vehicle.
(c) Any operator of a motor vehicle subject to registration under this Code who is convicted of violating this Section is guilty of a business offense and shall be required to pay a fine in excess of $500, but not more than $1,000. However, no person charged with violating this Section shall be convicted if such person produces in court satisfactory evidence that at the time of the arrest the motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code. The chief judge of each circuit may designate an officer of the court to review the documentation demonstrating that at the time of arrest the motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code.
(c-1) A person convicted of violating this Section shall also have his or her driver's license, permit, or privileges suspended for 3 months. After the expiration of the 3 months, the person's driver's license, permit, or privileges shall not be reinstated until he or she has paid a reinstatement fee of $100. If a person violates this Section while his or her driver's license, permit, or privileges are suspended under this subsection

New matter indicated by italics - deletions by strikeout
(c-1), his or her driver's license, permit, or privileges shall be suspended for an additional 6 months and until he or she pays the reinstatement fee.

(d) A person convicted a third or subsequent time of violating this Section or a similar provision of a local ordinance must give proof to the Secretary of State of the person's financial responsibility as defined in Section 7-315. The person must maintain the proof in a manner satisfactory to the Secretary for a minimum period of one year after the date the proof is first filed. The Secretary must suspend the driver's license of any person determined by the Secretary not to have provided adequate proof of financial responsibility as required by this subsection.

(Source: P.A. 92-775, eff. 7-1-03.)

(625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

<table>
<thead>
<tr>
<th>License Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original driver's license</td>
<td>$10</td>
</tr>
<tr>
<td>Original or renewal driver's license issued to 18, 19 and 20 year olds</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons age 69 through age 80</td>
<td>5</td>
</tr>
<tr>
<td>All driver's licenses for persons age 81 through age 86</td>
<td>2</td>
</tr>
<tr>
<td>All driver's licenses for persons age 87 or older</td>
<td>0</td>
</tr>
<tr>
<td>Renewal driver's license (except for applicants ages 18, 19 and 20 or age 69 and older)</td>
<td>10</td>
</tr>
<tr>
<td>Original instruction permit issued to persons (except those age 69 and older) who do not hold or have not previously held an Illinois instruction permit or driver's license</td>
<td>20</td>
</tr>
<tr>
<td>Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications</td>
<td>20</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Any instruction permit issued to a person
age 69 and older........................................... 5
Instruction permit issued to any person,
under age 69, not currently holding a
valid Illinois driver's license or
instruction permit but who has
previously been issued either document
in Illinois.................................................. 10
Restricted driving permit............................. 8
Duplicate or corrected driver's license
or permit.................................................. 5
Duplicate or corrected restricted
driving permit.......................................... 5
Original or renewal M or L endorsement......... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under
Article V shall be as follows:
Commercial driver's license:
$6 for the CDLIS/AAMVA.net Fund
(Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network Trust Fund);
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license;
and $24 for the CDL:................................. $60
Renewal commercial driver's license:
$6 for the CDLIS/AAMVA.net Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL:................................. 60
Commercial driver instruction permit
issued to any person holding a valid
Illinois driver's license for the

New matter indicated by italics - deletions by strikeout
purpose of changing to a
CDL classification: $6 for the
CDLIS/AAMVA.net Trust Fund;
$20 for the Motor Carrier
Safety Inspection Fund; and
$24 for the CDL classification...................                     $50
Commercial driver instruction permit
 issued to any person holding a valid
Illinois CDL for the purpose of
making a change in a classification,
endorsement or restriction....................                         $5
CDL duplicate or corrected license....................                           $5

In order to ensure the proper implementation of the Uniform
Commercial Driver License Act, Article V of this Chapter, the Secretary
of State is empowered to pro-rate the $24 fee for the commercial driver's
license proportionate to the expiration date of the applicant's Illinois
driver's license.

The fee for any duplicate license or permit shall be waived for any
person age 60 or older who presents the Secretary of State's office with a
police report showing that his license or permit was stolen.

No additional fee shall be charged for a driver's license, or for a
commercial driver's license, when issued to the holder of an instruction
permit for the same classification or type of license who becomes eligible
for such license.

(b) Any person whose license or privilege to operate a motor
vehicle in this State has been suspended or revoked under Section 3-707,
any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702
of the Family Financial Responsibility Law of this Code, shall in addition
to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707...........................                     $100
Summary suspension under Section 11-501.1...........                $250
Other suspension....................................                           $70
Revocation................................................ $500

New matter indicated by italics - deletions by strikeout
However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 and each suspension or revocation was for a violation of Section 11-501 or 11-501.1 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1............ $500
Revocation........................................ $500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:
   (A) $16 of the $20 fee for an original driver's instruction permit;
   (B) $5 of the $10 fee for an original driver's license;
   (C) $5 of the $10 fee for a 4 year renewal driver's license; and
   (D) $4 of the $8 fee for a restricted driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501 or 11-501.1 of this Code or Section 9-3 of the Criminal Code of 1961, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of such original or renewal fee for a commercial driver's license and $6 of the commercial driver instruction permit

New matter indicated by italics - deletions by strikeout
fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:
   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first offense revocation and $310 of the $500 reinstatement fee for a second or subsequent revocation.

(Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04; 93-788, eff. 1-1-05.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-5-3 as follows:

(730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)

Sec. 5-5-3. Disposition.

(a) Except as provided in Section 11-501 of the Illinois Vehicle Code, every person convicted of an offense shall be sentenced as provided in this Section.

(b) The following options shall be appropriate dispositions, alone or in combination, for all felonies and misdemeanors other than those identified in subsection (c) of this Section:

(1) A period of probation.

New matter indicated by italics - deletions by strikeout
(2) A term of periodic imprisonment.
(3) A term of conditional discharge.
(4) A term of imprisonment.
(5) An order directing the offender to clean up and repair the damage, if the offender was convicted under paragraph (h) of Section 21-1 of the Criminal Code of 1961 (now repealed).
(6) A fine.
(7) An order directing the offender to make restitution to the victim under Section 5-5-6 of this Code.
(8) A sentence of participation in a county impact incarceration program under Section 5-8-1.2 of this Code.
(9) A term of imprisonment in combination with a term of probation when the offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act.

Neither a fine nor restitution shall be the sole disposition for a felony and either or both may be imposed only in conjunction with another disposition.

(c) (1) When a defendant is found guilty of first degree murder the State may either seek a sentence of imprisonment under Section 5-8-1 of this Code, or where appropriate seek a sentence of death under Section 9-1 of the Criminal Code of 1961.
(2) A period of probation, a term of periodic imprisonment or conditional discharge shall not be imposed for the following offenses. The court shall sentence the offender to not less than the minimum term of imprisonment set forth in this Code for the following offenses, and may order a fine or restitution or both in conjunction with such term of imprisonment:

(A) First degree murder where the death penalty is not imposed.
(B) Attempted first degree murder.
(C) A Class X felony.
(D) A violation of Section 401.1 or 407 of the Illinois Controlled Substances Act, or a violation of subdivision (c)(1) or (c)(2) of Section 401 of that Act

New matter indicated by italics - deletions by strikeout
which relates to more than 5 grams of a substance containing heroin or cocaine or an analog thereof.

(E) A violation of Section 5.1 or 9 of the Cannabis Control Act.

(F) A Class 2 or greater felony if the offender had been convicted of a Class 2 or greater felony within 10 years of the date on which the offender committed the offense for which he or she is being sentenced, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of the Criminal Code of 1961 for which imprisonment is prescribed in those Sections.

(G) Residential burglary, except as otherwise provided in Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(H) Criminal sexual assault.

(I) Aggravated battery of a senior citizen.

(J) A forcible felony if the offense was related to the activities of an organized gang.

Before July 1, 1994, for the purposes of this paragraph, "organized gang" means an association of 5 or more persons, with an established hierarchy, that encourages members of the association to perpetrate crimes or provides support to the members of the association who do commit crimes.

Beginning July 1, 1994, for the purposes of this paragraph, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(K) Vehicular hijacking.

(L) A second or subsequent conviction for the offense of hate crime when the underlying offense upon
which the hate crime is based is felony aggravated assault or felony mob action.

(M) A second or subsequent conviction for the offense of institutional vandalism if the damage to the property exceeds $300.

(N) A Class 3 felony violation of paragraph (1) of subsection (a) of Section 2 of the Firearm Owners Identification Card Act.


(P) A violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961.

(Q) A violation of Section 20-1.2 or 20-1.3 of the Criminal Code of 1961.


(S) (Blank).

(T) A second or subsequent violation of the Methamphetamine Control and Community Protection Act.

(3) (Blank).

(4) A minimum term of imprisonment of not less than 10 consecutive days or 30 days of community service shall be imposed for a violation of paragraph (c) of Section 6-303 of the Illinois Vehicle Code.

(4.1) (Blank).

(4.2) Except as provided in paragraph (4.3) of this subsection (c), a minimum of 100 hours of community service shall be imposed for a second violation of Section 6-303 of the Illinois Vehicle Code.

(4.3) A minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a second violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

New matter indicated by italics - deletions by strikeout
(4.4) Except as provided in paragraph (4.5) and paragraph (4.6) of this subsection (c), a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, shall be imposed for a third or subsequent violation of Section 6-303 of the Illinois Vehicle Code.

(4.5) A minimum term of imprisonment of 30 days shall be imposed for a third violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(4.6) A minimum term of imprisonment of 180 days shall be imposed for a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code.

(5) The court may sentence an offender convicted of a business offense or a petty offense or a corporation or unincorporated association convicted of any offense to:

(A) a period of conditional discharge;

(B) a fine;

(C) make restitution to the victim under Section 5-5-6 of this Code.

(5.1) In addition to any penalties imposed under paragraph (5) of this subsection (c), and except as provided in paragraph (5.2) or (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at least 90 days but not more than one year, if the violation resulted in damage to the property of another person.

(5.2) In addition to any penalties imposed under paragraph (5) of this subsection (c), and except as provided in paragraph (5.3), a person convicted of violating subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for at least 180 days but not more than 2 years, if the violation resulted in injury to another person.

(5.3) In addition to any penalties imposed under paragraph (5) of this subsection (c), a person convicted of violating
subsection (c) of Section 11-907 of the Illinois Vehicle Code shall have his or her driver's license, permit, or privileges suspended for 2 years, if the violation resulted in the death of another person.

(5.4) In addition to any penalties imposed under paragraph (5) of this subsection (c), a person convicted of violating Section 3-707 of the Illinois Vehicle Code shall have his driver's license, permit, or privileges suspended for 3 months and until he or she has paid a reinstatement fee of $100.

(5.5) In addition to any penalties imposed under paragraph (5) of this subsection (c), a person convicted of violating Section 3-707 of the Illinois Vehicle Code during a period in which his or her driver's license, permit, or privileges were suspended for a previous violation of that Section shall have his driver's license, permit, or privileges suspended for an additional 6 months after the expiration of the original 3-month suspension and until he or she has paid a reinstatement fee of $100.

(6) In no case shall an offender be eligible for a disposition of probation or conditional discharge for a Class 1 felony committed while he was serving a term of probation or conditional discharge for a felony.

(7) When a defendant is adjudged a habitual criminal under Article 33B of the Criminal Code of 1961, the court shall sentence the defendant to a term of natural life imprisonment.

(8) When a defendant, over the age of 21 years, is convicted of a Class 1 or Class 2 felony, after having twice been convicted in any state or federal court of an offense that contains the same elements as an offense now classified in Illinois as a Class 2 or greater Class felony and such charges are separately brought and tried and arise out of different series of acts, such defendant shall be sentenced as a Class X offender. This paragraph shall not apply unless (1) the first felony was committed after the effective date of this amendatory Act of 1977; and (2) the second felony was committed after conviction on the first; and (3) the third felony was committed after conviction on the second. A person sentenced as a

New matter indicated by italics - deletions by strikeout
Class X offender under this paragraph is not eligible to apply for treatment as a condition of probation as provided by Section 40-10 of the Alcoholism and Other Drug Abuse and Dependency Act.

(9) A defendant convicted of a second or subsequent offense of ritualized abuse of a child may be sentenced to a term of natural life imprisonment.

(10) (Blank).

(11) The court shall impose a minimum fine of $1,000 for a first offense and $2,000 for a second or subsequent offense upon a person convicted of or placed on supervision for battery when the individual harmed was a sports official or coach at any level of competition and the act causing harm to the sports official or coach occurred within an athletic facility or within the immediate vicinity of the athletic facility at which the sports official or coach was an active participant of the athletic contest held at the athletic facility. For the purposes of this paragraph (11), "sports official" means a person at an athletic contest who enforces the rules of the contest, such as an umpire or referee; "athletic facility" means an indoor or outdoor playing field or recreational area where sports activities are conducted; and "coach" means a person recognized as a coach by the sanctioning authority that conducted the sporting event.

(12) A person may not receive a disposition of court supervision for a violation of Section 5-16 of the Boat Registration and Safety Act if that person has previously received a disposition of court supervision for a violation of that Section.

(d) In any case in which a sentence originally imposed is vacated, the case shall be remanded to the trial court. The trial court shall hold a hearing under Section 5-4-1 of the Unified Code of Corrections which may include evidence of the defendant's life, moral character and occupation during the time since the original sentence was passed. The trial court shall then impose sentence upon the defendant. The trial court may impose any sentence which could have been imposed at the original trial subject to Section 5-5-4 of the Unified Code of Corrections. If a sentence is vacated on appeal or on collateral attack due to the failure of the trier of fact at trial

New matter indicated by italics - deletions by strikeout
to determine beyond a reasonable doubt the existence of a fact (other than a prior conviction) necessary to increase the punishment for the offense beyond the statutory maximum otherwise applicable, either the defendant may be re-sentenced to a term within the range otherwise provided or, if the State files notice of its intention to again seek the extended sentence, the defendant shall be afforded a new trial.

(e) In cases where prosecution for aggravated criminal sexual abuse under Section 12-16 of the Criminal Code of 1961 results in conviction of a defendant who was a family member of the victim at the time of the commission of the offense, the court shall consider the safety and welfare of the victim and may impose a sentence of probation only where:

(1) the court finds (A) or (B) or both are appropriate:
   (A) the defendant is willing to undergo a court approved counseling program for a minimum duration of 2 years; or
   (B) the defendant is willing to participate in a court approved plan including but not limited to the defendant's:
      (i) removal from the household;
      (ii) restricted contact with the victim;
      (iii) continued financial support of the family;
      (iv) restitution for harm done to the victim;
      (v) compliance with any other measures that the court may deem appropriate; and
(2) the court orders the defendant to pay for the victim's counseling services, to the extent that the court finds, after considering the defendant's income and assets, that the defendant is financially capable of paying for such services, if the victim was under 18 years of age at the time the offense was committed and requires counseling as a result of the offense.

Probation may be revoked or modified pursuant to Section 5-6-4; except where the court determines at the hearing that the defendant
violated a condition of his or her probation restricting contact with the victim or other family members or commits another offense with the victim or other family members, the court shall revoke the defendant's probation and impose a term of imprisonment.

For the purposes of this Section, "family member" and "victim" shall have the meanings ascribed to them in Section 12-12 of the Criminal Code of 1961.

(f) This Article shall not deprive a court in other proceedings to order a forfeiture of property, to suspend or cancel a license, to remove a person from office, or to impose any other civil penalty.

(g) Whenever a defendant is convicted of an offense under Sections 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961, the defendant shall undergo medical testing to determine whether the defendant has any sexually transmissible disease, including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Any such medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of any bodily fluids as well as an examination of the defendant's person. Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of the test results. The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or legal guardian of the test results. The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim.
when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-16.2 of the Criminal Code of 1961 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(g-5) When an inmate is tested for an airborne communicable disease, as determined by the Illinois Department of Public Health including but not limited to tuberculosis, the results of the test shall be personally delivered by the warden or his or her designee in a sealed envelope to the judge of the court in which the inmate must appear for the judge's inspection in camera if requested by the judge. Acting in accordance with the best interests of those in the courtroom, the judge shall have the discretion to determine what if any precautions need to be taken to prevent transmission of the disease in the courtroom.

(h) Whenever a defendant is convicted of an offense under Section 1 or 2 of the Hypodermic Syringes and Needles Act, the defendant shall undergo medical testing to determine whether the defendant has been exposed to human immunodeficiency virus (HIV) or any other identified causative agent of acquired immunodeficiency syndrome (AIDS). Except as otherwise provided by law, the results of such test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the conviction was entered for the judge's inspection in camera. Acting in accordance with the best interests of the public, the judge shall have the discretion to determine to whom, if anyone, the results of the testing may be revealed. The court shall notify the defendant of a positive test showing an infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at Department of Public Health facilities to all parties to whom the results of the testing are revealed and shall direct the State's Attorney to provide the information to the victim when possible. A State's Attorney may petition the court to obtain the results of any HIV test administered under

New matter indicated by italics - deletions by strikeout
this Section, and the court shall grant the disclosure if the State's Attorney shows it is relevant in order to prosecute a charge of criminal transmission of HIV under Section 12-16.2 of the Criminal Code of 1961 against the defendant. The court shall order that the cost of any such test shall be paid by the county and may be taxed as costs against the convicted defendant.

(i) All fines and penalties imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(j) In cases when prosecution for any violation of Section 11-6, 11-8, 11-9, 11-11, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961, any violation of the Illinois Controlled Substances Act, any violation of the Cannabis Control Act, or any violation of the Methamphetamine Control and Community Protection Act results in conviction, a disposition of court supervision, or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substance Act, or Section 70 of the Methamphetamine Control and Community Protection Act of a defendant, the court shall determine whether the defendant is employed by a facility or center as defined under the Child Care Act of 1969, a public or private elementary or secondary school, or otherwise works with children under 18 years of age on a daily basis. When a defendant is so employed, the court shall order the Clerk of the Court to send a copy of the judgment of conviction or order of supervision or probation to the defendant's employer by certified mail. If the employer of the defendant is a school, the Clerk of the Court shall direct the mailing of a copy of the judgment of conviction or order of supervision or probation to the appropriate regional superintendent of schools. The regional superintendent of schools shall notify the State Board of Education of any notification under this subsection.

New matter indicated by italics - deletions by strikeout
(j-5) A defendant at least 17 years of age who is convicted of a felony and who has not been previously convicted of a misdemeanor or felony and who is sentenced to a term of imprisonment in the Illinois Department of Corrections shall as a condition of his or her sentence be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program offered by the Department of Corrections. If a defendant fails to complete the educational training required by his or her sentence during the term of incarceration, the Prisoner Review Board shall, as a condition of mandatory supervised release, require the defendant, at his or her own expense, to pursue a course of study toward a high school diploma or passage of the GED test. The Prisoner Review Board shall revoke the mandatory supervised release of a defendant who wilfully fails to comply with this subsection (j-5) upon his or her release from confinement in a penal institution while serving a mandatory supervised release term; however, the inability of the defendant after making a good faith effort to obtain financial aid or pay for the educational training shall not be deemed a wilful failure to comply. The Prisoner Review Board shall recommit the defendant whose mandatory supervised release term has been revoked under this subsection (j-5) as provided in Section 3-3-9. This subsection (j-5) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (j-5) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(k) A court may not impose a sentence or disposition for a felony or misdemeanor that requires the defendant to be implanted or injected with or to use any form of birth control.

(l) (A) Except as provided in paragraph (C) of subsection (l), whenever a defendant, who is an alien as defined by the Immigration and Nationality Act, is convicted of any felony or misdemeanor offense, the court after sentencing the defendant may,

New matter indicated by italics - deletions by strikeout
upon motion of the State's Attorney, hold sentence in abeyance and remand the defendant to the custody of the Attorney General of the United States or his or her designated agent to be deported when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

Otherwise, the defendant shall be sentenced as provided in this Chapter V.

(B) If the defendant has already been sentenced for a felony or misdemeanor offense, or has been placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act, the court may, upon motion of the State's Attorney to suspend the sentence imposed, commit the defendant to the custody of the Attorney General of the United States or his or her designated agent when:

(1) a final order of deportation has been issued against the defendant pursuant to proceedings under the Immigration and Nationality Act, and

(2) the deportation of the defendant would not deprecate the seriousness of the defendant's conduct and would not be inconsistent with the ends of justice.

(C) This subsection (l) does not apply to offenders who are subject to the provisions of paragraph (2) of subsection (a) of Section 3-6-3.

(D) Upon motion of the State's Attorney, if a defendant sentenced under this Section returns to the jurisdiction of the United States, the defendant shall be recommitted to the custody of the county from which he or she was sentenced. Thereafter, the defendant shall be brought before the sentencing court, which may impose any sentence that was available under Section 5-5-3 at the

New matter indicated by italics - deletions by strikeout
time of initial sentencing. In addition, the defendant shall not be eligible for additional good conduct credit for meritorious service as provided under Section 3-6-6.

(m) A person convicted of criminal defacement of property under Section 21-1.3 of the Criminal Code of 1961, in which the property damage exceeds $300 and the property damaged is a school building, shall be ordered to perform community service that may include cleanup, removal, or painting over the defacement.

(n) The court may sentence a person convicted of a violation of Section 12-19, 12-21, or 16-1.3 of the Criminal Code of 1961 (i) to an impact incarceration program if the person is otherwise eligible for that program under Section 5-8-1.1, (ii) to community service, or (iii) if the person is an addict or alcoholic, as defined in the Alcoholism and Other Drug Abuse and Dependency Act, to a substance or alcohol abuse program licensed under that Act. (Source: P.A. 93-44, eff. 7-1-03; 93-156, eff. 1-1-04; 93-169, eff. 7-10-03; 93-301, eff. 1-1-04; 93-419, eff. 1-1-04; 93-546, eff. 1-1-04; 93-694, eff. 7-9-04; 93-782, eff. 1-1-05; 93-800, eff. 1-1-05; 93-1014, eff. 1-1-05; 94-72, eff. 1-1-06; 91-521, eff. 9-11-05; revised 8-19-05.)

Section 99. Effective date. This Act takes effect July 1, 2007.
Approved July 18, 2006.
Effective July 1, 2007.

PUBLIC ACT 94-1036
(Senate Bill No. 0848)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Mid-America Medical District Act.

Section 5. Creation of District. There is created in the City of East St. Louis a medical center district, the Mid-America Medical District,

New matter indicated by italics - deletions by strikeout
whose boundaries are Martin Luther King Drive on the Northeast, 10th Street up to Trendley Avenue on the Southeast, Trendley Avenue and the confluence of I-64, I-70, and I-55 on the Southwest and West, and a line north of Collinsville, parallel to Collinsville, so as to include both sides of Collinsville on the Northwest, excluding any part of the City Hall complex and any property belonging to the federal government. The District is created to attract and retain academic centers of excellence, viable health care facilities, medical research facilities, emerging high technology enterprises, and other facilities and uses as permitted by this Act.

Section 10. Mid-America Medical District Commission.
(a) There is created a body politic and corporate under the corporate name of the Mid-America Medical District Commission whose general purpose, in addition to and not in limitation of those purposes and powers set forth in this Act, is to:

1. maintain the proper surroundings for a medical center and a related technology center in order to attract, stabilize, and retain within the District hospitals, clinics, research facilities, educational facilities, or other facilities permitted under this Act; and

2. provide for the orderly creation, maintenance, development, and expansion of (i) health care facilities and other ancillary or related facilities that the Commission may from time to time determine are established and operated (A) for any aspect of the carrying out of the Commission’s purposes as set forth in this Act, (B) for the study, diagnosis, and treatment of human ailments and injuries, whether physical or mental, or (C) to promote medical, surgical, and scientific research and knowledge as permitted under this Act; and (ii) medical research and high technology parks, together with the necessary lands, buildings, facilities, equipment, and personal property for those parks.

(b) The Commission has perpetual succession and the power to contract and be contracted with, to sue and be sued except in actions sounding in tort, to plead and be impleaded, to have and use a common seal, and to alter the same at pleasure. All actions sounding in tort against

New matter indicated by italics - deletions by strikeout
the Commission shall be prosecuted in the Court of Claims. The principal office of the Commission shall be in the City of East St. Louis. The Commission shall obtain, under the provisions of the Personnel Code, such personnel as the Commission shall deem advisable to carry out the purposes of this Act and the work of the Commission.

(c) The Commission shall consist of 9 appointed members and 3 ex-officio members. Three members shall be appointed by the Governor. Three members shall be appointed by the Mayor of East St. Louis, with the consent of the city council. Three members shall be appointed by the Chairman of the County Board of St. Clair County. All appointed members shall hold office for a term of 3 years ending on December 31, and until their successors are appointed; except that of the initial appointed members, each appointing authority shall designate one appointee to serve for a term ending December 31, 2007, one appointee to serve for a term ending December 31, 2008, and one appointee to serve for a term ending December 31, 2009.

The Director of Commerce and Economic Opportunity or his or her designee, the Director of Public Health or his or her designee, and the Secretary of Human Services or his or her designee shall serve as ex-officio members.

(d) Any vacancy in the appointed membership of the Commission occurring by reason of the death, resignation, disqualification, removal, or inability or refusal to act of any of the members of the Commission shall be filled by the authority that had appointed the particular member, and for the unexpired term of office of that particular member.

(e) The Commission shall hold regular meetings annually for the election of a President, Vice-President, Secretary, and Treasurer, for the adoption of a budget, and for such other business as may properly come before it. The Commission shall establish the duties and responsibilities of its officers by rule. The President or any 3 members of the Commission may call special meetings of the Commission. Each Commissioner shall take an oath of office for the faithful performance of his or her duties. The Commission may not transact business at a meeting of the Commission unless there is present at the meeting a quorum consisting of at least 7

New matter indicated by italics - deletions by strikeout
Commissioners. Meetings may be held by telephone conference or other communications equipment by means of which all persons participating in the meeting can communicate with each other.

(f) The Commission shall submit to the General Assembly, not later than March 1 of each odd-numbered year, a detailed report covering its operations for the 2 preceding calendar years and a statement of its program for the next 2 years.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader, and the Clerk of the House of Representatives and the President, the Minority Leader, and the Secretary of the Senate and with the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and by filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(g) The Auditor General shall conduct audits of the Commission in the same manner as the Auditor General conducts audits of State agencies under the Illinois State Auditing Act.

(h) Neither the Commission nor the District have any power to tax.

(i) The Commission is a public body and subject to the Open Meetings Act and the Freedom of Information Act.

Section 15. Grants; loans; contracts. The Commission may apply for and accept grants, loans, or appropriations from the State of Illinois, the federal government, any State or federal agency or instrumentality, any unit of local government, or any other person or entity to be used for any of the purposes of the District. The Commission may enter into any agreement with the State of Illinois, the federal government, any State or federal instrumentality, any unit of local government, or any other person or entity in relation to the grants, matching grants, loans, or appropriations. The Commission also may, by contractual agreement, accept and collect assessments or fees from entities who enter into such a contractual agreement for District enhancement and improvements, common area shared services, shared facilities, or other activities or expenditures in furtherance of the purposes of this Act. The Commission may make grants

New matter indicated by italics - deletions by strikeout
to neighborhood organizations within the District for the purpose of benefitting the community.

Section 20. Property; acquisition. The Commission is authorized to acquire the fee simple title to real property lying within the District and personal property required for its purposes, by gift, purchase, or otherwise. Title shall be taken in the corporate name of the Commission. The Commission may acquire by lease any real property located within the District and personal property found by the Commission to be necessary for its purposes and to which the Commission finds that it need not acquire the fee simple title for carrying out of those purposes. All real and personal property within the District, except that owned and used for purposes authorized under this Act by medical institutions or allied educational institutions, hospitals, dispensaries, clinics, dormitories or homes for the nurses, doctors, students, instructors, or other officers or employees of those institutions located in the District, or any real property that is used for offices or for recreational purposes in connection with those institutions, or any improved residential property within a currently effective historical district properly designated under a federal statute or a State or local statute that has been certified by the Secretary of the Interior to the Secretary of the Treasury as containing criteria that will substantially achieve the purpose of preserving and rehabilitating buildings of historical significance to the district, may be acquired by the Commission in its corporate name under the provisions for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure. The Commission has no quick-take powers, no zoning powers, and no power to establish or enforce building codes. The Commission may not acquire any property pursuant to this Section before a comprehensive master plan has been approved under Section 65.

Section 25. Construction. The Commission may, in its corporate capacity, construct or cause to be constructed within the District hospitals, sanitariums, clinics, laboratories, or any other institution, building, or structure or other ancillary or related facilities that the Commission may, from time to time, determine are established and operated (i) for the carrying out of any aspect of the Commission's purposes as set forth in this
Act, for the study, diagnosis, and treatment of human ailments and injuries, whether physical or mental, or to promote medical, surgical, and scientific research and knowledge, for any uses the Commission shall determine will support and nurture facilities and uses permitted by this Act, or for such nursing, extended care, or other facilities as the Commission shall find useful in the study of, research in, or treatment of illnesses or infirmities peculiar to aged people, after a public hearing to be held by any Commissioner or other person authorized by the Commission to conduct the hearing, which Commissioner or other person has the power to administer oaths and affirmations and take the testimony of witnesses and receive such documentary evidence as shall be pertinent, the record of which hearing he or she shall certify to the Commission, which record shall become part of the records of the Commission, notice of the time, place, and purpose of the hearings to be given by a single publication notice in a secular newspaper of general circulation in St. Clair County at least 10 days before the date of the hearing, or (ii) for such institutions as shall engage in the training, education, or rehabilitation of persons who by reason of illness or physical infirmity are wholly or partially deprived of their powers of vision or hearing or of the use of such other part or parts of their bodies as prevent them from pursuing normal activities of life, for office buildings for physicians or dealers in medical accessories, for dormitories, homes, or residences for the medical profession, including interns, nurses, students, or other officers or employees of the institutions within the District, for the use of relatives of patients in the hospitals or other institutions within the District, for the rehabilitation or establishment of residential structures within a historic district properly designated under a federal statute or a State or local statute that has been certified by the Secretary of the Interior to the Secretary of the Treasury as containing criteria that will substantially achieve the purpose of preserving and rehabilitating buildings of historic significance to the district, or such other areas of the District as the Commission shall designate, for research, development, and resultant production in any of the fields of medicine, chemistry, pharmaceuticals, physics, and genetically engineered products, for biotechnology, information technology, medical technology, or

New matter indicated by italics - deletions by strikeout
environmental technology, for the research and development of engineering, or for computer technology related to any of the purposes for which the Commission may construct structures and improvements within the District. All such structures and improvements shall be erected and constructed in accordance with the provisions of the Illinois Procurement Code that apply to State agencies. No construction may be undertaken pursuant to this Section before a comprehensive master plan has been approved under Section 65.

Section 30. Relocation assistance. The Commission shall provide relocation assistance to persons and entities displaced by the Commission's acquisition of property and improvement of the District. Relocation assistance shall not be less than provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Relocation assistance may include assistance with the moving of a residential unit to a new location. The Commission shall establish a single point of contact for all relocation assistance under this Section.

Section 35. Power to sell or lease. The Commission may sell, convey, transfer, or lease, all at fair market value, any title or interest in real property owned by it to any person or persons, to be used, subject to the restrictions of this Act, for the purposes stated in Section 25, or for the purpose of serving persons using the facilities offered within the District or for carrying out any aspect of the Commission's purposes as set forth in Section 10 of this Act, subject to such restrictions as to the use of the real property as the Commission shall determine will carry out the purpose of this Act. To assure that the use of the real property so sold or leased is in accordance with the provisions of this Act, the Commission shall inquire into and satisfy itself concerning the financial ability of the purchaser to complete the project for which the real property is sold or leased in accordance with a plan to be presented by the purchaser or lessee, which plan shall be submitted, in writing, to the Commission. Under the plan, the purchaser or lessee shall undertake (1) to use the land for the purposes designated in the plan so presented; (2) to commence and complete the construction of the buildings or other structures to be

New matter indicated by italics - deletions by strikeout
included in the project within such periods of time as the Commission fixes as reasonable; and (3) to comply with such other conditions as the Commission shall determine are necessary to carry out the project. All conveyances and leases authorized in this Section shall be on condition that, in the event of use for other than the purposes prescribed in this Act, or of nonuse for a period of one year, title to the property shall revert to the Commission. All conveyances and leases made by the Commission to any corporation or person for the use of serving the residents or any person using the facilities offered within the District shall be on condition that in the event of violation of any of the restrictions as to the use of the property as the Commission shall have determined will carry out the purposes of this Act, that title to the property shall revert to the Commission. If, however, the Commission finds that financing necessary for the acquisition or lease of any real estate or for the construction of any building or improvement to be used for purposes prescribed in this Act cannot be obtained if title to the land or building or improvement is subject to such a reverter provision, which finding shall be made by the Commission after public hearing held pursuant to a single publication notice given in a secular newspaper of general circulation in St. Clair County at least 10 days before the date of the hearing, the notice to specify the time, place, and purpose for the hearing, and upon that finding being made, the Commission may cause the real property to be conveyed free of a reverter provision, provided that at least 7 members of the Commission vote in favor thereof. The Commission may also provide in the conveyances, leases, or other documentation provisions for notice of such violations or default and the cure thereof for the benefit of any lender or mortgagee as the Commission shall determine are appropriate. If, at a regularly scheduled meeting, the Commission resolves that a parcel of real estate leased by it, or in which it has sold the fee simple title or any lesser estate, is not being used for the purposes prescribed in this Act or has been in nonuse for a period of one year, the Commission may file a lawsuit in the circuit court of St. Clair County to enforce the terms of the sale or lease. If a reverter of title to any property is ordered by the court under the terms of this Act, the interest of the Commission shall be subject to any

New matter indicated by italics - deletions by strikeout
then existing valid mortgage or trust deed in the nature of a mortgage, but if the title is acquired through foreclosure of that mortgage or trust deed or by deed in lieu of foreclosure of that mortgage or trust deed, then the title to the property shall not revert, but shall be subject to the restrictions as to use, but not any penalty for nonuse, contained in this Act with respect to any mortgagee in possession or its successor or assigns.

No conveyance of real property shall be executed by the Commission without the prior written approval of the Governor. The Commission may not sell, convey, transfer, or lease any property pursuant to this Section before a comprehensive master plan has been approved under Section 65.

Section 40. Notice. Before holding any public hearing prescribed in Section 35 of this Act, or any meeting regarding the passage of any resolution to file a lawsuit, the Commission shall give notice to the grantee or lessee, or his or her legal representatives, successors, or assigns, of the time and place of the proceeding. The notice shall be accompanied by a statement signed by the Secretary of the Commission, or by any person authorized by the Commission to sign the same, setting forth any act or things done or omitted to be done in violation, or claimed to be in violation, of any restriction as to the use of the property, whether the restriction be prescribed in any of the terms of this Act or by any restriction as to the use of the property determined by the Commission under the terms of this Act. The notice of the time and place fixed for the proceeding shall also be given to such person or persons as the Commission shall deem necessary. The notice may be given by registered mail, addressed to the grantee, lessee, or legal representatives, successors, or assigns, at the last known address of the grantee, lessee, or legal representatives, successors, or assigns.

Section 45. Rules. The Commission may adopt reasonable and proper rules, in accordance with the Illinois Administrative Procedure Act, relative to the exercise of its powers, and proper rules to govern its proceedings, to regulate the mode and manner of all hearings held by it or at its direction, and to alter and amend those rules.

New matter indicated by italics - deletions by strikeout
Section 50. Official documents. Copies of all official documents, findings, and orders of the Commission, certified by a Commissioner or by the Secretary of the Commission to be true copies of the originals, under the official seal of the Commission, shall be evidence in like manner as the originals.

Section 55. Judicial review. Any party may obtain a judicial review of a final order or decision of the Commission in the circuit court of St. Clair County only under and in accordance with the provisions of the Administrative Review Law and the rules adopted under that Law. The circuit court shall take judicial notice of all the rules of practice and procedure of the Commission.

Section 60. Parks. The Commission may set apart any part of the District as a park, except those areas owned, operated, or used for purposes authorized under this Act by organizations or institutions engaged in the delivery or conduct of health care services, education, or research, and may construct, control, and maintain the same or may provide by contract with the East St. Louis Park District or the City of East St. Louis for the construction, control, and maintenance of any area within the District set apart as a park.

Section 65. Master plan; improvement and management of District. The Commission shall prepare and approve a comprehensive master plan for the orderly development and management of all property within the District. The master plan, and any amendment to the master plan, shall not take effect, however, until it has been approved by the advisory council and the East St. Louis city council. The Commission shall take the actions permitted to be taken by it under this Act as it may determine are appropriate to provide conditions most favorable for the special care and treatment of the sick and injured and for the study of disease and for any other purpose in Section 25 of this Act. In the master plan, the Commission may provide for shared services and facilities within the District for the accredited schools of medicine and the licensed non-profit acute care hospitals within the District.

Section 70. Advisory Council. The Commission must establish an advisory council consisting of 2 representatives, appointed for one-year
terms by the Mayor of East St. Louis, of each recognized neighborhood organization that the Mayor determines has a legitimate interest in the development and improvement of the District. There is no limit on the number of terms to which a person may be appointed as a member. The advisory council shall review and make recommendations to the Commission with respect to the comprehensive master plan to be adopted by the Commission. The advisory council may fulfill such other responsibilities as the Commission may request in furtherance of the purposes of this Act. The advisory council shall meet at the call of the President of the Commission and shall conduct its affairs in accordance with the rules that the Commission may adopt from time to time for the governance and operation of the advisory council.

Section 75. Public hearing. The Commission shall conduct a public hearing prior to either acquiring through eminent domain under Section 20 of this Act real or personal property within the District or approving under Section 70 of this Act a comprehensive master plan. The Commission shall also conduct a public hearing whenever it is otherwise required by law to do so, and may conduct a public hearing whenever it may elect to do so.

The Commission shall conduct the public hearing called by it in accordance with the requirements of the law mandating it, if any, or in accordance with the provisions of this Section if either the law mandating it is silent as to the procedures for its holding or if the Commission elects to hold a public hearing in the absence of any law mandating it.

In the absence of any law, or of any procedures in any law, mandating the holding of a public hearing, the Commission may authorize a Commissioner or other person of legal age to conduct a hearing. The Commissioner or other authorized person has the power to administer oaths and affirmations, take the testimony of witnesses, take and receive the production of papers, books, records, accounts, and documents, receive pertinent evidence, and certify the record of the hearing. The record of the hearing shall become part of the Commission's record. Notice of the time, place, and purpose of the hearing shall be given by a single publication

New matter indicated by italics - deletions by strikeout
notice in a secular newspaper of general circulation in St. Clair County at least 10 days before the date of the hearing.

Section 80. Jurisdiction. This Act shall not be construed to limit the jurisdiction of the City of East St. Louis to territory outside the limits of the District nor to impair any power now possessed by or hereafter granted to the City of East St. Louis or to cities generally. Property owned by and exclusively used by the Commission shall be exempt from taxation and shall be subject to condemnation by the State and any municipal corporation or agency of the State for any State or municipal purpose under the provisions for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure.

Section 85. Disposition of money; income fund. All money received by the Commission from the sale or lease of any property, in excess of the amount expended by the Commission for authorized purposes under this Act shall be paid into the State treasury for deposit into the Mid-America Medical District Income Fund. The Commission is authorized to use all money received as rentals for the purposes of planning, acquisition, and development of property within the District, for the operation, maintenance, and improvement of property of the Commission, and for all purposes and powers set forth in this Act. All moneys held pursuant to this Section shall be maintained in a depository approved by the State Treasurer. The Auditor General shall, at least biennially, audit or cause to be audited all records and accounts of the Commission pertaining to the operation of the District.

Section 90. Attorney General. The Attorney General of the State of Illinois is the legal advisor to the Commission and shall prosecute or defend, as the case may be, all actions brought by or against the Commission.

Section 905. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. The Mid-America Medical District Income Fund.
Approved July 19, 2006.

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 94-1037
(Senate Bill No. 0916)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Insurance Code is amended by adding Section 368f as follows:

(215 ILCS 5/368f new)

Sec. 368f. Military service member insurance reinstatement.

(a) No Illinois resident activated for military service and no spouse or dependent of the resident who becomes eligible for a federal government-sponsored health insurance program, including the TriCare program providing coverage for civilian dependents of military personnel, as a result of the activation shall be denied reinstatement into the same individual health insurance coverage with the health insurer that the resident lapsed as a result of activation or becoming covered by the federal government-sponsored health insurance program. The resident shall have the right to reinstatement in the same individual health insurance coverage without medical underwriting, subject to payment of the current premium charged to other persons of the same age and gender that are covered under the same individual health coverage. Except in the case of birth or adoption that occurs during the period of activation, reinstatement must be into the same coverage type as the resident held prior to lapsing the individual health insurance coverage and at the same or, at the option of the resident, higher deductible level. The reinstatement rights provided under this subsection (a) are not available to a resident or dependents if the activated person is discharged from the military under other than honorable conditions.

(b) The health insurer with which the reinstatement is being requested must receive a request for reinstatement no later than 63 days following the later of (i) deactivation or (ii) loss of coverage under the
federal government-sponsored health insurance program. The health insurer may request proof of loss of coverage and the timing of the loss of coverage of the government-sponsored coverage in order to determine eligibility for reinstatement into the individual coverage. The effective date of the reinstatement of individual health coverage shall be the first of the month following receipt of the notice requesting reinstatement.

(c) All insurers must provide written notice to the policyholder of individual health coverage of the rights described in subsection (a) of this Section. In lieu of the inclusion of the notice in the individual health insurance policy, an insurance company may satisfy the notification requirement by providing a single written notice:

(1) in conjunction with the enrollment process for a policyholder initially enrolling in the individual coverage on or after the effective date of this amendatory Act of the 94th General Assembly; or

(2) by mailing written notice to policyholders whose coverage was effective prior to the effective date of this amendatory Act of the 94th General Assembly no later than 90 days following the effective date of this amendatory Act of the 94th General Assembly.

(d) The provisions of subsection (a) of this Section do not apply to any policy or certificate providing coverage for any specified disease, specified accident or accident-only coverage, credit, dental, disability income, hospital indemnity, long-term care, Medicare supplement, vision care, or short-term nonrenewable health policy or other limited-benefit supplemental insurance, or any coverage issued as a supplement to any liability insurance, workers’ compensation or similar insurance, or any insurance under which benefits are payable with or without regard to fault, whether written on a group, blanket, or individual basis.

(e) Nothing in this Section shall require an insurer to reinstate the resident if the insurer requires residency in an enrollment area and those residency requirements are not met after deactivation or loss of coverage under the government-sponsored health insurance program.
(f) All terms, conditions, and limitations of the individual coverage into which reinstatement is made apply equally to all insureds enrolled in the coverage.

(g) The Secretary may adopt rules as may be necessary to carry out the provisions of this Section.

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

Approved July 20, 2006.
Effective July 20, 2006.

PUBLIC ACT 94-1038
(House Bill No. 4715)

AN ACT concerning housing.

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

Section 1. Short title. This Act may be cited as the Safe Homes Act.

Section 5. Purpose. The purpose of this Act is to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences thereof.

Section 10. Definitions. For purposes of this Act:


"Landlord" means the owner of a building or the owner's agent with regard to matters concerning landlord's leasing of a dwelling.

New matter indicated by italics - deletions by strikeout
"Sexual violence" means any act of sexual assault, sexual abuse, or stalking of an adult or minor child, including but not limited to non-consensual sexual conduct or non-consensual sexual penetration as defined in the Civil No Contact Order Act and the offenses of stalking, aggravated stalking, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse as those offenses are described in the Criminal Code of 1961.

"Tenant" means a person who has entered into an oral or written lease with a landlord whereby the person is the lessee under the lease.

Section 15. Affirmative defense.

(a) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which a tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) at the time that the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household.

(b) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which the tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) a tenant or a member of tenant's household was a victim of sexual violence on the premises that is owned or controlled by a landlord and the tenant has vacated the premises as a result of the sexual violence; and
(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of the sexual violence against the tenant or member of the tenant's household, the date of the sexual violence, and that the tenant provided at least one form of the following types of evidence to the landlord supporting the claim of the sexual violence: medical, court or police evidence of sexual violence; or statement from an employee of a victim services or rape crisis organization from which the tenant or a member of the tenant's household sought services; and

(3) the sexual violence occurred not more than 60 days prior to the date of giving the written notice to the landlord, or if the circumstances are such that the tenant cannot reasonably give notice because of reasons related to the sexual violence, such as hospitalization or seeking assistance for shelter or counseling, then as soon thereafter as practicable. Nothing in this subsection (b) shall be construed to be a defense against an action in forcible entry and detainer for failure to pay rent before the tenant provided notice and vacated the premises.

(c) Nothing in this Act shall be construed to be a defense against an action for rent for a period of time before the tenant vacated the landlord's premises and gave notice to the landlord as required in subsection (b).

Section 20. Change of locks.

(a) Upon written notice from all tenants who have signed as lessees under a written lease, the tenants may request that a landlord change the locks of the dwelling unit in which they live if one or more of the tenants reasonably believes that one of the tenants or a member of tenant's household is under a credible imminent threat of domestic or sexual violence at the premises from a person who is not a lessee under the lease. Notice to the landlord requesting a change of locks shall be accompanied by at least one form of the following types of evidence to support a claim of domestic or sexual violence: medical, court or police evidence of domestic or sexual violence; or a statement from an employee of a victim

New matter indicated by italics - deletions by strikeout
services, domestic violence, or rape crisis organization from which the tenant or a member of the tenant's household sought services.

(b) Once a landlord has received notice of a request for change of locks and has received one form of evidence referred to in Section (a) above, the landlord shall, within 48 hours, change the locks or give the tenant the permission to change the locks.

(1) The landlord may charge a fee for the expense of changing the locks. That fee must not exceed the reasonable price customarily charged for changing a lock.

(2) If a landlord fails to change the locks within 48 hours after being provided with the notice and evidence referred to in (a) above, the tenant may change the locks without the landlord's permission. If the tenant changes the locks, the tenant shall give a key to the new locks to the landlord within 48 hours of the locks being changed. In the case where a tenant changes the locks without the landlord's permission, the tenant shall do so in a workmanlike manner with locks of similar or better quality than the original lock.

(c) The landlord who changes locks or allows the change of locks under this Act shall not be liable to any third party for damages resulting from a person being unable to access the dwelling.

Section 25. Penalty for violation.

(a) If a landlord takes action to prevent the tenant who has complied with Section 20 of this Act from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks. A tenant who successfully brings an action pursuant to this Section may be awarded reasonable attorney's fees and costs.

(b) A tenant who changes locks and does not provide a copy of a key to the landlord within 48 hours of the tenant changing the locks, shall be liable for any damages to the dwelling or the building in which the dwelling is located that could have been prevented had landlord been able to access the dwelling unit in the event of an emergency.

New matter indicated by italics - deletions by strikeout
(c) The remedies provided to landlord and tenant under this Section 25 shall be sole and exclusive.

Section 30. Prohibition of waiver or modification. The provisions of this Act may not be waived or modified in any lease or separate agreement.

Section 35. Public housing excluded. This Act does not apply to public housing, assisted under the United States Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq., and its implementing regulations, with the exception of the tenant-based Housing Choice Voucher program. Public housing includes dwelling units in mixed-finance projects that are assisted through a public housing authority's capital, operating, or other funds.

Approved July 20, 2006.

PUBLIC ACT 94-1039
(Senate Bill No. 0860)

AN ACT concerning education.

WHEREAS, The new principal mentoring program is intended to exist as a statewide program in which different providers around the State, including statewide organizations, regional offices of education, higher education institutions, school districts, and others, may be approved as providers by the State Board of Education to offer mentoring programs if they meet the standards and criteria of the new principal mentoring program; and

WHEREAS, Mentors must complete mentoring training offered by the different providers approved by the State Board and work with the new principals to identify areas for professional growth that will assist the principal when making Administrators' Academy and professional development choices, allowing the new principals, with the approval of their mentors, to select any appropriate Administrators' Academy courses
even though it might be a duplication of an Illinois Professional Standards for School Leaders standard; therefore

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

Section 5. The School Code is amended by adding Sections 2-3.53a, 21-5e, 21-7.5, 21-7.10, 21-7.15, 24A-15, and 34-18.33 and by changing Section 10-23.8a as follows:

(105 ILCS 5/2-3.53a new)

Sec. 2-3.53a. New principal mentoring program.

(a) Beginning on July 1, 2007, and subject to an annual appropriation by the General Assembly, to establish a new principal mentoring program for new principals. Any individual who is hired as a principal in the State of Illinois on or after July 1, 2007 shall participate in a new principal mentoring program for the duration of his or her first year as a principal and must complete the program in accordance with the requirements established by the State Board of Education by rule or, for a school district created by Article 34 of this Code, in accordance with the provisions of Section 34-18.27 of this Code. School districts created by Article 34 are not subject to the requirements of subsection (b), (c), (d), (e), (f), or (g) of this Section. The new principal mentoring program shall match an experienced principal who meets the requirements of subsection (b) of this Section with each new principal in his or her first year in that position in order to assist the new principal in the development of his or her professional growth and to provide guidance during the new principal’s first year of service.

(b) Any individual who has been a principal in Illinois for 3 or more years and who has demonstrated success as an instructional leader, as determined by the State Board by rule, is eligible to apply to be a mentor under a new principal mentoring program. Mentors shall complete mentoring training by entities approved by the State Board and meet any other requirements set forth by the State Board and by the school district employing the mentor.

(c) The State Board shall certify an entity or entities approved to provide training of mentors.

New matter indicated by italics - deletions by strikeout
(d) A mentor shall be assigned to a new principal based on (i) similarity of grade level or type of school, (ii) learning needs of the new principal, and (iii) geographical proximity of the mentor to the new principal. The principal, in collaboration with the mentor, shall identify areas for improvement of the new principal’s professional growth, including, but not limited to, each of the following:

(1) Analyzing data and applying it to practice.
(2) Aligning professional development and instructional programs.
(3) Building a professional learning community.
(4) Observing classroom practices and providing feedback.
(5) Facilitating effective meetings.
(6) Developing distributive leadership practices.
(7) Facilitating organizational change.

The mentor shall not be required to provide an evaluation of the new principal on the basis of the mentoring relationship.

(e) On or after January 1, 2008 and on or after January 1 of each year thereafter, each mentor and each new principal shall complete a survey of progress on a form developed by their respective school districts. On or before July 1, 2008 and on or after July 1 of each year thereafter, the State Board shall facilitate a review and evaluate the mentoring training program in collaboration with the approved providers. Each new principal and his or her mentor must complete a verification form developed by the State Board in order to certify their completion of a new principal mentoring program.

(f) The requirements of this Section do not apply to any individual who has previously served as an assistant principal in Illinois acting under an administrative certificate for 5 or more years and who is hired, on or after July 1, 2007, as a principal by the school district in which the individual last served as an assistant principal, although such an individual may choose to participate in this program or shall be required to participate by the school district.

(g) The State Board may adopt any rules necessary for the implementation of this Section.
(105 ILCS 5/10-23.8a) (from Ch. 122, par. 10-23.8a)

Sec. 10-23.8a. Principal and other administrator contracts. After the effective date of this amendatory Act of 1997 and the expiration of contracts in effect on the effective date of this amendatory Act, school districts may only employ principals and other school administrators under either a contract for a period not to exceed one year or a performance-based contract for a period not to exceed 5 years, unless the provisions of Section 10-23.8b of this Code or subsection (e) of Section 24A-15 of this Code otherwise apply. Performance-based contracts shall be linked to student performance and academic improvement attributable to the responsibilities and duties of the principal or administrator. No performance-based contract shall be extended or rolled-over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. Each performance-based contract shall include the goals and indicators of student performance and academic improvement determined and used by the local school board to measure the performance and effectiveness of the principal or other administrator and such other information as the local school board may determine.

By accepting the terms of a multi-year contract, the principal or administrator waives all rights granted him or her under Sections 24-11 through 24-16 of this Act only for the term of the multi-year contract. Upon acceptance of a multi-year contract, the principal or administrator shall not lose any previously acquired tenure credit with the district.

(Source: P.A. 90-548, eff. 1-1-98; 91-314, eff. 1-1-00.)

(105 ILCS 5/21-5e new)

Sec. 21-5e. Alternative Route to Administrative Certification for National Board Certified Teachers.

(a) It shall be the policy of the State of Illinois to improve the recruitment and preparation of instructional leaders.

(b) On or before July 1, 2007, the State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement an alternative route to administrative certification for teacher leaders, to be known as the Alternative Route to an Administrative Certificate for National Board Certified Teachers. "Teacher leader"

New matter indicated by italics - deletions by strikeout
means a certified teacher who has already received National Board certification through the National Board for Professional Teaching Standards and who has a teacher leader endorsement under Section 21-7.5 of this Code. Persons who meet the requirements of and successfully complete the program established by this Section shall be issued a standard administrative certificate for serving in schools in this State. The State Board shall approve a course of study that persons must successfully complete in order to satisfy one criterion for issuance of the administrative certificate under this Section. The Alternative Route to an Administrative Certificate for National Board Certified Teachers must include the current content and skills contained in a college's or university's courses and the Illinois Professional School Leader Standards for State certification, with the exception of courses that contain the competency areas and the Illinois Professional School Leader Standards that a candidate has already met through National Board certification or through a teacher leadership master's degree program.

(c) The Alternative Route to an Administrative Certificate for National Board Certified Teachers shall be comprised of the following 4 phases:

1. National Board certification and an endorsement in teacher leadership in accordance with Section 21-7.5 of this Code;
2. a master's degree in a teacher leader program;
3. 15 hours of coursework in which the candidate must show evidence of meeting competencies for organizational management and development, finance, supervision and evaluation, policy and legal issues, and leadership, as stated in the Illinois Professional School Leader Standards for principals; and
4. a passing score on the Illinois Administrator Assessment.

(d) Successful completion of the Alternative Route to an Administrative Certificate for National Board Certified Teachers shall be deemed to satisfy all requirements to receive an administrative certificate established by law. The State Board shall adopt rules that are consistent
with this Section and that the State Board deems necessary for the establishment and implementation of the program.

(105 ILCS 5/21-7.5 new)

Sec. 21-7.5. Teacher leader endorsement. It shall be the policy of the State of Illinois to improve the quality of instructional leaders by providing a career pathway for teachers interested in serving in leadership roles. Beginning on July 1, 2007, the State Board, in consultation with the State Teacher Certification Board, shall establish and implement a teacher leader endorsement, to be known as a teacher leader endorsement. Persons who meet the requirements of and successfully complete the requirements of the endorsement established under this Section shall be issued a teacher leader endorsement for serving in schools in this State. The endorsement shall be a career path endorsement but not a restrictive endorsement available to: (i) teachers who are certified through the National Board for Professional Teaching Standards and complete a specially designed strand of teacher leadership courses; (ii) teachers who have completed a master's degree program in teacher leadership; and (iii) proven teacher leaders with a master's degree who complete a specially designed strand of teacher leadership courses. Colleges and universities shall have the authority to qualify the proficiency of proven teacher leaders under clause (iii) of this Section. A teacher who meets any of clauses (i) through (iii) of this Section shall be deemed to satisfy the requirements for the teacher leader endorsement. The State Board may adopt rules that are consistent with this Section and that the State Board deems necessary to establish and implement this teacher leadership endorsement program.

(105 ILCS 5/21-7.10 new)

Sec. 21-7.10. Master principal designation program.

(a) The General Assembly recognizes the important role a principal serves as a school’s instructional leader and believes it is in the best interest of the State to establish a mechanism for training and recognizing master level principals.

(b) The State Board of Education shall certify statewide organizations representing principals, institutions of higher education,
and regional offices of education and one school district or organization representing principals in a school district organized under Article 34 of this Code to establish a master principal designation program if these entities meet the criteria established by the State Board. These entities shall work with a statewide design team made up of institutions of higher education, regional offices of education, statewide organizations, and other appropriate entities, as determined by the State Board, to conceptualize the master principal designation program. The State Board shall adopt rules, in consultation with the State Teacher Certification Board, for entities seeking to provide a program under this Section, including an approval process and other criteria. A master principal designation program aligned with the Illinois Professional Leadership Standards shall include at least the following components:

(1) Expansion of the principal's knowledge base and leadership.
(2) Application of strategies and collection of evidence of student learning and school processes.
(3) Demonstration of the ability and skills necessary to lead sustained academic improvement in a school or district.

(c) An individual serving as a principal for at least 3 years is eligible for participation in a master principal designation program. Each year, those entities approved to offer a master principal designation program must submit to the State Board a report indicating the number of individuals enrolled in the program, the progress of candidates, anticipated changes to the program, and any other relevant information requested by the State Board. All substantive changes to an entity's master principal designation program shall require prior written approval from the State Board. An entity that fails to meet the requirements of this Section or any other criteria established by the State Board by rule shall have its authority to offer a master principal designation program revoked pursuant to procedures established by rule by the State Board.

(105 ILCS 5/21-7.15 new)

Sec. 21-7.15. Illinois Administrators' Academy Review Task Force. The State Board of Education shall create a task force to review the
Illinois Administrators' Academy and recommend revisions to the program. The goal of the task force shall be to revise the Illinois Administrators' Academy so that it offers professional development opportunities tailored to the individual and collective needs of principals and other administrators. The task force shall also examine the content and duration of teacher evaluation courses required under subparagraph (B) of paragraph (3) of subsection (c-10) of Section 21-7.1 of this Act and make recommendations for improvement. The task force shall consist of members appointed by the State Superintendent of Education. The task force shall include without limitation representatives from a statewide organization representing principals, a statewide organization representing school business officials, a statewide organization representing school administrators, a statewide organization representing education leadership, a statewide organization representing school boards, regional offices of education, and other appropriate stakeholders. The task force shall file a report of its findings with the General Assembly, the Governor, and the State Board by July 1, 2007. A copy of the report shall also be delivered to the Executive Committee of the Illinois State Action for Education Leadership Project. This Section is repealed on July 2, 2007.

(105 ILCS 5/24A-15 new)

(a) Beginning with the 2006-2007 school year and each school year thereafter, each school district, except for a school district organized under Article 34 of this Code, shall establish a principal evaluation plan in accordance with this Section. The plan must ensure that each principal is evaluated as follows:

(1) For a principal on a single-year contract, the evaluation must take place by February 1 of each year.
(2) For a principal on a multi-year contract under Section 10-23.8a of this Code, the evaluation must take place by February 1 of the final year of the contract.

New matter indicated by italics - deletions by strikeout
Nothing in this Section prohibits a school district from conducting additional evaluations of principals.

(b) The evaluation shall include a description of the principal's duties and responsibilities and the standards to which the principal is expected to conform.

(c) The evaluation must be performed by the district superintendent, the superintendent's designee, or, in the absence of the superintendent or his or her designee, an individual appointed by the school board who holds a registered Type 75 State administrative certificate. The evaluation must be in writing and must at least do all of the following:

1. Consider the principal's specific duties, responsibilities, management, and competence as a principal.
2. Specify the principal's strengths and weaknesses, with supporting reasons.
3. Align with the Illinois Professional Standards for School Leaders or research-based district standards.
4. One copy of the evaluation must be included in the principal's personnel file and one copy of the evaluation must be provided to the principal.
5. Failure by a district to evaluate a principal and to provide the principal with a copy of the evaluation at least once during the term of the principal's contract, in accordance with this Section, is evidence that the principal is performing duties and responsibilities in at least a satisfactory manner and shall serve to automatically extend the principal's contract for a period of one year after the contract would otherwise expire, under the same terms and conditions as the prior year's contract. The requirements in this Section are in addition to the right of a school board to reclassify a principal pursuant to Section 10-23.8b of this Code.

(f) Nothing in this Section prohibits a school board from ordering lateral transfers of principals to positions of similar rank and salary.

(105 ILCS 5/34-18.33 new)

Sec. 34-18.33. Principal mentoring program. Beginning on July 1, 2007, and subject to an annual appropriation by the General Assembly,
the school district shall develop a principal mentoring program. The school district shall submit a copy of its principal mentoring program to the State Board of Education for its review and public comment. Whenever a substantive change has been made by the school district to its principal mentoring program, these changes must be submitted to the State Board of Education for review and comment.

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

Approved July 20, 2006.
Effective July 20, 2006.

PUBLIC ACT 94-1040
(Senate Bill No. 0927)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Tattoo and Body Piercing Establishment Registration Act.

Section 5. Purpose. It has been established that non-sterile needles can lead to the spread of certain blood-borne illnesses such as Hepatitis and HIV. Tattoo and body piercing practices affect the health, safety, and welfare of the public, therefore, the General Assembly finds that the regulation of tattoo and body piercing establishments by the State is necessary to ensure public health, safety, and welfare. It is further declared that the purpose of this Act is to provide for a safe and adequate blood supply. This Act shall be liberally construed to carry out these objectives and purposes.

Section 10. Definitions. In this Act:
"Aseptic technique" means a practice that prevents and hinders the transmission of disease-producing microorganisms from one person or place to another.

New matter indicated by italics - deletions by strikeout
"Body piercing" means penetrating the skin to make a hole, mark, or scar that is generally permanent in nature. "Body piercing" does not include practices that are considered medical procedures or the puncturing of the outer perimeter or lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system.

"Client" means the person, customer, or patron whose skin will be tattooed or pierced.

"Communicable disease" means a disease that can be transmitted from person to person directly or indirectly, including diseases transmitted via blood or body fluids.

"Department" means the Department of Public Health or other health authority designated as its agent.

"Director" means the Director of Public Health or his or her designee.

"Establishment" means a body-piercing operation, a tattooing operation, or a combination of both operations in a multiple-type establishment.

"Ink cup" means a small container for an individual portion of pigment that may be installed in a holder or palette and in which a small amount of pigment of a given color is placed.

"Multi-type establishment" means an operation encompassing both body piercing and tattooing on the same premises and under the same management.

"Procedure area" means the immediate area where instruments and supplies are placed during a procedure.

"Operator" means an individual, partnership, corporation, association, or other entity engaged in the business of owning, managing, or offering services of body piercing or tattooing.

"Sanitation" means the effective bactericidal and veridical treatment of clean equipment surfaces by a process that effectively destroys pathogens.

"Single use" means items that are intended for one time and one person use only and are to then be discarded.

"Sterilize" means to destroy all living organisms including spores.

New matter indicated by italics - deletions by strikeout
"Tattooing" means making permanent marks on the skin of a live human being by puncturing the skin and inserting indelible colors. "Tattooing" includes imparting permanent makeup on the skin, such as permanent lip coloring and permanent eyeliner. "Tattooing" does not include any of the following:

(1) The practice of electrology as defined in the Electrology Licensing Act.
(2) The practice of acupuncture as defined in the Acupuncture Licensing Act.
(3) The use, by a physician licensed to practice medicine in all its branches, of colors, dyes, or pigments for the purpose of obscuring scar tissue or imparting color to the skin for cosmetic, medical, or figurative purposes.

Section 15. Registration required.

(a) A certificate of registration issued by the Department shall be required prior to the operation of any establishment or multi-type establishment. The owner of the facility shall file an application for a certificate of registration with the Department that shall be accompanied by the requisite fee, as determined by the Department, and include all of the following information:

(1) The applicant's (owner) name, address, telephone number, and age. In order to qualify for a certificate of registration under this Act, an applicant must be at least 18 years of age.
(2) The name, address, and phone number of the establishment.
(3) The type and year of manufacture of the equipment proposed to be used for tattooing or body piercing.
(4) The sterilization and operation procedures to be used by the establishment.
(5) Any other information required by the Department.

(b) If the owner owns or operates more than one establishment, the owner shall file a separate application for each facility owned or operated.

Section 20. Temporary registration. A temporary certificate of registration may be issued by the Department for educational, trade show,
Section 25. Operating requirements. All establishments registered under this Act must comply with the following requirements:

(1) An establishment must ensure that all body piercing and tattooing procedures are performed in a clean and sanitary environment that is consistent with sanitation techniques established by the Department.

(2) An establishment must ensure that all body piercing and tattooing procedures are performed in a manner that is consistent with an aseptic technique established by the Department.

(3) An establishment must ensure that all equipment and instruments used in body piercing and tattooing procedures are either single use and pre-packaged instruments or in compliance with sterilization techniques established by the Department.

(4) An establishment must ensure that single use ink is used in all tattooing procedures.

Section 27. Prohibitions. Body piercing procedures must not be performed, without medical clearance, on skin surfaces where sunburn, rash, acne, infection, open lesions, or other questionable skin lesions exist and must not be performed on any person who is impaired by drugs or alcohol.

Section 30. Duties of the Department; rulemaking.

(a) Before issuing a certificate of registration to an applicant, the Department, or its designee, shall inspect the premises of the establishment to insure compliance under the requirements of this Act.

(b) Once a certificate of registration is issued, the Department may periodically inspect each establishment registered under this Act to ensure compliance.

(c) The Department shall adopt any rules deemed necessary for the implementation and administration of this Act.

Section 35. Expiration and renewal of registration; display.

(a) A certificate of registration issued under this Act shall expire and may be renewed annually.

New matter indicated by italics - deletions by strikeout
(b) Registration is valid for a single location and only for the operator named on the certificate. Registration is not transferable.

(c) The certificate of registration issued by the Department shall be conspicuously displayed within the sight of clients upon entering the establishment.

Section 40. Change of ownership. In the event of a change of ownership, the new owner must apply for a certificate of registration prior to taking possession of the property. A provisional certificate of registration may be issued by the Department until an initial inspection for a certificate of registration can be performed by the Department or its designee.

Section 45. Denial; suspension; revocation; nonrenewal of registration. A certificate of registration may be denied, suspended, revoked, or the renewal of a certificate of registration may be denied for any of the following reasons:

Violation of any of the provisions of this Act or the rules and regulations adopted by the Department under this Act.

Conviction of an applicant or registrant of an offense arising from false, fraudulent, deceptive, or misleading advertising. The record of conviction or a certified copy shall be conclusive evidence of the conviction.

Revocation of a certificate of registration during the previous 5 years or surrender or expiration of the certificate of registration during the pendency of action by the Department to revoke or suspend the certificate of registration during the previous 5 years, if before the certificate of registration was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant, or any affiliate of the individual applicant or controlling owner of the applicant or affiliate of the applicant, was a controlling owner of the prior certificate of registration.

Section 50. Administration; enforcement.

(a) The Department may establish a training program for the Department agents for administration and enforcement of this Act.

(b) In the administration and enforcement of this Act, the Department may designate and use State-certified, local public health

New matter indicated by italics - deletions by strikeout
departments as its agents in the administration and enforcement of this Act and rules.

(c) The Department shall issue grants to State-certified, local public health departments acting as agents of the Department based on 75% of the total fees and fines collected in the jurisdiction of the State-certified, local public health department for the enforcement and administration of this Act.

(d) The Department or a State-certified, local public health department acting as an agent of the Department in the administration and enforcement of this Act may use the local administrative review process of the State-certified, local public health department to resolve disputes.

Section 55. Investigation; hearing; notice. The Department may, upon its own motion, and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for the denial of an application for a certificate of registration, or refusal to renew a certificate of registration, or revocation of a certificate of registration, or suspension of a certificate of registration, investigate the applicant or registrant. The Department, after notice and opportunity for hearing, may deny any application for or suspend or revoke a certificate of registration or may refuse to renew a certificate of registration. Before denying an application or refusing to renew, suspending, or revoking a certificate of registration, the Department shall notify the applicant in writing. The notice shall specify the charges or reasons for the Department's contemplated action. The applicant or registrant must request a hearing within 10 days after receipt of the notice. Failure to request a hearing within 10 days shall constitute a waiver of the right to a hearing.

Section 60. Conduct of hearing.

(a) The hearing shall be conducted by the Director, or an individual designated in writing by the Director as a hearing officer. The Director or hearing officer may compel by subpoena or subpoena duces tecum the attendance and testimony of witnesses and the production of books and papers, and administer oaths to witnesses. The hearing shall be conducted at a place designated by the Department. The procedures governing
hearings and the issuance of final orders under this Act shall be in accordance with rules adopted by the Department.

(b) All subpoenas issued by the Director or hearing officer may be served as provided for in civil actions. The fees of witnesses for attendance and travel shall be the same as the fees for witnesses before the circuit court and shall be paid by the party to the proceedings at whose request the subpoena is issued. If a subpoena is issued at the request of the Department, the witness fee shall be paid as an administrative expense.

(c) In cases of refusal of a witness to attend or testify, or to produce books or papers, concerning any matter upon which he or she might be lawfully examined, the circuit court of the county wherein the hearing is held, upon application of any party to the proceeding, may compel obedience by proceeding as for contempt as in cases of a like refusal to obey a similar order of the court.

Section 65. Findings of fact; conclusions of law; decision. The Director or hearing officer shall make findings of fact and conclusions of law in a hearing, and the Director shall render his or her decision, or the hearing officer his or her proposal for decision within 45 days after the termination of the hearing unless additional time is required by the Director or hearing officer for a proper disposition of the matter. A copy of the final decision of the Director shall be served upon the applicant or registrant in person or by certified mail.

Section 70. Review under Administrative Review Law; venue; costs. All final administrative decisions of the Department under this Act shall be subject to judicial review under the provisions of Article III of the Code of Civil Procedure. The term "administrative decision" is defined under Section 3-101 of the Code of Civil Procedure.

Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; provided, that if the party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear in any proceeding for judicial review unless the party filing the complaint deposits with the clerk of the court the

New matter indicated by italics - deletions by strikeout
sum of 95¢ per page representing costs of certification of the record or file. Failure on the part of the plaintiff to make the deposit shall be grounds for dismissal of the action.

Section 75. Administrative Procedure Act; application. The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and shall apply to all administrative rules and procedure of the Department under this Act, except that in case of conflict between the Illinois Administrative Procedure Act and this Act the provisions of this Act shall control, and except that Section 5 of the Illinois Administrative Procedure Act relating to procedures for rulemaking does not apply to the adoption of any rules required by federal law in connection with which the Department is precluded by law from exercising any discretion.

Section 80. Penalties; fines. The Department is authorized to establish and assess penalties or fines against a registrant for violations of this Act or regulations adopted under this Act. In no circumstance will any penalties or fines exceed $1,000 per day for each day the registrant remains in violation.

Section 85. Public nuisance.
(a) The operation or maintenance of an establishment in violation of this Act or any rule adopted by the Department under this Act constitutes a public nuisance inimical to the public welfare.
(b) A person convicted of knowingly maintaining a public nuisance commits a Class A misdemeanor. Each subsequent offense under this Section is a Class 4 felony.
(c) The Director, in the name of the people of the State and through the Attorney General or State's Attorney of the county in which the establishment is located, may, in addition to the other remedies set forth in this Act, bring an action for an injunction to restrain the violation of this Act or to enjoin the future operation or maintenance of any establishment in violation of this Act.

Section 90. Tattoo and Body Piercing Establishment Registration Fund. There is hereby created in the State treasury a special fund to be known as the Tattoo and Body Piercing Establishment Registration Fund.
All fees and fines collected by the Department under this Act and any agreement for the implementation of this Act and rules under this Act and any federal funds collected pursuant to the administration of this Act shall be deposited into the Fund. The amount deposited shall be appropriated by the General Assembly to the Department for the purpose of conducting activities relating to tattooing and body piercing establishments.

Section 905. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Tattoo and Body Piercing Establishment Registration Fund.

Section 999. Effective date. This Act takes effect July 1, 2007.


AN ACT concerning regulation.

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

Section 5. The Coal Mining Act is amended by changing Sections 11.01, 19.11, 22.18, and 38.3 and the heading of Article 29 and by adding Sections 1.19, 1.20, 1.21, 1.22, 1.23, 1.24, 10.08, 11.07, 11.08, 11.09, 11.10, 11.11, 13.16, 13.17, 13.18, 29.05, 29.06, 29.07, 38.4, and 38.5 as follows:

(225 ILCS 705/1.19 new)

Sec. 1.19. "Lifeline cord" means a fire-retardant, nylon line of at least one quarter inch thickness, with cone-shaped directional indicators incorporated into it, that is permanently installed in an escape way and gives a clear indication of the direction out of a mine.

(225 ILCS 705/1.20 new)
Sec. 1.20. "Self-contained self-rescue (SCSR) device" means a breathing apparatus that contains a minimum of one hour of oxygen for one person and is approved by the Mine Safety and Health Administration of the U.S. Department of Labor and the Mining Board.

(225 ILCS 705/1.21 new)

Sec. 1.21. "Surface supervisor of an underground mine" means a certified supervisor at a mine whose duties do not include the extraction of coal, but do include other activities resulting in the preparation of coal, supervision of construction or demolition of mine buildings, earth moving, gob moving projects, or other surface projects involving the supervision of people and machinery.

(225 ILCS 705/1.22 new)

Sec. 1.22. "Tag-line" means a nylon line of at least one quarter inch thickness that has mechanical clips or other suitable connecting devices incorporated therein that are spaced between 3 feet and 5 feet apart that allow a group of persons underground to attach themselves together.

(225 ILCS 705/1.23 new)

Sec. 1.23. "Rescue chamber" means a chamber within a mine that is properly constructed to protect against potential hazards in case of an emergency and is properly equipped with first aid materials, an oxygen-generating device capable of providing a minimum of 48 hours of oxygen for at least 10 people, and proper accommodations for persons underground awaiting rescue, as determined by the Mining Board.

(225 ILCS 705/1.24 new)

Sec. 1.24. "Cache" means a storage facility within a mine that is properly constructed to store SCSR devices in case of an emergency for use by persons underground in emergency situations, as determined by the Mining Board.

(225 ILCS 705/10.08 new)

Sec. 10.08. Use of telecommunications center. In order to ensure a quick and efficient means of effectively disseminating duties and responsibilities to those agencies involved in mining emergency response, the Department shall use the telecommunications center maintained by the
Illinois Emergency Management Agency to notify agents of the Department and other State, federal, and local agencies in the event of an emergency in or about any coal mine. The Illinois Emergency Management Agency, in conjunction with the Mining Board, shall establish procedures concerning the manner in which the Illinois Emergency Management Agency shall record pertinent information regarding a mining emergency, determine the urgency of a call, and forward information to the Department.

(225 ILCS 705/11.01) (from Ch. 96 1/2, par. 1101)

Sec. 11.01. Mine rescue stations. For the purpose of providing prompt and efficient means of fighting fires and of saving lives and property jeopardized by fires, explosions or other accidents in coal mines in Illinois, there shall be constructed, equipped and maintained at public expense four mine rescue stations, certified by the Mine Safety and Health Administration of the U.S. Department of Labor, to serve the coal fields of the State. Notwithstanding any other law of this State, the primary responsibility for the control and maintenance of the mine rescue stations shall be vested with the Department. Each station shall be equipped with a mobile mine rescue unit. The Department may establish, equip and maintain three additional substations for preservation of health and safety if the conditions warrant. Temporary certification may be issued by the Mining Board for a maximum of 6 months after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 87-895.)

(225 ILCS 705/11.07 new)

Sec. 11.07. Rescue teams. Rescue teams shall be based out of each mine rescue station to serve the Illinois coal industry as either a primary or secondary responder. Every operator in the State must provide employees to serve on a rescue team and must compensate these employees who are serving as rescue team members at their regular rate of pay.

(225 ILCS 705/11.08 new)

Sec. 11.08. Self-contained self-rescuer (SCSR) devices; caches; strobe lights; luminescent signs.

New matter indicated by italics - deletions by strikeout
(a) An operator must require each person underground to carry a
SCSR device on his or her person or, alternatively, a SCSR device must be
kept within 25 feet of the person underground or may be kept more than
25 feet from the person underground if done according to a plan approved
by the Mining Board.

(b) An operator must provide for each person who is underground
at least one SCSR device, in addition to the device required under
subsection (a), that provides protection for a period of one hour or longer,
to cover all persons in the mine. This additional SCSR device must be kept
within 25 feet of the person underground or may be kept more than 25 feet
from the person underground if done according to a plan approved by the
Mining Board.

(c) If a mantrip or mobile equipment is used to enter or exit the
mine, additional SCSR devices, each of which must provide protection for
a period of one hour or longer, must be available for all persons who use
such transportation from portal to portal.

(d) If the SCSR devices required under subsections (a), (b), and (c)
are not adequate to provide enough oxygen for all persons to safely
evacuate the mine under mine emergency conditions, the mine operator
must provide additional SCSR devices in the primary and alternate
escapeways to ensure safe evacuation for all persons underground
through both primary and alternate escapeways. The Mining Board must
determine the time needed for safe evacuation under emergency conditions
from each of those locations at 1,000 foot intervals. The mine operator
must submit a SCSR storage plan to the Mining Board for approval. The
mine operator must include in the SCSR storage plan the location,
quantity, and type of additional SCSR devices, each of which must provide
protection for a period of one hour or longer, that are stored in the
primary and alternate escapeways. The SCSR storage plan must also show
how each storage location in the primary and alternate escapeways was
determined. The Mining Board must require the mine operator to
demonstrate that the location, quantity, and type of the additional SCSRs
provide protection to all persons to safely evacuate the mine. The SCSR
storage plan must be kept current by the mine operator and made

New matter indicated by italics - deletions by strikeout
available for inspection by an authorized representative of the Mining Board and by the miners' representative.

(e) All SCSR devices required under this Section shall be stored in caches that are conspicuous and readily accessible by each person in the mine.

(f) An operator must require luminescent direction signs leading to each cache and rescue chamber to be posted in a mine, and a luminescent sign with the words "SELF-CONTAINED SELF-RESCUER" or "SELF-CONTAINED SELF-RESCUERS" must be conspicuously posted at each cache and rescue chamber.

(g) Intrinsically safe, battery-powered strobe lights must be affixed to each cache and rescue chamber and must be capable of automatic activation in the event of an emergency.

(h) The Mining Board must adopt and impose a plan for the daily inspection of SCSR devices required under subsections (a), (b), and (c) of this Section in order to ensure that the devices perform their designated functions each working day. Additional SCSR devices required under subsection (d) must be inspected every 90 days to ensure that the devices perform their designated functions, in addition to meeting all federal Mine Safety and Health Administration requirements.

(i) Any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to remove any self-contained self-rescue device or battery-powered strobe light approved by the Department from a mine or mine site with the intent to permanently deprive the operator of the device or light or who knowingly tampers with or attempts to tamper with the device or light is guilty of a Class 4 felony.

(j) Beginning January 31, 2007, in addition to the SCSR devices required under subsections (a), (b), and (c), an operator must provide a minimum of 30 SCSR devices in each cache located within a mine, in addition to federal Mine Safety and Health Administration requirements. Caches must be located no more than 4,000 feet apart throughout a mine.

(k) An operator must submit for approval a plan addressing the requirements of subsection (j) of this Section to the Mining Board within 3
months after the effective date of this amendatory Act of the 94th General
Assembly.

(225 ILCS 705/11.09 new)
Sec. 11.09. Rescue chambers.
(a) Rescue chambers approved by the Mining Board must be
provided at suitable locations throughout a mine.
(b) Beginning January 31, 2007, rescue chambers approved by the
Mining Board must be provided and located within 3,000 feet of each
working section of a mine.
(c) An operator must submit a plan for approval concerning the
construction and maintenance of rescue chambers required under this
Section to the Mining Board within 3 months after the effective date of this
amendatory Act of the 94th General Assembly.

(225 ILCS 705/11.10 new)
Sec. 11.10. Materials for barricade. Each working section of a
mine must have an emergency sled or wagon located no more than 1,000
feet from the working faces of the mine with the following materials and
amounts in constant supply:
(1) 8 timbers of suitable length or roof jacks of equal
capability;
(2) 200 linear feet of brattice cloth of adequate height to
the coal seam;
(3) 2 hand saws;
(4) 20 1 x 6 brattice boards at least 12 feet long each;
(5) 10 pounds of 10d nails;
(6) 10 pounds of 16d nails;
(7) 10 pounds of spads;
(8) 25 cap boards;
(9) 20 header boards;
(10) 2 axes;
(11) 2 claw hammers;
(12) one sledge hammer;
(13) one shovel;

New matter indicated by italics - deletions by strikeout
(14) 10 bags of wood fiber plaster or 5 bags of cement or the equivalent;
(15) 4 sets of rubber gloves; and
(16) 5 gallons of sealed, distilled drinking water.

Sec. 11.11. Rulemaking. The Mining Board shall adopt all rules necessary for the administration of this Article.

Sec. 13.16. Tag-lines. Tag-lines must be provided in every working section of a mine and on any vehicle capable of hauling 4 or more people within the mine.

Sec. 13.17. Methane extraction.
(a) In this Section:
"Blowout preventer" means an emergency shut-off valve installed on the wellhead during the drilling or testing of a well that incorporates hydraulic pipe rams capable of closing the space around the drillpipe against very high pressure.
"Conductor pipe" means a short string of large-diameter casing used to keep the top of the wellbore open and to provide a means of conveying the up-flowing drilling fluid from the wellbore to the mud pit.
"Gas detector" means a mechanical, electrical, or chemical device that automatically identifies and records or registers the levels of various gases.
(b) Methane extraction from sealed areas of active mines or abandoned mines that are attached to active working mines must include a conductor pipe cemented in place, a blowout preventer, and a gas detector.

Sec. 13.18. Non-production related bore holes exempt. Non-production related bore holes that are drilled or operated by an operator and are intended for the safety or maintenance of a mine are exempt from this Act.

New matter indicated by italics - deletions by strikeout
(225 ILCS 705/19.11) (from Ch. 96 1/2, par. 1911)
Sec. 19.11. Travelable passageways; obstructions; ventilation of escape ways. There shall be at least two travelable passageways, to be designated as escape ways, from each working section to the surface whether the mine openings are shafts, slopes, or drifts. At least one of these passageways must be equipped with a lifeline cord. Escape ways shall be kept in safe condition for travel and reasonably free from standing water and other obstructions. One of the designated escape ways may be the haulage road. One of the escape ways shall be ventilated with intake air. At mines now operating with only one free passageway to the surface, immediate action shall be taken to provide a second passageway. The return air passageway to the surface must be marked with reflectors or other appropriate signage, as approved by the Department.
(Source: Laws 1953, p. 701.)

(225 ILCS 705/22.18) (from Ch. 96 1/2, par. 2218)
Sec. 22.18. Vehicle for transporting workforce and injured persons. A vehicle suitable for transporting all persons underground working on a unit and injured persons shall be maintained in each underground working section where workers are working for use in case of accident.
(Source: P.A. 79-460.)

(225 ILCS 705/Art. 29 heading)
ARTICLE 29. TELEPHONE AND WIRELESS COMMUNICATION SYSTEMS

(225 ILCS 705/29.05 new)
Sec. 29.05. Wireless emergency communication devices. A wireless emergency communication device approved by the Mining Board must be worn by each person underground. The operator shall provide these devices. The wireless emergency communication device must, at a minimum, be capable of receiving emergency communications from the surface at any location throughout the mine. Each operator must provide for the training of each underground employee in the use of the device and, annually, provide a refresher training course for all underground employees. The operator must install in or around the mine any and all

New matter indicated by italics - deletions by strikeout
equipment necessary to transmit emergency communications from the surface to each wireless emergency communication device at any location throughout the mine.

An operator must submit for approval a plan concerning the implementation of the wireless emergency communication devices required under this Section to the Mining Board within 3 months after the effective date of this amendatory Act of the 94th General Assembly.

Any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to remove any wireless emergency communication device or related equipment approved by the Mining Board from the mine or mine site with the intent to permanently deprive the operator of the device or equipment or who knowingly tampers with or attempts to tamper with the device or equipment is guilty of a Class 4 felony.

(225 ILCS 705/29.06 new)

Sec. 29.06. Wireless tracking devices. A wireless tracking device approved by the Mining Board must be worn by each person underground. The operator shall provide these devices. The tracking device must be capable of providing real-time monitoring of the physical location of each person underground in the event of an accident or other emergency. No person may discharge or discriminate against any underground employee based on information gathered by a wireless tracking device during non-emergency monitoring. Each operator must provide for the training of each underground employee in the use of the device and provide refresher training courses for all underground employees during each calendar year. The operator must install in or around the mine all equipment necessary to provide real-time emergency monitoring of the physical location of each person underground.

An operator must submit for approval a plan concerning the implementation of the wireless tracking devices required under this Section to the Mining Board within 3 months after the effective date of this amendatory Act of the 94th General Assembly.

Any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to remove any wireless
tracking device or related equipment approved by the Mining Board from a mine or mine site with the intent to permanently deprive the operator of the device or equipment or who knowingly tampers with or attempts to tamper with the device or equipment is guilty of a Class 4 felony.

(225 ILCS 705/29.07 new)

Sec. 29.07. Mine Technology Task Force; provision of rescue chambers and wireless devices.

(a) The Director shall establish a Mine Technology Task Force composed of representatives of an organization representing mine employees, coal operators, academia, and the communications industry. Each group shall submit the name of its representative to the Director. The task force shall review and make recommendations to the Mining Board regarding the best available mine safety technologies, including, but not limited to, rescue chambers, wireless communications equipment, and wireless tracking devices for use in underground mines. The task force shall submit its initial findings to the Mining Board within 3 months after the effective date of this amendatory Act of the 94th General Assembly.

(b) Rescue chambers, wireless emergency communications devices, and wireless tracking devices must be provided in each underground mine within 90 days after the equipment is approved by the federal Mine Safety and Health Administration. To the extent that any of these devices have already been approved by the federal Mine Safety and Health Administration, the operator shall provide the equipment in each underground mine within 90 days after the effective date of this amendatory Act of the 94th General Assembly.

(c) A temporary waiver of the requirements of subsection (b) of this Section of up to 90 days may be issued by the Mining Board if (i) the mine operator submits to the Mining Board a receipt of the product order and (ii) the manufacturer has certified that the product will be delivered within 90 days of the product order.

(225 ILCS 705/38.3) (from Ch. 96 1/2, par. 3803)

Sec. 38.3. Surface mine supervisor Supervisors. On or after September 1, 1977, it shall be unlawful for any operator of a surface coal
mine to employ, in a supervisory capacity listed below any person who do not hold a certificate of competency issued by the Mining Board.

Those persons assigned to supervise:
(a) Overburden stripping
(b) Drilling and shooting
(c) The pit coal loading operation
(d) Reclamation work at the mine.

Each applicant must have a minimum of 2 years of surface mining experience and pass an examination, administered by the Mining Board, based on Illinois State Mining Law as it pertains to his responsibilities. Temporary certification will be provided by the Mining Board for persons with at least 2 years surface mining experience up to the time of the next examination or up to a maximum of 6 months.

(Source: P.A. 79-460; 79-1505.)

(225 ILCS 705/38.4 new)

Sec. 38.4. General surface supervisor of an underground mine. On or after July 1, 2006, it shall be unlawful for an operator of an underground coal mine surface facility or a coal preparation plant or a contractor engaged in the construction, demolition, or dismantling of an underground coal mine surface facility or a coal preparation plant to employ, in a supervisory capacity, any person who does not hold a certificate of competency issued by the Mining Board to oversee any of the following activities:
(1) Coal preparation and storage.
(2) Mine equipment storage and repair.
(3) Mobile equipment operation.
(4) Site construction, demolition, or dismantling operations.

Each applicant for a certificate as a general surface supervisor of an underground mine must have a minimum of 2 years of work experience at a coal mine surface facility or coal preparation plant. In addition to the work experience requirement set forth in this Section, a contractor engaged in the construction, demolition, or dismantling of surface structures must successfully complete an examination concerning the
Department’s health and safety regulations as these regulations pertain to the contractor’s responsibilities, which shall be administered by the Mining Board. Temporary certification may be issued by the Mining Board for persons with at least 2 years of the required work experience and shall be valid until the time of the next examination or for a maximum of 6 months, whichever is shorter.

(225 ILCS 705/38.5 new)

Sec. 38.5. Independent contractor supervisor. On or after July 1, 2006, it shall be unlawful for an operator of an underground coal mine surface facility or a surface coal mine facility to employ an independent contractor who does not have an independent contractor supervisor certificate issued by the Mining Board to oversee and supervise the work for which the services of an independent contractor have been obtained, including, but not limited to, work in the area of construction, demolition, repair or maintenance, or major renovations of existing facilities or other heavy or extensive work planned for an extended period of time.

Each applicant for an independent contractor supervisor certificate must provide proof of at least 2 years of experience in independent contract work at surface mines or at the surface of underground mines and successfully complete an examination based on the mining laws of this State as these laws pertain to the applicant’s responsibilities, which shall be administered by the Mining Board. Temporary certification may be issued by the Mining Board for persons with at least 2 years of the required work experience and shall be valid until the time of the next examination or for a maximum of 6 months, whichever is shorter.

Independent contractors employed to engage in routine maintenance work within a facility, including, but not limited to, plumbing repair, roof repair, and carpentry work, are not required to possess an independent contractor supervisor certificate to engage in such routine maintenance work within a facility.

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

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Parks Designation Act is amended by changing Section 1 as follows:

Sec. 1. The following described areas are designated State Parks and have the names herein ascribed to them:

- Adeline Jay Geo-Karis Illinois Beach State Park, in Lake County;
- Apple River Canyon State Park, in Jo Daviess County;
- Argyle Lake State Park, in McDonough County;
- Beaver Dam State Park, in Macoupin County;
- Buffalo Rock State Park, in La Salle County;
- Castle Rock State Park, in Ogle County;
- Cave-in-Rock State Park, in Hardin County;
- Chain O'Lakes State Park, in Lake and McHenry Counties;
- Delabar State Park, in Henderson County;
- Dixon State Park, in Lee County;
- Dixon Springs State Park, in Pope County;
- Eagle Creek State Park, in Shelby County;
- Eldon Hazlet State Park, in Clinton County;
- Ferne Clyffe State Park, in Johnson County;
- Fort Creve Coeur State Park, in Tazewell County;
- Fort Defiance State Park, in Alexander County;
- Fort Massac State Park, in Massac County;
- Fox Ridge State Park, in Coles County;
- Frank Holten State Park, in St. Clair County;
- Funk's Grove State Park, in McLean County;

New matter indicated by italics - deletions by strikeout
Gebhard Woods State Park, in Grundy County;
Giant City State Park, in Jackson and Union Counties;
Goose Lake Prairie State Park, in Grundy County;
Hazel and Bill Rutherford Wildlife Prairie State Park, in Peoria County;
Hennepin Canal Parkway State Park, in Bureau, Henry, Rock Island, Lee and Whiteside Counties;
Horseshoe Lake State Park, in Madison and St. Clair Counties;
Illini State Park, in La Salle County;
Illinois Beach State Park, in Lake County;
Illinois and Michigan Canal State Park, in the counties of Cook, Will, Grundy, DuPage and La Salle;
Johnson Sauk Trail State Park, in Henry County;
Jubilee College State Park, in Peoria County, excepting Jubilee College State Historic Site as described in Section 7.1 of the Historic Preservation Agency Act;
Kankakee River State Park, in Kankakee and Will Counties;
Kickapoo State Park, in Vermilion County;
Lake Le-Aqua-Na State Park, in Stephenson County;
Lake Murphysboro State Park, in Jackson County;
Laurence C. Warren State Park, in Cook County;
Lincoln Trail Homestead State Park, in Macon County;
Lincoln Trail State Park, in Clark County;
Lowden State Park, in Ogle County;
Matthiessen State Park, in La Salle County;
McHenry Dam and Lake Defiance State Park, in McHenry County;
Mississippi Palisades State Park, in Carroll County;
Moraine View State Park, in McLean County;
Morrison-Rockwood State Park, in Whiteside County;
Nauvoo State Park, in Hancock County, containing Horton Lake;
Pere Marquette State Park, in Jersey County;
Prophetstown State Park, in Whiteside County;
Pyramid State Park, in Perry County;
Railsplitter State Park, in Logan County;

New matter indicated by italics - deletions by strikeout
Ramsey Lake State Park, in Fayette County;
Red Hills State Park, in Lawrence County;
Rock Cut State Park, in Winnebago County, containing Pierce Lake;
Rock Island Trail State Park, in Peoria and Stark Counties;
Sam Parr State Park, in Jasper County;
Sangchris Lake State Park, in Christian and Sangamon Counties;
Shabbona Lake and State Park, in DeKalb County;
Siloam Springs State Park, in Brown and Adams Counties;
Silver Springs State Park, in Kendall County;
South Shore State Park, in Clinton County;
Spitler Woods State Park, in Macon County;
Starved Rock State Park, in La Salle County;
Stephen A. Forbes State Park, in Marion County;
Walnut Point State Park, in Douglas County;
Wayne Fitzgerrell State Park, in Franklin County;
Weinberg-King State Park, in Schuyler County;
Weldon Springs State Park, in Dewitt County;
White Pines Forest State Park, in Ogle County;
William G. Stratton State Park, in Grundy County;
Wolf Creek State Park, in Shelby County.

(Source: P.A. 92-170, eff. 7-26-01.)

Section 10. The State Finance Act is amended by changing Sections 5.158, 6z-10, 8.25c, and 8.44 as follows:
(30 ILCS 105/5.158) (from Ch. 127, par. 141.158)
Sec. 5.158. The Adeline Jay Geo-Karis Illinois Beach Marina Fund.
(Source: P.A. 84-25.)
(30 ILCS 105/6z-10) (from Ch. 127, par. 142z-10)
Sec. 6z-10. All monies received by the Department of Natural Resources from the operation of the marina to be located at Adeline Jay Geo-Karis Illinois Beach State Park and to be known as Adeline Jay Geo-Karis Illinois Beach Marina, including slip rentals, concession leases, and ground rents, shall be deposited into a special fund known as the Adeline
Jay Geo-Karis Illinois Beach Marina Fund, which is hereby created in the State Treasury. All interest earned on monies in this Fund shall remain in the Fund.

(Source: P.A. 89-445, eff. 2-7-96.)

(30 ILCS 105/8.25c) (from Ch. 127, par. 144.25c)

Sec. 8.25c. (a) Beginning in fiscal year 1991 and continuing through the third quarter of fiscal year 1993, the State Comptroller shall order transferred and the State Treasurer shall transfer from the Illinois Beach Marina Fund (now known as the Adeline Jay Geo-Karis Illinois Beach Marina Fund) to the General Revenue Fund 50% of the revenue deposited into the Illinois Beach Marina Fund. Beginning in the fourth quarter of fiscal year 1993 and thereafter until the sum of $31,200,000 is paid to the General Revenue Fund, the State Comptroller shall order transferred and the State Treasurer shall transfer from the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) to the General Revenue Fund 25% of the first $2,000,000 of revenue deposited into the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) in any fiscal year, and 75% of the revenue deposited into the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) in excess of $2,000,000 in any fiscal year; however, such transfers shall not exceed $2,000,000 in any fiscal year. In addition, beginning in fiscal year 1991 and thereafter until the sum of $8,000,000 is paid to the State Boating Act Fund the State Comptroller shall order transferred and the State Treasurer shall transfer from the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) to the State Boating Act Fund 15% of the revenue deposited into the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund). Beginning in fiscal year 1992, the transfers from the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) to the State Boating Act Fund shall be made only at the direction of and in the amount authorized by the Department of Natural Resources. Moneys transferred under authorization of this Section to the State Boating Act Fund shall be added to the Illinois Beach Marina Fund.

New matter indicated by italics - deletions by strikeout
Fund in fiscal year 1992 before the effective date of this amendatory Act of 1991 may be transferred to the Illinois Beach Marina Fund (now known as the Adeline Jay Geo-Karis Illinois Beach Marina Fund) at the direction of the Department of Natural Resources. The transfers required under this Section shall be made within 30 days after the end of each quarter based on the State Comptroller's record of receipts for the quarter. The initial transfers shall be made within 30 days after June 30, 1990 based on revenues received in the preceding quarter. Additional transfers in excess of the limits established under this Section may be authorized by the Department of Natural Resources for accelerated payback of the amount due.

(b) The Department may, subject to appropriations by the General Assembly, use monies in the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the Illinois Beach Marina Fund) to pay for operation, maintenance, repairs, or improvements to the marina project; provided, however, that payment of the amounts due under the terms of subsection (a) shall have priority on all monies deposited in this Fund.

(c) Monies on deposit in excess of that needed for payments to the General Revenue Fund and the State Boating Fund and in excess of those monies needed for the operation, maintenance, repairs, or improvements to the Adeline Jay Geo-Karis Illinois Beach Marina as determined by the Department of Natural Resources may be transferred at the discretion of the Department to the State Parks Fund.

(Source: P.A. 88-130; 89-445, eff. 2-7-96.)

(30 ILCS 105/8.44)

Sec. 8.44. Special fund transfers.

(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

Aeronautics Fund...................................... $2,186
Aggregate Operations Regulatory Fund............... $32,750
Agrichemical Incident Response Trust Fund.......... $419,830
Agricultural Master Fund............................ $17,827
Air Transportation Revolving Fund.................. $181,478

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Land Loan Revolving Fund</td>
<td>$1,669,970</td>
</tr>
<tr>
<td>Alternate Fuels Fund</td>
<td>$1,056,833</td>
</tr>
<tr>
<td>Alternative Compliance Market Account Fund</td>
<td>$53,120</td>
</tr>
<tr>
<td>Appraisal Administration Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Armory Rental Fund</td>
<td>$111,538</td>
</tr>
<tr>
<td>Assisted Living and Shared Housing Regulatory Fund</td>
<td>$24,493</td>
</tr>
<tr>
<td>Bank and Trust Company Fund</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Capital Development Board Revolving Fund</td>
<td>$453,054</td>
</tr>
<tr>
<td>Care Provider Fund for Persons with a Developmental Disability</td>
<td>$2,378,270</td>
</tr>
<tr>
<td>Charter Schools Revolving Loan Fund</td>
<td>$650,721</td>
</tr>
<tr>
<td>Child Support Administrative Fund</td>
<td>$1,117,266</td>
</tr>
<tr>
<td>Coal Mining Regulatory Fund</td>
<td>$127,583</td>
</tr>
<tr>
<td>Communications Revolving Fund</td>
<td>$12,999,839</td>
</tr>
<tr>
<td>Community Health Center Care Fund</td>
<td>$104,480</td>
</tr>
<tr>
<td>Community Water Supply Laboratory Fund</td>
<td>$716,232</td>
</tr>
<tr>
<td>Continuing Legal Education Trust Fund</td>
<td>$23,419</td>
</tr>
<tr>
<td>Corporate Franchise Tax Refund Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>Court of Claims Administration and Grant Fund</td>
<td>$24,949</td>
</tr>
<tr>
<td>Criminal Justice Information Projects Fund</td>
<td>$18,212</td>
</tr>
<tr>
<td>DCFS Special Purposes Trust Fund</td>
<td>$77,835</td>
</tr>
<tr>
<td>Death Certificate Surcharge Fund</td>
<td>$1,134,341</td>
</tr>
<tr>
<td>Department of Business Services Special Operations Fund</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Department of Children and Family Services Training Fund</td>
<td>$1,408,106</td>
</tr>
<tr>
<td>Department of Corrections Reimbursement and Education Fund</td>
<td>$2,208,323</td>
</tr>
<tr>
<td>Department of Insurance State Trust Fund</td>
<td>$18,009</td>
</tr>
<tr>
<td>Department of Labor Special State Trust Fund</td>
<td>$359,895</td>
</tr>
<tr>
<td>Department on Aging State Projects Fund</td>
<td>$10,059</td>
</tr>
<tr>
<td>Design Professionals Administration and Investigation Fund</td>
<td>$51,701</td>
</tr>
<tr>
<td>DHS Recoveries Trust Fund</td>
<td>$1,591,834</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
DHS State Projects Fund.............................. $89,917
Division of Corporations
Registered Limited Liability Partnership Fund...... $150,000
DNR Special Projects Fund........................... $301,649
Dram Shop Fund...................................... $110,554
Drivers Education Fund............................. $30,152
Drug Rebate Fund................................. $17,315,821
Drug Traffic Prevention Fund......................... $22,123
Drug Treatment Fund............................... $160,030
Drunk and Drugged Driving Prevention Fund......... $51,220
Drycleaner Environmental Response Trust Fund...... $1,137,971
DuQuoin State Fair Harness Racing Trust Fund....... $3,368
Early Intervention Services Revolving Fund........ $1,044,935
Economic Research and Information Fund............. $49,005
Educational Labor Relations Board
Fair Share Trust Fund............................. $40,933
Efficiency Initiatives Revolving Fund............... $6,178,298
Emergency Planning and Training Fund.............. $28,845
Emergency Public Health Fund...................... $139,997
Emergency Response Reimbursement Fund........... $15,873
EMS Assistance Fund............................... $40,923
Energy Assistance Contribution Fund................. $89,692
Energy Efficiency Trust Fund....................... $1,300,938
Environmental Laboratory Certification Fund....... $62,039
Environmental Protection Permit and Inspection Fund $180,571
Environmental Protection Trust Fund............... $2,228,031
EPA Court Trust Fund.............................. $338,646
EPA Special State Projects Trust Fund.............. $284,263
Explosives Regulatory Fund........................ $23,125
Facilities Management Revolving Fund.............. $4,803,971
Facility Licensing Fund............................ $22,958
Family Care Fund................................. $22,585
Federal Asset Forfeiture Fund...................... $1,871
Feed Control Fund............................... $478,234

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fertilizer Control Fund</td>
<td>$207,398</td>
</tr>
<tr>
<td>Financial Institution Fund</td>
<td>$2,448,690</td>
</tr>
<tr>
<td>Firearm Owner's Notification Fund</td>
<td>$3,960</td>
</tr>
<tr>
<td>Food and Drug Safety Fund</td>
<td>$421,401</td>
</tr>
<tr>
<td>General Professions Dedicated Fund</td>
<td>$3,975,808</td>
</tr>
<tr>
<td>Good Samaritan Energy Trust Fund</td>
<td>$7,191</td>
</tr>
<tr>
<td>Governor's Grant Fund</td>
<td>$1,592</td>
</tr>
<tr>
<td>Group Workers' Compensation Pool Insolvency Fund</td>
<td>$136,547</td>
</tr>
<tr>
<td>Guardianship and Advocacy Fund</td>
<td>$27,289</td>
</tr>
<tr>
<td>Hazardous Waste Occupational Licensing Fund</td>
<td>$14,939</td>
</tr>
<tr>
<td>Hazardous Waste Research Fund</td>
<td>$125,209</td>
</tr>
<tr>
<td>Health Facility Plan Review Fund</td>
<td>$165,972</td>
</tr>
<tr>
<td>Hearing Instrument Dispenser</td>
<td></td>
</tr>
<tr>
<td>Examining and Disciplinary Fund</td>
<td>$102,842</td>
</tr>
<tr>
<td>Home Inspector Administration Fund</td>
<td>$244,503</td>
</tr>
<tr>
<td>IEMA State Projects Fund</td>
<td>$13</td>
</tr>
<tr>
<td>Illinois Beach Marina Fund (now known as the Adeline Jay Geo-Karis Illinois Beach Marina Fund)</td>
<td>$177,801</td>
</tr>
<tr>
<td>Illinois Capital Revolving Loan Fund</td>
<td>$4,024,106</td>
</tr>
<tr>
<td>Illinois Clean Water Fund</td>
<td>$1,835,796</td>
</tr>
<tr>
<td>Illinois Community College Board</td>
<td></td>
</tr>
<tr>
<td>Contracts and Grants Fund</td>
<td>$9</td>
</tr>
<tr>
<td>Illinois Department of Agriculture</td>
<td></td>
</tr>
<tr>
<td>Laboratory Services Revolving Fund</td>
<td>$174,795</td>
</tr>
<tr>
<td>Illinois Equity Fund</td>
<td>$119,193</td>
</tr>
<tr>
<td>Illinois Executive Mansion Trust Fund</td>
<td>$56,154</td>
</tr>
<tr>
<td>Illinois Forestry Development Fund</td>
<td>$1,389,096</td>
</tr>
<tr>
<td>Illinois Future Teacher Corps Scholarship Fund</td>
<td>$4,836</td>
</tr>
<tr>
<td>Illinois Gaming Law Enforcement Fund</td>
<td>$650,646</td>
</tr>
<tr>
<td>Illinois Habitat Endowment Trust Fund</td>
<td>$3,641,262</td>
</tr>
<tr>
<td>Illinois Health Facilities Planning Fund</td>
<td>$23,066</td>
</tr>
<tr>
<td>Illinois Historic Sites Fund</td>
<td>$134,366</td>
</tr>
<tr>
<td>Illinois National Guard Armory Construction Fund</td>
<td>$31,469</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Illinois Rural Rehabilitation Fund.................... $8,190
Illinois School Asbestos Abatement Fund........... $183,191
Illinois State Fair Fund............................ $50,176
Illinois State Podiatric Disciplinary Fund........ $317,239
Illinois Student Assistance Commission Contracts and Grants Fund.......................... $5,589
Illinois Tourism Tax Fund........................... $647,749
Illinois Underground Utility Facilities Damage Prevention Fund............................. $2,175
Illinois Veterans' Rehabilitation Fund.............. $218,940
Innovations in Long-Term Care Quality Demonstration Grants Fund.................. $565,494
Industrial Hygiene Regulatory and Enforcement Fund... $3,564
Insurance Financial Regulation Fund................. $800,000
ISAC Accounts Receivable Fund........................ $26,374
ISBE GED Testing Fund............................... $146,196
ISBE Teacher Certificate Institute Fund............. $122,117
J.J. Wolf Memorial for Conservation Investigation Fund. $8,137
Kaskaskia Commons Permanent Fund.................. $79,813
Land Reclamation Fund............................... $30,582
Large Business Attraction Fund...................... $340,777
Lawyers' Assistance Program Fund.................... $198,207
LEADS Maintenance Fund.............................. $76,981
Lieutenant Governor's Grant Fund.................... $188
Livestock Management Facilities Fund................ $47,800
Local Initiative Fund............................... $1,940,646
Local Tourism Fund.................................. $132,876
Long Term Care Monitor/Receiver Fund.............. $427,850
Monetary Award Program Reserve Fund.............. $879,700
McCormick Place Expansion Project Fund............ $0
Medicaid Buy-In Program Revolving Fund............ $318,894
Medicaid Fraud and Abuse Prevention Fund.......... $60,306
Medical Special Purposes Trust Fund................ $930,668
Military Affairs Trust Fund.......................... $68,468

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Carrier Safety Inspection Fund</td>
<td>$147,477</td>
</tr>
<tr>
<td>Motor Fuel and Petroleum Standards Fund</td>
<td>$19,673</td>
</tr>
<tr>
<td>Motor Vehicle Review Board Fund</td>
<td>$250,000</td>
</tr>
<tr>
<td>Motor Vehicle Theft Prevention Trust Fund</td>
<td>$1,415,361</td>
</tr>
<tr>
<td>Narcotics Profit Forfeiture Fund</td>
<td>$39,379</td>
</tr>
<tr>
<td>Natural Heritage Endowment Trust Fund</td>
<td>$557,264</td>
</tr>
<tr>
<td>Natural Heritage Fund</td>
<td>$3,336</td>
</tr>
<tr>
<td>Natural Resources Information Fund</td>
<td>$64,596</td>
</tr>
<tr>
<td>Natural Resources Restoration Trust Fund</td>
<td>$63,002</td>
</tr>
<tr>
<td>Off-Highway Vehicle Trails Fund</td>
<td>$244,815</td>
</tr>
<tr>
<td>Oil Spill Response Fund</td>
<td>$167,547</td>
</tr>
<tr>
<td>Paper and Printing Revolving Fund</td>
<td>$48,476</td>
</tr>
<tr>
<td>Park and Conservation Fund</td>
<td>$3,050,154</td>
</tr>
<tr>
<td>Pawnbroker Regulation Fund</td>
<td>$94,131</td>
</tr>
<tr>
<td>Pesticide Control Fund</td>
<td>$420,223</td>
</tr>
<tr>
<td>Petroleum Resources Revolving Fund</td>
<td>$85,540</td>
</tr>
<tr>
<td>Police Training Board Services Fund</td>
<td>$1,540</td>
</tr>
<tr>
<td>Pollution Control Board Fund</td>
<td>$23,004</td>
</tr>
<tr>
<td>Pollution Control Board Trust Fund</td>
<td>$410,651</td>
</tr>
<tr>
<td>Post Transplant Maintenance and Retention Fund</td>
<td>$75,100</td>
</tr>
<tr>
<td>Presidential Library and Museum Operating Fund</td>
<td>$727,250</td>
</tr>
<tr>
<td>Professional Regulation Evidence Fund</td>
<td>$2,817</td>
</tr>
<tr>
<td>Professional Services Fund</td>
<td>$46,222</td>
</tr>
<tr>
<td>Provider Inquiry Trust Fund</td>
<td>$207,098</td>
</tr>
<tr>
<td>Public Aid Recoveries Trust Fund</td>
<td>$7,610,631</td>
</tr>
<tr>
<td>Public Health Laboratory Services Revolving Fund</td>
<td>$92,276</td>
</tr>
<tr>
<td>Public Health Special State Projects Fund</td>
<td>$816,202</td>
</tr>
<tr>
<td>Public Health Water Permit Fund</td>
<td>$17,624</td>
</tr>
<tr>
<td>Public Infrastructure Construction</td>
<td></td>
</tr>
<tr>
<td>Loan Revolving Fund</td>
<td>$63,802</td>
</tr>
<tr>
<td>Public Pension Regulation Fund</td>
<td>$222,433</td>
</tr>
<tr>
<td>Racing Board Fingerprint License Fund</td>
<td>$16,835</td>
</tr>
<tr>
<td>Radiation Protection Fund</td>
<td>$212,010</td>
</tr>
<tr>
<td>Real Estate License Administration Fund</td>
<td>$1,500,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulatory Evaluation and Basic Enforcement Fund</td>
<td>$64,221</td>
</tr>
<tr>
<td>Regulatory Fund</td>
<td>$55,246</td>
</tr>
<tr>
<td>Renewable Energy Resources Trust Fund</td>
<td>$14,033</td>
</tr>
<tr>
<td>Response Contractors Indemnification Fund</td>
<td>$126</td>
</tr>
<tr>
<td>Rural/Downstate Health Access Fund</td>
<td>$4,644</td>
</tr>
<tr>
<td>Savings and Residential Finance Regulatory Fund</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>School District Emergency Financial Assistance Fund</td>
<td>$2,130,848</td>
</tr>
<tr>
<td>School Technology Revolving Loan Fund</td>
<td>$19,158</td>
</tr>
<tr>
<td>Second Injury Fund</td>
<td>$151,493</td>
</tr>
<tr>
<td>Secretary of State Interagency Grant Fund</td>
<td>$40,900</td>
</tr>
<tr>
<td>Secretary of State Special License Plate Fund</td>
<td>$520,200</td>
</tr>
<tr>
<td>Secretary of State Special Services Fund</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Securities Audit and Enforcement Fund</td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Securities Investors Education Fund</td>
<td>$100,000</td>
</tr>
<tr>
<td>Self-Insurers Administration Fund</td>
<td>$286,964</td>
</tr>
<tr>
<td>Sex Offender Registration Fund</td>
<td>$7,647</td>
</tr>
<tr>
<td>Sexual Assault Services Fund</td>
<td>$12,210</td>
</tr>
<tr>
<td>Small Business Environmental Assistance Fund</td>
<td>$13,686</td>
</tr>
<tr>
<td>Snowmobile Trail Establishment Fund</td>
<td>$3,124</td>
</tr>
<tr>
<td>Solid Waste Management Fund</td>
<td>$6,587,173</td>
</tr>
<tr>
<td>Sports Facilities Tax Trust Fund</td>
<td>$1,112,590</td>
</tr>
<tr>
<td>State Appellate Defender Special State Projects Fund</td>
<td>$23,820</td>
</tr>
<tr>
<td>State Asset Forfeiture Fund</td>
<td>$71,988</td>
</tr>
<tr>
<td>State Boating Act Fund</td>
<td>$401,824</td>
</tr>
<tr>
<td>State College and University Trust Fund</td>
<td>$139,439</td>
</tr>
<tr>
<td>State Crime Laboratory Fund</td>
<td>$44,965</td>
</tr>
<tr>
<td>State Fair Promotional Activities Fund</td>
<td>$8,734</td>
</tr>
<tr>
<td>State Garage Revolving Fund</td>
<td>$639,662</td>
</tr>
<tr>
<td>State Offender DNA Identification System Fund</td>
<td>$81,740</td>
</tr>
<tr>
<td>State Off-Set Claims Fund</td>
<td>$1,487,926</td>
</tr>
<tr>
<td>State Parks Fund</td>
<td>$1,045,889</td>
</tr>
<tr>
<td>State Police Motor Vehicle Theft Prevention Fund</td>
<td>$164,843</td>
</tr>
<tr>
<td>State Police Vehicle Fund</td>
<td>$22,899</td>
</tr>
<tr>
<td>State Police Whistleblower Reward and Protection Fund</td>
<td>$199,699</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Rail Freight Loan Repayment Fund</td>
<td>$1,147,727</td>
</tr>
<tr>
<td>State Surplus Property Revolving Fund</td>
<td>$388,284</td>
</tr>
<tr>
<td>State Whistleblower Reward and Protection Fund</td>
<td>$1,592</td>
</tr>
<tr>
<td>State's Attorneys Appellate Prosecutor's County Fund</td>
<td>$70,101</td>
</tr>
<tr>
<td>Statewide Grand Jury Prosecution Fund</td>
<td>$7,645</td>
</tr>
<tr>
<td>Statistical Services Revolving Fund</td>
<td>$4,847,783</td>
</tr>
<tr>
<td>Subtitle D Management Fund</td>
<td>$169,744</td>
</tr>
<tr>
<td>Tanning Facility Permit Fund</td>
<td>$64,571</td>
</tr>
<tr>
<td>Tax Compliance and Administration Fund</td>
<td>$429,377</td>
</tr>
<tr>
<td>Tax Recovery Fund</td>
<td>$113,591</td>
</tr>
<tr>
<td>Teacher Certificate Fee Revolving Fund</td>
<td>$982,399</td>
</tr>
<tr>
<td>Toxic Pollution Prevention Fund</td>
<td>$28,534</td>
</tr>
<tr>
<td>Underground Resources Conservation Enforcement Fund</td>
<td>$294,251</td>
</tr>
<tr>
<td>University Grant Fund</td>
<td>$23,881</td>
</tr>
<tr>
<td>Used Tire Management Fund</td>
<td>$1,918,500</td>
</tr>
<tr>
<td>Watershed Park Fund</td>
<td>$19,786</td>
</tr>
<tr>
<td>Weights and Measures Fund</td>
<td>$1,078,121</td>
</tr>
<tr>
<td>Workers' Compensation Benefit Trust Fund</td>
<td>$266,574</td>
</tr>
<tr>
<td>Workers' Compensation Revolving Fund</td>
<td>$520,285</td>
</tr>
<tr>
<td>Working Capital Revolving Fund</td>
<td>$1,404,868</td>
</tr>
<tr>
<td>Youth Alcoholism and Substance Abuse Prevention Fund</td>
<td>$29,995</td>
</tr>
<tr>
<td>Youth Drug Abuse Prevention Fund</td>
<td>$4,091</td>
</tr>
</tbody>
</table>

All of these transfers shall be made in equal quarterly installments with the first made on the effective date of this amendatory Act of the 94th General Assembly, or as soon thereafter as practical, and with the remaining transfers to be made on October 1, January 1, and April 1, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly through June 30, 2006, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is

New matter indicated by italics - deletions by strikeout
immediately necessary to satisfy outstanding expenditure obligations on a
timely basis, subject to the provisions of the State Prompt Payment Act.
Any amounts transferred from the General Revenue Fund to a fund
pursuant to this subsection (b) from time to time shall be re-transferred by
the State Comptroller and the State Treasurer from the receiving fund into
the General Revenue Fund as soon as and to the extent that deposits are
made into or receipts are collected by the receiving fund. In all events, the
full amounts of all transfers from the General Revenue Fund to receiving
funds shall be re-transferred to the General Revenue Fund no later than

(c) Notwithstanding any other provision of law, on July 1, 2005, or
as soon thereafter as may be practical, the State Comptroller and the State
Treasurer shall transfer $5,000,000 from the Communications Revolving
Fund to the Hospital Basic Services Prevention Fund.
(Source: P.A. 94-91, eff. 7-1-05.)

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

Approved July 24, 2006.
Effective July 24, 2006.

PUBLIC ACT 94-1043
(Senate Bill No. 2328)

AN ACT concerning public aid.
Be it enacted by the People of the State of Illinois, represented in
the General Assembly:
Section 2. The Department of Human Services Act is amended by
adding Section 10-50 as follows:
(20 ILCS 1305/10-50 new)
Sec. 10-50. Illinois Steps for Attaining Higher Education through
Academic Development Program established. The Illinois Steps for
Attaining Higher Education through Academic Development ("Illinois
Steps AHEAD") program is established in the Illinois Department of

New matter indicated by italics - deletions by strikeout
Human Services. Illinois Steps AHEAD shall provide educational services and post-secondary educational scholarships for low-income middle and high school students. Program components shall include increased parent involvement, creative and engaging academic support for students, career exploration programs, college preparation, and increased collaboration with local schools. The Illinois Department of Human Services shall administer the program. The Department shall implement the program only if federal funding is made available for that purpose. All moneys received pursuant to the federal Gaining Early Awareness and Readiness for Undergraduate Programs shall be deposited into the Gaining Early Awareness and Readiness for Undergraduate Programs Fund, a special fund hereby created in the State treasury. Moneys in this fund shall be appropriated to the Department of Human Services and expended for the purposes and activities specified by the federal agency making the grant. All interest earnings on amounts in the Gaining Early Awareness and Readiness for Undergraduate Programs Fund shall accrue to the Gaining Awareness and Readiness for Undergraduate Programs Fund and be used in accordance with 34 C.F.R. 75.703.

Section 3. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)
Sec. 5.663. The Gaining Early Awareness and Readiness for Undergraduate Programs Fund.

Section 5. The Illinois Public Aid Code is amended by changing Section 5-2 and adding Section 12-4.103a as follows:

(305 ILCS 5/5-2) (from Ch. 23, par. 5-2)
Sec. 5-2. Classes of Persons Eligible. Medical assistance under this Article shall be available to any of the following classes of persons in respect to whom a plan for coverage has been submitted to the Governor by the Illinois Department and approved by him:

1. Recipients of basic maintenance grants under Articles III and IV.

2. Persons otherwise eligible for basic maintenance under Articles III and IV but who fail to qualify thereunder on the basis

New matter indicated by italics - deletions by strikeout
of need, and who have insufficient income and resources to meet the costs of necessary medical care, including but not limited to the following:

(a) All persons otherwise eligible for basic maintenance under Article III but who fail to qualify under that Article on the basis of need and who meet either of the following requirements:

   (i) their income, as determined by the Illinois Department in accordance with any federal requirements, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size; or

   (ii) their income, after the deduction of costs incurred for medical care and for other types of remedial care, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined in item (i) of this subparagraph (a).

(b) All persons who would be determined eligible for such basic maintenance under Article IV by disregarding the maximum earned income permitted by federal law.

New matter indicated by italics - deletions by strikeout
3. Persons who would otherwise qualify for Aid to the Medically Indigent under Article VII.

4. Persons not eligible under any of the preceding paragraphs who fall sick, are injured, or die, not having sufficient money, property or other resources to meet the costs of necessary medical care or funeral and burial expenses.

5. (a) Women during pregnancy, after the fact of pregnancy has been determined by medical diagnosis, and during the 60-day period beginning on the last day of the pregnancy, together with their infants and children born after September 30, 1983, whose income and resources are insufficient to meet the costs of necessary medical care to the maximum extent possible under Title XIX of the Federal Social Security Act.

   (b) The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 5(a) by April 1, 1990. Such plan shall provide ambulatory prenatal care to pregnant women during a presumptive eligibility period and establish an income eligibility standard that is equal to 133% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size, provided that costs incurred for medical care are not taken into account in determining such income eligibility.

   (c) The Illinois Department may conduct a demonstration in at least one county that will provide medical assistance to pregnant women, together with their infants and children up to one year of age, where the income eligibility standard is set up to 185% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget. The Illinois Department shall seek and obtain necessary authorization provided under federal law to implement such a demonstration. Such demonstration may establish resource standards that are not more restrictive than those established under Article IV of this Code.
6. Persons under the age of 18 who fail to qualify as dependent under Article IV and who have insufficient income and resources to meet the costs of necessary medical care to the maximum extent permitted under Title XIX of the Federal Social Security Act.

7. Persons who are under 21 years of age and would qualify as disabled as defined under the Federal Supplemental Security Income Program, provided medical service for such persons would be eligible for Federal Financial Participation, and provided the Illinois Department determines that:

   (a) the person requires a level of care provided by a hospital, skilled nursing facility, or intermediate care facility, as determined by a physician licensed to practice medicine in all its branches;

   (b) it is appropriate to provide such care outside of an institution, as determined by a physician licensed to practice medicine in all its branches;

   (c) the estimated amount which would be expended for care outside the institution is not greater than the estimated amount which would be expended in an institution.

8. Persons who become ineligible for basic maintenance assistance under Article IV of this Code in programs administered by the Illinois Department due to employment earnings and persons in assistance units comprised of adults and children who become ineligible for basic maintenance assistance under Article VI of this Code due to employment earnings. The plan for coverage for this class of persons shall:

   (a) extend the medical assistance coverage for up to 12 months following termination of basic maintenance assistance; and

   (b) offer persons who have initially received 6 months of the coverage provided in paragraph (a) above,
the option of receiving an additional 6 months of coverage, subject to the following:

   (i) such coverage shall be pursuant to provisions of the federal Social Security Act;
   (ii) such coverage shall include all services covered while the person was eligible for basic maintenance assistance;
   (iii) no premium shall be charged for such coverage; and
   (iv) such coverage shall be suspended in the event of a person's failure without good cause to file in a timely fashion reports required for this coverage under the Social Security Act and coverage shall be reinstated upon the filing of such reports if the person remains otherwise eligible.

9. Persons with acquired immunodeficiency syndrome (AIDS) or with AIDS-related conditions with respect to whom there has been a determination that but for home or community-based services such individuals would require the level of care provided in an inpatient hospital, skilled nursing facility or intermediate care facility the cost of which is reimbursed under this Article. Assistance shall be provided to such persons to the maximum extent permitted under Title XIX of the Federal Social Security Act.

10. Participants in the long-term care insurance partnership program established under the Partnership for Long-Term Care Act who meet the qualifications for protection of resources described in Section 25 of that Act.

11. Persons with disabilities who are employed and eligible for Medicaid, pursuant to Section 1902(a)(10)(A)(ii)(xv) of the Social Security Act, as provided by the Illinois Department by rule.

12. Subject to federal approval, persons who are eligible for medical assistance coverage under applicable provisions of the federal Social Security Act and the federal Breast and Cervical

New matter indicated by italics - deletions by strikeout
Cancer Prevention and Treatment Act of 2000. Those eligible persons are defined to include, but not be limited to, the following persons:

(1) persons who have been screened for breast or cervical cancer under the U.S. Centers for Disease Control and Prevention Breast and Cervical Cancer Program established under Title XV of the federal Public Health Services Act in accordance with the requirements of Section 1504 of that Act as administered by the Illinois Department of Public Health; and

(2) persons whose screenings under the above program were funded in whole or in part by funds appropriated to the Illinois Department of Public Health for breast or cervical cancer screening.

"Medical assistance" under this paragraph 12 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. The Department must request federal approval of the coverage under this paragraph 12 within 30 days after the effective date of this amendatory Act of the 92nd General Assembly.

13. Subject to appropriation and to federal approval, persons living with HIV/AIDS who are not otherwise eligible under this Article and who qualify for services covered under Section 5-5.04 as provided by the Illinois Department by rule.

14. Subject to the availability of funds for this purpose, the Department may provide coverage under this Article to persons who reside in Illinois who are not eligible under any of the preceding paragraphs and who meet the income guidelines of paragraph 2(a) of this Section and (i) have an application for asylum pending before the federal Department of Homeland Security or on appeal before a court of competent jurisdiction and are represented either by counsel or by an advocate accredited by the federal Department of Homeland Security and employed by a not-for-profit organization in regard to that application or appeal,
or (ii) are receiving services through a federally funded torture treatment center. Medical coverage under this paragraph 14 may be provided for up to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of this paragraph 14. If an individual has an appeal pending regarding an application for asylum before the Department of Homeland Security, eligibility under this paragraph 14 may be extended until a final decision is rendered on the appeal. The Department may adopt rules governing the implementation of this paragraph 14.

The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 7 as soon as possible after July 1, 1984.

The eligibility of any such person for medical assistance under this Article is not affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The Department shall by rule establish the amounts of assets to be disregarded in determining eligibility for medical assistance, which shall at a minimum equal the amounts to be disregarded under the Federal Supplemental Security Income Program. The amount of assets of a single person to be disregarded shall not be less than $2,000, and the amount of assets of a married couple to be disregarded shall not be less than $3,000.

To the extent permitted under federal law, any person found guilty of a second violation of Article VII A shall be ineligible for medical assistance under this Article, as provided in Section 8A-8.

The eligibility of any person for medical assistance under this Article shall not be affected by the receipt by the person of donations or benefits from fundraisers held for the person in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.
Sec. 12-4.103a. Assets for Independence Program.

(a) Program established. Subject to available funding and receipt of a federal Assets for Independence grant award, the Department of Human Services shall establish and administer an Assets for Independence Program (Program). The Program shall be established in accordance with the terms of the Assets for Independence Act (AFIA) as now and hereafter amended (Title IV Community Opportunities, Accountability, and Training and Educational Services Act as amended, Public Law 105-285, 42 U.S.C. 604 note).

(b) Assets for Independence Fund. The Assets for Independence Fund is established. The Fund shall be held by the Secretary or his or her designee as ex-officio custodian thereof separate and apart from all other State funds. The Assets for Independence Fund is authorized to receive grants under AFIA, State moneys appropriated for the Program, and moneys from voluntary donations from individuals, foundations, corporations, and other sources. Moneys in the Assets for Independence Fund shall not be commingled with other State funds, but they shall be deposited as required by law and maintained in a separate account on the books of a savings and loan association, bank, or other qualified financial institution. All interest earnings on amounts within the Assets for Independence Fund shall accrue to the Assets for Independence Fund and shall be used in accordance with the terms of the AFIA. Administrative expenses related to the Program, including the provision of financial education to Program participants, shall be paid from the Assets for Independence Fund in accordance with the terms of AFIA Section 707(c)(3).

(c) Program purpose. The purpose of the Program is to allow eligible low-income Illinois citizens, subject to the availability of State and federal funds and authorization from the Department, to open and maintain an Individual Development Account (IDA) at a federally insured financial institution. Deposits into an IDA that are used for subsequent qualified purchases shall be matched dollar-for-dollar by moneys from the

New matter indicated by italics - deletions by strikeout
Assets for Independence Fund. Not more than $2,000 of moneys from the Assets for Independence Fund shall be provided to any one individual. Not more than $4,000 of moneys from the Assets for Independence Fund shall be provided to any one household. Assets for Independence Fund moneys not being used to administer the Program shall be used only for qualified purchases, shall be distributed only directly to the vendor of a qualified purchase, and shall require the authorization by signature of the Department’s chief financial officer.

(d) Contributions to IDA and use of moneys. An individual may make contributions to his or her IDA only from earned income as defined in Section 911(d)(2) of the Internal Revenue Code of 1986. The moneys deposited into an IDA shall not be commingled with any Assets for Independence Fund moneys. An IDA holder shall have a 36-month period, beginning on the date the Department authorizes the holder to open the IDA, within which to make a qualified purchase. If a qualified purchase is not made within that 36-month period, Assets for Independence Fund moneys earmarked for that individual shall be released, and the Department shall authorize another eligible person to open an IDA. Under no circumstances, and at no time, shall an IDA holder lose the ability to withdraw moneys from his or her IDA.

(e) Qualified purchases. A qualified asset purchase using moneys from an IDA shall be defined in accordance with AFIA Section 404(8) and shall be one or more of the following:

1. Payment of post-secondary education expenses, if the expenses are paid directly to an eligible educational institution.

2. Acquisition of a principal residence, if the individual is buying a home for the first time and if the funds are paid directly to the person to whom the amounts required for the purchase are due.

3. Financing of business capitalization expenses, if the funds are paid directly into a business capitalization account at a federally insured financial institution and are restricted to use solely for qualified business capitalization expenses.

(f) Program eligibility. Program eligibility shall be established by the Department in accordance with AFIA Section 408. Persons eligible to

New matter indicated by italics - deletions by strikeout
open an IDA and to receive Assets for Independence Fund moneys are Illinois citizens currently residing in Illinois who are (i) able to demonstrate that they are currently eligible for assistance under the State’s Temporary Assistance for Needy Families program or (ii) able to demonstrate that the adjusted gross income of their household in the calendar year preceding the determination of eligibility was equal to or less than 200% of the poverty line, as determined by the Federal Office of Management and Budget. An individual must further demonstrate that the net worth of his or her household, as of the end of the calendar year preceding the determination of eligibility, does not exceed $10,000, as determined by AFIA Section 408(2)(B). Notwithstanding any other provision of State law, moneys in an Individual Development Account, including accrued interest and matching deposits, shall be disregarded for the purpose of determining the eligibility and benefit levels under this Code in the case of the individual establishing the IDA with respect to any period during which the individual maintains or makes contributions into the IDA. The Department shall approve an individual to open an IDA at a federally insured financial institution upon determining, based on the individual's application, that all eligibility criteria are met and subject to the availability of $2,000 in Assets for Independence Fund moneys.

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

Approved July 24, 2006.
Effective July 24, 2006.
Sec. 8. Persons who violate any of Sections 4 through 7 are subject to the penalties set out in this Section.

(a) Any person convicted of a violation of Section 4, 5, 6 or 7 is guilty of a Class B misdemeanor. A second conviction for an offense committed after the first conviction is a Class A misdemeanor. A third or subsequent violation, committed after a second conviction is a Class 4 felony.

(b) In addition to any fine imposed under this Act, the court may order that the person convicted of such a violation remove and properly dispose of the litter, may employ special bailiffs to supervise such removal and disposal, and may tax the costs of such supervision as costs against the person so convicted.

(c) The penalties prescribed in this Section are in addition to, and not in lieu of, any penalties, rights, remedies, duties or liabilities otherwise imposed or conferred by law.

(d) An individual convicted of violating Section 4 or Section 5 of this Act by disposing of litter upon a public highway may, in addition to any other penalty, be required to adopt for 30 days a designated portion of that highway, including the site where the offense occurred, as provided in Section 50 of the Illinois Adopt-A-Highway Act.

(Source: P.A. 85-1410.)

Section 10. The Illinois Adopt-A-Highway Act is amended by adding Section 50 as follows:

(605 ILCS 120/50 new)

Sec. 50. Penalty for Litter Control Act violation.

(a) An individual convicted of violating Section 4 or Section 5 of the Litter Control Act by disposing of litter upon a public highway may be required to adopt for 30 days a designated portion of that highway, including the site where the offense occurred.

(b) Item (2) of Section 30 of this Act does not apply when an individual is required to adopt a portion of a highway under this Section.
AN ACT concerning local government.

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

Section 3. The Director of Corrections, on behalf of the State of Illinois, is authorized, prior to a date 3 years after the effective date of this amendatory Act of the 94th General Assembly, to lease the real property, buildings, and other improvements comprising the Hopkins Park Correctional Center to the Village of Hopkins Park for a term of 99 years for the sum of $1 per year, subject to the following conditions:

(1) The Village of Hopkins Park may use the leased property only for lawful purposes.

(2) The Village of Hopkins Park may sublease the property, without the consent of the State of Illinois, to any party only for lawful purposes.

(3) The Village of Hopkins Park must hold the State of Illinois harmless, for the duration of the lease, from any liability and any and all claims of any kind relating to the leased property.

(4) If any provision of this Section is violated by the Village of Hopkins Park or a sublessee, the leased property shall revert back to the State of Illinois without further action by the State of Illinois.

Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by adding Section 2705-565 as follows:

(20 ILCS 2705/2705-565 new)

Sec. 2705-565. North Chicago property; study; conveyance.

New matter indicated by italics - deletions by strikeout
(a) The Department shall perform a study of property owned by the Department consisting of approximately 160 acres located in North Chicago, south of IL Route 137, between IL Route 43 and US Route 41. The study shall include, but not be limited to, a survey of the property for the purpose of delineating jurisdictional wetlands in accordance with the Interagency Wetland Policy Act of 1989 and identifying threatened and endangered species in accordance with the Illinois Endangered Species Protection Act, for the purpose of identifying property no longer needed for highway purposes.

(b) Upon completion of the study and for a period ending 3 years after the effective date of this amendatory Act of the 94th General Assembly, the City of North Chicago shall have an exclusive option to purchase for public purposes those portions of the property no longer needed for highway purposes for a consideration, which may be de minimus, negotiated by the parties. The Department of Transportation is authorized to convey the excess property to the City of North Chicago pursuant to this Section within 3 years after the effective date of this amendatory Act of the 94th General Assembly, but may not otherwise convey or transfer the property during that period.

(c) Any conveyance to the City of North Chicago under this Section shall provide (i) that title to the property reverts to the State of Illinois if the property ceases to be used for public purposes and (ii) the City of North Chicago may lease the property but may not convey its ownership of the property to any party, other than the State of Illinois.

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

Approved July 24, 2006.
Effective July 24, 2006.

PUBLIC ACT 94-1046
(Senate Bill No. 0789)

AN ACT concerning public employee benefits.

New matter indicated by italics - deletions by strikeout
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Section 7-132 as follows:

(40 ILCS 5/7-132) (from Ch. 108 1/2, par. 7-132)
Sec. 7-132. Municipalities, instrumentalities and participating instrumentalities included and effective dates.
(A) Municipalities and their instrumentalities.
   (a) The following described municipalities, but not including any with more than 1,000,000 inhabitants, and the instrumentalities thereof, shall be included within and be subject to this Article beginning upon the effective dates specified by the Board:
      (1) Except as to the municipalities and instrumentalities thereof specifically excluded under this Article, every county shall be subject to this Article, and all cities, villages and incorporated towns having a population in excess of 5,000 inhabitants as determined by the last preceding decennial or subsequent federal census, shall be subject to this Article following publication of the census by the Bureau of the Census. Within 90 days after publication of the census, the Board shall notify any municipality that has become subject to this Article as a result of that census, and shall provide information to the corporate authorities of the municipality explaining the duties and consequences of participation. The notification shall also include a proposed date upon which participation by the municipality will commence.
      However, for any city, village or incorporated town that attains a population over 5,000 inhabitants after having provided social security coverage for its employees under the Social Security Enabling Act, participation under this Article shall not be mandatory but may be elected in accordance with subparagraph (3) or (4) of this paragraph (a), whichever is applicable.
      (2) School districts, other than those specifically excluded under this Article, shall be subject to this Article, without election, with respect to all employees thereof.

New matter indicated by italics - deletions by strikeout
(3) Towns and all other bodies politic and corporate which are formed by vote of, or are subject to control by, the electors in towns and are located in towns which are not participating municipalities on the effective date of this Act, may become subject to this Article by election pursuant to Section 7-132.1.

(4) Any other municipality (together with its instrumentalities), other than those specifically excluded from participation and those described in paragraph (3) above, may elect to be included either by referendum under Section 7-134 or by the adoption of a resolution or ordinance by its governing body. A copy of such resolution or ordinance duly authenticated and certified by the clerk of the municipality or other appropriate official of its governing body shall constitute the required notice to the board of such action.

(b) A municipality that is about to begin participation shall submit to the Board an application to participate, in a form acceptable to the Board, not later than 90 days prior to the proposed effective date of participation. The Board shall act upon the application within 90 days, and if it finds that the application is in conformity with its requirements and the requirements of this Article, participation by the applicant shall commence on a date acceptable to the municipality and specified by the Board, but in no event more than one year from the date of application.

(c) A participating municipality which succeeds to the functions of a participating municipality which is dissolved or terminates its existence shall assume and be transferred the net accumulation balance in the municipality reserve and the municipality account receivable balance of the terminated municipality.

(d) In the case of a Veterans Assistance Commission whose employees were being treated by the Fund on January 1, 1990 as employees of the county served by the Commission, the Fund may continue to treat the employees of the Veterans Assistance Commission as county employees for the purposes of this Article, unless the Commission becomes a participating instrumentality in accordance with subsection (B) of this Section.

New matter indicated by italics - deletions by strikeout
(B) Participating instrumentalities.

(a) The participating instrumentalities designated in paragraph (b) of this subsection shall be included within and be subject to this Article if:

(1) an application to participate, in a form acceptable to the Board and adopted by a two-thirds vote of the governing body, is presented to the Board not later than 90 days prior to the proposed effective date; and

(2) the Board finds that the application is in conformity with its requirements, that the applicant has reasonable expectation to continue as a political entity for a period of at least 10 years and has the prospective financial capacity to meet its current and future obligations to the Fund, and that the actuarial soundness of the Fund may be reasonably expected to be unimpaired by approval of participation by the applicant.

The Board shall notify the applicant of its findings within 90 days after receiving the application, and if the Board approves the application, participation by the applicant shall commence on the effective date specified by the Board.

(b) The following participating instrumentalities, so long as they meet the requirements of Section 7-108 and the area served by them or within their jurisdiction is not located entirely within a municipality having more than one million inhabitants, may be included hereunder:

i. Township School District Trustees.

ii. Multiple County and Consolidated Health Departments created under Division 5-25 of the Counties Code or its predecessor law.

iii. Public Building Commissions created under the Public Building Commission Act, and located in counties of less than 1,000,000 inhabitants.

iv. A multitype, consolidated or cooperative library system created under the Illinois Library System Act. Any library system created under the Illinois Library System Act that has one or more predecessors that participated in the Fund may participate in the Fund upon application. The Board shall establish procedures for

New matter indicated by italics - deletions by strikeout
implementing the transfer of rights and obligations from the predecessor system to the successor system.

v. Regional Planning Commissions created under Division 5-14 of the Counties Code or its predecessor law.

vi. Local Public Housing Authorities created under the Housing Authorities Act, located in counties of less than 1,000,000 inhabitants.


x. Illinois Association of Park Districts.

xi. Illinois Supervisors, County Commissioners and Superintendents of Highways Association.

xii. Tri-City Regional Port District.

xiii. An association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code.

xiv. Drainage Districts operating under the Illinois Drainage Code.

xv. Local mass transit districts created under the Local Mass Transit District Act.

xvi. Soil and water conservation districts created under the Soil and Water Conservation Districts Law.

xvii. Commissions created to provide water supply or sewer services or both under Division 135 or Division 136 of Article 11 of the Illinois Municipal Code.

xviii. Public water districts created under the Public Water District Act.

xix. Veterans Assistance Commissions established under Section 9 of the Military Veterans Assistance Act that serve counties with a population of less than 1,000,000.
xx. The governing body of an entity, other than a vocational education cooperative, created under an intergovernmental cooperative agreement established between participating municipalities under the Intergovernmental Cooperation Act, which by the terms of the agreement is the employer of the persons performing services under the agreement under the usual common law rules determining the employer-employee relationship. The governing body of such an intergovernmental cooperative entity established prior to July 1, 1988 may make participation retroactive to the effective date of the agreement and, if so, the effective date of participation shall be the date the required application is filed with the fund. If any such entity is unable to pay the required employer contributions to the fund, then the participating municipalities shall make payment of the required contributions and the payments shall be allocated as provided in the agreement or, if not so provided, equally among them.

xxi. The Illinois Municipal Electric Agency.
xxii. The Waukegan Port District.
xxiii. The Fox Waterway Agency created under the Fox Waterway Agency Act.
xxiv. The Illinois Municipal Gas Agency.
xxv. The Kaskaskia Regional Port District.
xxvi. The Southwestern Illinois Development Authority.
xxvii. The Cairo Public Utility Company.

(c) The governing boards of special education joint agreements created under Section 10-22.31 of the School Code without designation of an administrative district shall be included within and be subject to this Article as participating instrumentalities when the joint agreement becomes effective. However, the governing board of any such special education joint agreement in effect before September 5, 1975 shall not be subject to this Article unless the joint agreement is modified by the school districts to provide that the governing board is subject to this Article, except as otherwise provided by this Section.
The governing board of the Special Education District of Lake County shall become subject to this Article as a participating instrumentality on July 1, 1997. Notwithstanding subdivision (a)1 of Section 7-139, on the effective date of participation, employees of the governing board of the Special Education District of Lake County shall receive creditable service for their prior service with that employer, up to a maximum of 5 years, without any employee contribution. Employees may establish creditable service for the remainder of their prior service with that employer, if any, by applying in writing and paying an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service must be made before July 1, 1998; the payment may be made at any time while the employee is still in service. The employer may elect to make the required contribution on behalf of the employee.

The governing board of a special education joint agreement created under Section 10-22.31 of the School Code for which an administrative district has been designated, if there are employees of the cooperative educational entity who are not employees of the administrative district, may elect to participate in the Fund and be included within this Article as a participating instrumentality, subject to such application procedures and rules as the Board may prescribe.

The Boards of Control of cooperative or joint educational programs or projects created and administered under Section 3-15.14 of the School Code, whether or not the Boards act as their own administrative district, shall be included within and be subject to this Article as participating instrumentalities when the agreement establishing the cooperative or joint educational program or project becomes effective.

The governing board of a special education joint agreement entered into after June 30, 1984 and prior to September 17, 1985 which provides for representation on the governing board by less than all the participating districts shall be included within and subject to this Article as a
participating instrumentality. Such participation shall be effective as of the date the joint agreement becomes effective.

The governing boards of educational service centers established under Section 2-3.62 of the School Code shall be included within and subject to this Article as participating instrumentalities. The governing boards of vocational education cooperative agreements created under the Intergovernmental Cooperation Act and approved by the State Board of Education shall be included within and be subject to this Article as participating instrumentalities. If any such governing boards or boards of control are unable to pay the required employer contributions to the fund, then the school districts served by such boards shall make payment of required contributions as provided in Section 7-172. The payments shall be allocated among the several school districts in proportion to the number of students in average daily attendance for the last full school year for each district in relation to the total number of students in average attendance for such period for all districts served. If such educational service centers, vocational education cooperatives or cooperative or joint educational programs or projects created and administered under Section 3-15.14 of the School Code are dissolved, the assets and obligations shall be distributed among the districts in the same proportions unless otherwise provided.

(d) The governing boards of special recreation joint agreements created under Section 8-10b of the Park District Code, operating without designation of an administrative district or an administrative municipality appointed to administer the program operating under the authority of such joint agreement shall be included within and be subject to this Article as participating instrumentalities when the joint agreement becomes effective. However, the governing board of any such special recreation joint agreement in effect before January 1, 1980 shall not be subject to this Article unless the joint agreement is modified, by the districts and municipalities which are parties to the agreement, to provide that the governing board is subject to this Article.

If the Board returns any employer and employee contributions to any employer which erroneously submitted such contributions on behalf of

New matter indicated by italics - deletions by strikeout
a special recreation joint agreement, the Board shall include interest computed from the end of each year to the date of payment, not compounded, at the rate of 7% per annum.

(e) Each multi-township assessment district, the board of trustees of which has adopted this Article by ordinance prior to April 1, 1982, shall be a participating instrumentality included within and subject to this Article effective December 1, 1981. The contributions required under Section 7-172 shall be included in the budget prepared under and allocated in accordance with Section 2-30 of the Property Tax Code.

(f) The Illinois Medical District Commission created under the Illinois Medical District Act may be included within and subject to this Article as a participating instrumentality, notwithstanding that the location of the District is entirely within the City of Chicago. To become a participating instrumentality, the Commission must apply to the Board in the manner set forth in paragraph (a) of this subsection (B). If the Board approves the application, under the criteria and procedures set forth in paragraph (a) and any other applicable rules, criteria, and procedures of the Board, participation by the Commission shall commence on the effective date specified by the Board.

(C) Prospective participants.

(f) Beginning January 1, 1992, each prospective participating municipality or participating instrumentality shall pay to the Fund the cost, as determined by the Board, of a study prepared by the Fund or its actuary, detailing the prospective costs of participation in the Fund to be expected by the municipality or instrumentality.

(Source: P.A. 92-424, eff. 8-17-01; 93-777, eff. 7-21-04.)

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

Approved July 24, 2006.
Effective July 24, 2006.
AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by adding Section 6-33 as follows:

(235 ILCS 5/6-33 new)

Sec. 6-33. Sealing and removal of open wine bottles from a restaurant. Notwithstanding any other provision of this Act, a restaurant licensed to sell alcoholic liquor in this State may permit a patron to remove one unsealed and partially consumed bottle of wine for off-premise consumption provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises pursuant to this Section shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent one-time use tamper-proof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this Section and not tampered with shall not be deemed an unsealed container for the purposes of Section 11-502 of the Illinois Vehicle Code.

Section 10. The Illinois Vehicle Code is amended by changing Section 11-502 as follows:

(625 ILCS 5/11-502) (from Ch. 95 1/2, par. 11-502)

Sec. 11-502. Transportation or possession of alcoholic liquor in a motor vehicle.

(a) Except as provided in paragraph (c) and in Section 6-33 of the Liquor Control Act of 1934, no driver may transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle upon a highway in this State except in the original container and with the seal unbroken.

New matter indicated by italics - deletions by strikeout
(b) Except as provided in paragraph (c) and in Section 6-33 of the Liquor Control Act of 1934, no passenger may carry, possess or have any alcoholic liquor within any passenger area of any motor vehicle upon a highway in this State except in the original container and with the seal unbroken.

(c) This Section shall not apply to the passengers in a limousine when it is being used for purposes for which a limousine is ordinarily used, the passengers on a chartered bus when it is being used for purposes for which chartered buses are ordinarily used or on a motor home or mini motor home as defined in Section 1-145.01 of this Code. However, the driver of any such vehicle is prohibited from consuming or having any alcoholic liquor in or about the driver's area. Any evidence of alcoholic consumption by the driver shall be prima facie evidence of such driver's failure to obey this Section. For the purposes of this Section, a limousine is a motor vehicle of the first division with the passenger compartment enclosed by a partition or dividing window used in the for-hire transportation of passengers and operated by an individual in possession of a valid Illinois driver's license of the appropriate classification pursuant to Section 6-104 of this Code.

(d) The exemption applicable to chartered buses under paragraph (c) does not apply to any chartered bus being used for school purposes.

(e) Any driver who is convicted of violating subsection (a) of this Section for a second or subsequent time within one year of a similar conviction shall be subject to suspension of driving privileges as provided in paragraph 23 of subsection (a) of Section 6-206 of this Code.

(f) Any driver, who is less than 21 years of age at the date of the offense and who is convicted of violating subsection (a) of this Section or a similar provision of a local ordinance, shall be subject to the loss of driving privileges as provided in paragraph 13 of subsection (a) of Section 6-205 of this Code and paragraph 33 of subsection (a) of Section 6-206 of this Code.

(Source: P.A. 88-209.)

Passed in the General Assembly April 26, 2006.
Approved July 24, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Section 3.350 as follows:

(415 ILCS 5/3.350) (was 415 ILCS 5/3.58)

Sec. 3.350. Potential route. "Potential route" means abandoned and improperly plugged wells of all kinds, drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. *This term does not include closed loop heat pump wells using USP food grade propylene glycol.*

A new potential route is:

(1) a potential route which is not in existence or for which construction has not commenced at its location as of January 1, 1988, or

(2) a potential route which expands laterally beyond the currently permitted boundary or, if the potential route is not permitted, the boundary in existence as of January 1, 1988.

Construction shall be deemed commenced when all necessary federal, State and local approvals have been obtained, and work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

(Source: P.A. 92-574, eff. 6-26-02.)

Approved July 24, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning condominium property.

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

Section 2. The Code of Civil Procedure is amended by changing Section 15-1507 as follows:

(735 ILCS 5/15-1507) (from Ch. 110, par. 15-1507)

Sec. 15-1507. Judicial Sale.

(a) In General. Except as provided in Sections 15-1402 and 15-1403, upon entry of a judgment of foreclosure, the real estate which is the subject of the judgment shall be sold at a judicial sale in accordance with this Section 15-1507.

(b) Sale Procedures. Upon expiration of the reinstatement period and the redemption period in accordance with subsection (b) or (c) of Section 15-1603 or upon the entry of a judgment of foreclosure after the waiver of all rights of redemption, except as provided in subsection (g) of Section 15-1506, the real estate shall be sold at a sale as provided in this Article, on such terms and conditions as shall be specified by the court in the judgment of foreclosure. A sale may be conducted by any judge or sheriff.

(c) Notice of Sale. The mortgagee, or such other party designated by the court, in a foreclosure under this Article shall give public notice of the sale as follows:

(1) The notice of sale shall include at least the following information, but an immaterial error in the information shall not invalidate the legal effect of the notice:

(A) the name, address and telephone number of the person to contact for information regarding the real estate;

(B) the common address and other common description (other than legal description), if any, of the real estate;

New matter indicated by italics - deletions by strikeout
(C) a legal description of the real estate sufficient to identify it with reasonable certainty;
(D) a description of the improvements on the real estate;
(E) the times specified in the judgment, if any, when the real estate may be inspected prior to sale;
(F) the time and place of the sale;
(G) the terms of the sale;
(H) the case title, case number and the court in which the foreclosure was filed; and
(H-1) in the case of a condominium unit to which subsection (g) of Section 9 of the Condominium Property Act applies, the statement required by subdivision (g)(5) of Section 9 of the Condominium Property Act; and
(I) such other information ordered by the Court.

(2) The notice of sale shall be published at least 3 consecutive calendar weeks (Sunday through Saturday), once in each week, the first such notice to be published not more than 45 days prior to the sale, the last such notice to be published not less than 7 days prior to the sale, by: (i) (A) advertisements in a newspaper circulated to the general public in the county in which the real estate is located, in the section of that newspaper where legal notices are commonly placed and (B) separate advertisements in the section of such a newspaper, which (except in counties with a population in excess of 3,000,000) may be the same newspaper, in which real estate other than real estate being sold as part of legal proceedings is commonly advertised to the general public; provided, that the separate advertisements in the real estate section need not include a legal description and that where both advertisements could be published in the same newspaper and that newspaper does not have separate legal notices and real estate advertisement sections, a single advertisement with the legal description shall be sufficient; and (ii) such other publications as may be further ordered by the court.

New matter indicated by italics - deletions by strikeout
(3) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall also give notice to all parties in the action who have appeared and have not theretofore been found by the court to be in default for failure to plead. Such notice shall be given in the manner provided in the applicable rules of court for service of papers other than process and complaint, not more than 45 days nor less than 7 days prior to the day of sale. After notice is given as required in this Section a copy thereof shall be filed in the office of the clerk of the court entering the judgment, together with a certificate of counsel or other proof that notice has been served in compliance with this Section.

(4) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall again give notice in accordance with that Section of any adjourned sale; provided, however, that if the adjourned sale is to occur less than 60 days after the last scheduled sale, notice of any adjourned sale need not be given pursuant to this Section. In the event of adjournment, the person conducting the sale shall, upon adjournment, announce the date, time and place upon which the adjourned sale shall be held. Notwithstanding any language to the contrary, for any adjourned sale that is to be conducted more than 60 days after the date on which it was to first be held, the party giving notice of such sale shall again give notice in accordance with this Section.

(5) Notice of the sale may be given prior to the expiration of any reinstatement period or redemption period.

(6) No other notice by publication or posting shall be necessary unless required by order or rule of the court.

(7) The person named in the notice of sale to be contacted for information about the real estate may, but shall not be required, to provide additional information other than that set forth in the notice of sale.

(d) Election of Property. If the real estate which is the subject of a judgment of foreclosure is susceptible of division, the court may order it to be sold as necessary to satisfy the judgment. The court shall determine

New matter indicated by italics - deletions by strikeout
which real estate shall be sold, and the court may determine the order in
which separate tracts may be sold.

(e) Receipt upon Sale. Upon and at the sale of mortgaged real
estate, the person conducting the sale shall give to the purchaser a receipt
of sale. The receipt shall describe the real estate purchased and shall show
the amount bid, the amount paid, the total amount paid to date and the
amount still to be paid therefor. An additional receipt shall be given at the
time of each subsequent payment.

(f) Certificate of Sale. Upon payment in full of the amount bid, the
person conducting the sale shall issue, in duplicate, and give to the
purchaser a Certificate of Sale. The Certificate of Sale shall be in a
recordable form, describe the real estate purchased, indicate the date and
place of sale and show the amount paid therefor. The Certificate of Sale
shall further indicate that it is subject to confirmation by the court. The
duplicate certificate may be recorded in accordance with Section 12-121.
The Certificate of Sale shall be freely assignable by endorsement thereon.

(g) Interest after Sale. Any bid at sale shall be deemed to include,
without the necessity of a court order, interest at the statutory judgment
rate on any unpaid portion of the sale price from the date of sale to the date
of payment.
(Source: P.A. 86-974.)

Section 5. The Condominium Property Act is amended by
changing Section 9 as follows:

(765 ILCS 605/9) (from Ch. 30, par. 309)
Sec. 9. Sharing of expenses - Lien for nonpayment.

(a) All common expenses incurred or accrued prior to the first
conveyance of a unit shall be paid by the developer, and during this period
no common expense assessment shall be payable to the association. It shall
be the duty of each unit owner including the developer to pay his
proportionate share of the common expenses commencing with the first
conveyance. The proportionate share shall be in the same ratio as his
percentage of ownership in the common elements set forth in the
declaration.
(b) The condominium instruments may provide that common expenses for insurance premiums be assessed on a basis reflecting increased charges for coverage on certain units.

(c) Budget and reserves.

(1) The board of managers shall prepare and distribute to all unit owners a detailed proposed annual budget, setting forth with particularity all anticipated common expenses by category as well as all anticipated assessments and other income. The initial budget and common expense assessment based thereon shall be adopted prior to the conveyance of any unit. The budget shall also set forth each unit owner's proposed common expense assessment.

(2) All budgets adopted by a board of managers on or after July 1, 1990 shall provide for reasonable reserves for capital expenditures and deferred maintenance for repair or replacement of the common elements. To determine the amount of reserves appropriate for an association, the board of managers shall take into consideration the following: (i) the repair and replacement cost, and the estimated useful life, of the property which the association is obligated to maintain, including but not limited to structural and mechanical components, surfaces of the buildings and common elements, and energy systems and equipment; (ii) the current and anticipated return on investment of association funds; (iii) any independent professional reserve study which the association may obtain; (iv) the financial impact on unit owners, and the market value of the condominium units, of any assessment increase needed to fund reserves; and (v) the ability of the association to obtain financing or refinancing.

(3) Notwithstanding the provisions of this subsection (c), an association without a reserve requirement in its condominium instruments may elect to waive in whole or in part the reserve requirements of this Section by a vote of 2/3 of the total votes of the association. Any association having elected under this paragraph (3) to waive the provisions of subsection (c) may by a
vote of 2/3 of the total votes of the association elect to again be governed by the requirements of subsection (c).

(4) In the event that an association elects to waive all or part of the reserve requirements of this Section, that fact must be disclosed after the meeting at which the waiver occurs by the association in the financial statements of the association and, highlighted in bold print, in the response to any request of a prospective purchaser for the information prescribed under Section 22.1; and no member of the board of managers or the managing agent of the association shall be liable, and no cause of action may be brought for damages against these parties, for the lack or inadequacy of reserve funds in the association budget.

(d) (Blank).

(e) The condominium instruments may provide for the assessment, in connection with expenditures for the limited common elements, of only those units to which the limited common elements are assigned.

(f) Payment of any assessment shall be in amounts and at times determined by the board of managers.

(g) Lien.

(1) If any unit owner shall fail or refuse to make any payment of the common expenses or the amount of any unpaid fine when due, the amount thereof together with any interest, late charges, reasonable attorney fees incurred enforcing the covenants of the condominium instruments, rules and regulations of the board of managers, or any applicable statute or ordinance, and costs of collections shall constitute a lien on the interest of the unit owner in the property prior to all other liens and encumbrances, recorded or unrecorded, except only (a) taxes, special assessments and special taxes theretofore or thereafter levied by any political subdivision or municipal corporation of this State and other State or federal taxes which by law are a lien on the interest of the unit owner prior to preexisting recorded encumbrances thereon and (b) encumbrances on the interest of the unit owner recorded prior to the date of such failure or refusal which by law would be a lien.
thereon prior to subsequently recorded encumbrances. Any action brought to extinguish the lien of the association shall include the association as a party.

(2) With respect to encumbrances executed prior to August 30, 1984 or encumbrances executed subsequent to August 30, 1984 which are neither bona fide first mortgages nor trust deeds and which encumbrances contain a statement of a mailing address in the State of Illinois where notice may be mailed to the encumbrancer thereunder, if and whenever and as often as the manager or board of managers shall send, by United States certified or registered mail, return receipt requested, to any such encumbrancer at the mailing address set forth in the recorded encumbrance a statement of the amounts and due dates of the unpaid common expenses with respect to the encumbered unit, then, unless otherwise provided in the declaration or bylaws, the prior recorded encumbrance shall be subject to the lien of all unpaid common expenses with respect to the unit which become due and payable within a period of 90 days after the date of mailing of each such notice.

(3) The purchaser of a condominium unit at a judicial foreclosure sale, or a mortgagee who receives title to a unit by deed in lieu of foreclosure or judgment by common law strict foreclosure or otherwise takes possession pursuant to court order under the Illinois Mortgage Foreclosure Law, shall have the duty to pay the unit's proportionate share of the common expenses for the unit assessed from and after the first day of the month after the date of the judicial foreclosure sale, delivery of the deed in lieu of foreclosure, entry of a judgment in common law strict foreclosure, or taking of possession pursuant to such court order. Such payment confirms the extinguishment of any lien created pursuant to paragraph (1) or (2) of this subsection (g) by virtue of the failure or refusal of a prior unit owner to make payment of common expenses, where the judicial foreclosure sale has been confirmed.
by order of the court, a deed in lieu thereof has been accepted by the lender, or a consent judgment has been entered by the court.

(4) The purchaser of a condominium unit at a judicial foreclosure sale, other than a mortgagee, who takes possession of a condominium unit pursuant to a court order or a purchaser who acquires title from a mortgagee shall have the duty to pay the proportionate share, if any, of the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately preceding institution of an action to enforce the collection of assessments, and which remain unpaid by the owner during whose possession the assessments accrued. If the outstanding assessments are paid at any time during any action to enforce the collection of assessments, the purchaser shall have no obligation to pay any assessments which accrued before he or she acquired title.

(5) The notice of sale of a condominium unit under subsection (c) of Section 15-1507 of the Code of Civil Procedure shall state that the purchaser of the unit other than a mortgagee shall pay the assessments and the legal fees required by subdivisions (g)(1) and (g)(4) of Section 9 of this Act. The statement of assessment account issued by the association to a unit owner under subsection (i) of Section 18 of this Act, and the disclosure statement issued to a prospective purchaser under Section 22.1 of this Act, shall state the amount of the assessments and the legal fees, if any, required by subdivisions (g)(1) and (g)(4) of Section 9 of this Act.

(h) A lien for common expenses shall be in favor of the members of the board of managers and their successors in office and shall be for the benefit of all other unit owners. Notice of the lien may be recorded by the board of managers, or if the developer is the manager or has a majority of seats on the board of managers and the manager or board of managers fails to do so, any unit owner may record notice of the lien. Upon the recording of such notice the lien may be foreclosed by an action brought in the name
of the board of managers in the same manner as a mortgage of real property.

(i) Unless otherwise provided in the declaration, the members of the board of managers and their successors in office, acting on behalf of the other unit owners, shall have the power to bid on the interest so foreclosed at the foreclosure sale, and to acquire and hold, lease, mortgage and convey it.

(j) Any encumbrancer may from time to time request in writing a written statement from the manager or board of managers setting forth the unpaid common expenses with respect to the unit covered by his encumbrance. Unless the request is complied with within 20 days, all unpaid common expenses which become due prior to the date of the making of such request shall be subordinate to the lien of the encumbrance. Any encumbrancer holding a lien on a unit may pay any unpaid common expenses payable with respect to the unit, and upon payment the encumbrancer shall have a lien on the unit for the amounts paid at the same rank as the lien of his encumbrance.

(k) Nothing in Public Act 83-1271 is intended to change the lien priorities of any encumbrance created prior to August 30, 1984.

(Source: P.A. 91-357, eff. 7-29-99.)
Approved July 24, 2006.

PUBLIC ACT 94-1050
(Senate Bill No. 2654)

AN ACT concerning special districts.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Tuberculosis Sanitarium District Act is amended by adding Section 5.4 as follows:
(70 ILCS 920/5.4 new)

New matter indicated by italics - deletions by strikeout
Sec. 5.4. Dissolution of Suburban Cook County Tuberculosis Sanitarium District; disposition of land and real estate; continuation of District levy.

(a) Notwithstanding any provision of law to the contrary, the Suburban Cook County Tuberculosis Sanitarium District is dissolved by operation of law one year after the effective date of this amendatory Act of the 94th General Assembly.

(b) On or before the day 2 months after the effective date of this amendatory Act of the 94th General Assembly, the Board of Directors shall forward to the Cook County Department of Public Health all transition plans relating to the consolidation of all of the existing programs, personnel, and infrastructure of the District into the Cook County Bureau of Health Services to be administered by the Cook County Department of Public Health. Beginning on the effective date of this amendatory Act of the 94th General Assembly, the District shall not make any enhancements to pensions.

(c) Upon dissolution of the District: (i) all assets and liabilities of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly shall be transferred to the Cook County Board and the monetary assets shall be deposited into a special purpose fund for the prevention, care, treatment, and control of tuberculosis in suburban Cook County; (ii) the Cook County Department of Public Health shall assume all responsibility for the prevention, care, treatment, and control of tuberculosis within the area of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly, including the provision of tuberculosis care and treatment for units of local government with State-certified local public health departments; and (iii) employees of the Suburban Cook County Tuberculosis Sanitarium District become employees of Cook County.

(d) The Cook County Board may transfer to the Cook County Forest Preserve District appropriate unimproved real estate owned by the Suburban Cook County Tuberculosis Sanitarium District at the time of its dissolution. After the dissolution of the District, any land owned by the

New matter indicated by italics - deletions by strikeout
District at the time of its dissolution remains subject to any leases and encumbrances that existed upon the dissolution of the District and, if the land is subject to a lease, the land may not be taken by any unit of government during the term of the lease.

(e) Upon the dissolution of the Suburban Cook County Tuberculosis Sanitarium District, any levy imposed by the dissolved District is abolished. In accordance with subsection (b) of Section 12 of the State Revenue Sharing Act, the tax base of the dissolved Suburban Cook County Tuberculosis Sanitarium District shall be added to the tax base of Cook County.

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

Approved July 24, 2006.
Effective July 24, 2006.

PUBLIC ACT 94-1051
(Senate Bill No. 2673)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Disposition of Remains Act is amended by changing Sections 5, 10, 15, and 40 as follows:

(755 ILCS 65/5)
Sec. 5. Right to control disposition; priority. Unless a decedent has left directions in writing for the disposition or designated an agent to direct the disposition of the decedent's remains as provided in Section 65 of the Crematory Regulation Act or in subsection (a) of Section 40 of this Act, the following persons, in the priority listed, have the right to control the disposition, including cremation, of the decedent's remains and are liable for the reasonable costs of the disposition:

(1) the person designated in a written instrument that satisfies the provisions of Sections 10 and 15 of this Act;

New matter indicated by italics - deletions by strikeout
(2) any person serving as executor or legal representative of the decedent's estate and acting according to the decedent's written instructions contained in the decedent's will;

(3) the individual who was the spouse of the decedent at the time of the decedent's death;

(4) the sole surviving competent adult child of the decedent, or if there is more than one surviving competent adult child of the decedent, the majority of the surviving competent adult children; however, less than one-half of the surviving adult children shall be vested with the rights and duties of this Section if they have used reasonable efforts to notify all other surviving competent adult children of their instructions and are not aware of any opposition to those instructions on the part of more than one-half of all surviving competent adult children;

(5) the surviving competent parents of the decedent; if one of the surviving competent parents is absent, the remaining competent parent shall be vested with the rights and duties of this Act after reasonable efforts have been unsuccessful in locating the absent surviving competent parent;

(6) the surviving competent adult person or persons respectively in the next degrees of kindred or, if there is more than one surviving competent adult person of the same degree of kindred, the majority of those persons; less than the majority of surviving competent adult persons of the same degree of kindred shall be vested with the rights and duties of this Act if those persons have used reasonable efforts to notify all other surviving competent adult persons of the same degree of kindred of their instructions and are not aware of any opposition to those instructions on the part of one-half or more of all surviving competent adult persons of the same degree of kindred;

(7) in the case of indigents or any other individuals whose final disposition is the responsibility of the State or any of its instrumentalities, a public administrator, medical examiner,
coroner, State appointed guardian, or any other public official charged with arranging the final disposition of the decedent;

(8) in the case of individuals who have donated their bodies to science, or whose death occurred in a nursing home or other private institution, who have executed cremation authorization forms under Section 65 of the Crematory Regulation Act and the institution is charged with making arrangements for the final disposition of the decedent, a representative of the institution; or

(9) any other person or organization that is willing to assume legal and financial responsibility.

As used in Section, "adult" means any individual who has reached his or her eighteenth birthday.

(Source: P.A. 94-561, eff. 1-1-06.)

(755 ILCS 65/10)
Sec. 10. Form. The written instrument authorizing the disposition of remains under paragraph (1) of Section 5 of this Act shall be in substantially the following form:

"APPOINTMENT OF AGENT TO CONTROL DISPOSITION
OF REMAINS

I, ................................, being of sound mind, willfully and voluntarily make known my desire that, upon my death, the disposition of my remains shall be controlled by ................... (name of agent first named below) and, with respect to that subject only, I hereby appoint such person as my agent (attorney-in-fact). All decisions made by my agent with respect to the disposition of my remains, including cremation, shall be binding.

SPECIAL DIRECTIONS:

Set forth below are any special directions limiting the power granted to my agent:

........................................
........................................
........................................

If the disposition of my remains is by cremation, then:

New matter indicated by italics - deletions by strikeout
I do not wish to allow any of my survivors the option of canceling my cremation and selecting alternative arrangements, regardless of whether my survivors deem a change to be appropriate.

I wish to allow only the survivors I have designated below the option of canceling my cremation and selecting alternative arrangements, if they deem a change to be appropriate:

......................................................
......................................................
......................................................

ASSUMPTION:

THE AGENT, AND EACH SUCCESSOR AGENT, BY ACCEPTING THIS APPOINTMENT, AGREES TO AND ASSUMES THE OBLIGATIONS PROVIDED HEREIN. AN AGENT MAY SIGN AT ANY TIME, BUT AN AGENT’S AUTHORITY TO ACT IS NOT EFFECTIVE UNTIL THE AGENT SIGNS BELOW TO INDICATE THE ACCEPTANCE OF APPOINTMENT. ANY NUMBER OF AGENTS MAY SIGN, BUT ONLY THE SIGNATURE OF THE AGENT ACTING AT ANY TIME IS REQUIRED.

AGENT:
Name: ......................................
Address: ...................................
Telephone Number: ..........................
Signature Indicating Acceptance of Appointment:

..............................................
Signature of Agent: ........................
Date of Signature: ........................

SUCCESSORS:

If my agent dies, becomes legally disabled, resigns, or refuses to act, I hereby appoint the following persons (each to act alone and successively, in the order named) to serve as my agent (attorney-in-fact) to control the disposition of my remains as authorized by this document:

1. First Successor

New matter indicated by italics - deletions by strikeout
Name: ..............................
Address: ..............................
Telephone Number: ......................
Signature Indicating Acceptance of Appointment: ........
Date of Signature: ......................
2. Second Successor
Name: ..............................
Address: ..............................
Telephone Number: ......................
Signature Indicating Acceptance of Appointment: ........
Date of Signature: ......................
DURATION:
This appointment becomes effective upon my death.
PRIOR APPOINTMENTS REVOKED:
I hereby revoke any prior appointment of any person to control the disposition of my remains.
RELIANCE:
I hereby agree that any hospital, cemetery organization, business operating a crematory or columbarium or both, funeral director or embalmer, or funeral establishment who receives a copy of this document may act under it. Any modification or revocation of this document is not effective as to any such party until that party receives actual notice of the modification or revocation. No such party shall be liable because of reliance on a copy of this document.
ASSUMPTION:
THE AGENT, AND EACH SUCCESSOR AGENT, BY ACCEPTING THIS APPOINTMENT, AGREES TO AND ASSUMES THE OBLIGATIONS PROVIDED HEREIN.
Signed this ...... day of .............., ...........
........................................
STATE OF ..................
COUNTY OF ..............

New matter indicated by italics - deletions by strikeout
BEFORE ME, the undersigned, a Notary Public, on this day personally appeared ...................., proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ..... day of ................., 2........

..........................................

Printed Name: ..........................
Notary Public, State of .................
My Commission Expires:

".........................."

(Source: P.A. 94-561, eff. 1-1-06.)

(755 ILCS 65/15) Sec. 15. Requirements for written instrument under paragraph (1) of Section 5 of this Act. A written instrument is legally sufficient under paragraph (1) of Section 5 if the wording of the instrument complies substantially with Section 10, the instrument is properly completed, the instrument is signed by the decedent and the agent, and each successor agent; and the signature of the decedent is notarized. The agent may sign at any time, but the agent's authority to act is not effective until the agent signs the instrument. The written instrument may be modified or revoked only by a subsequent written instrument that complies with this Section.

(Source: P.A. 94-561, eff. 1-1-06.)

(755 ILCS 65/40) Sec. 40. Directions by decedent.

(a) A person may provide written directions for the disposition or designate an agent to direct the disposition, including cremation, of the person's remains in a will, a prepaid funeral or burial contract, a power of attorney that satisfies the provisions of Article IV-Powers of Attorney for Health Care of the Illinois Power of Attorney Act and contains a power to direct the disposition of remains, a cremation authorization form that complies with the Crematory Regulation Act, or in a written instrument

New matter indicated by italics - deletions by strikeout
that satisfies the provisions of Sections 10 and 15 and that is signed by the person and notarized. The directions may be modified or revoked only by a subsequent writing signed by the person and notarized. The person otherwise entitled to control the disposition of a decedent's remains under this Act shall faithfully carry out the directions of the decedent to the extent that the decedent's estate or the person controlling the disposition are financially able to do so.

The changes made by this amendatory Act of the 94th General Assembly shall also apply to any written instrument that: (i) satisfies the provision of Article IV-Powers of Attorney for Health Care of the Illinois Power of Attorney Act; (ii) contains a power to direct the disposition of remains; and (iii) was created before the effective date of this amendatory Act.

(b) If the directions are in a will, they shall be carried out immediately without the necessity of probate. If the will is not probated or is declared invalid for testamentary purposes, the directions are valid to the extent to which they have been acted on in good faith.

(Source: P.A. 94-561, eff. 1-1-06.)

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

Approved July 24, 2006.
Effective July 24, 2006.

PUBLIC ACT 94-1052
(Senate Bill No. 2841)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Meat and Poultry Inspection Act is amended by changing Sections 2, 3, and 5.2 as follows:
(225 ILCS 650/2) (from Ch. 56 1/2, par. 302)
Sec. 2. Definitions. As used in this Act:

New matter indicated by italics - deletions by strikeout
"Adulterated" means any carcass, or part of a carcass, meat or meat food product, or poultry or poultry food product if:

(1) it bears or contains any poisonous or deleterious substance which may render it injurious to health, but if the substance is not an added substance the article is not adulterated under this paragraph if the quantity of such substance in or on the article does not ordinarily render it injurious to health;

(2) it bears or contains, because of the administering of any substance to the live animal, poultry, or other food product, any added poisonous or added deleterious substance other than (A) a pesticide chemical in or on a raw agricultural commodity or (B) a food additive or a color additive that, in the judgment of the Director, may make the article unfit for human food;

(3) it is, in whole or in part, a raw agricultural commodity and the commodity bears or contains a pesticide chemical that is unsafe within the meaning of Section 408 of the federal Food, Drug, and Cosmetic Act;

(4) it bears or contains any food additive that is unsafe within the meaning of Section 409 of the federal Food, Drug, and Cosmetic Act;

(5) it bears or contains any color additive which is unsafe within the meaning of Section 706 of the federal Food, Drug, and Cosmetic Act, provided that an article that is not adulterated under paragraph (3), (4), or (5) is nevertheless adulterated if use of the pesticide chemical, food additive, or color additive in or on the article is prohibited under Section 13 or 16 of this Act;

(6) it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(7) it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(8) it is, in whole or in part, the product of an animal or poultry that has died otherwise than by slaughter;

New matter indicated by italics - deletions by strikeout
(9) its container is composed, in whole or in part, of any poisonous or deleterious substance that may render the contents injurious to health;

(10) it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption under Section 409 of the federal Food, Drug, and Cosmetic Act;

(11) any valuable constituent has been in whole or in part omitted or abstracted from the article; any substance has been substituted, wholly or in part; damage or inferiority has been concealed in any manner; or any substance has been added, mixed, or packed with the article to increase its bulk or weight, to reduce its quality or strength, or to make it appear better or of greater value than it is; or

(12) it bears or contains sodium benzoate or benzoic acid or any combination thereof, except as permitted in accordance with the federal meat or poultry programs.

"Amenable" means foods containing 3% or more raw, or more than 2% cooked, red meat or poultry, other edible portions of carcass or bird, or products that historically have been considered by customers as products of the meat or poultry industry.

"Animals" means cattle, calves, American bison (buffalo), catalo, cattalo, sheep, swine, domestic deer, domestic elk, domestic antelope, domestic reindeer, ratites, water buffalo, and goats.

"Capable of use as human food" means the carcass of any animal or poultry, or part or product of a carcass of any animal or poultry, unless it is denatured to deter its use as human food or it is naturally inedible by humans.

"Custom processing" means the cutting up, packaging, wrapping, storing, freezing, smoking, or curing of meat or poultry products as a service by an establishment for the owner or the agent of the owner of the meat or poultry products exclusively for use in the household of the owner and his or her nonpaying guests and employees or slaughtering with respect to live poultry purchased by the consumer at this establishment and

New matter indicated by italics - deletions by strikeout
processed by a custom plant operator in accordance with the consumer's instructions.

"Custom slaughter" means the slaughtering, skinning, defeathering, eviscerating, cutting up, packaging, or wrapping of animals or poultry as a service by an establishment for the owner or the agent of the owner of the animals or poultry exclusively for use in the household of the owner and his or her nonpaying guests and employees.

"Department" means the Department of Agriculture of the State of Illinois.

"Director" means, unless otherwise provided, the Director of the Department of Agriculture of the State of Illinois or his or her duly appointed representative.

"Establishment" means all premises where animals, poultry, or both, are slaughtered or otherwise prepared either for custom, resale, or retail for food purposes, meat or poultry canneries, sausage factories, smoking or curing operations, restaurants, grocery stores, brokerages, cold storage plants, processing plants, and similar places.

"Federal Food, Drug, and Cosmetic Act" means the Act approved June 25, 1938 (52 Stat. 1040), as now or hereafter amended.

"Federal inspection" means the meat and poultry inspection service conducted by the United States Department of Agriculture by the authority of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

"Federal Meat Inspection Act" means the Act approved March 4, 1907 (34 Stat. 1260), as now or hereafter amended by the Wholesome Meat Act (81 Stat. 584), as now or hereafter amended.

"Illinois inspected and condemned" means that the meat or poultry product so identified and marked is unhealthful, unwholesome, adulterated, or otherwise unfit for human food and shall be disposed of in the manner prescribed by the Department.

"Illinois inspected and passed" means that the meat or poultry product so stamped and identified has been inspected and passed under the provisions of this Act and the rules and regulations pertaining thereto at

New matter indicated by italics - deletions by strikeout
the time of inspection and identification was found to be sound, clean, wholesome, and unadulterated.

"Illinois retained" means that the meat or poultry product so identified is held for further clinical examination by a veterinary inspector to determine its disposal.

"Immediate container" means any consumer package or any other container in which livestock products or poultry products, not consumer packaged, are packed.

"Inspector" means any employee of the Department authorized by the Director to inspect animals and poultry or meat and poultry products.

"Label" means a display of written, printed, or graphic matter upon any article or the immediate container, not including package liners, of any article.

"Labeling" means all labels and other written, printed, or graphic matter (i) upon any article or any of its containers or wrappers or (ii) accompanying the article.

"Meat broker", "poultry broker", or "meat and poultry broker" means any person, firm, or corporation engaged in the business of buying, negotiating for purchase of, handling or taking possession of, or selling meat or poultry products on commission or otherwise purchasing or selling of such articles other than for the person's own account in their original containers without changing the character of the products in any way. A broker shall not possess any processing equipment in his or her licensed facility.

"Meat food product" means any product capable of use as human food that is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, except products that contain meat or other portions of such carcasses only in a relatively small proportion or products that historically have not been considered by consumers as products of the meat food industry and that are exempted from definition as a meat food product by the Director under such conditions as the Director may prescribe to assure that the meat or other portions of such carcass contained in such product are not adulterated and that such products are not represented as meat food products. This term as
applied to food products of equines or domestic deer shall have a meaning comparable to that provided in this definition with respect to cattle, sheep, swine, and goats.

"Misbranded" means any carcass, part thereof, meat or meat food product, or poultry or poultry food product if:

(1) its labeling is false or misleading in any particular;
(2) it is offered for sale under the name of another food;
(3) it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" followed immediately by the name of the food imitated;
(4) its container is made, formed, or filled so as to be misleading;
(5) it does not bear a label showing (i) the name and place of business of the manufacturer, packer, or distributor and (ii) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; however, reasonable variations in such statement of quantity may be permitted;
(6) any word, statement, or other information required by or under authority of this Act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness as compared with other words, statements, designs, or devices in the labeling and in such terms as to make the label likely to be read and understood by the general public under customary conditions of purchase and use;
(7) it purports to be or is represented as a food for which a definition and standard of identity or composition is prescribed in Sections 13 and 16 of this Act unless (i) it conforms to such definition and standard and (ii) its label bears the name of the food specified in the definition and standard and, as required by such regulations, the common names of optional ingredients other than spices and flavoring present in such food;
(8) it purports to be or is represented as a food for which a standard of fill of container is prescribed in Section 13 of this Act and it falls below the applicable standard of fill of container

New matter indicated by italics - deletions by strikeout
applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(9) it is not subject to the provisions of paragraph (7), unless its label bears (i) the common or usual name of the food, if any, and (ii) if it is fabricated from 2 or more ingredients, the common or usual name of each ingredient, except that spices and flavorings may, when authorized by standards or regulations adopted in or as provided by Sections 13 and 16 of this Act, be designated as spices and flavorings without naming each;

(10) it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as determined by the Secretary of Agriculture of the United States in order to fully inform purchasers as to its value for such uses;

(11) it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact or is exempt; or

(12) it fails to bear, directly thereon or on its container, the inspection legend and unrestricted by any of the foregoing provisions, such other information as necessary to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

"Official establishment" means any establishment as determined by the Director at which inspection of the slaughter of livestock or poultry or the preparation of livestock products or poultry products is maintained under the authority of this Act.

"Official mark of inspection" means the official mark of inspection used to identify the status of any meat product or poultry product or animal under this Act as established by rule.

Prior to the manufacture, a complete and accurate description and design of all the brands, legends, and symbols shall be submitted to the Director for approval as to compliance with this Act. Each brand or

New matter indicated by italics - deletions by strikeout
symbol that bears the official mark shall be delivered into the custody of the inspector in charge of the establishment and shall be used only under the supervision of a Department employee. When not in use, all such brands and symbols bearing the official mark of inspection shall be secured in a locked locker or compartment, the keys of which shall not leave the possession of Department employees.

"Person" means any individual or entity, including, but not limited to, a sole proprietorship, partnership, corporation, cooperative, association, limited liability company, estate, or trust.

"Pesticide chemical", "food additive", "color additive", and "raw agricultural commodity" have the same meanings for purposes of this Act as under the federal Food, Drug, and Cosmetic Act.

"Poultry" means domesticated birds or rabbits, or both, dead or alive, capable of being used for human food.

"Poultry products" means the carcasses or parts of carcasses of poultry produced entirely or in substantial part from such poultry, including but not limited to such products cooked, pressed, smoked, dried, pickled, frozen, or similarly processed.

"Poultry Products Inspection Act" means the Act approved August 28, 1957 (71 Stat. 441), as now or hereafter amended by the Wholesome Poultry Products Act, approved August 18, 1968 (82 Stat. 791), as now or hereafter amended.

"Poultry Raiser" means any person who raises poultry, including rabbits, on his or her own farm or premises who does not qualify as a producer as defined under this Act.

"Processor" means any person engaged in the business of preparing animal food from animals, including poultry, derived wholly or in part from livestock or poultry carcasses or parts or products of such carcasses.

"Shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

"Slaught erer" means an establishment where any or all of the following may be performed on animals or poultry: (i) stunning; (ii) bleeding; (iii) defeathering, dehairing, or skinning; (iv) eviscerating; or (v) preparing carcasses for chilling.

New matter indicated by italics - deletions by strikeout
"State inspection" means the meat and poultry inspection service conducted by the Department of Agriculture of the State of Illinois by the authority of this Act.

(Source: P.A. 91-170, eff. 1-1-00.)

(225 ILCS 650/3) (from Ch. 56 1/2, par. 303)

Sec. 3. Licenses.

(a) No person shall operate an establishment as defined in Section 2 or act as a broker as defined in Section 2 without first securing a license from the Department except as otherwise exempted.

(b) The following annual fees shall accompany each license application for the license year from July 1 to June 30 or any part thereof. These fees are non-refundable.

- Meatbroker, Poultry broker or Meat and Poultry broker ..............................................$50
- Type I Establishment - Processor, Slaughterer, or Processor and Slaughterer of Meat, Poultry or Meat and Poultry .................................................$50
- Type II Establishment - Processor, Slaughterer, or Processor and Slaughterer of Meat, Poultry or Meat and Poultry .................................................$50

Application for licenses shall be made to the Department in writing on forms prescribed by the Department.

(c) The license issued shall be in such form as the Department prescribes, shall be under the seal of the Department and shall contain the name of the licensee, the location for which the license is issued, the type of operation, the period of the license, and such other information as the Department requires. The original license or a certified copy of it shall be conspicuously displayed by the licensee in the establishment.

(d) Failure to meet all of the conditions to retain a license may result in a denial of a renewal of a license. The licensee may request an administrative hearing to dispute the denial of renewal, after which the Director shall enter an order either renewing or refusing to renew the license.
(e) A penalty of $50 shall be assessed if renewal license applications are not received by July 1 of each year and establishment operations shall be discontinued until payment is received in full.

(Source: P.A. 90-655, eff. 7-30-98; 91-170, eff. 1-1-00.)

(225 ILCS 650/5.2)

Sec. 5.2. Type II licenses.

(a) Type II establishments licensed under this Act for custom slaughtering and custom processing shall:

(1) Be permitted to receive, for processing, meat products and poultry products from animals and poultry slaughtered by the owner or for the owner for his or her own personal use or for use by his or her household.

(2) Be permitted to receive live animals and poultry presented by the owner to be slaughtered and processed for the owner's own personal use or for use by his or her household.

(3) Be permitted to receive, for processing, inspected meat products and inspected poultry products for the owner's own personal use or for use by his or her household.

(4) Stamp the words "NOT FOR SALE-NOT INSPECTED" in letters at least 3/8 inches in height on all carasses of animals and immediate poultry product containers for poultry slaughtered in such establishment and on all meat products and immediate poultry product containers for poultry products processed in that establishment.

(5) Conspicuously display a license issued by the Department and bearing the words "NO SALES PERMITTED".

(6) Keep a record of the name and address of the owner of each carcass or portion thereof received in such licensed establishment, the date received, and the dressed weight. Such records shall be maintained for at least one year and shall be available, during reasonable hours, for inspection by Department personnel.

New matter indicated by italics - deletions by strikeout
(b) No custom slaughterer or custom processor shall engage in the business of buying or selling any poultry or meat products capable of use as human food, or slaughter of any animals or poultry intended for sale.

(Source: P.A. 91-170, eff. 1-1-00.)

Approved July 24, 2006.

PUBLIC ACT 94-1053
(Senate Bill No. 3018)

AN ACT concerning criminal law.

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

Section 3. The Health Care Worker Background Check Act is amended by changing Section 25 as follows:

(225 ILCS 46/25)

Sec. 25. Persons ineligible to be hired by health care employers and long-term care facilities.

(a) After January 1, 1996, or January 1, 1997, or the effective date of this amendatory Act of the 94th General Assembly, as applicable, no health care employer shall knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-6, 11-9.1, 11-9.5, 11-19.2, 11-20.1, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 12-21.6, 12-32, 12-33, 16-1, 16-1.3, 16A-3, 17-3, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 20-1, 20-1.1,

New matter indicated by italics - deletions by strikeout
24-1, 24-1.2, 24-1.5, or 33A-2 of the Criminal Code of 1961; those provided in Section 4 of the Wrongs to Children Act; those provided in Section 53 of the Criminal Jurisprudence Act; those defined in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act; those defined in the Methamphetamine Control and Community Protection Act; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act, unless the applicant or employee obtains a waiver pursuant to Section 40.

(a-1) After January 1, 2004, no health care employer shall knowingly hire any individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility shall knowingly hire any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has (i) been convicted of committing or attempting to commit one or more of the offenses defined in Section 12-3.3, 12-4.2-5, 16-2, 16G-15, 16G-20, 18-5, 20-1.2, 24-1.1, 24-1.2-5, 24-1.6, 24-3.2, or 24-3.3 of the Criminal Code of 1961; Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act; or Section 5.1 of the Wrongs to Children Act; or (ii) violated Section 10-5 of the Nursing and Advanced Practice Nursing Act.

A UCIA criminal history record check need not be redone for health care employees who have been continuously employed by a health care employer since January 1, 2004, but nothing in this Section prohibits a health care employer from initiating a criminal history check for these employees.

A health care employer is not required to retain an individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility is required to retain an individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses enumerated in this subsection.

(b) A health care employer shall not hire, employ, or retain any individual in a position with duties involving direct care of clients,
patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in subsection (a) or (a-1), as verified by court records, records from a state agency, or an FBI criminal history record check. This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided.

(Source: P.A. 93-224, eff. 7-18-03; 94-556, eff. 9-11-05; 94-665, eff. 1-1-06; revised 8-29-05.)

Section 5. The Criminal Code of 1961 is amended by adding Section 11-9.5 as follows:

(720 ILCS 5/11-9.5 new)

Sec. 11-9.5. Sexual misconduct with a person with a disability.

(a) Definitions. As used in this Section:

(1) "Person with a disability" means:

(i) a person diagnosed with a developmental disability as defined in Section 1-106 of the Mental Health and Developmental Disabilities Code; or

(ii) a person diagnosed with a mental illness as defined in Section 1-129 of the Mental Health and Developmental Disabilities Code.

(2) "State-operated facility" means:

(i) a developmental disability facility as defined in the Mental Health and Developmental Disabilities Code; or

(ii) a mental health facility as defined in the Mental Health and Developmental Disabilities Code.

(3) "Community agency" or "agency" means any community entity or program providing residential mental health or developmental disabilities services that is licensed, certified, or

New matter indicated by italics - deletions by strikeout
funded by the Department of Human Services and not licensed or certified by any other human service agency of the State such as the Departments of Public Health, Healthcare and Family Services, and Children and Family Services.

(4) "Care and custody" means admission to a State-operated facility.

(5) "Employee" means:
   (i) any person employed by the Illinois Department of Human Services;
   (ii) any person employed by a community agency providing services at the direction of the owner or operator of the agency on or off site; or
   (iii) any person who is a contractual employee or contractual agent of the Department of Human Services or the community agency. This includes but is not limited to payroll personnel, contractors, subcontractors, and volunteers.

(6) "Sexual conduct" or "sexual penetration" means any act of sexual conduct or sexual penetration as defined in Section 12-12 of this Code.

(b) A person commits the offense of sexual misconduct with a person with a disability when:
   (1) he or she is an employee and knowingly engages in sexual conduct or sexual penetration with a person with a disability who is under the care and custody of the Department of Human Services at a State-operated facility; or
   (2) he or she is an employee of a community agency funded by the Department of Human Services and knowingly engages in sexual conduct or sexual penetration with a person with a disability who is in a residential program operated or supervised by a community agency.

(c) For purposes of this Section, the consent of a person with a disability in custody of the Department of Human Services residing at a State-operated facility or receiving services from a community agency

New matter indicated by italics - deletions by strikeout
shall not be a defense to a prosecution under this Section. A person is deemed incapable of consent, for purposes of this Section, when he or she is a person with a disability and is receiving services at a State-operated facility or is a person with a disability who is in a residential program operated or supervised by a community agency.

(d) This Section does not apply to:

(1) any State employee or any community agency employee who is lawfully married to a person with a disability in custody of the Department of Human Services or receiving services from a community agency if the marriage occurred before the date of custody or the initiation of services at a community agency; or

(2) any State employee or community agency employee who has no knowledge, and would have no reason to believe, that the person with whom he or she engaged in sexual misconduct was a person with a disability in custody of the Department of Human Services or was receiving services from a community agency.

(e) Sentence. Sexual misconduct with a person with a disability is a Class 3 felony.

(f) Any person convicted of violating this Section shall immediately forfeit his or her employment with the State or the community agency.

Section 10. The Sex Offender Registration Act is amended by changing Section 2 as follows:

(730 ILCS 150/2) (from Ch. 38, par. 222)

Sec. 2. Definitions.

(A) As used in this Article, "sex offender" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a sex offense set forth in subsection (B) of this Section or the attempt to commit an included sex offense, and:

(a) is convicted of such offense or an attempt to commit such offense; or

New matter indicated by italics - deletions by strikeout
(b) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(c) is found not guilty by reason of insanity pursuant to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(d) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(e) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(f) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(2) certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(3) subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

New matter indicated by italics - deletions by strikeout
(5) adjudicated a juvenile delinquent as the result of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Article as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Article.

For purposes of this Section, "convicted" shall have the same meaning as "adjudicated". For the purposes of this Article, a person who is defined as a sex offender as a result of being adjudicated a juvenile delinquent under paragraph (5) of this subsection (A) upon attaining 17 years of age shall be considered as having committed the sex offense on or after the sex offender's 17th birthday. Registration of juveniles upon attaining 17 years of age shall not extend the original registration of 10 years from the date of conviction.

(B) As used in this Article, "sex offense" means:

(1) A violation of any of the following Sections of the Criminal Code of 1961:

11-20.1 (child pornography),
11-6 (indecent solicitation of a child),
11-9.1 (sexual exploitation of a child),
11-9.2 (custodial sexual misconduct),
11-9.5 (sexual misconduct with a person with a disability),
11-15.1 (soliciting for a juvenile prostitute),
11-18.1 (patronizing a juvenile prostitute),
11-17.1 (keeping a place of juvenile prostitution),
11-19.1 (juvenile pimping),
11-19.2 (exploitation of a child),
12-13 (criminal sexual assault),
12-14 (aggravated criminal sexual assault),
12-14.1 (predatory criminal sexual assault of a child),
12-15 (criminal sexual abuse),
12-16 (aggravated criminal sexual abuse),
12-33 (ritualized abuse of a child).
An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, and the offense was committed on or after January 1, 1996:
10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).
An attempt to commit any of these offenses.

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961, and the offense was committed on or after June 1, 1997.

(1.9) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than
a lawful purpose and the offense was committed on or after January 1, 1998.

(1.10) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after July 1, 1999:

- 10-4 (forcible detention, if the victim is under 18 years of age),
- 11-6.5 (indecent solicitation of an adult),
- 11-15 (soliciting for a prostitute, if the victim is under 18 years of age),
- 11-16 (pandering, if the victim is under 18 years of age),
- 11-18 (patronizing a prostitute, if the victim is under 18 years of age),
- 11-19 (pimping, if the victim is under 18 years of age).

(1.11) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after August 22, 2002:

- 11-9 (public indecency for a third or subsequent conviction).

(1.12) A violation or attempted violation of Section 5.1 of the Wrongs to Children Act (permitting sexual abuse) when the offense was committed on or after August 22, 2002.

(2) A violation of any former law of this State substantially equivalent to any offense listed in subsection (B) of this Section.

(C) A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (B), (C), and (E) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person or a sexually violent person under any federal law, Uniform Code of Military Justice, or the law of another state or foreign country that is substantially equivalent to the Sexually Dangerous Persons Act or the Sexually Violent
Persons Commitment Act shall constitute an adjudication for the purposes of this Article.

(C-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (C-5) of this Section shall constitute a conviction for the purpose of this Article. This subsection (C-5) applies to a person who committed the offense before June 1, 1996 only if the person is incarcerated in an Illinois Department of Corrections facility on August 20, 2004 (the effective date of Public Act 93-977).

(D) As used in this Article, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the sex offender expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(D-1) As used in this Article, "supervising officer" means the assigned Illinois Department of Corrections parole agent or county probation officer.

(E) As used in this Article, "sexual predator" means any person who, after July 1, 1999, is:

(1) Convicted for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (E) of this Section shall constitute a conviction for the purpose of this Article. Convicted of a violation or attempted violation of any of

New matter indicated by italics - deletions by strikeout
the following Sections of the Criminal Code of 1961, if the conviction occurred after July 1, 1999:

11-17.1 (keeping a place of juvenile prostitution),
11-19.1 (juvenile pimping),
11-19.2 (exploitation of a child),
11-20.1 (child pornography),
12-13 (criminal sexual assault),
12-14 (aggravated criminal sexual assault),
12-14.1 (predatory criminal sexual assault of a child),
12-16 (aggravated criminal sexual abuse),
12-33 (ritualized abuse of a child); or

(2) convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense; or

(3) certified as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) convicted of a second or subsequent offense which requires registration pursuant to this Act. The conviction for the second or subsequent offense must have occurred after July 1, 1999. For purposes of this paragraph (5), "convicted" shall include a conviction under any substantially similar Illinois, federal, Uniform Code of Military Justice, sister state, or foreign country law.

(F) As used in this Article, "out-of-state student" means any sex offender, as defined in this Section, or sexual predator who is enrolled in Illinois, on a full-time or part-time basis, in any public or private

New matter indicated by italics - deletions by strikeout
educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(G) As used in this Article, "out-of-state employee" means any sex offender, as defined in this Section, or sexual predator who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(H) As used in this Article, "school" means any public or private educational institution, including, but not limited to, any elementary or secondary school, trade or professional institution, or institution of higher education.

(I) As used in this Article, "fixed residence" means any and all places that a sex offender resides for an aggregate period of time of 5 or more days in a calendar year.

(Source: P.A. 93-977, eff. 8-20-04; 93-979, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

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

Approved July 24, 2006.
Effective July 24, 2006.

PUBLIC ACT 94-1054
(Senate Bill No. 1497)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Section 2-3.71 as follows:

(105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)
Sec. 2-3.71. Grants for preschool educational programs.

New matter indicated by italics - deletions by strikeout
(a) Preschool program.

(1) The State Board of Education shall implement and administer a grant program under the provisions of this subsection which shall consist of grants to public school districts and other eligible entities, as defined by the State Board of Education, to conduct voluntary preschool educational programs for children ages 3 to 5 which include a parent education component. A public school district which receives grants under this subsection may subcontract with other entities that are eligible to conduct a preschool educational program. These grants must be used to supplement, not supplant, funds received from any other source.

(2) (Blank).

(3) Any teacher of preschool children in the program authorized by this subsection shall hold an early childhood teaching certificate.

(4) This paragraph (4) applies before July 1, 2006 and after June 30, 2008. The State Board of Education shall provide the primary source of funding through appropriations for the program. Such funds shall be distributed for the benefit of children who because of their home and community environment are subject to such language, cultural, economic and like disadvantages that they have been determined as a result of screening procedures to be at risk of academic failure. Such screening procedures shall be based on criteria established by the State Board of Education.

(4.5) This paragraph (4.5) applies from July 1, 2006 through June 30, 2008. The State Board of Education shall provide the primary source of funding through appropriations for the program. Such funds shall be distributed to achieve a goal of "Preschool for All Children" for the benefit of all children whose families choose to participate in the program. Based on available appropriations, newly funded programs shall be selected through a process giving first priority to qualified programs serving primarily at-risk children and second priority to qualified programs serving primarily children with a family income of less than...
than 4 times the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2). For purposes of this paragraph (4.5), at-risk children are those who because of their home and community environment are subject to such language, cultural, economic and like disadvantages to cause them to have been determined as a result of screening procedures to be at risk of academic failure. Such screening procedures shall be based on criteria established by the State Board of Education.

On or before November 1 of each fiscal year in which the General Assembly provides funding for new programs under this paragraph (4.5), the State Board of Education shall report to the General Assembly on what percentage of new funding was provided to programs serving primarily at-risk children, what percentage of new funding was provided to programs serving primarily children with a family income of less than 4 times the federal poverty level, and what percentage of new funding was provided to other programs.

(5) The State Board of Education shall develop and provide evaluation tools, including tests, that school districts and other eligible entities may use to evaluate children for school readiness prior to age 5. The State Board of Education shall require school districts and other eligible entities to obtain consent from the parents or guardians of children before any evaluations are conducted. The State Board of Education shall encourage local school districts and other eligible entities to evaluate the population of preschool children in their communities and provide preschool programs, pursuant to this subsection, where appropriate.

(6) The State Board of Education shall report to the General Assembly by July 1, 2007 and every 3 years thereafter; on the results and progress of students who were enrolled in preschool educational programs, including an assessment of which programs have been most successful in promoting academic excellence and alleviating academic failure. The State Board of Education shall

New matter indicated by italics - deletions by strikeout
assess the academic progress of all students who have been enrolled in preschool educational programs.
(b) (Blank).
(Source: P.A. 94-506, eff. 8-8-05.)
Section 99. Effective date. This Act takes effect July 1, 2006.

PUBLIC ACT 94-1055
(Senate Bill No. 3086)

AN ACT concerning government, which may be referred to as the Equity in Eminent Domain Act.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1-1-1. Short title. This Act may be cited as the Eminent Domain Act.
Section 1-1-5. Definitions. As used in this Act, except with respect to the acquisition or damaging of property authorized under the O'Hare Modernization Act:
"Acquisition of property", unless the context otherwise requires, includes the acquisition, damaging, or use of property or any right to or interest in property.
"Blighted area", "blight", and "blighted" have the same meanings as under the applicable statute authorizing the condemning authority to exercise the power of eminent domain or, if those terms have no defined meaning under the applicable statute, then the same meanings as under Section 11-74.4-3 of the Illinois Municipal Code.
"Condemning authority" means the State or any unit of local government, school district, or other entity authorized to exercise the power of eminent domain.

Article 5. General Exercise

New matter indicated by italics - deletions by strikeout
Section 5-5-5. Exercise of the power of eminent domain; public use; blight.

(a) In addition to all other limitations and requirements, a condemning authority may not take or damage property by the exercise of the power of eminent domain unless it is for a public use, as set forth in this Section.

(a-5) Subsections (b), (c), (d), (e), and (f) of this Section do not apply to the acquisition of property under the O'Hare Modernization Act. A condemning authority may exercise the power of eminent domain for the acquisition or damaging of property under the O'Hare Modernization Act as provided for by law in effect prior to the effective date of this Act.

(a-10) Subsections (b), (c), (d), (e), and (f) of this Section do not apply to the acquisition or damaging of property in furtherance of the goals and objectives of an existing tax increment allocation redevelopment plan. A condemning authority may exercise the power of eminent domain for the acquisition of property in furtherance of an existing tax increment allocation redevelopment plan as provided for by law in effect prior to the effective date of this Act.

As used in this subsection, "existing tax increment allocation redevelopment plan" means a redevelopment plan that was adopted under the Tax Increment Allocation Redevelopment Act (Article 11, Division 74.4 of the Illinois Municipal Code) prior to April 15, 2006 and for which property assembly costs were, before that date, included as a budget line item in the plan or described in the narrative portion of the plan as part of the redevelopment project, but does not include (i) any additional area added to the redevelopment project area on or after April 15, 2006, (ii) any subsequent extension of the completion date of a redevelopment plan beyond the estimated completion date established in that plan prior to April 15, 2006, (iii) any acquisition of property in a conservation area for which the condemnation complaint is filed more than 12 years after the effective date of this Act, or (iv) any acquisition of property in an industrial park conservation area.
As used in this subsection, "conservation area" and "industrial park conservation area" have the same meanings as under Section 11-74.4-3 of the Illinois Municipal Code.

(b) If the exercise of eminent domain authority is to acquire property for public ownership and control, then the condemning authority must prove that (i) the acquisition of the property is necessary for a public purpose and (ii) the acquired property will be owned and controlled by the condemning authority or another governmental entity.

(c) Except when the acquisition is governed by subsection (b) or is primarily for one of the purposes specified in subsection (d), (e), or (f) and the condemning authority elects to proceed under one of those subsections, if the exercise of eminent domain authority is to acquire property for private ownership or control, or both, then the condemning authority must prove by clear and convincing evidence that the acquisition of the property for private ownership or control is (i) primarily for the benefit, use, or enjoyment of the public and (ii) necessary for a public purpose.

An acquisition of property primarily for the purpose of the elimination of blight is rebuttably presumed to be for a public purpose and primarily for the benefit, use, or enjoyment of the public under this subsection.

Any challenge to the existence of blighting factors alleged in a complaint to condemn under this subsection shall be raised within 6 months of the filing date of the complaint to condemn, and if not raised within that time the right to challenge the existence of those blighting factors shall be deemed waived.

Evidence that the Illinois Commerce Commission has granted a certificate or otherwise made a finding of public convenience and necessity for an acquisition of property (or any right or interest in property) for private ownership or control (including, without limitation, an acquisition for which the use of eminent domain is authorized under the Public Utilities Act, the Telephone Company Act, or the Electric Supplier Act) to be used for utility purposes creates a rebuttable presumption that such acquisition of that property (or right or interest in property) is (i)

New matter indicated by italics - deletions by strikeout
primarily for the benefit, use, or enjoyment of the public and (ii) necessary for a public purpose.

In the case of an acquisition of property (or any right or interest in property) for private ownership or control to be used for utility, pipeline, or railroad purposes for which no certificate or finding of public convenience and necessity by the Illinois Commerce Commission is required, evidence that the acquisition is one for which the use of eminent domain is authorized under one of the following laws creates a rebuttable presumption that the acquisition of that property (or right or interest in property) is (i) primarily for the benefit, use, or enjoyment of the public and (ii) necessary for a public purpose:

(1) the Public Utilities Act,
(2) the Telephone Company Act,
(3) the Electric Supplier Act,
(4) the Railroad Terminal Authority Act,
(5) the Grand Avenue Railroad Relocation Authority Act,
(6) the West Cook Railroad Relocation and Development Authority Act,
(7) Section 4-505 of the Illinois Highway Code,
(8) Section 17 or 18 of the Railroad Incorporation Act,
(9) Section 18c-7501 of the Illinois Vehicle Code.

(d) If the exercise of eminent domain authority is to acquire property for private ownership or control and if the primary basis for the acquisition is the elimination of blight and the condemning authority elects to proceed under this subsection, then the condemning authority must: (i) prove by a preponderance of the evidence that acquisition of the property for private ownership or control is necessary for a public purpose; (ii) prove by a preponderance of the evidence that the property to be acquired is located in an area that is currently designated as a blighted area or conservation area under an applicable statute; (iii) if the existence of blight or blighting factors is challenged in an appropriate motion filed within 6 months after the date of filing of the complaint to condemn, prove by a preponderance of the evidence that the required blighting factors existed in the area so designated (but not necessarily in the particular property to be

New matter indicated by italics - deletions by strikeout
acquired) at the time of the designation under item (ii) or at any time thereafter; and (iv) prove by a preponderance of the evidence at least one of the following:

   (A) that it has entered into an express written agreement in which a private person or entity agrees to undertake a development project within the blighted area that specifically details the reasons for which the property or rights in that property are necessary for the development project;

   (B) that the exercise of eminent domain power and the proposed use of the property by the condemning authority are consistent with a regional plan that has been adopted within the past 5 years in accordance with Section 5-14001 of the Counties Code or Section 11-12-6 of the Illinois Municipal Code or with a local land resource management plan adopted under Section 4 of the Local Land Resource Management Planning Act; or

   (C) that (1) the acquired property will be used in the development of a project that is consistent with the land uses set forth in a comprehensive redevelopment plan prepared in accordance with the applicable statute authorizing the condemning authority to exercise the power of eminent domain and is consistent with the goals and purposes of that comprehensive redevelopment plan, and (2) an enforceable written agreement, deed restriction, or similar encumbrance has been or will be executed and recorded against the acquired property to assure that the project and the use of the property remain consistent with those land uses, goals, and purposes for a period of at least 40 years, which execution and recording shall be included as a requirement in any final order entered in the condemnation proceeding.

The existence of an ordinance, resolution, or other official act designating an area as blighted is not prima facie evidence of the existence of blight. A finding by the court in a condemnation proceeding that a property or area has not been proven to be blighted does not apply to any other case or undermine the designation of a blighted area or conservation area or the determination of the existence of blight for any other purpose.
or under any other statute, including without limitation under the Tax Increment Allocation Redevelopment Act (Article 11, Division 74.4 of the Illinois Municipal Code).

Any challenge to the existence of blighting factors alleged in a complaint to condemn under this subsection shall be raised within 6 months of the filing date of the complaint to condemn, and if not raised within that time the right to challenge the existence of those blighting factors shall be deemed waived.

(e) If the exercise of eminent domain authority is to acquire property for private ownership or control and if the primary purpose of the acquisition is one of the purposes specified in item (iii) of this subsection and the condemning authority elects to proceed under this subsection, then the condemning authority must prove by a preponderance of the evidence that: (i) the acquisition of the property is necessary for a public purpose; (ii) an enforceable written agreement, deed restriction, or similar encumbrance has been or will be executed and recorded against the acquired property to assure that the project and the use of the property remain consistent with the applicable purpose specified in item (iii) of this subsection for a period of at least 40 years, which execution and recording shall be included as a requirement in any final order entered in the condemnation proceeding; and (iii) the acquired property will be one of the following:

(1) included in the project site for a residential project, or a mixed-use project including residential units, where not less than 20% of the residential units in the project are made available, for at least 15 years, by deed restriction, long-term lease, regulatory agreement, extended use agreement, or a comparable recorded encumbrance, to low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act;

(2) used primarily for public airport, road, parking, or mass transportation purposes and sold or leased to a private party in a sale-leaseback, lease-leaseback, or similar structured financing;

New matter indicated by italics - deletions by strikeout
(3) owned or used by a public utility or electric cooperative for utility purposes;
(4) owned or used by a railroad for passenger or freight transportation purposes;
(5) sold or leased to a private party that operates a water supply, waste water, recycling, waste disposal, waste-to-energy, or similar facility;
(6) sold or leased to a not-for-profit corporation whose purposes include the preservation of open space, the operation of park space, and similar public purposes;
(7) used as a library, museum, or related facility, or as infrastructure related to such a facility;
(8) used by a private party for the operation of a charter school open to the general public; or
(9) a historic resource, as defined in Section 3 of the Illinois State Agency Historic Resources Preservation Act, a landmark designated as such under a local ordinance, or a contributing structure within a local landmark district listed on the National Register of Historic Places, that is being acquired for purposes of preservation or rehabilitation.

(f) If the exercise of eminent domain authority is to acquire property for public ownership and private control and if the primary purpose of the acquisition is one of the purposes specified in item (iii) of this subsection and the condemning authority elects to proceed under this subsection, then the condemning authority must prove by a preponderance of the evidence that: (i) the acquisition of the property is necessary for a public purpose; (ii) the acquired property will be owned by the condemning authority or another governmental entity; and (iii) the acquired property will be controlled by a private party that operates a business or facility related to the condemning authority's operation of a university, medical district, hospital, exposition or convention center, mass transportation facility, or airport, including, but not limited to, a medical clinic, research and development center, food or commercial concession facility, social service facility, maintenance or storage facility, cargo

New matter indicated by italics - deletions by strikeout
facility, rental car facility, bus facility, taxi facility, flight kitchen, fixed based operation, parking facility, refueling facility, water supply facility, and railroad tracks and stations.

(g) This Article is a limitation on the exercise of the power of eminent domain, but is not an independent grant of authority to exercise the power of eminent domain.

Article 10. General Procedure
(was 735 ILCS 5/7-101)
Section 10-5-5 7-101. Compensation; jury.

(a) Private property shall not be taken or damaged for public use without just compensation; and, in all cases in which compensation is not made by the condemning authority, State in its corporate capacity, or a political subdivision of the State, or municipality in its respective corporate capacity, such compensation shall be ascertained by a jury, as provided in this Act hereinafter prescribed. When compensation is so made by the condemning authority State, a political subdivision of the State, or municipality, any party, upon application, may have a trial by jury to ascertain the just compensation to be paid. A Such demand on the part of the condemning authority for a trial by jury State, a political subdivision of the State, or municipality, shall be filed with the complaint for condemnation of the condemning authority State, a political subdivision of the State, or municipality. When the condemning authority Where the State, a political subdivision of the State, or municipality is plaintiff, a defendant desirous of a trial by jury must file a demand for a trial by jury therefor on or before the return date of the summons served on him or her or on or before the date fixed in the publication in case of defendants served by publication. If In the event no party in the condemnation action demands a trial by jury, as provided for by this Section, then the trial shall be before the court without a jury.

(b) The right to just compensation, as provided in this Act, Article applies to the owner or owners of any lawfully erected off-premises outdoor advertising sign that is compelled to be altered or removed under this Act Article or any other statute, or under any ordinance or regulation of any municipality or other unit of local government, and also applies to

New matter indicated by italics - deletions by strikeout
the owner or owners of the property on which that sign is erected. The right to just compensation, as provided in this Act, applies to property subject to a conservation right under the Real Property Conservation Rights Act. The amount of compensation for the taking of the property shall not be diminished or reduced by virtue of the existence of the conservation right. The holder of the conservation right shall be entitled to just compensation for the value of the conservation right.

(Source: P.A. 91-497, eff. 1-1-00.)

(was 735 ILCS 5/7-102)

Section 10-5-10. Parties.

(a) When the right to take private property for public use, without the owner's consent, or the right to construct or maintain any public road, railroad, plankroad, turnpike road, canal, or other public work or improvement, or which may damage property not actually taken has been heretofore or is shall hereafter be conferred by general law or special charter upon any corporate or municipal authority, public body, officer or agent, person, commissioner, or corporation and when (i) the compensation to be paid for or in respect of the property sought to be appropriated or damaged for the purposes mentioned cannot be agreed upon by the parties interested, (ii) or in case the owner of the property is incapable of consenting, (iii) or the owner's name or residence is unknown, or (iv) or the owner is a nonresident of the State, then the party authorized to take or damage the property so required, or to construct, operate, and maintain any public road, railroad, plankroad, turnpike road, canal, or other public work or improvement, may apply to the circuit court of the county where the property or any part of the property thereof is situated, by filing with the clerk a complaint. The complaint shall set forth setting forth, by reference, (i) the complainant's his, her or their authority in the premises, (ii) the purpose for which the property is sought to be taken or damaged, (iii) a description of the property, and (iv) the names of all persons interested in the property therein as owners or otherwise, as appearing of record, if known, or if not known stating that fact; and shall pray the praying such such court to cause the compensation to be paid to the owner to be assessed.

New matter indicated by italics - deletions by strikeout
(b) If it appears that any person not in being, upon coming into being, is, or may become or may claim to be, entitled to any interest in the property sought to be appropriated or damaged, the court shall appoint some competent and disinterested person as guardian ad litem; to appear for and represent that such interest in the proceeding and to defend the proceeding on behalf of the person not in being. Any judgment entered in the proceeding shall be as effectual for all purposes as though the person was in being and was a party to the proceeding.

(c) If the proceeding seeks to affect the property of persons under guardianship, the guardians shall be made parties defendant.

(d) Any interested persons, whose names are unknown, may be made parties defendant by the same descriptions and in the same manner as provided in other civil cases.

(e) When the property to be taken or damaged is a common element of property subject to a declaration of condominium ownership, pursuant to the Condominium Property Act, or of a common interest community, the complaint shall name the unit owners' association in lieu of naming the individual unit owners and lienholders on individual units. Unit owners, mortgagees, and other lienholders may intervene as parties defendant. For the purposes of this Section, "common interest community" has the same meaning as set forth in subsection (c) of Section 9-102 of the Code of Civil Procedure. "Unit owners' association" or "association" shall refer to both the definition contained in Section 2 of the Condominium Property Act and subsection (c) of Section 9-102 of the Code of Civil Procedure.

(f) When the property is sought to be taken or damaged by the State for the purposes of establishing, operating, or maintaining any State house or State charitable or other institutions or improvements, the complaint shall be signed by the Governor, or the Governor's designee, or such other person as he or she shall direct, or as otherwise is provided by law.

(g) No property, except property described in either Section 3 of the Sports Stadium Act or Article 11, Division 139, of the Illinois Municipal Code and property described as Site B in Section 2 of the
Metropolitan Pier and Exposition Authority Act, belonging to a railroad or other public utility subject to the jurisdiction of the Illinois Commerce Commission may be taken or damaged, pursuant to the provisions of this Act Article, without the prior approval of the Illinois Commerce Commission. This amendatory Act of 1991 (Public Act 87-760) is declaratory of existing law and is intended to remove possible ambiguities, thereby confirming the existing meaning of the Code of Civil Procedure and of the Illinois Municipal Code in effect before January 1, 1992 (the effective date of Public Act 87-760).

(Source: P.A. 89-683, eff. 6-1-97; 90-6, eff. 6-3-97.)

(was 735 ILCS 5/7-102.1)

Section 10-5-15 7-102.4. State agency proceedings; information.

(a) This Section applies only to the State and its agencies, and only to matters arising after December 31, 1991.

(b) Before any State agency initiates any proceeding under this Act Article, the agency must designate and provide for an appropriate person to respond to requests arising from the notifications required under this Section. The designated person may be an employee of the agency itself; or an employee of any other appropriate State agency. The designated person shall respond to property owners' questions about the authority and procedures of the State agency in acquiring property by condemnation; and about the property owner's general rights under those procedures. However, the designated person shall not provide property owners with specific legal advice or specific legal referrals.

(c) At the time of first contact with a property owner, whether in person or by letter, the State agency shall advise the property owner, in writing, of the following:

(1) A description of the property that the agency seeks to acquire.

(2) The name, address, and telephone number of the State official designated under subsection (b) to answer the property owner's questions.

(3) The identity of the State agency attempting to acquire the property.

New matter indicated by italics - deletions by strikeout
(4) The general purpose of the proposed acquisition.
(5) The type of facility to be constructed on the property, if any.

(d) At least 60 days before filing a petition with any court to initiate a proceeding under this Act Article, a State agency shall send a letter by certified mail, return receipt requested, to the owner of the property to be taken, giving the property owner the following information:

(1) The amount of compensation for the taking of the property proposed by the agency; and the basis for computing it.
(2) A statement that the agency continues to seek a negotiated agreement with the property owner.
(3) A statement that, in the absence of a negotiated agreement, it is the intention of the agency to initiate a court proceeding under this Act Article.

The State agency shall maintain a record of the letters sent in compliance with this Section for at least one year.

(e) Any duty imposed on a State agency by this Section may be assumed by the Office of the Attorney General, the Capital Development Board, or any other agency of State government that is assisting or acting on behalf of the State agency in the matter.

(Source: P.A. 87-785.)

(was 735 ILCS 5/7-113)

Section 10-5-20 7-113. Construction easement. If in any case where a taking is for a construction easement only, any structure that has been removed or taken shall be repaired, reestablished; or relocated, at the option of the landowner, when the cost of the action does not exceed the just compensation otherwise payable to the landowner.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-114)

Section 10-5-25 7-114. Service; notice. Service of summons and publication of notice shall be made as in other civil cases.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-115)
Section 10-5-30 7-115. Hearing. Except as provided in Sections 20-5-10, 20-5-15, 20-5-20, and 20-5-45 7-404, 7-105, 7-106 and 7-111 of this Act, no cause shall be heard earlier than 20 days after service upon defendant or upon due publication against non-residents.

Any number of separate parcels of property, situated in the same county, may be included in one complaint, and the compensation for each shall be assessed separately by the same or different juries, as the court may direct.

Amendments to the complaint, or to any paper or record in the cause, may be permitted whenever necessary to a fair trial and final determination of the questions involved.

Should it become necessary at any stage of the proceedings to bring in a new party in the litigation, the court has the power to: (i) make any such rule or order in relation thereto as may be deemed reasonable and proper; (ii) and has the power to make all necessary rules and orders for notice to parties of the pendency of the proceedings; and (iii) to issue all process necessary to the enforcement of orders and judgments.

(Source: P.A. 83-707.)

-was 735 ILCS 5/7-116-

Section 10-5-35 7-116. Challenge of jurors. The plaintiff, and every party interested in the ascertaining of compensation, shall have the same right of challenge of jurors as in other civil cases in the circuit courts.

(Source: P.A. 82-280.)

-was 735 ILCS 5/7-117-

Section 10-5-40 7-117. Oath of jury. When the jury is selected, the court shall cause the following oath to be administered to the jury:

You and each of you do solemnly swear that you will well and truly ascertain and report just compensation to the owner (and each owner) of the property which it is sought to take or damage in this case, and to each person therein interested, according to the facts in the case, as the same may appear by the evidence, and that you will truly report such compensation so ascertained: so help you God.

(Source: P.A. 82-280.)

New matter indicated by italics - deletions by strikeout
Section 10-5-45. View of premises; jury's report. The jury shall, at the request of either party, go upon the land sought to be taken or damaged, in person, and examine the same. After and after hearing the proof offered, the jury shall make its report in writing. The report and the same shall be subject to amendment by the jury, under the direction of the court, so as to clearly set forth and show the compensation ascertained to each person thereto entitled, and the verdict shall thereupon be recorded. However, no benefits or advantages which may accrue to lands or property affected shall be set off against or deducted from such compensation, in any case.

(Source: P.A. 82-280.)

Section 10-5-50. Admissibility of evidence. Evidence is admissible as to: (1) any benefit to the landowner that will result from the public improvement for which the eminent domain proceedings were instituted; (2) any unsafe, unsanitary, substandard, or other illegal condition, use, or occupancy of the property, including any violation of any environmental law or regulation; (3) the effect of such condition on income from or the fair market value of the property; and (4) the reasonable cost of causing the property to be placed in a legal condition, use, or occupancy, including compliance with environmental laws and regulations. Such evidence is admissible notwithstanding the absence of any official action taken to require the correction or abatement of the such illegal condition, use, or occupancy.

(Source: P.A. 90-393, eff. 1-1-98.)

Section 10-5-55. Special benefits. In assessing damages or compensation for any taking or property acquisition under this Act Article, due consideration shall be given to any special benefit that will result to the property owner from any public improvement to be erected on the property. This Section is applicable to all private property taken or acquired for public use and applies whether damages or compensation are fixed by negotiation, by a court, or by a jury.

New matter indicated by italics - deletions by strikeout
Section 10-5-60 7-121. Value. Except as to property designated as possessing a special use, the fair cash market value of property in a proceeding in eminent domain shall be the amount of money that which a purchaser, willing, but not obligated, to buy the property, would pay to an owner willing, but not obliged, to sell in a voluntary sale.

For the acquisition or damaging of property under the O'Hare Modernization Act, the amount shall be determined as of the date of filing the complaint to condemn. For the acquisition of other property, the amount of money shall be determined and ascertained as of the date of filing the complaint to condemn, except that:

(i) in the case of property not being acquired under Article 20 (quick-take), if the trial commences more than 2 years after the date of filing the complaint to condemn, the court may, in the interest of justice and equity, declare a valuation date no sooner than the date of filing the complaint to condemn and no later than the date of commencement of the trial; and

(ii) in the case of property that is being acquired under Article 20 (quick-take), if the trial commences more than 2 years after the date of filing the complaint to condemn, the court may, in the interest of justice and equity, declare a valuation date no sooner than the date of filing the complaint to condemn and no later than the date on which the condemning authority took title to the property.

In the condemnation of property for a public improvement, there shall be excluded from the fair cash market value of the property such amount of money any appreciation in value proximately caused by the such improvement; and any depreciation in value proximately caused by the such improvement. However, such appreciation or depreciation shall not be excluded when where property is condemned for a separate project conceived independently of and subsequent to the original project.

(Source: P.A. 82-280.)
Section 10-5-62. Relocation costs. Except when federal funds are available for the payment of direct financial assistance to persons displaced by the acquisition of their real property, in all condemnation proceedings for the taking or damaging of real property under the exercise of the power of eminent domain, the condemning authority shall pay to displaced persons reimbursement for their reasonable relocation costs, determined in the same manner as under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended from time to time, and as implemented by regulations promulgated under that Act. This Section does not apply to the acquisition or damaging of property under the O'Hare Modernization Act.

(was 735 ILCS 5/7-122)

Section 10-5-65 7-122. Reimbursement; inverse condemnation. When the condemning authority is required by a court to initiate condemnation proceedings for the actual physical taking of real property, the court rendering judgment for the property owner and awarding just compensation for the such taking shall determine and award or allow to the property owner, as part of that judgment or award, further sums, as will, in the opinion of the court, reimburse the property owner for the owner's reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees actually incurred by the property owner in those proceedings.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-123)

Section 10-5-70 7-123. Judgments.

(a) If the plaintiff is not in possession pursuant to an order entered under the provisions of Section 20-5-15 of this Act, the court, upon the report of the jury under Section 10-5-45 such report, or upon the court's ascertainment and finding of the just compensation when there was no jury, shall proceed to adjudge and make such order as to right and justice shall pertain, ordering that the plaintiff shall enter upon the such property and the use of the property same upon payment of full compensation as ascertained, within a reasonable time to be fixed by the

New matter indicated by italics - deletions by strikeout
court. That, and such order, together with evidence of such payment, shall constitute complete justification of the taking of the such property. Thereupon, the court in the same eminent domain proceeding in which such the orders have been made; shall have exclusive authority to hear and determine all rights in and to such just compensation and shall make findings as to the rights of the parties therein, which shall be paid by the county treasurer out of the respective awards deposited with him or her, as provided in Section 10-5-85 of this Act, except when where the parties claimant are engaged in litigation in a court having acquired jurisdiction of the parties with respect to their rights in the property condemned prior to the time of the filing of the complaint to condemn. Appeals may be taken from any findings by the court as to the rights of the parties in and to the such compensation paid to the county treasurer as in other civil cases.

If, in such case the plaintiff dismisses the complaint before the entry of the order by the court first mentioned in this subsection (a) or fails to make payment of full compensation within the time named in that such order; or if the final judgment is that the plaintiff cannot acquire the property by condemnation, the court shall, upon the application of the defendants or any of them, enter an such order in the such action for the payment by the plaintiff of all costs, expenses, and reasonable attorney fees paid or incurred by the of such defendant or defendants paid or incurred by such defendant or defendants in defense of the complaint, as upon the hearing of the such application shall be right and just, and also for the payment of the taxable costs.

(b) If in case the plaintiff is in possession pursuant to an order entered under the provisions of Section 20-5-15 of this Act and if Section 20-5-45 of this Act and if Section 7-111 of this Act is inapplicable, then the court, upon the jury's report under Section 10-5-45 of this Act; or upon the court's determination of just compensation if there was no jury, shall enter an order setting forth the amount of just compensation so finally ascertained and ordering and directing the payment of any amount of just compensation thereof that may remain due to any of the interested parties, directing the return of any excess in the deposit remaining with the

New matter indicated by italics - deletions by strikeout
clerk of the court, and directing the refund of any excess amount withdrawn from the deposit by any of the interested parties, as the case may be.

(Source: P.A. 83-707.)

(was 735 ILCS 5/7-124)

Section 10-5-75 7-124. Intervening petition. Any person not made a party may become a party such by filing an intervening petition; setting forth that the petitioner is the owner or has an interest in property that; and which will be taken or damaged by the proposed work. The; and the rights of the such petitioner shall thereupon be fully considered and determined.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-125)

Section 10-5-80 7-125. Bond; use of premises. When in cases in which compensation is ascertained, as provided in this Act hereinabove stated, if the party in whose favor the compensation same is ascertained appeals the such order or judgment ascertaining just compensation, the plaintiff shall, notwithstanding, have the right to enter upon the use of the property upon entering into bond, with sufficient surety, payable to the party interested in the such compensation, conditioned for the payment of such compensation in the amount as may be finally adjudged in the case; and, in case of appeal by the plaintiff, the plaintiff shall enter into like bond with approved surety. The bonds shall be approved by the court in which the wherein such proceeding is had; and executed and filed within the such time as shall be fixed by the court. However, if the plaintiff is the State of Illinois, no bond shall be required.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-126)

Section 10-5-85 7-126. Payment to county treasurer. Payment of the final compensation adjudged, including any balance remaining due because of the insufficiency of any deposit made under Section 20-5-15 7-105 of this Act to satisfy in full the amount finally adjudged to be just compensation, may be made in all cases to the county treasurer, who shall receive and disburse the final compensation, same subject to an order of
the court, as provided in subsection (a) of Section 10-5-70 7-123 of this Act or payment may be made to the party entitled or his, her, or their guardian.

(Source: P.A. 83-707.)

(was 735 ILCS 5/7-127)

Section 10-5-90 7-127. Distribution of compensation. The amount of just compensation shall be distributed among all persons having an interest in the property according to the fair value of their legal or equitable interests. If there is a contract for deed to the property, the contract shall be abrogated and the amount of just compensation distributed by allowing to the purchaser on the contract for deed: (1) an amount equal to the down payment on the contract; (2) an amount equal to the monthly payments made on the contract, less interest and an amount equal to the fair rental value of the property for the period the purchaser has enjoyed the use of the property under the contract; and (3) an amount equal to amounts expended on improvements to the extent the expenditures increased the fair market value of the property; and by allowing to the seller on the contract for deed the amount of just compensation after allowing for amounts distributed under (1), (2), and (3) of this Section. However, the contract purchaser may pay to the contract seller the amount to be paid on the contract; and shall then be entitled to the amount of just compensation paid by the condemnor either through negotiation or awarded in judicial proceedings.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-128)

Section 10-5-95 7-128. Verdict and judgment to be filed of record. The court shall cause the verdict of the jury and the judgment of the court to be filed of record.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-129)

Section 10-5-100 7-129. Lands of State institutions not taken. No part of any land heretofore or hereafter conveyed before, on, or after the effective date of this Act to the State of Illinois, for the use of any benevolent institutions of the State (or to any such institutions), shall be New matter indicated by italics - deletions by strikeout
entered upon, appropriated, or used by any railroad or other company for railroad or other purposes, without the previous consent of the General Assembly. No court or other tribunal shall have or entertain jurisdiction of any proceeding instituted or to be instituted for the purpose of appropriating any such land for any of the purposes stated in this Section above, without that such previous consent.
(Source: P.A. 83-707.)

Section 10-5-105. Sale of certain property acquired by condemnation.

(a) This Section applies only to property that (i) has been acquired after the effective date of this Act by condemnation or threat of condemnation, (ii) was acquired for public ownership and control by the condemning authority or another public entity, and (iii) has been under the ownership and control of the condemning authority or that other public entity for a total of less than 5 years.

As used in this Section, "threat of condemnation" means that the condemning authority has made an offer to purchase property and has the authority to exercise the power of eminent domain with respect to that property.

(b) Any governmental entity seeking to dispose of property to which this Section applies must dispose of that property in accordance with this Section, unless disposition of that property is otherwise specifically authorized or prohibited by law enacted by the General Assembly before, on, or after the effective date of this Act.

(c) The sale or public auction by the State of property to which this Section applies must be conducted in the manner provided in the State Property Control Act for the disposition of surplus property.

(d) The sale or public auction by a municipality of property to which this Section applies must be conducted in accordance with Section 11-76-4.1 or 11-76-4.2 of the Illinois Municipal Code.

(e) The sale or public auction by any other unit of local government or school district of property to which this Section applies must be conducted in accordance with this subsection (e). The corporate authorities of the the unit of local government or school district, by resolution, may
authorize the sale or public auction of the property as surplus public real estate. The value of the real estate shall be determined by a written MAI-certified appraisal or by a written certified appraisal of a State-certified or State-licensed real estate appraiser. The appraisal shall be available for public inspection. The resolution may direct the sale to be conducted by the staff of the unit of local government or school district; by listing with local licensed real estate agencies, in which case the terms of the agent's compensation shall be included in the resolution; or by public auction. The resolution shall be published at the first opportunity following its passage in a newspaper or newspapers published in the county or counties in which the unit of local government or school district is located. The resolution shall also contain pertinent information concerning the size, use, and zoning of the real estate and the terms of sale. The corporate authorities of the unit of local government or school district may accept any contract proposal determined by them to be in the best interest of the unit of local government or school district by a vote of two-thirds of the members of the corporate authority of the unit of local government or school district then holding office, but in no event at a price less than 80% of the appraised value.

(f) This Section does not apply to the acquisition or damaging of property under the O'Hare Modernization Act.

Section 10-5-110. Offers of settlement by defendant; attorney's fees and litigation expenses.

(a) This Section applies only to proceedings for the acquisition of property for private ownership or control that are subject to subsection (c), (d), (e), or (f) of Section 5-5-5.

(b) At any time between (i) the close of discovery in accordance with Supreme Court Rule 218(c), as now or hereafter amended, or another date set by the court or agreed to by the parties, and (ii) 14 days before the commencement of trial to determine final just compensation, any defendant may serve upon the plaintiff a written offer setting forth the amount of compensation that the defendant will accept for the taking of that defendant's interest in the property. If the defendant does not make

New matter indicated by italics - deletions by strikeout
such an offer, the defendant shall not be entitled to the attorney's fees and other reimbursement provided under subsection (e) of this Section.

(c) If, within 10 days after service of the offer, the plaintiff serves written notice upon that defendant that the offer is accepted, then either of those parties may file a copy of the offer and a copy of the notice of acceptance together with proof of service of the notice. The court shall then enter judgment.

(d) An offer that is not accepted within the 10-day period is deemed to be withdrawn and evidence of the offer is not admissible at trial.

(e) If a plaintiff does not accept an offer as provided in subsection (c) and if the final just compensation for the defendant's interest is determined by the trier of fact to be equal to or in excess of the amount of the defendant's last written offer under subsection (b), then the court must order the plaintiff to pay to the defendant that defendant's attorney's fees as calculated under subsection (f) of this Section. The plaintiff shall also pay to the defendant that defendant's reasonable costs and litigation expenses, including, without limitation, expert witness and appraisal fees, incurred after the making of the defendant's last written offer under subsection (b).

(f) Any award of attorney's fees under this Section shall be based solely on the net benefit achieved for the property owner, except that the court may also consider any non-monetary benefits obtained for the property owner through the efforts of the attorney to the extent that the non-monetary benefits are specifically identified by the court and can be quantified by the court with a reasonable degree of certainty. "Net benefit" means the difference, exclusive of interest, between the final judgment or settlement and the last written offer made by the condemning authority before the filing date of the condemnation complaint. The award shall be calculated as follows, subject to the Illinois Rules of Professional Conduct:

1. 33% of the net benefit if the net benefit is $250,000 or less;

2. 25% of the net benefit if the net benefit is more than $250,000 but less than $1 million; or
(3) 20% of the net benefit if the net benefit is $1 million or more.

(g) This Section does not apply to the acquisition of property under the O'Hare Modernization Act.

Section 10-5-115. Eligible costs. Any cost required to be paid by a condemning authority under this Act, including, but not limited to, relocation costs and attorney's fees, shall be deemed a redevelopment project cost or eligible cost under the statute pursuant to which the condemning authority exercised its power of eminent domain, even if those costs are not identified as such as of the effective date of this Act.

Article 15. Express Eminent Domain Power


Section 15-1-5. Grants of power in other statutes; this Act controls.

The State of Illinois and its various subdivisions and agencies, and all units of local government, school districts, and other entities, have the powers of condemnation and eminent domain that are (i) expressly provided in this Act or (ii) expressly provided in any other provision of law. Those powers may be exercised, however, only in accordance with this Act. If any power of condemnation or eminent domain that arises under any other provision of law is in conflict with this Act, this Act controls. This Section does not apply to the acquisition or damaging of property under the O'Hare Modernization Act.

Part 5. List of Eminent Domain Powers

Section 15-5-1. Form and content of list. The Sections of this Part 5 are intended to constitute a list of the Sections of the Illinois Compiled Statutes that include express grants of the power to acquire property by condemnation or eminent domain.

The list is intended to be comprehensive, but there may be accidental omissions and inclusions. Inclusion in the list does not create a grant of power, and it does not continue or revive a grant of power that has been amended or repealed or is no longer applicable. Omission from the list of a statute that includes an express grant of the power to acquire property by condemnation or eminent domain does not invalidate that grant of power.

New matter indicated by italics - deletions by strikeout
The list does not include the grants of quick-take power that are set forth in Article 25 of this Act, nor any other grants of power that are expressly granted under the other provisions of this Act. Items in the list are presented in the following form: ILCS citation; short title of the Act; condemning authority; brief statement of purpose for which the power is granted.

Section 15-5-5. Eminent domain powers in ILCS Chapters 5 through 40. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(5 ILCS 220/3.1); Intergovernmental Cooperation Act; cooperating entities; for Municipal Joint Action Water Agency purposes.
(5 ILCS 220/3.2); Intergovernmental Cooperation Act; cooperating entities; for Municipal Joint Action Agency purposes.
(5 ILCS 585/1); National Forest Land Act; United States of America; for national forests.
(15 ILCS 330/2); Secretary of State Buildings in Cook County Act; Secretary of State; for office facilities in Cook County.
(20 ILCS 5/5-675); Civil Administrative Code of Illinois; the Secretary of Transportation, the Director of Natural Resources, and the Director of Central Management Services; for lands, buildings, and grounds for which an appropriation is made by the General Assembly.
(20 ILCS 620/9); Economic Development Area Tax Increment Allocation Act; municipalities; to achieve the objectives of the economic development project.
(20 ILCS 685/1); Particle Accelerator Land Acquisition Act; Department of Commerce and Economic Opportunity; for a federal high energy BEV Particle Accelerator.
(20 ILCS 835/2); State Parks Act; Department of Natural Resources; for State parks.
(20 ILCS 1110/3); Illinois Coal and Energy Development Bond Act; Department of Commerce and Economic Opportunity; for coal projects.
(20 ILCS 1920/2.06); Abandoned Mined Lands and Water Reclamation Act; Department of Natural Resources; for reclamation purposes.
(20 ILCS 1920/2.08); Abandoned Mined Lands and Water Reclamation Act; Department of Natural Resources; for reclamation purposes and for the construction or rehabilitation of housing.
(20 ILCS 1920/2.11); Abandoned Mined Lands and Water Reclamation Act; Department of Natural Resources; for eliminating hazards.
(20 ILCS 3105/9.08a); Capital Development Board Act; Capital Development Board; for lands, buildings and grounds for which an appropriation is made by the General Assembly.
(20 ILCS 3110/5); Building Authority Act; Capital Development Board; for purposes declared by the General Assembly to be in the public interest.
(40 ILCS 5/15-167); Illinois Pension Code; State Universities Retirement System; for real estate acquired for the use of the System. Section 15-5-10. Eminent domain powers in ILCS Chapters 45 through 65. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(45 ILCS 30/3); Quad Cities Interstate Metropolitan Authority Compact Act; Quad Cities Interstate Metropolitan Authority; for the purposes of the Authority.
(45 ILCS 35/40); Quad Cities Interstate Metropolitan Authority Act; Quad Cities Interstate Metropolitan Authority; for metropolitan facilities.
(45 ILCS 110/1); Bi-State Development Powers Act; Bi-State Development Agency; for the purposes of the Bi-State Development Agency.
(50 ILCS 20/14); Public Building Commission Act; public building commissions; for general purposes.
(50 ILCS 30/6.4); Exhibition Council Act; exhibition councils; for council purposes.
(50 ILCS 605/4); Local Government Property Transfer Act; State of Illinois; for the removal of any restriction on land transferred to the State by a municipality.
(55 ILCS 5/5-1095); Counties Code; counties; for easements for community antenna television systems.
(55 ILCS 5/5-1119); Counties Code; any county that is bordered by the

New matter indicated by italics - deletions by strikeout
Mississippi River and that has a population in excess of 62,000 but less than 80,000; for the operation of ferries.

(55 ILCS 5/5-11001); Counties Code; counties; for motor vehicle parking lots or garages.

(55 ILCS 5/5-15007); Counties Code; counties; for water supply, drainage, and flood control, including bridges, roads, and waste management.

(55 ILCS 5/5-15009); Counties Code; counties; for water supply, drainage, and flood control.

(55 ILCS 5/5-30021); Counties Code; county preservation commissions; for historic preservation purposes.

(55 ILCS 85/9); County Economic Development Project Area Property Tax Allocation Act; counties; for the objectives of the economic development plan.

(55 ILCS 90/60); County Economic Development Project Area Tax Increment Allocation Act of 1991; counties; for the objectives of the economic development project.

(60 ILCS 1/115-20, 1/115-30, 1/115-35, 1/115-40, 1/115-55, and 1/115-120); Township Code; townships with a population over 250,000; for an open space program.

(60 ILCS 1/120-10); Township Code; townships; for park purposes.

(60 ILCS 1/130-5); Township Code; townships; for cemeteries.

(60 ILCS 1/130-30); Township Code; any 2 or more cities, villages, or townships; for joint cemetery purposes.

(60 ILCS 1/135-5); Township Code; any 2 or more townships or road districts; for joint cemetery purposes.

(60 ILCS 1/205-40); Township Code; townships; for waterworks and sewerage systems.

(65 ILCS 5/Art. 9, Div. 2); Illinois Municipal Code; municipalities; for local improvements.

(65 ILCS 5/11-11-1); Illinois Municipal Code; municipalities; for the rehabilitation or redevelopment of blighted areas and urban community conservation areas.

(65 ILCS 5/11-12-8); Illinois Municipal Code; municipalities; for

New matter indicated by italics - deletions by strikeout
acquiring land for public purposes as designated on proposed subdivision plats.
(65 ILCS 5/11-13-17); Illinois Municipal Code; municipalities; for nonconforming structures under a zoning ordinance and for areas blighted by substandard buildings.
(65 ILCS 5/11-19-10); Illinois Municipal Code; municipalities; for waste disposal purposes.
(65 ILCS 5/11-28-1); Illinois Municipal Code; municipalities; for municipal hospital purposes.
(65 ILCS 5/11-29.3-1); Illinois Municipal Code; municipalities; for senior citizen housing.
(65 ILCS 5/11-42-11); Illinois Municipal Code; municipalities; for easements for community antenna television systems.
(65 ILCS 5/11-45.1-2); Illinois Municipal Code; municipalities; for establishing cultural centers.
(65 ILCS 5/11-48.2-2); Illinois Municipal Code; municipalities; for historical preservation purposes.
(65 ILCS 5/11-52.1-1); Illinois Municipal Code; municipalities; for cemeteries.
(65 ILCS 5/11-52.1-3); Illinois Municipal Code; any 2 or more cities, villages, or townships; for joint cemetery purposes.
(65 ILCS 5/11-61-1); Illinois Municipal Code; municipalities; for municipal purposes or public welfare.
(65 ILCS 5/11-61-1a); Illinois Municipal Code; municipality with a population over 500,000; quick-take power for rapid transit lines (obsolete).
(65 ILCS 5/11-63-5); Illinois Municipal Code; municipalities; for community buildings.
(65 ILCS 5/11-65-3); Illinois Municipal Code; municipalities; for municipal convention hall purposes.
(65 ILCS 5/11-66-10); Illinois Municipal Code; municipalities; for a municipal coliseum.
(65 ILCS 5/11-68-4); Illinois Municipal Code; board of stadium and athletic field commissioners; for a stadium and athletic field.

New matter indicated by italics - deletions by strikeout
(65 ILCS 5/11-69-1); Illinois Municipal Code; any 2 or more municipalities with the same or partly the same territory; for their joint municipal purposes.

(65 ILCS 5/11-71-1); Illinois Municipal Code; municipalities; for parking facilities.

(65 ILCS 5/11-71-10); Illinois Municipal Code; municipalities; for the removal of a lessee's interest in the leased space over a municipally-owned parking lot.

(65 ILCS 5/11-74.2-8); Illinois Municipal Code; municipalities; for carrying out a final commercial redevelopment plan.

(65 ILCS 5/11-74.2-9); Illinois Municipal Code; municipalities; for commercial renewal and redevelopment areas.

(65 ILCS 5/11-74.3-3); Illinois Municipal Code; municipalities; for business district development or redevelopment.

(65 ILCS 5/11-74.4-4); Illinois Municipal Code; municipalities; for redevelopment project areas.

(65 ILCS 5/11-74.6-15); Illinois Municipal Code; municipalities; for projects under the Industrial Jobs Recovery Law.

(65 ILCS 5/11-75-5); Illinois Municipal Code; municipalities; for the removal of a lessee's interest in a building erected on space leased by the municipality.

(65 ILCS 5/11-80-21); Illinois Municipal Code; municipalities; for construction of roads or sewers on or under the track, right-of-way, or land of a railroad company.

(65 ILCS 5/11-87-3); Illinois Municipal Code; municipalities; for non-navigable streams.

(65 ILCS 5/11-87-5); Illinois Municipal Code; municipalities; for improvements along re-channeled streams.

(65 ILCS 5/11-92-3); Illinois Municipal Code; municipalities; for harbors for recreational use.

(65 ILCS 5/11-93-1); Illinois Municipal Code; municipalities; for bathing beaches and recreation piers.

(65 ILCS 5/11-94-1); Illinois Municipal Code; municipalities with a population of less than 500,000; for recreational facilities.

New matter indicated by italics - deletions by strikeout
(65 ILCS 5/11-97-2); Illinois Municipal Code; municipalities; for driveways to parks owned by the municipality outside its corporate limits.

(65 ILCS 5/11-101-1); Illinois Municipal Code; municipalities; for public airport purposes.

(65 ILCS 5/11-102-4); Illinois Municipal Code; municipalities with a population over 500,000; for public airport purposes.

(65 ILCS 5/11-103-2); Illinois Municipal Code; municipalities with a population under 500,000; for public airport purposes.

(65 ILCS 5/11-110-3); Illinois Municipal Code; municipalities; for drainage purposes.

(65 ILCS 5/11-112-6); Illinois Municipal Code; municipalities; for levees, protective embankments, and structures.


(65 ILCS 5/11-119.1-5, 5/11-119.1-7, and 5/11-119.1-10); Illinois Municipal Code; municipal power agencies; for joint municipal electric power agency purposes.

(65 ILCS 5/11-119.2-5 and 5/11-119.2-7); Illinois Municipal Code; municipal natural gas agencies; for joint municipal natural gas agency purposes.

(65 ILCS 5/11-121-2); Illinois Municipal Code; municipalities; for constructing and operating subways.

(65 ILCS 5/11-122-3); Illinois Municipal Code; municipalities; for street railway purposes.

(65 ILCS 5/1-123-4 and 5/11-123-24); Illinois Municipal Code; municipalities; for harbor facilities.

(65 ILCS 5/11-125-2); Illinois Municipal Code; municipalities; for waterworks purposes.

(65 ILCS 5/11-126-3); Illinois Municipal Code; municipalities; for water supply purposes, including joint construction of waterworks.

(65 ILCS 5/11-130-9); Illinois Municipal Code; municipalities; for waterworks purposes.

(65 ILCS 5/11-135-6); Illinois Municipal Code; municipal water

New matter indicated by italics - deletions by strikeout
commission; for waterworks purposes, including quick-take power.
(65 ILCS 5/11-136-6); Illinois Municipal Code; municipal sewer or water commission; for waterworks and sewer purposes.
(65 ILCS 5/11-138-2); Illinois Municipal Code; water companies; for pipes and waterworks.
(65 ILCS 5/11-139-12); Illinois Municipal Code; municipalities; for waterworks and sewerage systems.
(65 ILCS 5/11-140-3 and 5/11-140-5); Illinois Municipal Code; municipalities; for outlet sewers and works.
(65 ILCS 5/11-141-10); Illinois Municipal Code; municipalities; for sewerage systems.
(65 ILCS 5/11-148-6); Illinois Municipal Code; municipalities; for sewage disposal plants.
(65 ILCS 20/21-19 and 20/21-21); Revised Cities and Villages Act of 1941; City of Chicago; for municipal purposes or public welfare.
(65 ILCS 100/3); Sports Stadium Act; municipality with a population over 2,000,000; for sports stadium purposes, including quick-take power (obsolete).
(65 ILCS 110/60); Economic Development Project Area Tax Increment Allocation Act of 1995; municipalities; for economic development projects.

Section 15-5-15. Eminent domain powers in ILCS Chapters 70 through 75. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport authorities; for public airport facilities.
(70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport authorities; for removal of airport hazards.
(70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport authorities; for reduction of the height of objects or structures.
(70 ILCS 10/4); Interstate Airport Authorities Act; interstate airport authorities; for general purposes.
(70 ILCS 15/3); Kankakee River Valley Area Airport Authority Act;

New matter indicated by italics - deletions by strikeout
Kankakee River Valley Area Airport Authority; for acquisition of land for airports.
(70 ILCS 200/2-20); Civic Center Code; civic center authorities; for grounds, centers, buildings, and parking.
(70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/15-40); Civic Center Code; Benton Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/20-15); Civic Center Code; Bloomington Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/35-35); Civic Center Code; Brownstown Park District Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/40-35); Civic Center Code; Carbondale Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/55-60); Civic Center Code; Chicago South Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/60-30); Civic Center Code; Collinsville Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/80-15); Civic Center Code; DuPage County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan Exposition,

New matter indicated by italics - deletions by strikeout
Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/115-35); Civic Center Code; Jasper County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/120-25); Civic Center Code; Jefferson County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/125-15); Civic Center Code; Jo Daviess County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/130-30); Civic Center Code; Katherine Dunham Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/150-35); Civic Center Code; Mason County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/165-35); Civic Center Code; Melrose Park Metropolitan Exposition Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/170-20); Civic Center Code; certain Metropolitan Exposition, Auditorium and Office Building Authorities; for general purposes.
(70 ILCS 200/180-35); Civic Center Code; Normal Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center Authority; for grounds, centers, buildings, and parking.

New matter indicated by italics - deletions by strikeout
(70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/215-15); Civic Center Code; Illinois Quad City Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/225-35); Civic Center Code; Randolph County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/230-35); Civic Center Code; River Forest Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/235-40); Civic Center Code; Riverside Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/245-35); Civic Center Code; Salem Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/255-20); Civic Center Code; Springfield Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.
(70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/265-20); Civic Center Code; Vermilion County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/280-20); Civic Center Code; Will County Metropolitan

New matter indicated by italics - deletions by strikeout
Exposition and Auditorium Authority; for grounds, centers, and parking.

(70 ILCS 210/5); Metropolitan Pier and Exposition Authority Act; Metropolitan Pier and Exposition Authority; for general purposes, including quick-take power.

(70 ILCS 405/22.04); Soil and Water Conservation Districts Act; soil and water conservation districts; for general purposes.

(70 ILCS 410/22.04); Conservation District Act; conservation districts; for open space, wildland, scenic roadway, pathway, outdoor recreation, or other conservation benefits.

(70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act; Fort Sheridan Redevelopment Commission; for general purposes or to carry out comprehensive or redevelopment plans.

(70 ILCS 520/8); Southwestern Illinois Development Authority Act; Southwestern Illinois Development Authority; for general purposes, including quick-take power.

(70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code; drainage districts; for general purposes.

(70 ILCS 615/5 and 615/6); Chicago Drainage District Act; corporate authorities; for construction and maintenance of works.

(70 ILCS 705/10); Fire Protection District Act; fire protection districts; for general purposes.

(70 ILCS 805/6); Downstate Forest Preserve District Act; certain forest preserve districts; for general purposes.

(70 ILCS 805/18.8); Downstate Forest Preserve District Act; certain forest preserve districts; for recreational and cultural facilities.

(70 ILCS 810/8); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for general purposes.

(70 ILCS 810/38); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for recreational facilities.

(70 ILCS 910/15 and 910/16); Hospital District Law; hospital districts; for hospitals or hospital facilities.

(70 ILCS 915/3); Illinois Medical District Act; Illinois Medical District Commission; for general purposes.

New matter indicated by italics - deletions by strikeout
(70 ILCS 915/4.5); Illinois Medical District Act; Illinois Medical District Commission; quick-take power for the Illinois State Police Forensic Science Laboratory (obsolete).

(70 ILCS 920/5); Tuberculosis Sanitarium District Act; tuberculosis sanitarium districts; for tuberculosis sanitariums.

(70 ILCS 925/20); Illinois Medical District at Springfield Act; Illinois Medical District at Springfield; for general purposes.

(70 ILCS 1005/7); Mosquito Abatement District Act; mosquito abatement districts; for general purposes.

(70 ILCS 1105/8); Museum District Act; museum districts; for general purposes.

(70 ILCS 1205/7-1); Park District Code; park districts; for streets and other purposes.

(70 ILCS 1205/8-1); Park District Code; park districts; for parks.

(70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park districts; for airports and landing fields.

(70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park districts; for State land abutting public water and certain access rights.

(70 ILCS 1205/11.1-3); Park District Code; park districts; for harbors.

(70 ILCS 1225/2); Park Commissioners Land Condemnation Act; park districts; for street widening.

(70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water Control Act; park districts; for parks, boulevards, driveways, parkways, viaducts, bridges, or tunnels.

(70 ILCS 1250/2); Park Commissioners Street Control (1889) Act; park districts; for boulevards or driveways.

(70 ILCS 1290/1); Park District Aquarium and Museum Act; municipalities or park districts; for aquariums or museums.

(70 ILCS 1305/2); Park District Airport Zoning Act; park districts; for restriction of the height of structures.

(70 ILCS 1310/5); Park District Elevated Highway Act; park districts; for elevated highways.

(70 ILCS 1505/15); Chicago Park District Act; Chicago Park District; for parks and other purposes.

New matter indicated by italics - deletions by strikeout
(70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park District; for parking lots or garages.
(70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park District; for harbors.
(70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation Act; Lincoln Park Commissioners; for land and interests in land, including riparian rights.
(70 ILCS 1805/8); Havana Regional Port District Act; Havana Regional Port District; for general purposes.
(70 ILCS 1810/7); Illinois International Port District Act; Illinois International Port District; for general purposes.
(70 ILCS 1815/13); Illinois Valley Regional Port District Act; Illinois Valley Regional Port District; for general purposes.
(70 ILCS 1820/4); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.
(70 ILCS 1820/5); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for general purposes.
(70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet Regional Port District; for removal of airport hazards.
(70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet Regional Port District; for reduction of the height of objects or structures.
(70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1825/5); Joliet Regional Port District Act; Joliet Regional Port District; for general purposes.
(70 ILCS 1830/7.1); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1830/14); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for general purposes.
(70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for removal of airport hazards.
(70 ILCS 1835/5.11); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for reduction of the height of objects or structures.

(70 ILCS 1835/6); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for general purposes.

(70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca Regional Port District; for removal of airport hazards.

(70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca Regional Port District; for reduction of the height of objects or structures.

(70 ILCS 1845/5); Seneca Regional Port District Act; Seneca Regional Port District; for general purposes.

(70 ILCS 1850/4); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1850/5); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for general purposes.

(70 ILCS 1855/4); Southwest Regional Port District Act; Southwest Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1855/5); Southwest Regional Port District Act; Southwest Regional Port District; for general purposes.

(70 ILCS 1860/4); Tri-City Regional Port District Act; Tri-City Regional Port District; for removal of airport hazards.

(70 ILCS 1860/5); Tri-City Regional Port District Act; Tri-City Regional Port District; for the development of facilities.

(70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port District; for removal of airport hazards.

(70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port District; for restricting the height of objects or structures.

(70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port District; for the development of facilities.

(70 ILCS 1870/8); White County Port District Act; White County Port District; for the development of facilities.

(70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad Terminal Authority Act; for the development of facilities.

New matter indicated by italics - deletions by strikeout
Authority (Chicago); for general purposes.
(70 ILCS 1915/25); Grand Avenue Railroad Relocation Authority Act; Grand Avenue Railroad Relocation Authority; for general purposes, including quick-take power (now obsolete).
(70 ILCS 2105/9b); River Conservancy Districts Act; river conservancy districts; for general purposes.
(70 ILCS 2105/10a); River Conservancy Districts Act; river conservancy districts; for corporate purposes.
(70 ILCS 2205/15); Sanitary District Act of 1907; sanitary districts; for corporate purposes.
(70 ILCS 2205/18); Sanitary District Act of 1907; sanitary districts; for improvements and works.
(70 ILCS 2205/19); Sanitary District Act of 1907; sanitary districts; for access to property.
(70 ILCS 2305/8); North Shore Sanitary District Act; North Shore Sanitary District; for corporate purposes.
(70 ILCS 2305/15); North Shore Sanitary District Act; North Shore Sanitary District; for improvements.
(70 ILCS 2405/8); Sanitary District Act of 1917; sanitary districts; for corporate purposes.
(70 ILCS 2405/15); Sanitary District Act of 1917; sanitary districts; for improvements.
(70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of 1917; sanitary districts; for waterworks.
(70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary districts; for public sewer and water utility treatment works.
(70 ILCS 2405/18); Sanitary District Act of 1917; sanitary districts; for dams or other structures to regulate water flow.
(70 ILCS 2605/8); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for corporate purposes.
(70 ILCS 2605/16); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; quick-take power for improvements.
(70 ILCS 2605/17); Metropolitan Water Reclamation District Act;

New matter indicated by italics - deletions by strikeout
Metropolitan Water Reclamation District; for bridges.
(70 ILCS 2605/35); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for widening and deepening a navigable stream.
(70 ILCS 2805/10); Sanitary District Act of 1936; sanitary districts; for corporate purposes.
(70 ILCS 2805/24); Sanitary District Act of 1936; sanitary districts; for improvements.
(70 ILCS 2805/26i and 2805/26j); Sanitary District Act of 1936; sanitary districts; for drainage systems.
(70 ILCS 2805/27); Sanitary District Act of 1936; sanitary districts; for dams or other structures to regulate water flow.
(70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary districts; for water supply.
(70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary districts; for waterworks.
(70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for corporate purposes.
(70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for access to property.
(70 ILCS 3010/10); Sanitary District Revenue Bond Act; sanitary districts; for sewerage systems.
(70 ILCS 3205/12); Illinois Sports Facilities Authority Act; Illinois Sports Facilities Authority; quick-take power for its corporate purposes (obsolete).
(70 ILCS 3405/16); Surface Water Protection District Act; surface water protection districts; for corporate purposes.
(70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago Transit Authority; for transportation systems.
(70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago Transit Authority; for general purposes.
(70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago Transit Authority; for general purposes, including railroad property.
(70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act; local mass

New matter indicated by italics - deletions by strikeout
transit districts; for general purposes.
(70 ILCS 3615/2.13); Regional Transportation Authority Act; Regional Transportation Authority; for general purposes.
(70 ILCS 3705/8 and 3705/12); Public Water District Act; public water districts; for waterworks.
(70 ILCS 3705/23a); Public Water District Act; public water districts; for sewerage properties.
(70 ILCS 3705/23e); Public Water District Act; public water districts; for combined waterworks and sewerage systems.
(70 ILCS 3715/6); Water Authorities Act; water authorities; for facilities to ensure adequate water supply.
(70 ILCS 3715/27); Water Authorities Act; water authorities; for access to property.
(75 ILCS 5/4-7); Illinois Local Library Act; boards of library trustees; for library buildings.
(75 ILCS 16/30-55.80); Public Library District Act of 1991; public library districts; for general purposes.
(75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate authorities of city or park district, or board of park commissioners; for free public library buildings.

Section 15-5-20. Eminent domain powers in ILCS Chapters 105 through 115. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(105 ILCS 5/10-22.35A); School Code; school boards; for school buildings.
(105 ILCS 5/16-6); School Code; school boards; for adjacent property to enlarge a school site.
(105 ILCS 5/22-16); School Code; school boards; for school purposes.
(105 ILCS 5/32-4.13); School Code; special charter school districts; for school purposes.
(105 ILCS 5/34-20); School Code; Chicago Board of Education; for school purposes.
(105 ILCS 5/35-5); School Code; School Building Commission; for school buildings and equipment.

New matter indicated by italics - deletions by strikeout
(105 ILCS 5/35-8); School Code; School Building Commission; for school building sites.
(110 ILCS 305/7); University of Illinois Act; Board of Trustees of the University of Illinois; for general purposes, including quick-take power.
(110 ILCS 325/2); University of Illinois at Chicago Land Transfer Act; Board of Trustees of the University of Illinois; for removal of limitations or restrictions on property conveyed by the Chicago Park District.
(110 ILCS 335/3); Institution for Tuberculosis Research Act; Board of Trustees of the University of Illinois; for the Institution for Tuberculosis Research.
(110 ILCS 525/3); Southern Illinois University Revenue Bond Act; Board of Trustees of Southern Illinois University; for general purposes.
(110 ILCS 615/3); State Colleges and Universities Revenue Bond Act of 1967; Board of Governors of State Colleges and Universities; for general purposes.
(110 ILCS 660/5-40); Chicago State University Law; Board of Trustees of Chicago State University; for general purposes.
(110 ILCS 661/6-10); Chicago State University Revenue Bond Law; Board of Trustees of Chicago State University; for general purposes.
(110 ILCS 665/10-40); Eastern Illinois University Law; Board of Trustees of Eastern Illinois University; for general purposes.
(110 ILCS 666/11-10); Eastern Illinois University Revenue Bond Law; Board of Trustees of Eastern Illinois University; for general purposes.
(110 ILCS 670/15-40); Governors State University Law; Board of Trustees of Governors State University; for general purposes.
(110 ILCS 671/16-10); Governors State University Revenue Bond Law; Board of Trustees of Governors State University; for general purposes.
(110 ILCS 675/20-40); Illinois State University Law; Board of Trustees of Illinois State University; for general purposes.

New matter indicated by italics - deletions by strikeout
(110 ILCS 676/21-10); Illinois State University Revenue Bond Law; Board of Trustees of Illinois State University; for general purposes.
(110 ILCS 680/25-40); Northeastern Illinois University Law; Board of Trustees of Northeastern Illinois University; for general purposes.
(110 ILCS 681/26-10); Northeastern Illinois University Revenue Bond Law; Board of Trustees of Northeastern Illinois University; for general purposes.
(110 ILCS 685/30-40); Northern Illinois University Law; Board of Trustees of Northern Illinois University; for general purposes.
(110 ILCS 685/30-45); Northern Illinois University Law; Board of Trustees of Northern Illinois University; for buildings and facilities.
(110 ILCS 686/31-10); Northern Illinois University Revenue Bond Law; Board of Trustees of Northern Illinois University; for general purposes.
(110 ILCS 690/35-40); Western Illinois University Law; Board of Trustees of Western Illinois University; for general purposes.
(110 ILCS 691/36-10); Western Illinois University Revenue Bond Law; Board of Trustees of Western Illinois University; for general purposes.
(110 ILCS 710/3); Board of Regents Revenue Bond Act of 1967; Board of Regents; for general purposes.
(110 ILCS 805/3-36); Public Community College Act; community college district boards; for sites for college purposes.
Section 15-5-25. Eminent domain powers in ILCS Chapters 205 through 430. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(220 ILCS 5/8-509); Public Utilities Act; public utilities; for construction of certain improvements.
(220 ILCS 15/1); Gas Storage Act; corporations engaged in the distribution, transportation, or storage of natural gas or manufactured gas; for their operations.
(220 ILCS 15/2 and 15/6); Gas Storage Act; corporations engaged in the

New matter indicated by italics - deletions by strikeout
distribution, transportation, or storage of natural gas or manufactured gas; for use of an underground geological formation for gas storage.

(220 ILCS 30/13); Electric Supplier Act; electric cooperatives; for general purposes.

(220 ILCS 55/3); Telegraph Act; telegraph companies; for telegraph lines.

(220 ILCS 65/4); Telephone Company Act; telecommunications carriers; for telephone company purposes.

(225 ILCS 435/23); Ferries Act; ferry operators; for a landing, ferryhouse, or approach.

(225 ILCS 440/9); Highway Advertising Control Act of 1971; Department of Transportation; for removal of signs adjacent to highways.

(310 ILCS 5/6 and 5/38); State Housing Act; housing corporations; for general purposes.

(310 ILCS 10/8.3); Housing Authorities Act; housing authorities; for general purposes.

(310 ILCS 10/8.15); Housing Authorities Act; housing authorities; for implementation of conservation plans and demolition.

(310 ILCS 10/9); Housing Authorities Act; housing authorities; for general purposes.

(310 ILCS 20/5); Housing Development and Construction Act; housing authorities; for development or redevelopment.

(310 ILCS 35/2); House Relocation Act; political subdivisions and municipal corporations; for relocation of dwellings for highway construction.

(315 ILCS 5/14); Blighted Areas Redevelopment Act of 1947; land clearance commissions; for redevelopment projects.

(315 ILCS 10/5); Blighted Vacant Areas Development Act of 1949; State of Illinois; for housing development.

(315 ILCS 20/9 and 20/42); Neighborhood Redevelopment Corporation Law; neighborhood redevelopment corporations; for general purposes.

(315 ILCS 25/4 and 25/6); Urban Community Conservation Act; municipal conservation boards; for conservation areas.

New matter indicated by italics - deletions by strikeout
(315 ILCS 30/12); Urban Renewal Consolidation Act of 1961; municipal
departments of urban renewal; for blighted area redevelopment
projects.
(315 ILCS 30/20 and 30/22); Urban Renewal Consolidation Act of 1961;
municipal departments of urban renewal; for implementing
conservation areas.
(315 ILCS 30/24); Urban Renewal Consolidation Act of 1961; municipal
departments of urban renewal; for general purposes.
(415 ILCS 95/6); Junkyard Act; Department of Transportation; for
junkyards or scrap processing facilities.
(420 ILCS 35/1); Radioactive Waste Storage Act; Illinois Emergency
Management Agency; for radioactive by-product and waste
storage.
Section 15-5-30. Eminent domain powers in ILCS Chapters 505
through 525. The following provisions of law may include express grants
of the power to acquire property by condemnation or eminent domain:
(515 ILCS 5/1-145); Fish and Aquatic Life Code; Department of Natural
Resources; for fish or aquatic life purposes.
(520 ILCS 5/1.9); Wildlife Code; Department of Natural Resources; for
conservation, hunting, and fishing purposes.
(520 ILCS 25/35); Habitat Endowment Act; Department of Natural
Resources; for habitat preservation with the consent of the
landowner.
(525 ILCS 30/7.05); Illinois Natural Areas Preservation Act; Department
of Natural Resources; for the purposes of the Act.
(525 ILCS 40/3); State Forest Act; Department of Natural Resources; for
State forests.
Section 15-5-35. Eminent domain powers in ILCS Chapters 605
through 625. The following provisions of law may include express grants
of the power to acquire property by condemnation or eminent domain:
(605 ILCS 5/4-501); Illinois Highway Code; Department of
Transportation and counties; for highway purposes.
(605 ILCS 5/4-502); Illinois Highway Code; Department of
Transportation; for ditches and drains.

New matter indicated by italics - deletions by strikeout
(605 ILCS 5/4-505); Illinois Highway Code; Department of Transportation; for replacement of railroad and public utility property taken for highway purposes.

(605 ILCS 5/4-509); Illinois Highway Code; Department of Transportation; for replacement of property taken for highway purposes.

(605 ILCS 5/4-510); Illinois Highway Code; Department of Transportation; for rights-of-way for future highway purposes.

(605 ILCS 5/4-511); Illinois Highway Code; Department of Transportation; for relocation of structures taken for highway purposes.

(605 ILCS 5/5-107); Illinois Highway Code; counties; for county highway relocation.

(605 ILCS 5/5-801); Illinois Highway Code; counties; for highway purposes.

(605 ILCS 5/5-802); Illinois Highway Code; counties; for ditches and drains.

(605 ILCS 5/6-309); Illinois Highway Code; highway commissioners or county superintendents; for township or road district roads.

(605 ILCS 5/6-801); Illinois Highway Code; highway commissioners; for road district or township roads.

(605 ILCS 5/6-802); Illinois Highway Code; highway commissioners; for ditches and drains.

(605 ILCS 5/8-102); Illinois Highway Code; Department of Transportation, counties, and municipalities; for limiting freeway access.

(605 ILCS 5/8-103); Illinois Highway Code; Department of Transportation, counties, and municipalities; for freeway purposes.

(605 ILCS 5/8-106); Illinois Highway Code; Department of Transportation and counties; for relocation of existing crossings for freeway purposes.

(605 ILCS 5/9-113); Illinois Highway Code; highway authorities; for utility and other uses in rights-of-ways.

(605 ILCS 5/10-302); Illinois Highway Code; counties; for bridge

New matter indicated by italics - deletions by strikeout
purposes.
(605 ILCS 5/10-602); Illinois Highway Code; municipalities; for ferry and bridge purposes.
(605 ILCS 5/10-702); Illinois Highway Code; municipalities; for bridge purposes.
(605 ILCS 5/10-901); Illinois Highway Code; Department of Transportation; for ferry property.
(605 ILCS 10/9); Toll Highway Act; Illinois State Toll Highway Authority; for toll highway purposes.
(605 ILCS 10/9.5); Toll Highway Act; Illinois State Toll Highway Authority; for its authorized purposes.
(605 ILCS 10/10); Toll Highway Act; Illinois State Toll Highway Authority; for property of a municipality or political subdivision for toll highway purposes.
(605 ILCS 115/14); Toll Bridge Act; counties; for toll bridge purposes.
(605 ILCS 115/15); Toll Bridge Act; counties; for the purpose of taking a toll bridge to make it a free bridge.
(610 ILCS 5/17); Railroad Incorporation Act; railroad corporation; for real estate for railroad purposes.
(610 ILCS 5/18); Railroad Incorporation Act; railroad corporations; for materials for railways.
(610 ILCS 5/19); Railroad Incorporation Act; railways; for land along highways.
(610 ILCS 70/1); Railroad Powers Act; purchasers and lessees of railroad companies; for railroad purposes.
(610 ILCS 115/2 and 115/3); Street Railroad Right of Way Act; street railroad companies; for street railroad purposes.
(615 ILCS 5/19); Rivers, Lakes, and Streams Act; Department of Natural Resources; for land along public waters for pleasure, recreation, or sport purposes.
(615 ILCS 10/7.8); Illinois Waterway Act; Department of Natural Resources; for waterways and appurtenances.
(615 ILCS 15/7); Flood Control Act of 1945; Department of Natural Resources; for the purposes of the Act.

New matter indicated by italics - deletions by strikeout
(615 ILCS 30/9); Illinois and Michigan Canal Management Act; Department of Natural Resources; for dams, locks, and improvements.

(615 ILCS 45/10); Illinois and Michigan Canal Development Act; Department of Natural Resources; for development and management of the canal.

(620 ILCS 5/72); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for airport purposes.

(620 ILCS 5/73); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for removal of airport hazards.

(620 ILCS 5/74); Illinois Aeronautics Act; Division of Aeronautics of the Department of Transportation; for airport purposes.

(620 ILCS 25/33); Airport Zoning Act; Division of Aeronautics of the Department of Transportation; for air rights.

(620 ILCS 40/2 and 40/3); General County Airport and Landing Field Act; counties; for airport purposes.

(620 ILCS 40/5); General County Airport and Landing Field Act; counties; for removing hazards.

(620 ILCS 45/6 and 45/7); County Airport Law of 1943; boards of directors of airports and landing fields; for airport and landing field purposes.

(620 ILCS 50/22 and 50/31); County Airports Act; counties; for airport purposes.

(620 ILCS 50/24); County Airports Act; counties; for removal of airport hazards.

(620 ILCS 50/26); County Airports Act; counties; for acquisition of airport protection privileges.

(620 ILCS 52/15); County Air Corridor Protection Act; counties; for airport zones.

(620 ILCS 55/1); East St. Louis Airport Act; Department of Transportation; for airport in East St. Louis metropolitan area.

(620 ILCS 65/15); O'Hare Modernization Act; Chicago; for the O'Hare modernization program, including quick-take power.

(625 ILCS 5/2-105); Illinois Vehicle Code; Secretary of State; for general

New matter indicated by italics - deletions by strikeout
purposes.
(625 ILCS 5/18c-7501); Illinois Vehicle Code; rail carriers; for railroad purposes, including quick-take power.

Section 15-5-40. Eminent domain powers in ILCS Chapters 705 through 820. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(765 ILCS 230/2); Coast and Geodetic Survey Act; United States of America; for carrying out coast and geodetic surveys.
(765 ILCS 505/1); Mining Act of 1874; mine owners and operators; for roads, railroads, and ditches.
(805 ILCS 25/2); Corporation Canal Construction Act; general corporations; for levees, canals, or tunnels for agricultural, mining, or sanitary purposes.
(805 ILCS 30/7); Gas Company Property Act; consolidating gas companies; for acquisition of stock of dissenting stockholder.
(805 ILCS 120/9); Merger of Not For Profit Corporations Act; merging or consolidating corporations; for acquisition of interest of objecting member or owner.
(805 ILCS 320/16 through 320/20); Cemetery Association Act; cemetery associations; for cemetery purposes.

Article 20. Quick-take Procedure
(was 735 ILCS 5/7-103)
Section 20-5-5 7-103. Quick-take.
(a) This Section applies only to proceedings under this Article that are authorized in this Article and in Article 25 of this Act the Sections following this Section and Section 7-104.
(b) In a proceeding subject to this Section, the plaintiff, at any time after the complaint has been filed and before judgment is entered in the proceeding, may file a written motion requesting that, immediately or at some specified later date, the plaintiff either: (i) be vested with the fee simple title (or such lesser estate, interest, or easement, as may be required) to the real property, or a specified portion of that property thereof, which is the subject of the proceeding, and be authorized to take possession of and use such property; or (ii) only be authorized to take

New matter indicated by italics - deletions by strikeout
possession of and to use the such property, if such possession and use, without the vesting of title, are sufficient to permit the plaintiff to proceed with the project until the final ascertainment of compensation. No however; no land or interests in land therein now or hereafter owned, leased, controlled, or operated and used by, or necessary for the actual operation of, any common carrier engaged in interstate commerce, or any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated under this Section hereunder by the State of Illinois, the Illinois Toll Highway Authority, the sanitary district, the St. Louis Metropolitan Area Airport Authority, or the Board of Trustees of the University of Illinois without first securing the approval of the Illinois Commerce Commission.

Except as otherwise provided in this Article hereinafter stated, the motion for taking shall state: (1) an accurate description of the property to which the motion relates and the estate or interest sought to be acquired in that property therein; (2) the formally adopted schedule or plan of operation for the execution of the plaintiff’s project; (3) the situation of the property to which the motion relates, with respect to the schedule or plan; (4) the necessity for taking the such property in the manner requested in the motion; and (5) if the property (except property described in Section 3 of the Sports Stadium Act; or property described as Site B in Section 2 of the Metropolitan Pier and Exposition Authority Act) to be taken is owned, leased, controlled, or operated and used by, or necessary for the actual operation of, any interstate common carrier or other public utility subject to the jurisdiction of the Illinois Commerce Commission, a statement to the effect that the approval of the such proposed taking has been secured from the Commission, and attaching to the such motion a certified copy of the order of the Illinois Commerce Commission granting such approval. If the schedule or plan of operation is not set forth fully in the motion, a copy of the such schedule or plan shall be attached to the motion.

(Source: P.A. 91-357, eff. 7-29-99; 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-104)
Section 20-5-10 7-104. Preliminary finding of compensation.

New matter indicated by italics - deletions by strikeout
(a) The court shall fix a date, not less than 5 days after the filing of a such motion under Section 20-5-5, for the hearing on that motion thereon; and shall require due notice to be given to each party to the proceeding whose interests would be affected by the taking requested, except that any party who has been or is being served by publication and who has not entered his or her appearance in the proceeding need not be given notice unless the court so requires, in its discretion and in the interests of justice.

(b) At the hearing, if the court has not previously, in the same proceeding, determined that the plaintiff has authority to exercise the right of eminent domain, that the property sought to be taken is subject to the exercise of that such right, and that the such right of eminent domain is not being improperly exercised in the particular proceeding, then the court shall first hear and determine those such matters. The court's order on those matters thereon is appealable; and an appeal may be taken from that order therefrom by either party within 30 days after the entry of the such order, but not thereafter, unless the court, on good cause shown, extends the time for taking the such appeal. However, no appeal shall stay the further proceedings herein prescribed in this Act unless the appeal is taken by the plaintiff; or unless an order staying such further proceedings is entered either by the trial court or by the court to which the such appeal is taken.

(c) If the foregoing matters are determined in favor of the plaintiff and further proceedings are not stayed, or if further proceedings are stayed and the appeal results in a determination in favor of the plaintiff, the court shall hear the issues raised by the plaintiff's motion for taking. If the court finds that reasonable necessity exists for taking the property in the manner requested in the motion, then the court shall hear such evidence as it may consider necessary and proper for a preliminary finding of just compensation. In and, in its discretion, the court may appoint 3 competent and disinterested appraisers as agents of the court to evaluate the property to which the motion relates and to report their conclusions to the court; and their fees shall be paid by the plaintiff. The court shall then make a preliminary finding of the amount constituting just compensation.

New matter indicated by italics - deletions by strikeout
(d) The court's preliminary finding of just compensation; and any deposit made or security provided pursuant to that finding thereto, shall not be evidence in the further proceedings to ascertain finally the just compensation to be paid; and shall not be disclosed in any manner to a jury impaneled in the such proceedings. If and if appraisers have been appointed, as herein authorized under this Article, their report shall not be evidence in those such further proceedings, but the appraisers may be called as witnesses by the parties to the proceedings.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-105)

Section 20-5-15 7-105. Deposit in court; possession.

(a) If the plaintiff deposits with the county treasurer money in the amount preliminarily found by the court to be just compensation, the court shall enter an order of taking, vesting in the plaintiff the fee simple title (or such lesser estate, interest, or easement, as may be required) to the property, if such vesting has been requested; and has been found necessary by the court, at a such date as the court considers proper, and fixing a date on which the plaintiff is authorized to take possession of and to use the property.

(b) If, at the request of any interested party and upon his or her showing of undue hardship or other good cause, the plaintiff's authority to take possession of the property is postponed for more than 10 days after the date of such vesting of title; or more than 15 days after the entry of the such order of taking when the order does not vest title in the plaintiff, then that party shall pay to the plaintiff a reasonable rental for the such property in an , the amount thereof to be determined by the court. Injunctive relief or any other appropriate judicial process or procedure shall be available to place the plaintiff in possession of the property on and after the date fixed by the court for the taking of such possession; and to prevent any unauthorized interference with such possession and the plaintiff's proper use of the property. The county treasurer shall refund to the plaintiff the amount deposited prior to October 1, 1973 that which is in excess of the amount preliminarily found by the court to be just compensation.

New matter indicated by italics - deletions by strikeout
(c) When property is taken by a unit of local government for the purpose of constructing a body of water to be used by a local government-owned "public utility", as defined in Section 11-117-2 of the Illinois Municipal Code, and the unit of local government intends to sell or lease the property to a non-governmental entity, the defendants holding title before the order that transferred title shall be allowed first opportunity to repurchase the property for a fair market value or first opportunity to lease the property for a fair market value.

(Source: P.A. 86-974.)

(was 735 ILCS 5/7-106)

Section 20-5-20 7-106. Withdrawal by persons having an interest.

At any time after the plaintiff has taken possession of the property pursuant to the order of taking, if an appeal has not been and will not be taken from the court's order described in subsection (b) of Section 20-5-10 7-104 of this Act, or if such an appeal has been taken and has been determined in favor of the plaintiff, any party interested in the property may apply to the court for authority to withdraw, for his or her own use, his or her share (or any part thereof) of the amount preliminarily found by the court to be just compensation; and deposited by the plaintiff, in accordance with the provisions of subsection (a) of Section 20-5-15 7-105 of this Act, as that share is shall have been determined by the court. The court shall then fix a date for a hearing on the application for authority to withdraw; and shall require due notice of the application to be given to each party whose interests would be affected by the withdrawal. After the hearing, the court may authorize the withdrawal requested, or any part thereof as is proper, but upon the condition that the party making the withdrawal shall refund to the clerk of the court, upon the entry of a proper court order, any portion of the amount so withdrawn that which exceeds the amount finally ascertained in the proceeding to be just compensation (or damages, costs, expenses, or attorney fees) owing to that party.

(Source: P.A. 83-707.)

(was 735 ILCS 5/7-107)
Section 20-5-25 \(\text{7-107}\). Persons contesting not to be prejudiced. Neither the plaintiff nor any party interested in the property, by taking any action authorized by Sections 20-5-5 through 20-5-20 \(\text{7-103}\) to \(\text{7-106}\), inclusive, of this Act, or authorized under Article 25 of this Act, shall be prejudiced in any way in contesting, in later stages of the proceeding, the amount to be finally ascertained to be just compensation.

(Source: P.A. 82-280.)

(was 735 ILCS 5/7-108)

Section 20-5-30 \(\text{7-108}\). Interest payments. The plaintiff shall pay, in addition to the just compensation finally adjudged in the proceeding, interest at the rate of 6% per annum upon:

(1) Any excess of the just compensation so finally adjudged, over the amount preliminarily found by the court to be just compensation in accordance with Section 20-5-10 \(\text{7-104}\) of this Act, from the date on which the parties interested in the property surrendered possession of the property in accordance with the order of taking, to the date of payment of the such excess by the plaintiff.

(2) Any portion of the amount preliminarily found by the court to be just compensation and deposited by the plaintiff, to which any interested party is entitled, if the such interested party applied for authority to withdraw that such portion in accordance with Section 20-5-20 \(\text{7-106}\) of this Act, and upon objection by the plaintiff (other than on grounds that an appeal under subsection (b) of Section 20-5-10 \(\text{7-104}\) of this Act is pending or contemplated), such authority to withdraw was denied; interest shall be paid to that such party from the date of the plaintiff's deposit to the date of payment to that such party.

When interest is allowable as provided under item (1) of this Section, no further interest shall be allowed under the provisions of Section 2-1303 of the Code of Civil Procedure this Act or any other law.

(Source: P.A. 83-707.)

(was 735 ILCS 5/7-109)

New matter indicated by italics - deletions by strikeout
Section 20-5-35 7-109. Refund of excess deposit. If the amount withdrawn from deposit by any interested party under the provision of Section 20-5-20 7-106 of this Act exceeds the amount finally adjudged to be just compensation (or damages, costs, expenses, and attorney fees) due to that such party, the court shall order that such party to refund the such excess to the clerk of the court; and, if refund is not made within a reasonable time fixed by the court, shall enter judgment for the such excess in favor of the plaintiff and against that such party.
(Source: P.A. 82-280.)
(was 735 ILCS 5/7-110)

Section 20-5-40 7-110. Dismissal; abandonment. After the plaintiff has taken possession of the property pursuant to the order of taking, the plaintiff shall have no right to dismiss the complaint; or to abandon the proceeding, as to all or any part of the property so taken, except upon the consent of all parties to the proceeding whose interests would be affected by the such dismissal or abandonment.
(Source: P.A. 83-707.)
(was 735 ILCS 5/7-111)

Section 20-5-45 7-111. Payment of costs. If, on an appeal taken under the provisions of Section 20-5-10 7-104 of this Act, the plaintiff is determined not to have the authority to maintain the proceeding as to any property, which that is the subject of that appeal thereof; or if, with the consent of all parties to the proceeding whose interests are affected, the plaintiff dismisses the complaint or abandons the proceedings as to any such property that is the subject of the appeal, the trial court then shall enter an order: (i) revesting the title to the such property in the parties entitled thereto, if the order of taking vested title in the plaintiff; (ii) requiring the plaintiff to deliver possession of the such property to the parties entitled to the possession thereof; and (iii) making such provision as is just; for the payment of damages arising out of the plaintiff’s taking and use of the such property; and also for costs, expenses, and attorney fees, as provided in Section 10-5-70 7-123 of this Act. The court may order the clerk of the court to pay those such sums to the parties.
entitled thereto; out of the money deposited by the plaintiff in accordance with the provisions of subsection (a) of Section 20-5-15 of this Act.
(Source: P.A. 82-280.)

(was 735 ILCS 5/7-112)

Section 20-5-50. Construction of Article. The right to take possession and title prior to the final judgment, as prescribed in this Article and Article 25 of this Act shall be in addition to any other right, power, or authority otherwise conferred by law; and shall not be construed as abrogating, limiting, or modifying any such other right, power, or authority.
(Source: P.A. 82-280.)

Article 25. Express Quick-take Powers

Part 5. New Quick-take Powers
(Reserved)

Part 7. Existing Quick-take Powers

(was 735 ILCS 5/7-103.1)

Sec. 25-7-103.1. Quick-take; highway purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by the State of Illinois, the Illinois Toll Highway Authority or the St. Louis Metropolitan Area Airport Authority for the acquisition of land or interests therein for highway purposes.
(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.3)

Sec. 25-7-103.3. Quick-take; coal development purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by the Department of Commerce and Economic Opportunity Community Affairs for the purpose specified in the Illinois Coal Development Bond Act.
(Source: P.A. 91-357, eff. 7-29-99; revised 12-6-03.)

(was 735 ILCS 5/7-103.5)

Sec. 25-7-103.5. Quick-take; St. Louis Metropolitan Area Airport Authority purposes. Quick-take proceedings under Article 20 Section 7-103 may be used for the purpose specified in the St. Louis Metropolitan Area Airport Authority Act.
(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
(was 735 ILCS 5/7-103.6)

Sec. 25-7-103.6 7-103.6. Quick-take; Southwestern Illinois Development Authority purposes. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after May 24, 1996, by the Southwestern Illinois Development Authority pursuant to the Southwestern Illinois Development Authority Act.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.7)

Sec. 25-7-103.7 7-103.7. Quick-take; Quad Cities Regional Economic Development Authority purposes. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after December 30, 1987, by the Quad Cities Regional Economic Development Authority (except for the acquisition of land or interests therein that is farmland, or upon which is situated a farm dwelling and appurtenant structures, or upon which is situated a residence, or which is wholly within an area that is zoned for residential use) pursuant to the Quad Cities Regional Economic Development Authority Act.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.8)

Sec. 25-7-103.8 7-103.8. Quick-take; Metropolitan Water Reclamation District purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by a sanitary district created under the Metropolitan Water Reclamation District Act for the acquisition of land or interests therein for purposes specified in that Act.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.9)

Sec. 25-7-103.9 7-103.9. Quick-take; rail carriers. Quick-take proceedings under Article 20 Section 7-103 may be used by a rail carrier within the time limitations and subject to the terms and conditions set forth in Section 18c-7501 of the Illinois Vehicle Code.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.10)

Sec. 25-7-103.10 7-103.10. Quick-take; water commissions. Quick-take proceedings under Article 20 Section 7-103 may be used for a

New matter indicated by italics - deletions by strikeout
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.11. Quick-take; refuse-derived fuel system purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by a village containing a population of less than 15,000 for the purpose of acquiring property to be used for a refuse derived fuel system designed to generate steam and electricity, and for industrial development that will utilize such steam and electricity, pursuant to Section 11-19-10 of the Illinois Municipal Code.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.12. Quick-take; certain municipal purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by a municipality having a population of more than 500,000 for the purposes set forth in Section 11-61-1a and Divisions 74.2 and 74.3 of Article 11 of the Illinois Municipal Code, and for the same purposes when established pursuant to home rule powers.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.13. Quick-take; enterprise zone purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by a home rule municipality, after a public hearing held by the corporate authorities or by a committee of the corporate authorities and after approval by a majority of the corporate authorities, within an area designated as an enterprise zone by the municipality under the Illinois Enterprise Zone Act.
(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.15)

Sec. 25-7-103.15. Quick-take; sports stadium purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by a municipality having a population of more than 2,000,000 for the purpose of acquiring the property described in Section 3 of the Sports Stadium Act.
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.16)

Sec. 25-7-103.16. Quick-take; University of Illinois. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 18 months after July 29, 1986, in any proceeding by the Board of Trustees of the University of Illinois for the acquisition of land in Champaign County or interests therein as a site for a building or for any educational purpose.
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.17)

Sec. 25-7-103.17. Quick-take; industrial harbour port. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 1, 1990, by a home rule municipality and a county board, upon approval of a majority of the corporate authorities of both the county board and the municipality, within an area designated as an enterprise zone by the municipality and the county board through an intergovernmental agreement under the Illinois Enterprise Zone Act, when the purpose of the condemnation proceeding is to acquire land for the construction of an industrial harbor port, and when the total amount of land to be acquired for that purpose is less than 75 acres and is adjacent to the Illinois River.
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.18)
Sec. 25-7-103.18. Quick-take; airport authority purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by an airport authority located solely within the boundaries of Madison County, Illinois, and which is organized pursuant to the provisions of the Airport Authorities Act, (i) for the acquisition of 160 acres, or less, of land or interests therein for the purposes specified in that Act which may be necessary to extend, mark, and light runway 11/29 for a distance of 1600 feet in length by 100 feet in width with parallel taxiway, to relocate and mark County Highway 19, Madison County, known as Moreland Road, to relocate the instrument landing system including the approach lighting system and to construct associated drainage, fencing and seeding required for the foregoing project and (ii) for a period of 6 months after December 28, 1989, for the acquisition of 75 acres, or less, of land or interests therein for the purposes specified in that Act which may be necessary to extend, mark and light the south end of runway 17/35 at such airport.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.19)

Sec. 25-7-103.19. Quick-take; Little Calumet River. Quick-take proceedings under Article 20 Section 7-103 may be used by any unit of local government for a permanent easement for the purpose of maintaining, dredging or cleaning the Little Calumet River.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.20)

Sec. 25-7-103.20. Quick-take; Salt Creek. Quick-take proceedings under Article 20 Section 7-103 may be used by any unit of local government for a permanent easement for the purpose of maintaining, dredging or cleaning the Salt Creek in DuPage County.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.21)

Sec. 25-7-103.21. Quick-take; Scott Air Force Base. Quick-take proceedings under Article 20 Section 7-103 may be used by St. Clair County, Illinois, for the development of a joint use facility at Scott Air Force Base.

(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.22. Quick-take; Village of Summit. Quick-take proceedings under Article 20 Section 7-103 may be used by the Village of Summit, Illinois, to acquire land for a waste to energy plant.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.23. Quick-take; Chanute Air Force Base. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 15 months after September 7, 1990, by the Department of Transportation or by any unit of local government under the terms of an intergovernmental cooperation agreement between the Department of Transportation and the unit of local government for the purpose of developing aviation facilities in and around Chanute Air Force Base in Champaign County, Illinois.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.24. Quick-take; Morris Municipal Airport. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 1 year after December 12, 1990, by the City of Morris for the development of the Morris Municipal Airport.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.25. Quick-take; Greater Rockford Airport Authority. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 1 year after June 19, 1991, by the Greater Rockford Airport Authority for airport expansion purposes.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.26. Quick-take; Aurora Municipal Airport. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after June 30, 1991, by the City of Aurora for completion of an instrument landing system and construction of an east-west runway at the Aurora Municipal Airport.
(Source: P.A. 91-357, eff. 7-29-99.)
Sec. 25-7-103.27 Quick-take; Metropolitan Pier and Exposition Authority purposes. Quick-take proceedings under Article 20 Section 7-103 may be used for the acquisition by the Metropolitan Pier and Exposition Authority of property described in subsection (f) of Section 5 of the Metropolitan Pier and Exposition Authority Act for the purposes of providing additional grounds, buildings, and facilities related to the purposes of the Metropolitan Pier and Exposition Authority.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.28 Quick-take; road realignment. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after March 1, 1992, by the Village of Wheeling and the City of Prospect Heights, owners of the Palwaukee Municipal Airport, to allow for the acquisition of right of way to complete the realignment of Hintz Road and Wolf Road.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.29 Quick-take; Bloomington-Normal Airport Authority. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year from the effective date of this amendatory Act of 1992, by the Bloomington-Normal Airport Authority for airport expansion purposes.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.30 Quick-take; Lake-Cook Road. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after September 10, 1993, by the Cook County Highway Department and Lake County Department of Transportation to allow for the acquisition of necessary right-of-way for construction of underpasses for Lake-Cook Road at the Chicago Northwestern Railroad crossing, west of Skokie Boulevard, and the Chicago, Milwaukee, St. Paul and Pacific Railroad crossing, west of Waukegan Road.
(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.31. Quick-take; Arcola/Tuscola Water Transmission Pipeline Project. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after December 23, 1993, by the City of Arcola and the City of Tuscola for the development of the Arcola/Tuscola Water Transmission Pipeline Project pursuant to the intergovernmental agreement between the City of Arcola and the City of Tuscola.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.32. Quick-take; Bensenville Ditch. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months from December 23, 1993, by the Village of Bensenville for the acquisition of property bounded by Illinois Route 83 to the west and O'Hare International Airport to the east to complete a flood control project known as the Bensenville Ditch.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.33. Quick-take; Medical Center Commission. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 9 months after November 1, 1993, by the Medical Center Commission for the purpose of acquiring a site for the Illinois State Police Forensic Science Laboratory at Chicago, on the block bounded by Roosevelt Road on the north, Wolcott Street on the east, Washburn Street on the south, and Damen Avenue on the west in Chicago, Illinois.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.34. Quick-take; White County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 36 months after July 14, 1995, by White County for the acquisition of a 3 1/2 mile section of Bellaire Road, which is described as follows: Commencing at the Northwest Corner of the Southeast 1/4 of Section 28, Township 6 South, Range 10 East of the 3rd Principal Meridian; thence South to a

New matter indicated by italics - deletions by strikeout
point at the Southwest Corner of the Southeast 1/4 of Section 9, Township 7 South, Range 10 East of the 3rd Principal Meridian.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.35 7-103.35. Quick-take; Indian Creek Flood Control Project.

(a) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after July 14, 1995, by the City of Aurora for permanent and temporary easements except over land adjacent to Indian Creek and west of Selmarten Creek located within the City of Aurora for the construction of Phase II of the Indian Creek Flood Control Project.

(b) Quick-take proceedings under Article 20 Section 7-103 may be used for a period beginning June 24, 1995 (the day following the effective date of Public Act 89-29) and ending on July 13, 1995 (the day preceding the effective date of Public Act 89-134), by the City of Aurora for permanent and temporary easements for the construction of Phase II of the Indian Creek Flood Control Project.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.36 7-103.36. Quick-take; Grand Avenue Railroad Relocation Authority. Quick-take proceedings under Article 20 Section 7-103 may be used for a period beginning July 14, 1995, and ending one year after the effective date of this amendatory Act of the 93rd General Assembly, by the Grand Avenue Railroad Relocation Authority for the Grand Avenue Railroad Grade Separation Project within the Village of Franklin Park, Illinois.
(Source: P.A. 92-525, eff. 2-8-02; 93-61, eff. 6-30-03.)

Sec. 25-7-103.37 7-103.37. Quick-take; 135th Street Bridge Project.

(a) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 14, 1995, by the Village of Romeoville for the acquisition of rights-of-way for the 135th Street Bridge Project, lying within the South 1/2 of Section 34, Township 37 North,
Range 10 East and the South 1/2 of Section 35, Township 37 North, Range 10 East of the Third Principal Meridian, and the North 1/2 of Section 2, Township 36 North, Range 10 East and the North 1/2 of Section 3, Township 36 North, Range 10 East of the 3rd Principal Meridian, in Will County, Illinois.

(b) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after June 23, 1995, by the Illinois Department of Transportation for the acquisition of rights-of-way for the 135th Street Bridge Project between the Des Plaines River and New Avenue lying within the South 1/2 of Section 35, Township 37 North, Range 10 East of the Third Principal Meridian and the North 1/2 of Section 2, Township 36 North, Range 10 East of the 3rd Principal Meridian, in Will County, Illinois.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.38 7-103.38. Quick-take; Anna-Jonesboro Water Commission. Quick-take proceedings under Article 20 Section 7-103 may be used for a period beginning June 24, 1995 (the day after the effective date of Public Act 89-29) and ending 18 months after July 14, 1995 (the effective date of Public Act 89-134), by the Anna-Jonesboro Water Commission for the acquisition of land and easements for improvements to its water treatment and storage facilities and water transmission pipes.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.39 7-103.39. Quick-take; City of Effingham. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 36 months after July 14, 1995, by the City of Effingham for the acquisition of property which is described as follows:

Tract 1:

Lots 26 and 27 in Block 4 in RAILROAD ADDITION TO THE TOWN (NOW CITY) OF EFFINGHAM (reference made to Plat thereof recorded in Book "K", Page 769, in the Recorder's Office of Effingham County), situated in the City of Effingham, County of Effingham and State of Illinois.

New matter indicated by italics - deletions by strikeout
Tract 2:
The alley lying South and adjoining Tract 1, as vacated by Ordinance recorded on July 28, 1937 in Book 183, Page 465, and all right, title and interest in and to said alley as established by the Contract for Easement recorded on August 4, 1937 in Book 183, Page 472.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.40. Quick-take; Village of Palatine. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after July 14, 1995, by the Village of Palatine for the acquisition of property located along the south side of Dundee Road between Rand Road and Hicks Road for redevelopment purposes.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.41. Quick-take; Medical Center District. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 6 years after July 1, 1995, for the acquisition by the Medical Center District of property described in Section 3 of the Illinois Medical District Act within the District Development Area as described in Section 4 of that Act for the purposes set forth in that Act.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.41a. Quick-take; South Raney Street Improvement Project Phase I. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after June 21, 1996 by the City of Effingham, Illinois for acquisition of property for the South Raney Street Improvement Project Phase I.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.42. Quick-take; Village of Deerfield. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after June 21, 1996, by the Village of Deerfield for the acquisition of territory within the Deerfield Village Center, as designated

New matter indicated by italics - deletions by strikeout
as of that date by the Deerfield Comprehensive Plan, with the exception of that area north of Jewett Park Drive (extended) between Waukegan Road and the Milwaukee Railroad Tracks, for redevelopment purposes.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.43 7-103.43. Quick-take; City of Harvard. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after June 21, 1996, by the City of Harvard for the acquisition of property lying west of Harvard Hills Road of sufficient size to widen the Harvard Hills Road right of way and to install and maintain city utility services not more than 200 feet west of the center line of Harvard Hills Road.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.44 7-103.44. Quick-take; Village of River Forest. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 5 years after June 21, 1996, by the Village of River Forest, Illinois, within the area designated as a tax increment financing district when the purpose of the condemnation proceeding is to acquire land for any of the purposes contained in the River Forest Tax Increment Financing Plan or authorized by the Tax Increment Allocation Redevelopment Act, provided that condemnation of any property zoned and used exclusively for residential purposes shall be prohibited.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.45 7-103.45. Quick-take; Village of Schaumburg. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 18 months after June 28, 1996, by the Village of Schaumburg for the acquisition of land, easements, and aviation easements for the purpose of a public airport in Cook and DuPage Counties; provided that if any proceedings under the provisions of this Article are pending on that date, "quick-take" may be utilized by the Village of Schaumburg.

(Source: P.A. 91-357, eff. 7-29-99.)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.46. Quick-take; City of Pinckneyville. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after June 28, 1996, by the City of Pinckneyville for the acquisition of land and easements to provide for improvements to its water treatment and storage facilities and water transmission pipes, and for the construction of a sewerage treatment facility and sewerage transmission pipes to serve the Illinois Department of Corrections Pinckneyville Correctional Facility.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.47)

Sec. 25-7-103.47. Quick-take; City of Streator. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 6 months after June 28, 1996, by the City of Streator for the acquisition of property described as follows for a first flush basin sanitary sewer system:

Tract 5: That part of lots 20 and 21 in Block 6 in Moore and Plumb's addition to the city of Streator, Illinois, lying south of the right of way of the switch track of the Norfolk and Western Railroad (now abandoned) in the county of LaSalle, state of Illinois;

Tract 6: That part of lots 30, 31 and 32 in Block 7 in Moore and Plumb's Addition to the city of Streator, Illinois, lying north of the centerline of Coal Run Creek and south of the right of way of the switch track of the Norfolk and Western Railroad (now abandoned) in the county of LaSalle, state of Illinois.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.48)

Sec. 25-7-103.48. Quick-take; MetroLink Light Rail System. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 48 months after January 16, 1997, by the Bi-State Development Agency of the Missouri-Illinois Metropolitan District for the acquisition of rights of way and related property necessary for the construction and operation of the MetroLink Light Rail System, beginning

New matter indicated by italics - deletions by strikeout
in East St. Louis, Illinois, and terminating at Mid America Airport, St. Clair County, Illinois.
(Source: P.A. 91-357, eff. 7-29-99; 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.49)

Sec. 25-7-103.49 7-103.49. Quick-take; Village of Schaumburg. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after January 16, 1997, by the Village of Schaumburg for the acquisition of rights-of-way, permanent easements, and temporary easements for the purpose of improving the Roselle Road/Illinois Route 58/Illinois Route 72 corridor, including rights-of-way along Roselle Road, Remington Road, Valley Lake Drive, State Parkway, Commerce Drive, Kristin Circle, and Hillcrest Boulevard, a permanent easement along Roselle Road, and temporary easements along Roselle Road, State Parkway, Valley Lake Drive, Commerce Drive, Kristin Circle, and Hillcrest Boulevard, in Cook County.
(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.51)

Sec. 25-7-103.51 7-103.51. Quick-take; Village of Bloomingdale. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 25, 1997, by the Village of Bloomingdale for utility relocations necessitated by the Lake Street Improvement Project on Lake Street between Glen Ellyn Road and Springfield Drive in the Village of Bloomingdale.
(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.52)

Sec. 25-7-103.52 7-103.52. Quick-take; City of Freeport. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 36 months after July 25, 1997, by the City of Freeport, owners of the Freeport Albertus Municipal Airport, to allow for acquisition of any land, rights, or other property lying between East Lamm Road and East Borchers Road to complete realignment of South Hollywood Road and to establish the necessary runway safety zone in accordance with Federal

New matter indicated by italics - deletions by strikeout
Aviation Administration and Illinois Department of Transportation design criteria.
(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.53)
Sec. 25-7-103.53 7-103.53. Quick-take; Village of Elmwood Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 1, 1997, by the Village of Elmwood Park to be used only for the acquisition of commercially zoned property within the area designated as the Tax Increment Redevelopment Project Area by ordinance passed and approved on December 15, 1986, as well as to be used only for the acquisition of commercially zoned property located at the northwest corner of North Avenue and Harlem Avenue and commercially zoned property located at the southwest corner of Harlem Avenue and Armitage Avenue for redevelopment purposes, as set forth in Division 74.3 of Article 11 of the Illinois Municipal Code.
(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.54)
Sec. 25-7-103.54 7-103.54. Quick-take; Village of Oak Park.
(a) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 25, 1997, by the Village of Oak Park for the acquisition of property located along the south side of North Avenue between Austin Boulevard and Harlem Avenue or along the north and south side of Harrison Street between Austin Boulevard and Elmwood Avenue, not including residentially zoned properties within these areas, for commercial redevelopment goals.
(b) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after August 14, 1997, by the Village of Oak Park for the acquisition of property within the areas designated as the Greater Downtown Area Tax Increment Financing District, the Harlem/Garfield Tax Increment Financing District, and the Madison Street Tax Increment Financing District, not including residentially zoned properties within these areas, for commercial redevelopment goals.
(c) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after August 14, 1997, by the Village of Oak Park for the acquisition of property located along the southwest corner of Harlem Avenue and Armitage Avenue for redevelopment purposes, as set forth in Division 74.3 of Article 11 of the Illinois Municipal Code.
Park for the acquisition of property within the areas designated as the North Avenue Commercial Strip and the Harrison Street Business Area, not including residentially zoned properties within these areas, for commercial redevelopment goals.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.55. Quick-take; Village of Morton Grove. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after August 14, 1997 by the Village of Morton Grove, within the area designated as the Waukegan Road Tax Increment Financing District to be used only for acquiring commercially zoned properties located on Waukegan Road for tax increment redevelopment projects contained in the redevelopment plan for the area.
(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.56. Quick-take; Village of Rosemont. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after August 14, 1997, by the Village of Rosemont for the acquisition of the property described as Tract 1, and the acquisition of any leasehold interest of the property described as Tract 2, both described as follows:

PARCEL 1:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR

New matter indicated by italics - deletions by strikeout
THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 427.26 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 251.92 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 32.53 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 53.70 FEET; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST, 149.63 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 230.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 219.46 FEET, TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 153.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 89.18 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.68 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 43.53 FEET;

New matter indicated by italics - deletions by strikeout
THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 44.23 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, 60.13 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 141.06 FEET TO A POINT FOR A PLACE OF BEGINNING, SAID POINT BEING 447.18 FEET NORTH AND 704.15 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33, AS MEASURED ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 AND ALONG A LINE AT RIGHT ANGLES THERETO; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 280.11 FEET; THENCE NORTH 72 DEGREES, 34 MINUTES, 18 SECONDS WEST, 149.63 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 53.70 FEET; THENCE SOUTH 45 DEGREES, 00 MINUTES, 00 SECONDS WEST, 32.53 FEET TO A POINT ON A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, SAID POINT BEING 679.18 FEET, AS MEASURED ALONG SAID PARALLEL LINE, NORTH OF THE AFOREDESCRIBED POINT OF COMMENCEMENT; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 158.10 FEET; THENCE NORTH 39 DEGREES, 39 MINUTES, 24 SECONDS EAST, 27.09 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF HIGGINS ROAD, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID ROAD; THENCE SOUTH 72 DEGREES, 34 MINUTES, 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE, 382.55 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILROAD (FORMERLY THE
CHICAGO AND WISCONSIN RAILROAD); THENCE SOUTH 14 DEGREES, 51 MINUTES, 36 SECONDS EAST ALONG SAID LAST DESCRIBED WESTERLY LINE, 378.97 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 260.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Generally comprising approximately 3.8 acres along the south side of Higgins Road, East of Mannheim Road.

Tract 2

PARCEL 1:

Any leasehold interest of any portion of the property legally described as follows:

THAT PART OF THE EAST 8 ACRES OF LOT 2 IN FREDERICK JOSS'S DIVISION OF LAND IN SECTION 9, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE NORTH 500 FEET THEREOF AS MEASURED ON THE EAST LINE) LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 2, 19.07 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 73 DEGREES 46 MINUTES 40 SECONDS (AS MEASURED FROM WEST TO SOUTHWEST) WITH THE AFORESAID NORTH LINE OF LOT 2, A DISTANCE OF 626.69 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 20 DEGREES 58 MINUTES 25 SECONDS (AS MEASURED TO THE LEFT) WITH A PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 721.92 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT WHICH IS 85.31 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES: THE SOUTH 50 FEET OF LOT 2 LYING EAST OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A

New matter indicated by italics - deletions by strikeout
POINT IN THE SOUTH LINE OF LOT 2, WHICH IS 85.31 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ON A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 13 MINUTES 25 SECONDS IN THE NORTHWEST 1/4 WITH SAID LAST DESCRIBED LINE IN FREDERICK JOSS'S DIVISION OF LANDS IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN.

PARCEL 2:

Plus any rights of ingress and egress which the said holder of the leasehold interest may have pursuant to the following described easement:

GRANT OF EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM FRACAP SHEET METAL MANUFACTURING COMPANY, INC. TO JUNE WEBER POLLY DATED NOVEMBER 16, 1970 AND RECORDED APRIL 7, 1971 AS DOCUMENT 21442818 FOR PASSAGEWAY OVER THE EAST 20 FEET AS MEASURED AT RIGHT ANGLES TO THE EAST LINE THEREOF OF THE NORTH 500 FEET OF THAT PART OF THE EAST 8 ACRES OF LOT 2 IN FREDERICK JOSS'S DIVISION OF LAND IN SECTION 9, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 2, 19.07 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 73 DEGREES 46 MINUTES 40 SECONDS (AS MEASURED FROM WEST TO SOUTHWEST) WITH THE AFORESAID NORTH LINE OF LOT 2, A DISTANCE OF 626.69 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 20 DEGREES 58 MINUTES 25 SECONDS (AS MEASURED TO THE LEFT) WITH A PROLONGATION OF THE LAST DESCRIBED COURSE A

New matter indicated by italics - deletions by strikeout
DISTANCE OF 721.92 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT 2, WHICH IS 85.31 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, IN COOK COUNTY, ILLINOIS.
(Source: P.A. 91-357, eff. 7-29-99.)
(735 ILCS 5/7-103.57)

Sec. 25-7-103.57 7-103.57. Quick-take; City of Champaign. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months from August 14, 1997, by the City of Champaign for the acquisition of land and easements in and adjacent to the City of Champaign for the improvement of Windsor Road and Duncan Road and for the construction of the Boneyard Creek Improvement Project.
(Source: P.A. 91-357, eff. 7-29-99.)
(735 ILCS 5/7-103.58)

Sec. 25-7-103.58 7-103.58. Quick-take; City of Rochelle. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months from July 30, 1998, by the City of Rochelle, to allow the acquisition of easements for the construction and maintenance of overhead utility lines and poles along a route within and adjacent to existing roadway easements on Twombley, Mulford, and Paw Paw roads in Ogle and Lee counties.
(Source: P.A. 91-357, eff. 7-29-99.)
(735 ILCS 5/7-103.59)

Sec. 25-7-103.59 7-103.59. Quick-take; Village of Bolingbrook. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 30, 1998, by the Village of Bolingbrook for acquisition of property within a Regional Stormwater Detention Project Area, when the purpose of the condemnation proceeding is to acquire land for one or more of the following public purposes: drainage, stormwater management, open space, recreation, improvements for water service and related appurtenances, or wetland mitigation and banking; the project area is in Wheatland Township, Will County, bounded generally by Essington Road, 127th Street, and Kings Road and is more particularly described as follows: That part of Section 25 Township 37 N Range 9 E of the 3rd

New matter indicated by italics - deletions by strikeout
Principal Meridian all in Wheatland Township, Will County, except the Northeast Quarter; the North 1/2 of the Northwest Quarter; and the Southwest Quarter of the Southwest Quarter.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.60 Quick-take; Village of Franklin Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 36 months after July 1, 1998, by the Village of Franklin Park, for the acquisition for school purposes, including, but not limited to, school parking lot purposes, of property bounded on the west by Rose Street, on the north by Nerbonne Street, on the east by Pearl Street extended north on Nerbonne Street, and on the south by King Street, except that no portion used for residential purposes shall be taken.

(Source: P.A. 91-357, eff. 7-29-99.)

Sec. 25-7-103.61 Quick-take; Village of Melrose Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 5 years after June 1, 1998 by the Village of Melrose Park to acquire the following described property, for the purpose of redeveloping blighted areas:

Golfland

That part of the North half of the South East Quarter of the South West quarter of Section 35, Township 40 North, Range 12, East of the Third Principal Meridian, lying Northeast of the Northeasterly right-of-way line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad; lying South of a line 443.00 feet North of and parallel to the South line of the North half of the South East Quarter of the South West Quarter of Section 35, aforesaid; and lying west of the West line of the East 490 feet of the North half of the South East Quarter of the South West Quarter of Section 35, aforesaid (excepting therefrom the East 50 feet of the North 80 feet thereof and except that part taken and dedicated for 5th Avenue);

ALSO
That part of the South half of the South East Quarter of the South West Quarter of Section 35, Township 30 North, Range 12, East of the Third Principal Meridian, lying Northeast of the Northeasterly right-of-way line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad, described as follows: commencing at the intersection of the West line of the South East Quarter of the South West Quarter of Section 35, aforesaid, with the North line of the South half of the South East Quarter of the South West Quarter of said Section 35; thence East along the aforementioned North line 67.91 Feet to the point of beginning of land herein described; thence continue East along said North line 297.59 feet; thence Southwesterly along a line forming an angle of 17 degrees 41 minutes 34 seconds, measured from West to South West with last described course, from a distance of 240.84 feet to a point 100 feet Southeasterly of the point of beginning; thence Northwesterly 100 feet to the point of beginning; all in Cook County.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.62)

Sec. 25-7-103.62  7-103.62. Quick-take; Village of Melrose Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after June 1, 1998, by the Village of Melrose Park to acquire property described as follows for the purpose of redeveloping blighted areas:


New matter indicated by italics - deletions by strikeout
DESCRIBED AS COMMENCING ON THE EAST LINE OF SAID TRACT 880 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 2 RUNNING WESTERLY TO A POINT IN THE WEST LINE OF SAID TRACT WHICH IS 976 FEET SOUTH OF THE NORTH LINE OF SAID SECTION AND EXCEPT THE NORTH 99.2 FEET AS MEASURED ON THE WEST LINE AND BY 99.6 FEET AS MEASURED ON THE EAST LINE OF SAID WEST 340 FEET AND DEDICATED AND CONVEYED TO STATE OF ILLINOIS FOR ROAD OR PUBLIC HIGHWAY PURPOSES), IN COOK COUNTY, ILLINOIS.


(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.63)
Sec. 25-7-103.63 7-103.63. Quick-take; City of Peru. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after July 30, 1998 by the City of Peru for removal of existing residential deed restrictions on the use of property, and the rights of other property owners in the subdivision to enforce those restrictions, as they apply to lots 10, 11, 12, 13, 14, 15, and 16 in Urbanowski's Subdivision to the City of Peru, all of which are owned by the Illinois Valley Community Hospital and adjacent to the existing hospital building, for the limited purpose of allowing the Illinois Valley Community Hospital to expand its hospital facility, including expansion for needed emergency room and outpatient services; under this Section 7-103.63 compensation shall be paid to those other property owners for the removal of their rights to enforce the residential deed restrictions on property owned by the Illinois Valley Community Hospital, but no real estate owned by those other property owners may be taken.
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.64)

Sec. 25-7-103.64 7-103.64. Quick-take; Village of South Barrington. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 30, 1998, by the Village of South Barrington for the acquisition of land and temporary and permanent easements for the purposes of construction and maintenance of sewerage facilities and sewerage transmission pipes along an area not to exceed 100 feet north of the Northwest Tollway between Barrington Road and Route 72.
(Source: P.A. 91-357, eff. 7-29-99.)
(was 735 ILCS 5/7-103.65)

Sec. 25-7-103.65 7-103.65. Quick-take; Village of Northlake. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 18 months after July 30, 1998, by the Village of Northlake for the acquisition of the following described property for stormwater management and public recreation purposes:

LOT 10 IN BLOCK 7 IN TOWN MANOR SUBDIVISION
OF THE NORTH 100 ACRES OF THE NORTH EAST 1/4 OF

New matter indicated by italics - deletions by strikeout
SECTION 5, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 315 E. Morse Drive, Northlake, Illinois, 60164;
LOT 17 IN BLOCK 2 IN MIDLAND DEVELOPMENT COMPANY’S NORTHLAKE VILLAGE, A SUBDIVISION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTH 208.7 FEET OF THE WEST 208.7 FEET EAST OF WOLF ROAD OF THE NORTH HALF OF THE NORTHWEST QUARTER, AFORESAID), IN COOK COUNTY, ILLINOIS.
PIN: 15-05-115-001

Commonly known as 101 S. Wolf Road, Northlake, Illinois, 60164.

(Source: P.A. 91-357, eff. 7-29-99.)

was 735 ILCS 5/7-103.66

Sec. 25-7-103.66 7-103.66. Quick-take; City of Carbondale. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 48 months after July 30, 1998, by the City of Carbondale, for the acquisition of property bounded by the following lines for the Mill Street Underpass Project (which is part of the Carbondale Railroad Relocation Project): a line 300 feet west of the centerline of Thompson Street; a line 100 feet east of the centerline of Wall Street; a line 700 feet north of the centerline of College Street; and the centerline of Grand Avenue.

(Source: P.A. 91-357, eff. 7-29-99.)

was 735 ILCS 5/7-103.67

Sec. 25-7-103.67 7-103.67. Quick-take; Village of Round Lake Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 30, 1998, by the Village of Round Lake Park in Lake County for acquisition of temporary construction easements and permanent easement corridors for providing off-site water and sewer service for the Alter Business Park, generally described as follows:

New matter indicated by italics - deletions by strikeout
Commencing at the Joint Action Water Agency (JAWA) facility on the south side of Winchester Road (County Route A34) and west of Midlothian Road, the proposed public water line will be located in the Winchester Road (County Route A34) right-of-way or immediately adjacent to the right-of-way from the JAWA facility west to Illinois State Route 83. The water line will then extend under Illinois State Route 83 and continue in the Winchester Road (County Route A34) right-of-way or immediately adjacent to the right-of-way as it extends westerly from Illinois State Route 83 to the proposed pump station and delivery structure at the most southerly west property line of the Alter property located south of Peterson Road (County Route A33) and west of Illinois State Route 83. Also, the proposed public water line will be located in the Peterson Road (County Route A33) right-of-way or immediately adjacent to the right-of-way from Illinois State Route 83 west to the westerly property line of the Alter property, which property line lies approximately 2600' west of Alleghany Road (County Route V68).

The proposed sanitary sewer route will commence at a location on Fairfield Road (County Route V61) north of Illinois State Route 134 at the Lake County Interceptor (which ultimately extends into the Fox Lake Sanitary District System); the route of the sanitary sewer will continue south of Illinois State Route 134 in the right-of-way of Fairfield Road (County Route V61) or immediately adjacent thereto from its extension north of Illinois State Route 134 to its intersection with Townline Road. The sanitary sewer will then extend east in the right-of-way of Townline Road or immediately adjacent thereto to its intersection with Bacon Road. The sanitary sewer will then extend in the Bacon Road right-of-way line or immediately adjacent thereto continuing in a southeasterly direction until its intersection with Illinois State Route 60. The sanitary line will then extend in the Illinois State Route 60 right-of-way by permit or immediately adjacent thereto continuing easterly along said right-of-way to the point of

New matter indicated by italics - deletions by strikeout
intersection with Peterson Road (County Route A33). The sanitary line will then continue easterly in the right-of-way of Peterson Road (County Route A33) or immediately adjacent thereto to the point of intersection with Alleghany Road (County Route V68) and then will extend within the Alter property.

(Source: P.A. 91-357, eff. 7-29-99.)

was 735 ILCS 5/7-103.68

Sec. 25-7-103.68 7-103.68. Quick-take; Village of Rosemont. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 30, 1998, by the Village of Rosemont for redevelopment purposes, including infrastructure improvements, construction of streets, stormwater facilities, and drainage areas, and flood plain improvements, for the acquisition of property described as follows:

That part of the Northwest Quarter and that part of the Southwest Quarter of Section 3, Township 40 North, Range 12, East of the Third Principal Meridian, and being more particularly described as follows:

Beginning at the point of intersection of the west right-of-way line of River Road (as shown on the plat of subdivision for Gerhart Huehl Estates Division per document number 4572711) and the southerly line of Lot 7 in said Gerhart Huehl Estates Division; thence north 14 degrees 38 minutes 19 seconds west, along the aforesaid west right-of-way of River Road, to the point of intersection with a line drawn 490.0 feet south of and parallel to the north line of Lot 3 in the said Gerhart Huehl Estates Division; thence north 89 degrees 07 minutes 41 seconds west, along the previously described parallel line 554.77 feet to the point, said point being 540.00 feet east of the easterly right-of-way line of Schafer Court (Schafer Court being an unrecorded roadway); thence, north 0 degrees 00 minutes 00 seconds east, 284.12 feet to the point of intersection with south line of the aforesaid Lot 3 (said south line also being the north line of Lot 6 in Gerhart Huehl Estates Division); thence north 89 degrees 04 minutes 45 seconds west, along the said south line of Lot 3, 478.29 feet to the point of

New matter indicated by italics - deletions by strikeout
intersection with the aforesaid easterly right-of-way line of Schafer Court; thence south 12 degrees 16 minutes 34 seconds west, along the said easterly right-of-way line, 312.83 feet; thence south 18 degrees 09 minutes 05 seconds west, continuing along the said easterly right-of-way line, 308.16 feet to the point of intersection with the northerly right-of-way line of Higgins Road as dedicated per document number 11056708; thence, north 66 degrees 43 minutes 09 seconds west along said northerly right-of-way line of Higgins Road to the easterly right-of-way of the Northwest Toll Road; thence southerly along said easterly right-of-way of the Northwest Toll Road to the southerly right-of-way of Maple Avenue extended westerly; thence easterly along said southerly right-of-way line of Maple Avenue (recorded as Bock Avenue) to the easterly right-of-way line of Gage Street; thence northerly along said easterly right-of-way line of Gage Street to the southerly line of Lot 2 in River Rose Subdivision Unit 2 per document number 19594706; thence easterly along the southerly line of said Lot 2 in River Rose Subdivision Unit Number 2 and said southerly line extended easterly to the easterly right-of-way line of Glen Lake Drive (as dedicated in River Rose Subdivision per Document Number 19352146 and dedicated as Willow Creek Drive); thence southwesterly along said easterly right-of-way line to the northwest corner of Lot 1 in said River Rose Subdivision; thence south 59 degrees 08 minutes 47 seconds east, along the northerly lines of Lots 1 through 13 (both inclusive) in the said River Rose subdivision, 757.48 feet to the most northeasterly corner of said Lot 13; thence south 11 degrees 05 minutes 25 seconds west, along the easterly line of said lot 13 in said River Rose Subdivision, 14.08 feet to the northerly line of Glen J. Nixon's subdivision as per document 19753046; thence easterly along said northerly line, 237.43 feet to the westerly right-of-way of said Des Plaines River Road;

Thence southerly along said westerly right-of-way of Des Plaines River Road to the southerly line of the Northerly 90 feet of

New matter indicated by italics - deletions by strikeout
Lot 2 in said Glen J. Nixon's subdivision; thence westerly along said southerly line to the westerly line of said Glen J. Nixon's subdivision; thence southerly along the said westerly line of Glen J. Nixon's subdivision to the southerly right-of-way of an unrecorded roadway; thence south 70 degrees 43 minutes 16 seconds west, along the southerly line of the unrecorded roadway, 108.23 feet; thence continuing along the southerly right-of-way of the unrecorded roadway, 95.34 feet along an arc of a circle whose radius is 110.00 feet and being convex to the south; thence north 56 degrees 32 minutes 25 seconds west, continuing along the southerly right-of-way of the said unrecorded roadway, 216.00 feet to the southwest corner of said Glen Lake Drive as dedicated in the aforesaid River Rose subdivision; thence north 59 degrees 10 minutes 12 seconds west, along the southerly right-of-way of said Glen Lake Drive, 327.48 feet, to the point of intersection with east line of Lot 8 in Block 1 in Higgins Road Ranchettes Subdivision per Document Number 13820089; thence northerly along the east line of said Lot 8, 97.24 feet to a point; said point being 66.00 feet south of the northeast corner of said Lot 8; thence north 89 degrees 36 minutes 54 seconds west, along a line which is 66.00 feet south of and parallel to the north line of Lots 3, 4, 5, 6, 7, and 8 in said Higgins Road Ranchettes Subdivision (said parallel line also being the south line of an unrecorded street known as Glenlake Street), 621.61 feet to the point of intersection with the northeasterly right-of-way line of Toll Road; the next four courses being along the said northeasterly right-of-way line of the Toll Road; thence south 21 degrees 28 minutes 12 seconds east, 219.81 feet; thence south 34 degrees 29 minutes 34 seconds east, 261.77 feet; thence south 52 degrees 02 minutes 04 seconds east, 114.21 feet; thence south 52 degrees 07 minutes 21 seconds east to the westerly line (extended northerly) of Lots 83 through 87 inclusive in Frederick H. Bartlett's River View Estates recorded as Document Number 853426 in Cook County; thence southerly along said westerly line to the southerly right-of-way line of Thorndale Avenue; thence

New matter indicated by italics - deletions by strikeout
easterly along said southerly right-of-way line of Thorndale Avenue 14.65 feet; thence southerly along a line parallel with the said westerly line of Lots 83 through 87 inclusive and 14.38 feet easterly, 139.45 feet; thence southwesterly along a line which ends in the southerly line of said Lot 84 extended westerly, 85.35 feet westerly from the southwest corner of said Lot 84; thence easterly along said southerly line to the westerly right-of-way of Des Plaines River Road; thence northerly along said westerly right-of-way line to the said northerly line of the Toll Road; thence south 52 degrees 07 minutes 21 seconds east, along said right-of-way to the centerline of said Des Plaines River Road; thence south 11 degrees 06 minutes 48 seconds west, along said centerline, 1.47 feet; thence south 55 degrees 56 minutes 09 seconds east, continuing along the said northeasterly right-of-way line of the Toll Road (said line also being the south line of Lot 1 in Rosemont Industrial Center per Document Number 20066369), 411.98 feet; thence south 61 degrees 51 minutes 06 seconds east, continuing along the said northeasterly right-of-way line of the Toll Road (said line also being along the south line of Lots 1, 2, and 5 in said Rosemont Industrial Center), 599.13 feet to the southeast corner of said Lot 5; thence north 12 degrees 45 minutes 47 seconds east, along the east lines of Lots 3 and 5 in said Rosemont Industrial Center, 424.40 feet; thence north 33 degrees 51 minutes 39 seconds east, along the east lines of Lots 3 and 4 in the said Rosemont Industrial Center, 241.42 feet to the northeast corner of said Lot 4; thence north 33 degrees 51 minutes 40 seconds east, 189.38 feet to the center of said Section 3; thence north 2 degrees 42 minutes 55 seconds east, along the east line of the northwest quarter of said Section 3, 375.90 feet to the point of intersection with the south line of Higgins Road, as widened per Document Number 11045055; the next three courses being along the said south right-of-way line of Higgins Road; thence north 64 degrees 30 minutes 51 seconds west, 53.65 feet; thence northwesterly, 436.47 feet along an arc of a circle whose radius is 1,482.69 feet and being convex to the

New matter indicated by italics - deletions by strikeout
southwest; thence north 47 degrees 57 minutes 51 seconds west, 73.57 feet; thence northeasterly, along an arc of a circle whose radius is 5,679.65 feet and being convex to the northeast, to a point of intersection of said southerly right-of-way of Higgins Road and the southeasterly line of the land conveyed to James H. Lomax by Document Number 1444990; thence northeasterly along said southeasterly line extended, 197 feet to the center line of the Des Plaines River; thence north 49 degrees 11 minutes 20 seconds west 325.90 feet; thence continuing in the said center line of the Des Plaines River, north 27 degrees 56 minutes 17 seconds west 370.53 feet; thence north 12 degrees 10 minutes 40 seconds east, 16.0 feet; thence southwesterly along said southeasterly line of Lot 7 extended in Gerhart Huehl Estates Division, to said place of beginning;

Plus,

That part of the West half of the Northwest quarter of Section 3, Township 40 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning at the intersection of the South line of Devon Avenue with the East line of Shafer Court being a point 281.01 feet East of the West line of the aforementioned West half of the Northwest quarter of Section 33; thence Southerly along the East line of said Shafer Court, 193.91 feet to the South line of Lot 3 in Gerhart Huehl Estate Division according to the plat thereof recorded June 3, 1910, as Document 4572711, being a point 241.74 feet East of the aforementioned West half of the Northwest quarter of Section 33; thence East along the South line of said Lot 3, a distance of 508.5 feet to a point 487.69 feet West of the centerline of River Road; thence continuing easterly along the last described line as extended to the west line of River Road; thence northerly along the west line of River Road to the South line of Devon Avenue; thence westerly along the south line of Devon Avenue to the point of beginning;

Plus,

New matter indicated by italics - deletions by strikeout
That part of the Southwest quarter of Section 3, Township
40 North, Range 12 East of the Third Principal Meridian, in Cook
County, Illinois, described as follows:

Beginning at the Southeast corner of Rosemont Industrial
Center, being a subdivision recorded February 17, 1967 as
Document 20066369; thence Northwesterly along the South line of
Rosemont Industrial Center aforesaid, and said South line extended
to the Westerly line of River Road to the South; thence
Southwesterly along said Westerly line, to the North line of
Interstate 290; thence Easterly along said North line, to the West
line of property owned by the Forest Preserve; thence along and
then Northerly along the irregular West line of property owned by
the Forest Preserve and extended across the Interstate 290 right-of-
way, to the point of beginning;

Plus,

The Northerly 90 feet of Lot 2 in Glen J. Nixon's
Subdivision of part of Lot 15 in Assessor's Division of part of
Section 3, Township 40 North, Range 12, East of the Third
Principal Meridian, according to the plat thereof recorded March 1,
1966 as Document 19753046, in Cook County, Illinois, (except
therefrom that part used for River Road), all in Cook County.

PLUS,

THAT PART OF THE NORTHWEST QUARTER OF
SECTION 3 TOWNSHIP 40 NORTH, RANGE 12, EAST OF
THE THIRD PRINCIPAL MERIDIAN, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF
THE EASTERLY RIGHT-OF-WAY LINE OF THE
NORTHWEST TOLL ROAD AND THE SOUTHERLY RIGHT-
OF-WAY LINE OF MAPLE AVENUE EXTENDED
WESTERLY; THENCE EASTERLY ALONG SAID
SOUTHERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE
(RECORDED AS BOCK AVENUE) TO THE EASTERLY
RIGHT-OF-WAY LINE OF GAGE STREET; THENCE

New matter indicated by italics - deletions by strikeout
NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF GAGE STREET TO THE SOUTHERLY LINE OF LOT 2 IN RIVER ROSE SUBDIVISION UNIT 2 PER DOCUMENT NUMBER 19594706; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2 IN RIVER ROSE SUBDIVISION UNIT NUMBER 2 AND SAID SOUTHERLY LINE EXTENDED EASTERLY TO THE EASTERLY RIGHT-OF-WAY LINE OF GLEN LAKE DRIVE (AS DEDICATED IN RIVER ROSE SUBDIVISION PER DOCUMENT NUMBER 19352146 AND DEDICATED AS WILLOW CREEK DRIVE); THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 1 IN SAID RIVER ROSE SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1 IN SAID RIVER ROSE SUBDIVISION, 86.0 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOT 1, 120.0 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1 AND THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROSE STREET (AS DEDICATED IN RIVER ROSE SUBDIVISION PER DOCUMENT NUMBER 19352146), 34.3 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RIVER ROSE STREET AND THE EASTERLY LINE OF SAID WILLOW CREEK DRIVE, ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID WILLOW CREEK DRIVE TO THE MOST SOUTHWESTERLY CORNER OF LOT 27 IN SAID RIVER ROSE SUBDIVISION; THENCE SOUTHWESTERLY TO THE INTERSECTION OF THE NORTHWESTERLY CORNER OF LOT "B" IN SAID RIVER ROSE SUBDIVISION WITH THE EAST LOT LINE OF LOT 8 IN BLOCK 1 IN HIGGINS ROAD

New matter indicated by italics - deletions by strikeout
RANCHETTES SUBDIVISION PER DOCUMENT NUMBER 13820089; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 8, 97.24 FEET TO A POINT; SAID POINT BEING 66.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 8; THENCE WESTERLY, ALONG A LINE WHICH IS 66.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF LOTS 3, 4, 5, 6, 7, AND 8 IN SAID HIGGINS ROAD RANCHETTES SUBDIVISION AND THEN WESTERLY THEREOF (SAID PARALLEL LINE ALSO BEING THE SOUTH LINE OF AN UNRECORDED STREET KNOWN AS GLENLAKE STREET), TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID NORTHWEST TOLL ROAD; THENCE NORTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTHWEST TOLL ROAD TO THE POINT OF BEGINNING;

AREA 1:
That part of the South West Quarter of Section 33, Township 41 North, Range 12 East of the third Principal Meridian, lying North of a line 575 feet north (measured at 90 degrees) of the South line of said South West Quarter, lying West of a line 451.45 feet East (measured at 90 degrees) of the West line of said South West Quarter and South of the center line of Higgins Road (except parts taken or used for highway purposes, including the land taken by condemnation in Case No. 65 L 8179 Circuit Court of Cook County, Illinois, described as follows: That part of the South West Quarter of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: Beginning at a point of intersection of the center line of Higgins Road, as now located and established with the West line of the South West Quarter of said Section 33; thence South along said West line of the South West Quarter of said Section, a distance of 560.2 feet to a point in the North line of the South 575.0 feet of said South West Quarter of said Section 33; thence East along said

New matter indicated by italics - deletions by strikeout
North line of the South 575.0 feet of the South West Quarter of said Section 33, a distance of 45.0 feet to a point; thence Northeasterly in a straight line a distance of 179.27 feet to a point, distance 50.0 feet East, measured at right angles from the West line of the South West Quarter of said Section 33; thence Northeasterly in a straight line a distance of 187.38 feet to a point, distant 62.0 feet East, measured at right angles from said West line of the South West Quarter of said Section 33; thence North parallel with the said West line of the South West Quarter of said Section 33 a distance of 44.74 feet to a point of curvature; thence Northeasterly along a curved line, concave to the Southeast, having a radius of 50.0 feet and a central angle of 107 degrees 28 minutes, a distance of 93.73 feet to a point of tangency, distant 50.0 feet Southwest measured at right angles from the center line of Higgins Road; thence Southeasterly parallel with the center line of Higgins Road, a distance of 345.09 feet to a point on a line distant, 16.0 feet west of the east line of the west 467.34 feet of the South West Quarter of said Section 33; thence North in a straight line a distance of 58.71 feet to a point on said center line of Higgins Road; thence Northwesternly along said center line of Higgins Road a distance of 478.23 feet to the place of beginning) in Cook County, Illinois.

AREA 2:
That part of the South West 1/4 of Section 33, Township 41 North, Range 12, East of the Third Principal Meridian, lying West of the West Right of Way Line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad (formerly the Chicago and Wisconsin Railroad) and South of the center line of Higgins Road (except therefrom the South 200 feet of the West 467.84 feet of said South West 1/4 and also excepting therefrom that part of said South West 1/4 lying North of the North line of the South 575 feet of said South West 1/4 and West of a line 16 feet West of and parallel with the West line of the Tract of land described in a Deed dated May 22, 1929, and recorded July 9, 1929, as Document Number 10422646 (the Tract described in said Deed being the East 10 acres

New matter indicated by italics - deletions by strikeout
of that part of the South West 1/4 of Section 33, Township 41 North, Range 12, East of the Third Principal Meridian, lying South of the Center line of Higgins Road and West of the West line extended North to the center of said Higgins Road of the East 20.62 chains of the North West 1/4 of Section 4, Township 40 North, Range 12, East of the Third Principal Meridian (excepting therefrom the right of way of the Minneapolis, St. Paul and Sault Ste. Marie Railroad, formerly the Chicago and Wisconsin Railroad) and also excepting the South 50 feet of the said South West 1/4 lying East of the West 467.84 feet thereof) and also excepting that portion of the land condemned for the widening of Higgins Road and Mannheim Road in Case Number 65 L7109, in Cook County, Illinois.

AREA 3:
The North 150 feet of the South 200 feet of that part of the South West 1/4 of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian (except the East 10 acres conveyed by George Deamantopulas and others, to Krowka by Document 10422646) lying South of the Center of Higgins Road (so called) and West of the West line extended North to center of Higgins Road of East 20.62 chains in the North West 1/4 of Section 4, Township 40 North, Range 12 East of the Third Principal Meridian (except the Right of Way of Chicago and Wisconsin Railroad) in Cook County, Illinois.

AREA 4:
That part of the Southwest quarter of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning at the intersection of the South line of the Southwest quarter of Section 33 aforesaid with the West line, extended South, of Lot 7 in Frederick H. Bartlett's Higgins Road Farms, being a subdivision recorded December 8, 1938 as Document 12246559; thence North along the aforementioned West line of Lot 7, to the center line of Higgins Road; thence Westerly
along the center line of Higgins Road, to the Westerly right-of-way line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad; thence Southerly along said Westerly right-of-way line, to the South line of the Southwest quarter of Section 33 aforesaid; thence East along said South line to the point of beginning.

Area 5

The North 195.00 feet of the west 365.67 feet of the West 1/2 of the Northeast 1/4 of Section 4, Township 40 North, Range 12 East of the Third Principal Meridian.

And also

The north 50.00 feet of the East 1/2 of the Northwest 1/4 of said Section 4 (except that part lying westerly of the easterly right-of-way line of the Wisconsin Central Railroad, formerly known as the Minneapolis, St. Paul and Sault Ste. Marie Railroad), the east 40.00 feet of the north 195.00 feet except the north 50.00 feet thereof of said East 1/2, and all that part of said East 1/2 described as follows: Beginning at the northwest corner of Origer and Davis' Addition to Rosemont, being a subdivision of part of said 1/4 Section according to the plat thereof recorded May 27, 1963 as Document Number 18807143, in Cook County, Illinois; thence westerly along the northerly line of said Subdivision extended westerly to said easterly Railroad right-of-way line; thence northwesterly along said right-of-way line to the southerly line of north 50.00 feet of said 1/4 Section; thence easterly along said southerly line to the easterly right-of-way line of Kirschoff Avenue; thence southerly along said right-of-way line to its intersection with the southerly line of Schullo's Resubdivision extended easterly, said Resubdivision being a Resubdivision of part of said 1/4 section according to the plat thereof recorded June 17, 1960 as Document Number 17885160 in Cook County, Illinois; thence westerly along said southerly line extended and said southerly line to the southwest corner of said Resubdivision; thence northwesterly along the westerly line of said Resubdivision to the northwest corner thereof; thence westerly along the northerly

New matter indicated by italics - deletions by strikeout
line of said Resubdivision extended westerly to a line parallel with and 40.00 feet easterly of the easterly right-of-way line of said Railroad; thence northwesterly along said parallel line to said point of beginning.

And also

That part of the Southwest 1/4 of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian lying southerly of the centerline of Higgins Road and easterly of a north line parallel to the south line of said 1/4 Section, beginning 565.84 feet west of the northeast corner of the Northwest 1/4 of Section 4, Township 40 North, Range 12 East of the Third Principal Meridian all in Cook County, Illinois.

That part of the Southwest quarter of Section 3, the Southeast quarter of Section 4, the Northeast quarter of Section 9, and the Northwest quarter of Section 10, Township 40 North, Range 12 East of the Third Principal Meridian, in the Village of Rosemont, Cook County, Illinois, described as follows:

Beginning in the West half of the Northeast quarter of Section 9 aforesaid, at the intersection of the South line of 61st Street with the Easterly right-of-way line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad right-of-way; thence East along the South line of 61st Street and its Easterly extension, to the East line of Pearl Street; thence North along the East line of Pearl Street to the South line of 62nd Street; thence East along the South line of 62nd Street to the Westerly right-of-way line of the Illinois State Toll Road; thence Southerly along the Westerly right-of-way line of the Toll Road to a point on a Westerly extension of the South line of Allen Avenue; thence East along said Westerly extension, and along the South line of Allen Avenue to the West line of Otto Avenue; thence South along the West line of Otto Avenue to a point on a Westerly extension of the North line of the South 30 feet of Lot 12 in First Addition to B.L. Carlsen's Industrial Subdivision, being a Resubdivision in the Northeast quarter of Section 9 aforesaid, according to the plat thereof recorded March 5, 1962 as
Document 18416079; thence East along said Westerly extension, and along the aforementioned North line of the South 30 feet of Lot 12, to the East line of Lot 12; thence North along the East line of Lot 12, being also the East line of the Northeast quarter of Section 9, to the North line of Owner's Division of parts of Lots 4 and 5 of Henry Hachmeister's Division, in the Northwest quarter of Section 10, aforesaid, according to the plat thereof recorded April 25, 1949 as Document 14539019; thence East along the North line of said Owner's Division to the West line of Lot 3 in said Owner's Division; thence South along the West line of Lot 3 to the Southwest corner thereof; thence East along the South line of Lot 3 to the Northwest corner of Lot 4 in said Owner's Division; thence South along the West line of Lot 4 to the Southwest corner thereof; thence East along the South line of Lot 4, and said South line extended Easterly, to the Easterly right of way line of River Road; thence Northerly along the Easterly line of River Road to the South line of Crossroads Industrial Park, being a Subdivision in the Northwest quarter of Section 10 aforesaid, according to the plat thereof recorded August 8, 1957 as Document 16980725; thence East along the South line of said Crossroads Industrial Park to the Southeast corner thereof; thence Northeasterly along the Easterly line of said Crossroads Industrial Park, and said Easterly line extended, to the North line of Bryn Mawr Avenue, in the Southwest quarter of Section 3 aforesaid; thence Northerly along the Westerly line of the Forest Preserve District of Cook County, to the Southerly right-of-way line of the Kennedy Expressway, thence west along and following the southerly right-of-way line of the Kennedy Expressway to the Easterly right-of-way line of the Minneapolis, St. Paul, and Sault Ste. Marie Railroad right-of-way; thence Southeasterly along said Easterly right-of-way line to the point of beginning:

AND ALSO, THAT PART OF THE NORTHEAST QUARTER OF SECTION 9 AND THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 40 NORTH, RANGE

New matter indicated by italics - deletions by strikeout
12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE
VILLAGE OF ROSEMONT, COOK COUNTY, ILLINOIS,
DESCRIBED AS FOLLOWS:

BEGINNING IN THE WEST HALF OF THE
NORTHEAST QUARTER OF SECTION 9 AFORESAID, AT
THE INTERSECTION OF THE SOUTH LINE OF 61ST STREET
WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE
MINNEAPOLIS, ST. PAUL AND ST. STE. MARIE RAILROAD
RIGHT-OF-WAY; THENCE EAST ALONG THE SOUTH LINE
OF 61ST STREET AND ITS EASTERLY EXTENSION, TO THE
EAST LINE OF PEARL STREET; THENCE NORTH ALONG
THE EAST LINE OF PEARL STREET TO THE SOUTH LINE
OF 62ND STREET; THENCE EAST ALONG THE SOUTH LINE
OF 62ND STREET TO THE WESTERLY RIGHT-OF-
WAY LINE OF THE ILLINOIS STATE TOLL ROAD; THENCE
SOUTHERLY, ALONG THE WESTERLY RIGHT-OF-WAY
LINE OF THE TOLL ROAD TO A POINT ON A WESTERLY
EXTENSION OF THE SOUTH LINE OF ALLEN AVENUE;
THENCE EAST ALONG SAID WESTERLY EXTENSION,
AND ALONG THE SOUTH LINE OF ALLEN AVENUE TO
THE WEST LINE OF OTTO AVENUE; THENCE SOUTH
ALONG THE WEST LINE OF OTTO AVENUE TO A POINT
ON A WESTERLY EXTENSION OF THE NORTH LINE OF
THE SOUTH 30 FEET OF LOT 12 IN FIRST ADDITION TO
B.L. CARLESON'S INDUSTRIAL SUBDIVISION, BEING A
RESUBDIVISION IN THE NORTHEAST QUARTER OF
SECTION 9 AFORESAID, ACCORDING TO THE PLAT
THEREOF RECORDED MARCH 5, 1962 AS DOCUMENT
18416079; THENCE EAST ALONG SAID WESTERLY
EXTENSION, AND ALONG THE AFOREMENTIONED
NORTH LINE OF THE SOUTH 30 FEET OF LOT 12, TO THE
EAST LINE OF LOT 12; THENCE NORTH ALONG THE EAST
LINE OF LOT 12, BEING ALSO THE EAST LINE OF THE
NORTHEAST QUARTER OF SECTION 9, TO THE NORTH

New matter indicated by italics - deletions by strikeout
LINE OF OWNER'S DIVISION OF PARTS OF LOTS 4 AND 5 OF HENRY HACHMEISTER'S DIVISION, IN THE NORTHWEST QUARTER OF SECTION 10, AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1949 AS DOCUMENT 14539019; THENCE EAST ALONG THE NORTH LINE OF SAID OWNER'S DIVISION TO THE WEST LINE OF LOT 3 IN SAID OWNER'S DIVISION; THENCE SOUTH ALONG THE WEST LINE OF LOT 3 TO THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG THE SOUTH LINE OF LOT 3 TO THE NORTHWEST CORNER OF LOT 4 IN SAID OWNER'S SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF LOT 4 TO THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG THE SOUTH LINE OF LOT 4, AND SAID SOUTH LINE EXTENDED EASTERLY, TO THE EASTERLY RIGHT-OF-WAY LINE OF RIVER ROAD; THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID RIVER ROAD TO A POINT BEING 198.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF LOT 5 EXTENDED EASTERLY, IN HENRY HACHMEISTER'S DIVISION PER DOCUMENT NUMBER 4183101; THENCE WESTERLY, ALONG A LINE WHICH IS 198.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 5 IN HENRY HACHMEISTER'S DIVISION, TO THE NORTHWEST CORNER OF LOT 6 IN B.L. CARLSEN'S INDUSTRIAL SUBDIVISION PER DOCUMENT NUMBER 1925132; THENCE NORTHERLY TO A POINT BEING THE NORTHEAST CORNER OF A PARCEL BEING DESCRIBED PER DOCUMENT T1862127, SAID POINT BEING 293.73 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 5 IN HENRY HACHMEISTER'S DIVISION; THENCE WESTERLY ALONG A LINE, 293.73 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 5, 91.50 FEET TO THE NORTHWEST CORNER OF

New matter indicated by italics - deletions by strikeout
SAID PARCEL PER DOCUMENT T1862127; THENCE SOUTHERLY ALONG A LINE BEING THE EAST LINE OF THE WEST 200.00 FEET OF SAID LOT 5, 71.88 FEET TO THE SOUTHEAST CORNER OF A PARCEL BEING DESCRIBED PER DOCUMENT T2257298; THENCE WESTERLY ALONG THE SOUTH LINE AND THE SOUTH LINE EXTENDED WESTERLY OF SAID PARCEL, 233 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF MICHIGAN AVENUE RIGHT-OF-WAY; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE OF MICHIGAN AVENUE TO THE NORTHEAST CORNER OF LOT 1, BLOCK 12 IN J. TAYLOR'S ADD. TO FAIRVIEW HEIGHTS PER DOCUMENT NUMBER 1876526, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF 60TH STREET; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 60TH STREET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID MINNEAPOLIS, ST. PAUL AND ST. STE. MARIE RAILROAD RIGHT-OF-WAY; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

(Source: P.A. 91-357, eff. 7-29-99; 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.69)
Sec. 25-7-103.69 7-103.69. Quick-take; City of Evanston. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after July 30, 1998, by the City of Evanston for the acquisition for redevelopment purposes of the real property legally described as:

Lots 5 and 6 in Dempster's Subdivision of Block 66 in the Village (now City) of Evanston in the South West 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois and commonly known as 906-08 Church Street, Evanston, Illinois; and

New matter indicated by italics - deletions by strikeout
Lots 7, 8, 9, 10, 11, and 12 in Dempster's Subdivision of Block 66 in Village (now City) of Evanston, in the South West 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois and commonly known as 910-926 Church Street, Evanston, Illinois.

(Source: P.A. 91-357, eff. 7-29-99.)

(was 735 ILCS 5/7-103.70)

Sec. 25-7-103.70 7-103.70. Quick-take; Southwestern Illinois Development Authority. Quick-take proceedings under Article 20 Section 7-103 may be used for a period from August 30, 2003 to August 30, 2005 by the Southwestern Illinois Development Authority pursuant to the Southwestern Illinois Development Authority Act for a project as defined in Section 3 of that Act.

(Source: P.A. 93-602, eff. 11-18-03.)

(was 735 ILCS 5/7-103.71)

Sec. 25-7-103.71 7-103.71. Quick-take; Village of Franklin Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after December 1, 1998, by the Village of Franklin Park, for the redevelopment of blighted areas, for the acquisition of property within the area legally described as:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT NO. 2 (SAID CORNER BEING 50.0 FEET WEST OF THE CENTERLINE OF MANNHEIM ROAD); THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT NO. 2, A DISTANCE OF 305.46 FEET; THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID TRACT NO. 2, A DISTANCE OF 175.0 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID TRACT NO. 2, A DISTANCE OF 164.46 FEET TO THE SOUTHERLY LINE OF SAID TRACT NO. 2 (SAID LINE BEING 50.0 FEET NORTHERLY OF THE CENTERLINE OF GRAND AVENUE); THENCE WESTERLY ALONG SAID LINE, 672.75 FEET; THENCE NORTH ALONG A LINE THAT IS 227.30 FEET EAST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE EAST LINE

New matter indicated by italics - deletions by strikeout
OF MIKE LATORIA SR. INDUSTRIAL SUBDIVISION, 429.87 FEET TO THE NORTH LINE OF SAID TRACT NO. 2; THENCE EAST ALONG SAID NORTH LINE, 845.71 FEET TO THE POINT OF BEGINNING, IN OWNER'S DIVISION OF THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 16, 1929 AS DOCUMENT 10456788 AND FILED IN THE REGISTRAR'S OFFICE ON AUGUST 23, 1929 AS DOCUMENT LR474993, IN COOK COUNTY, ILLINOIS.

(Source: P.A. 91-367, eff. 7-30-99; P.A. 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.72)

Sec. 25-7-103.72. Quick-take; Village of Franklin Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after December 1, 1998, by the Village of Franklin Park, for the redevelopment of blighted areas, for the acquisition of the property legally described as:

Lots 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the Salerno-Kaufman Subdivision of part of Tract No. 1 in Owner's Division of part of the East 1/2, Northeast 1/4, Section 29, Township 40, Range 12, East of the Third Principal Meridian, in Cook County, Illinois; and

That part of the South 117.64 feet of tract number 1 lying East of a line 235 feet West of and parallel with West line of Mannheim Road in Owner's Division of part of the East half of the Northeast quarter of Section 29, Township 40 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded August 16, 1929 as Document number 10456788, in Cook County, Illinois.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.73)

Sec. 25-7-103.73. Quick-take; City of Taylorville. Quick-take proceedings under Article 20 Section 7-103 may be used for a period

New matter indicated by italics - deletions by strikeout
of 2 years following July 30, 1999, by the City of Taylorville for the acquisition of land used for the construction of the second silt dam on Lake Taylorville; the project area is limited to the townships of Greenwood, Johnson, and Locust in southern Christian County.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.74)

Sec. 25-7-103.74 7-103.74. Quick-take; City of Effingham. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 6 months following July 30, 1999 by the City of Effingham for the acquisition of all the right of way needed for the subject project starting at Wernsing Avenue and running northerly to Fayette Avenue, including the right of way for a structure over the CSX rail line and U.S. Route 40.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.75)

Sec. 25-7-103.75 7-103.75. Quick-take; City of Effingham. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year following July 30, 1999 by the City of Effingham for the acquisition of property for the construction of South Raney Street Project Phase II, including a grade separation over Conrail and U. S. Route 40 in the City of Effingham, from the intersection of South Raney Street and West Wernsing Avenue northerly to the intersection of South Raney Street and West Fayette Avenue.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.76)

Sec. 25-7-103.76 7-103.76. Quick-take; Village of Lincolnshire. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years following July 30, 1999, by the Village of Lincolnshire, for the purpose of redevelopment within the downtown area, for the acquisition of property within that area legally described as follows:


New matter indicated by italics - deletions by strikeout
NORTHERLY LINE OF HALF DAY ROAD; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE OF SAID HALF DAY ROAD TO THE INTERSECTION WITH THE WEST LINE OF STATE ROUTE NO. 21 (ALSO KNOWN AS MILWAUKEE AVENUE); THENCE NORTHERLY ALONG SAID WEST LINE OF STATE ROUTE NO. 21 TO THE NORTH LINE OF THE SOUTH 452.20 FEET OF THE NORTHEAST QUARTER OF THE AFORESAID SECTION 15; THENCE EAST ALONG THE SAID NORTH LINE OF THE SOUTH 452.20 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH ALONG THE SAID EAST LINE TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHEAST QUARTER TO AN EAST LINE OF VERNON CEMETERY AS DESCRIBED IN DOCUMENT NUMBER 263584; THENCE NORTH 37.20 FEET ALONG AFORESAID EAST LINE OF CEMETERY TO THE NORTH EAST CORNER THEREOF; THENCE WEST 297.00 FEET ALONG THE NORTH LINE OF THE AFORESAID CEMETERY, SAID LINE IS THE MOST NORTHERLY LINE OF CEMETERY ROAD AS OCCUPIED AND EXTENDED TO A WEST LINE OF AFORESAID VERNON CEMETERY EXTENDED NORTH; THENCE SOUTH ALONG THE EXTENSION AND WEST LINE OF THE AFORESAID CEMETERY TO THE SOUTHWEST CORNER THEREOF, SAID SOUTHWEST CORNER IS 296.61 FEET SOUTH OF THE SOUTH LINE OF CEMETERY ROAD AS OCCUPIED; THENCE EAST ALONG THE SOUTH LINE OF VERNON CEMETERY TO THE SOUTH EAST CORNER THEREOF, SAID SOUTHEAST CORNER ALSO BEING A POINT ON THE WEST LINE OF PROPERTY DESCRIBED BY DOCUMENT NUMBER 2012084; THENCE SOUTH ALONG AFORESAID WEST LINE TO THE NORTH LINE OF HALF DAY ROAD; THENCE EAST ALONG LAST SAID NORTH

New matter indicated by italics - deletions by strikeout
LINE TO A POINT IN THE WEST LINE (EXTENDED) OF INDIAN CREEK SUBDIVISION (RECORDED AS DOCUMENT NUMBER 2084U19); THENCE SOUTH ALONG THE WEST LINE AND AN EXTENSION THEREOF OF INDIAN CREEK CONDOMINIUM SUBDIVISION TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTHEASTERLY ALONG A SOUTH LINE OF INDIAN CREEK CONDOMINIUM SUBDIVISION 130.47 FEET TO THE MOST SOUTHERLY CORNER IN THE AFORESAID SUBDIVISION SAID POINT BEING IN THE NORTH LINE OF RELOCATED ILLINOIS STATE ROUTE 22; THENCE NORTHEASTERLY ALONG A SOUTH LINE OF INDIAN CREEK CONDOMINIUM SUBDIVISION 209.56 FEET, SAID LINE BEING ALSO THE NORTH LINE OF RELOCATED ILLINOIS STATE ROUTE 22, TO THE SOUTHEAST CORNER OF INDIAN CREEK CONDOMINIUM SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF INDIAN CREEK SUBDIVISION AND AN EXTENSION THEREOF TO THE NORTH LINE OF HALF DAY ROAD; THENCE EAST ALONG THE NORTH LINE OF HALF DAY ROAD TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 15 AFORESAID; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF THE HAMILTON PARTNERS PROPERTY DESCRIBED AS FOLLOWS, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22 (THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22 HAVING AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE SOUTH 13 DEGREES 57 MINUTES 09 SECONDS WEST, 519.43 FEET TO A POINT DESCRIBED AS BEARING NORTH 51 DEGREES 41 MINUTES 30 SECONDS WEST, 159.61 FEET FROM A POINT OF THE EAST LINE OF THE NORTHEAST

New matter indicated by italics - deletions by strikeout
QUARTER OF SECTION 22 AFORESAID, 603.05 FEET, AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 05 DEGREES 08 MINUTES 04 SECONDS EAST, 232.01 FEET TO THE MOST NORTHERLY NORTHEAST CORNER OF MARIOTT DRIVE, ACCORDING TO THE PLAT OF DEDICATION RECORDED AS DOCUMENT NUMBER 1978811; THENCE SOUTH 42 DEGREES 08 MINUTES 46 SECONDS WEST (RECORD SOUTH 42 DEGREES 09 MINUTES 23 SECONDS WEST) ALONG THE NORTHWESTERLY LINE OF SAID MARIOTT DRIVE, 40.70 FEET (RECORD 40.73 FEET) TO AN ANGLE POINT IN THE NORTH LINE OF SAID MARIOTT DRIVE; THENCE SOUTH PERPENDICULAR TO AFOREMENTIONED MARIOTT DRIVE TO A POINT ON THE SOUTH LINE THEREOF; THENCE WEST ALONG THE SOUTH LINE OF MARIOTT DRIVE TO A POINT PERPENDICULAR TO A POINT IN THE NORTH LINE OF MARIOTT DRIVE THAT IS ON A LINE, THE EXTENSION OF WHICH IS THE EASTERLY LINE OF LOTS 1 AND 2 IN INDIAN CREEK RESUBDIVISION; THENCE NORTH PERPENDICULAR TO MARIOTT DRIVE TO THE AFOREMENTIONED POINT ON THE NORTH LINE; THENCE NORTHWESTERLY ON THE EASTERLY LINE & EXTENSION THEREOF OF AFOREMENTIONED LOTS 1 AND 2 TO THE NORTHEAST CORNER OF LOT 2; THENCE WEST ALONG THE NORTH LINE OF LOT 2 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTHWESTERLY PERPENDICULAR TO ILLINOIS ROUTE 21 (MILWAUKEE AVENUE DEDICATED BY DOCUMENT NUMBER 2129168) TO THE WEST LINE THEREOF; THENCE NORTH ALONG THE WEST LINE OF AFOREMENTIONED ILLINOIS ROUTE 21 TO THE NORTHEAST CORNER OF LOT 1 IN MCDONALD'S - KING'S SUBDIVISION; THENCE WEST ALONG THE NORTH LINE

New matter indicated by italics - deletions by strikeout
OF THE LAST MENTIONED LOT 1, 218.50 FEET TO A JOG IN THE NORTH LINE THEREOF; THENCE NORTHERLY ALONG A WESTERLY LINE OF SAID LOT 1, 20.22 FEET TO A JOG IN THE NORTH LINE; THENCE WEST ALONG THE NORTH LINE OF LOT 1 AFORESAID 150.42 FEET TO THE NORTHWEST CORNER OF THEREOF; THENCE SOUTH 205.94 FEET ALONG THE WEST LINE OF AFOREMENTIONED LOT 1 TO A JOG IN THE WEST LINE THEREOF; THENCE EAST ALONG A SOUTH LINE OF LOT 1 TO A JOG IN THE WEST LINE THEREOF 3.45 FEET; THENCE SOUTH 91.22 FEET ALONG THE WEST LINE LOT 1 TO THE SOUTHWEST CORNER LOT 1 AFOREMENTIONED; THENCE SOUTHERLY RADIAL TO RELOCATED ILLINOIS STATE ROUTE 22 TO THE SOUTH LINE THEREOF; THENCE WEST ALONG THE SOUTH LINE OF RELOCATED ILLINOIS STATE ROUTE 22 TO A POINT PERPENDICULAR TO A POINT AT THE SOUTHWEST CORNER OF THE OLD HALF DAY SCHOOL PARCEL; THENCE NORTHWESTERLY 51.41 FEET ALONG A WEST LINE OF AFORESAID SCHOOL PARCEL TO A CORNER THEREOF; THENCE NORTHEASTERLY 169.30 FEET ALONG A NORTHERLY LINE OF AFORESAID SCHOOL PARCEL TO A CORNER THEREOF; THENCE NORTHWESTERLY 242.80 FEET ALONG A WEST LINE TO THE CENTER LINE OF HALF DAY ROAD; THENCE NORTHWESTERLY NORMAL TO THE AFORESAID ROAD TO THE NORTHERLY RIGHT OF WAY LINE THEREOF; THENCE EAST ALONG THE NORTH LINE OF HALF DAY ROAD TO A POINT SAID POINT IS A BEND IN THE WEST LINE OF PROPERTY DESCRIBED BY DOCUMENT NUMBER 2600952; THENCE NORTHWESTERLY 7.82 CHAINS ALONG THE WEST LINE AFOREMENTIONED TO THE NORTHWEST CORNER THEREOF; THENCE SOUTHEASTERLY 2.39 CHAINS TO THE NORTHEAST CORNER OF THE SAID PROPERTY;

New matter indicated by italics - deletions by strikeout
THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF AFORESAID PROPERTY TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN DOCUMENT NUMBER 2297085; THENCE EAST 2.27 CHAINS ALONG THE NORTH LINE OF AFOREMENTIONED PROPERTY TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF THE AFOREMENTIONED PROPERTY TO THE PLACE OF BEGINNING, (EXCEPT THEREFROM THE TRACT OF LAND AS DESCRIBED BY DOCUMENT NUMBER 1141157 AND MILWAUKEE AVE. ADJACENT THERETO) ALL IN LAKE COUNTY, ILLINOIS.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.77. Quick-take; City of Marion. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 18 months after July 30, 1999, by the City of Marion for the acquisition of property and temporary construction easements bounded by the following lines for improvement of the Pentecost Road project:

A variable width strip of land lying parallel with and contiguous to the existing east and west Right-of-Way lines of Pentecost Road in the following quarter-quarter section:

the NW1/4 NW1/4, Section 16; NE1/4 NE1/4, Section 17; NW1/4 SW1/4, Section 16; SW1/4 SW1/4, Section 16; NE1/4 SE1/4, Section 17; and the SE1/4 SE1/4, Section 17, all located in Township 9 South, Range 2 East of the Third Principal Meridian; Williamson County, Illinois.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.78. Quick-take; City of Geneva. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 6 months following July 30, 1999, by the City of Geneva, for the Prairie and Wetland Restoration Project, for the acquisition of property described as follows:

New matter indicated by italics - deletions by strikeout
PARCEL ONE: THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF GENEVA, KANE COUNTY, ILLINOIS.

PARCEL TWO: THE SOUTH HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF GENEVA, KANE COUNTY, ILLINOIS.


(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.79 Quick-take; City of Arcola. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 30, 1999, by the City of Arcola for the purpose of acquiring property in connection with a project to widen Illinois Route 133 east of Interstate 57.

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.80. Quick-take; County of Lake. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after July 30, 1999, by the County of Lake, for the acquisition of necessary right-of-way to complete the improvement of the intersection of County Highway 47 (9th Street) and County Highway 27 (Lewis Avenue).

Sec. 25-7-103.81. Quick-take; County of Lake. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after July 30, 1999, by the County of Lake, for the acquisition of necessary right-of-way to complete the improvement of the various intersections and roadways involved in the project to improve County Highway 70 (Hawley Street), County Highway 26 (Gilmer Road), and County Highway 62 (Fremont Center Road) at and near Illinois Route 176.

Sec. 25-7-103.82. Quick-take; County of Winnebago. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 30 months after July 30, 1999, by the County of Winnebago to allow for the acquisition of right-of-way for the construction of the Harrison Avenue Extension project from Montague Road to West State Street lying within Section 20, the east 1/2 of Section 29, and the northeast 1/4 of Section 32, Township 44W, Range 1 East of the 3rd Principal Meridian, in Winnebago County.

Sec. 25-7-103.83. Quick-take; Village of Schiller Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 30, 1999, by the Village of Schiller Park, for

New matter indicated by italics - deletions by strikeout
the acquisition of the following described property for purposes of redevelopment of blighted areas:

The following parcel of property lying within the East Half of the Southeast Quarter of Section 17, Township 40 North, Range 12 East of the Third Principal Meridian and the Northeast Half of the Southwest Quarter of Section 16, Township 40 North, Range 12 East of the Third Principal Meridian all in Cook County, Illinois:

Commencing at the intersection of the center line of Irving Park Road with the west line of Mannheim Road; thence, southwesterly along the westerly line of Mannheim Road to its intersection with the south line of Belle Plaine Avenue, as extended from the east; thence, easterly along the south line of Belle Plaine Avenue to its intersection with the west line, as extended from the North, of Lot 7 in the Subdivision of the West Half of the Southwest Quarter of Section 16, Township 40 North, Range 12 East of the Third Principal Meridian (except that part lying Northerly of Irving Park Road), recorded April 14, 1921 as document no. 7112572; thence, northerly along the west line, as extended from the north, of Lot 7 of the aforesaid Subdivision to its intersection with the north line of Belle Plaine Avenue; thence, northeasterly along the northwesterly line of the property acquired by The Illinois State Toll Highway Authority to its intersection with the east line of Lot 7 of the aforesaid Subdivision; thence, northerly along the east line of Lot 7 of the aforesaid Subdivision to its intersection with the south line of Lot 2 in the aforesaid Subdivision; thence, westerly along the south line of Lot 2 of the aforesaid Subdivision to its intersection with the west line of Lot 2 of the aforesaid Subdivision; thence, northerly along the west line of Lot 2 of the aforesaid Subdivision and the extension of the west line of Lot 2 to its intersection with the center line of Irving Park Road; thence, westerly along the center line of Irving Park Road to the point of beginning.

Notwithstanding the property description contained in this Section, the Village of Schiller Park may not acquire, under the authority of this Section, any property that is owned by any other unit of local government. (Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.84)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.84 7-103.84. Quick-take; City of Springfield. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 30, 1999, by the City of Springfield, for the acquisition of (i) the property located in the City of Springfield and bounded on the north by Mason Street, on the west by Fifth Street, on the south by Jefferson Street, and on the east by Sixth Street and (ii) the property located in the City of Springfield and bounded on the north by Madison Street, on the west by Sixth Street, on the south by Washington Street, and on the east by Seventh Street, for the Abraham Lincoln Presidential Library.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)
(was 735 ILCS 5/7-103.85)

Sec. 25-7-103.85 7-103.85. Quick-take; McLean County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after July 30, 1999, by McLean County, for the acquisition of property necessary for the purpose of construction with respect to the Towanda-Barnes Road from Route 150 to Ft. Jesse Road.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)
(was 735 ILCS 5/7-103.86)

Sec. 25-7-103.86 7-103.86. Quick-take; Pike County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by Pike County, for the acquisition of property necessary for the purpose of construction with respect to F.A.S. 1591, commonly known as Martinsburg Road, from one mile north of Martinsburg to 0.25 mile north of Martinsburg.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)
(was 735 ILCS 5/7-103.87)

Sec. 25-7-103.87 7-103.87. Quick-take; Fox Metro Water Reclamation District. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by the Fox Metro Water Reclamation District, for the acquisition of the following described property for the purpose of extending the collector system and construction of facilities for treatment of effluent:

New matter indicated by italics - deletions by strikeout
THAT PART OF LOTS 2 AND 3 OF LARSON'S SUBDIVISION DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 BEING ON THE CENTER LINE OF STATE ROUTE NO. 31; THENCE SOUTH 7 DEGREES 01 MINUTES WEST ALONG SAID CENTER LINE 46.58 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 7 DEGREES 01 MINUTES EAST ALONG SAID CENTER LINE 91.58 FEET; THENCE SOUTH 88 DEGREES 31 MINUTES EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 781.87 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE SOUTH 19 DEGREES 40 MINUTES WEST ALONG THE EASTERLY LINES OF LOTS 2 AND 3 106.9 FEET; THENCE SOUTH 9 DEGREES 39 MINUTES EAST ALONG THE EASTERLY LINE OF SAID LOT 3, 70.83 FEET TO A LINE DRAWN SOUTH 82 DEGREES 36 MINUTES EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 3, FROM THE PLACE OF BEGINNING; THENCE NORTH 82 DEGREES 36 MINUTES WEST ALONG SAID PARALLEL LINE 775.16 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF OSENGO, KENDALL COUNTY, ILLINOIS.

ALSO:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82 DEGREES 36 MINUTES 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18 DEGREES 46 MINUTES WEST ALONG SAID WASTERLY BANK 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18 DEGREES 46 MINUTES

New matter indicated by italics - deletions by strikeout
WEST ALONG SAID WESTERLY BANK 44.35 FEET; THENCE NORTH 37 DEGREES 16 MINUTES WEST ALONG SAID WESTERLY BANK 227.8 FEET; THENCE NORTH 82 DEGREES 36 MINUTES WEST 867.3 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE 200 FEET TO A LINE DRAWN NORTH 82 DEGREES 36 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 36 MINUTES EAST 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ALSO:

PARCEL ONE:
LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6 DEGREES 44 MINUTES EAST ALONG SAID CENTER LINE 745.75 FEET; THENCE SOUTH 82 DEGREES 30 MINUTES EAST 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 83 DEGREES 30 MINUTES EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82 DEGREES 30 MINUTES EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES 30 MINUTES WEST TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ALSO:

New matter indicated by italics - deletions by strikeout

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.88 Quick-take; St. Clair County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by St. Clair County, for the acquisition of property necessary for the purpose of the following county road improvements in the City of O'Fallon and the Village of Shiloh: Section 95-00301-02-PV, Hartman Lane to Shiloh-O'Fallon Road, 2.45 miles of concrete pavement, 24 feet wide, 10-foot shoulders, a 95-foot single-span bridge, earthwork, and traffic signals.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.89 Quick-take; St. Clair County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by St. Clair County, for the acquisition of property necessary for the purpose of the following county road improvements in the City of Fairview Heights: Section 97-00301-04-PV, Metro-Link Station to Illinois Route 159, 2.04 miles of concrete pavement, 24 feet wide, 10-foot shoulders, earthwork, and traffic signals.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.90 Quick-take; St. Clair County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by St. Clair County, for the acquisition of property necessary for the purpose of the following county road improvements in the City of O'Fallon: Section 97-03080-05-PV, Jennifer Court to Station 122+50, 1.52 miles of concrete pavement, 24 to 40 feet wide, 10-foot shoulders, earthwork, storm sewers, curbs, and gutters.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.91 Quick-take; Madison County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by Madison County, for the acquisition of property necessary for the purpose of approximately 2.4 miles of roadwork commencing at the intersection of Illinois Route 143 northerly

New matter indicated by italics - deletions by strikeout
over, adjacent to, and near the location of County Highway 19 (locally known as Birch Drive) to the intersection of Buchts Road, traversing through land sections 19, 20, 29, 30, and 31 of Ft. Russell Township, the work to consist of excavation, fill placement, concrete structures, and an aggregate and bituminous base with bituminous binder and surfacing.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(Sec. 25-7-103.92) Quick-take; Lake County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 30, 1999, by Lake County, for the acquisition of property necessary for the purpose of improving County Highway 70 (Hawley Street) from Chevy Chase Road to County Highway 26 (Gilmer Road).

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(Sec. 25-7-103.93) Quick-take; Kendall County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after July 30, 1999, by Kendall County, for the acquisition of the following described property for the purpose of road construction or improvements, including construction of a bridge and related improvements:

THAT PART OF THE EAST 1/2 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 4 OF CHRISTIE C. HERREN'S 2ND SUBDIVISION; THENCE ON AN ASSUMED BEARING NORTH 89 DEGREES 32 MINUTES 05 SECONDS EAST, 33.00 FEET ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 4 TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 27 MINUTES 55 SECONDS WEST, 1,585.91 FEET ALONG THE CENTER LINE OF MINKLER ROAD TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE NORTH 0 DEGREES 53 MINUTES 06 SECONDS WEST, 1,084.14 FEET ALONG THE CENTER LINE OF

New matter indicated by italics - deletions by strikeout
MINKLER ROAD AND THE NORTHERLY EXTENSION THEREOF TO THE NORTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREES 53 MINUTES 06 SECONDS WEST, 12.95 FEET TO THE SOUTH BANK OF THE FOX RIVER; THENCE NORTH 84 DEGREES 02 MINUTES 18 SECONDS EAST, 192.09 FEET ALONG SAID SOUTH BANK; THENCE SOUTH 23 DEGREES 08 MINUTES 48 SECONDS EAST, 4.22 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE SOUTHWESTERLY, 194.71 FEET ALONG A 3,956.53 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 81 DEGREES 25 MINUTES 34 SECONDS WEST, 194.69 FEET TO THE POINT OF BEGINNING.

AND:

THAT PART OF THE EAST 1/2 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS DESCRIBED AS Follows: COMMENCING AT THE NORTHEAST CORNER OF LOT 4 OF CHRISTIE C. HERREN'S 2ND SUBDIVISION; THENCE ON AN ASSUMED BEARING NORTH 89 DEGREES 32 MINUTES 05 SECONDS EAST, 33.00 FEET ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 4 TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 27 MINUTES 55 SECONDS WEST, 1,585.91 FEET ALONG THE CENTER LINE OF MINKLER ROAD TO THE CENTER LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 53 MINUTES 06 SECONDS WEST, 52.33 FEET ALONG THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 72 DEGREES 01 MINUTES 36 SECONDS EAST, 130.87 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 18 DEGREES 09 MINUTES 27
SECONDS WEST, 111.00 FEET; THENCE NORTH 74 DEGREES 41 MINUTES 24 SECONDS EAST, 40.24 FEET; THENCE NORTH 3 DEGREES 05 MINUTES 16 SECONDS WEST, 239.00 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 13 SECONDS WEST, 69.62 FEET; THENCE SOUTH 43 DEGREES 09 MINUTES 14 SECONDS WEST, 46.47 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES 54 SECONDS WEST, 20.00 FEET TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 53 MINUTES 06 SECONDS WEST, 595.48 FEET ALONG SAID CENTER LINE AND SAID CENTER LINE EXTENDED NORTHERLY TO THE SOUTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE EASTERLY, 222.77 FEET ALONG A 3,881.53 FOOT RADIUS CURVE TO THE RIGHT Whose CHORD BEARS NORTH 81 DEGREES 28 MINUTES 59 SECONDS EAST, 222.74 FEET; THENCE SOUTH 20 DEGREES 43 MINUTES 16 SECONDS EAST, 119.40 FEET; THENCE SOUTHERLY, 237.80 FEET ALONG A 717.37 FEET RADIUS CURVE TO THE RIGHT Whose CHORD BEARS SOUTH 11 DEGREES 13 MINUTES 29 SECONDS EAST, 236.71 FEET; THENCE SOUTH 1 DEGREES 43 MINUTES 42 SECONDS EAST, 471.58 FEET; THENCE SOUTH 55 DEGREES 31 MINUTES 50 SECONDS EAST, 63.07 FEET; THENCE NORTH 72 DEGREES 01 MINUTES 36 SECONDS EAST, 86.50 FEET; THENCE SOUTH 17 DEGREES 58 MINUTES 24 SECONDS EAST, 20.00 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 72 DEGREES 01 MINUTES 36 SECONDS EAST, 350.00 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTH 17 DEGREES 58 MINUTES 24 SECONDS EAST, 50.00 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE SOUTH 72 DEGREES 01 MINUTES 36 SECONDS WEST,

New matter indicated by italics - deletions by strikeout
836.88 FEET ALONG SAID CENTER LINE TO THE POINT OF BEGINNING.
AND:
THAT PART OF THE EAST 1/2 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 4 OF CHRISTIE C. HERREN'S 2ND SUBDIVISION; THENCE ON AN ASSUMED BEARING NORTH 89 DEGREES 32 MINUTES 05 SECONDS EAST, 33.00 FEET ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 4 TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 27 MINUTES 55 SECONDS WEST, 1,585.91 FEET ALONG SAID CENTER LINE TO THE CENTER LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 36 SECONDS EAST, 836.88 FEET ALONG THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE SOUTH 17 DEGREES 58 MINUTES 24 SECONDS EAST, 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTH 64 DEGREES 54 MINUTES 06 SECONDS WEST, 201.56 FEET; THENCE SOUTH 72 DEGREES 01 MINUTES 36 SECONDS WEST, 331.43 FEET; THENCE SOUTH 1 DEGREES 55 MINUTES 17 SECONDS WEST, 144.09 FEET; THENCE SOUTHERLY 327.44 FEET ALONG AN 853.94 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 12 DEGREES 54 MINUTES 22 SECONDS WEST, 325.44 FEET; THENCE SOUTH 23 DEGREES 53 MINUTES 28 SECONDS WEST, 211.52 FEET; THENCE SOUTHERLY 289.43 FEET ALONG A 673.94 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 11 DEGREES 35 MINUTES 17 SECONDS WEST, 287.21 FEET; THENCE SOUTH 0 DEGREES 42 MINUTES 55 SECONDS EAST, 135.43 FEET; THENCE SOUTH 89 DEGREES 17 MINUTES 05 SECONDS

New matter indicated by italics - deletions by strikeout
WEST, 85.98 FEET TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 27 MINUTES 55 SECONDS WEST, 459.31 FEET ALONG SAID CENTER LINE; THENCE NORTH 21 DEGREES 25 MINUTES 47 SECONDS EAST, 232.86 FEET; THENCE NORTHERLY 266.09 FEET ALONG A 693.94 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 12 DEGREES 54 MINUTES 22 SECONDS EAST, 264.46 FEET; THENCE NORTH 1 DEGREES 55 MINUTES 17 SECONDS EAST, 64.92 FEET; THENCE NORTH 53 DEGREES 01 MINUTES 20 SECONDS WEST, 30.54 FEET; THENCE SOUTH 72 DEGREES 01 MINUTES 36 SECONDS WEST, 132.59 FEET TO THE CENTER LINE OF MINKLER ROAD; THENCE NORTH 0 DEGREES 27 MINUTES 55 SECONDS WEST, 73.38 FEET ALONG SAID CENTER LINE TO THE POINT OF BEGINNING.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

Sec. 25-7-103.94 Quick-take; DU-COMM at Cloverdale, Illinois. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after July 30, 1999, by DuPage Public Safety Communications (DU-COMM), a unit of intergovernmental cooperation, for the acquisition of property including land, buildings, towers, fixtures, and other improvements located at Cloverdale, Illinois and described as follows:

A tract or parcel of land situated in the Southeast Quarter (SE 1/4) of Section Twenty-one (21), Township Forty (40) North, Range Ten (10) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter (SE 1/4) of said Section Twenty-one (21), measure North, along the West line of the Southeast Quarter (SE 1/4) of said Section Twenty-one (21) 1287.35 feet, then East at right angles to the said West line of the

New matter indicated by italics - deletions by strikeout
Southeast Quarter (SE 1/4) of said Section Twenty-one (21), 292.57 feet to the point of beginning;

Thence East along the last described course 208.71 feet, thence South at right angles to the last described course 208.71 feet, thence West at right angles to the last described course 208.71 feet, thence North in a direct line 208.71 feet to the point of beginning; also

A right of way and easement thirty-three (33) feet in width for the construction, maintenance, and use of (a) a roadway suitable for vehicular traffic, and (b) such aerial or underground electric power and communication lines as said Company may from time to time desire, consisting of poles, wires, cables, conduits, guys, anchors, and other fixtures and appurtenances, the center line of which right of way and easement is described as follows:

Commencing at a point on the West line of the tract or parcel of land above described, distant Southerly 16.5 feet from the Northwest corner of said tract or parcel, thence Westerly at right angles to the West line of the Southeast Quarter (SE 1/4) of said Section Twenty-one (21), 293 feet more or less to the public road situated on the West line of the Southeast Quarter (SE 1/4) of said Section Twenty-one (21), Township and Range aforesaid.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.95)

Sec. 25-7-103.95 7-103.95. Quick-take; City of Crest Hill. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 3 years after July 30, 1999, (in the case of the permanent easements described in items (A) and (C)), by the City of Crest Hill, for acquisition of the following easements:

(A) Permanent easement for the purposes of installation, maintenance, and use of water or sewer, or both water and sewer, lines in, along, through, and under the following legally described property:

New matter indicated by italics - deletions by strikeout
The East 70 feet of the North half of the North half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10, East of the Third Principal Meridian (Except therefrom the North 12 Rods of the East 13 1/2 Rods thereof, and also except the South 99 feet of the East 440 feet thereof), in Will County, Illinois.

(B) Temporary easement for purposes of initial construction of the water or sewer, or both water and sewer, lines in, along, through, and under the permanent easement described in item (A). The temporary easement herein shall arise on September 1, 1999 and shall cease on August 31, 2001 and is legally described as follows:

The East 100 feet of the North half of the North half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10, East of the Third Principal Meridian (Except therefrom the North 12 Rods of the East 13 1/2 Rods thereof, and also except the South 99 feet of the East 440 feet thereof), in Will County, Illinois.

(C) Permanent easement for the purposes of installation, maintenance, and use of water or sewer, or both water and sewer, lines in, along, through, and under the following legally described property:

The East 70 feet of the West 120 feet of the South half of the Southeast Quarter of Section 30, in township 36 North, and in Range 10 East of the Third Principal Meridian, in Will County, Illinois, excepting therefrom the following described tracts:

Exception 1: That part of said South half lying Southwesterly of the Northeasterly right-of-way line of the Elgin, Joliet and Eastern Railway Company, in Will County, Illinois.

Exception 2: The West 200 feet of said South half, in Will County, Illinois.

Exception 3: That part of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, described as follows: Beginning at a point 250 feet East of the West line of said South half of the Southeast Quarter and 180.58 feet North of the South line of said

New matter indicated by italics - deletions by strikeout
South half of the Southeast Quarter; thence North along a line 250 feet East of and parallel with the West line of said Southeast Quarter a distance of 1004.55 feet to a point; thence Northwesterly along a diagonal line 65.85 feet to its intersection with a line drawn 200 feet East of and parallel to the West line of said Southeast Quarter, said point also being 100.75 feet South of the North line of the South half of said Southeast Quarter, as measured along said parallel line; thence South along the last described parallel line a distance of 1045.02 feet to a point 50 feet West of the point of beginning and 180.58 feet North of the South line of said Southeast Quarter; thence East 50 feet to the point of beginning, in Will County, Illinois.

Exception 4: Beginning at the Southeast corner of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, thence Northerly along the East line of said Section for a distance of 346.5 feet; thence Westerly along a line 346.5 feet distant from and parallel with the South line of said Section for a distance of 297 feet; thence Southerly along a line 297 feet distant from and parallel with the East line of said Section for a distance of 346.5 feet to a point, said point being on the South line of said Section; thence Easterly along said South line of said Section 297 feet to the point of beginning, in Will County, Illinois.

Exception 5: That part dedicated for highway purposes in instrument recorded January 28, 1986 as Document No. R86-03205 described as follows: That part of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian bounded and described as follows: Beginning at the point of intersection of the Northeasterly right-of-way line of the Elgin, Joliet and Eastern Railway Company with the South line of said Southeast Quarter, thence on an assumed bearing of North 90.00 degrees 00 minutes 00 seconds East along said South line a distance of 288.02 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 33.0 feet;
thence North 86 degrees 25 minutes 22 seconds West a distance of 352.57 feet to the Northeasterly right-of-way line of said railway company; thence South 49 degrees 15 minutes 53 seconds East along said Northeasterly right-of-way line, a distance of 84.28 feet to the point of beginning, in Will County, Illinois.

Exception 6: The North 850 feet of the East 1025 feet of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, in Will County, Illinois.

(D) Temporary easement for purposes of initial construction of the water or sewer, or both water and sewer, lines in, along, through, and under the permanent easement described in item (C). The temporary easement herein shall arise on September 1, 1999 and shall cease on August 31, 2001 and is legally described as follows:

The East 100 feet of the West 150 feet of the South half of the Southeast Quarter of Section 30, in Township 36 North, and in Range 10 East of the Third Principal Meridian, in Will County, Illinois, excepting therefrom the following described tracts:

Exception 1: That part of said South half lying Southwesterly of the Northeasterly right-of-way line of the Elgin, Joliet and Eastern Railway Company, in Will County, Illinois.

Exception 2: The West 200 feet of said South half, in Will County, Illinois.

Exception 3: That part of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, described as follows: Beginning at a point 250 feet East of the West line of said South half of the Southeast Quarter and 180.58 feet North of the South line of said South half of the Southeast Quarter; thence North along a line 250 feet East of and parallel with the West line of said southeast Quarter a distance of 1004.55 feet to a point; thence Northwesterly along a diagonal line 65.85 feet to its intersection with a line drawn 200 feet East of and parallel to the West line of said Southeast Quarter.
Quarter, said point also being 100.75 feet South of the North line of the South half of said Southeast Quarter, as measured along said parallel line; thence South along the last described parallel line a distance of 1045.02 feet to a point 50 feet West of the point of beginning and 180.58 feet North of the South line of said Southeast Quarter; thence East 50 feet to the point of beginning, in Will County, Illinois.

Exception 4: Beginning at the Southeast corner of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, thence Northerly along the East line of said Section for a distance of 346.5 feet; thence Westerly along a line 346.5 feet distant from and parallel with the South line of said Section for a distance of 297 feet; thence Southerly along a line 297 feet distant from and parallel with the East line of said Section for a distance of 346.5 feet to a point, said point being on the South line of said Section; thence Easterly along said South line of said Section 297 feet to the point of beginning, in Will County, Illinois.

Exception 5: That part dedicated for highway purposes in instrument recorded January 28, 1986 as Document No. R86-03205 described as follows: That part of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian bounded and described as follows: Beginning at the point of intersection of the Northeasterly right-of-way line of the Elgin, Joliet and Eastern Railway Company with the South line of said Southeast Quarter; thence on an assumed bearing of North 90.00 degrees 00 minutes 00 seconds East along said South line a distance of 288.02 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 33.0 feet; thence North 86 degrees 25 minutes 22 seconds West a distance of 352.57 feet to the Northeasterly right-of-way line of said railway company; thence South 49 degrees 15 minutes 53 seconds East along said Northeasterly right-of-way line, a distance of 84.28 feet to the point of beginning, in Will County, Illinois.

New matter indicated by italics - deletions by strikeout
Exception 6: The North 850 feet of the East 1025 feet of the South half of the Southeast Quarter of Section 30, Township 36 North, and in Range 10 East of the Third Principal Meridian, in Will County, Illinois.
(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)
(was 735 ILCS 5/7-103.96)
Sec. 25-7-103.96 7-103.96. Quick-take; Village of Palatine. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 4 years after July 30, 1999, by the Village of Palatine, for the acquisition of the following described property for the purpose of revitalizing the downtown business area:
Lots 1 through 3 in Block D of the Subdivision of the North 24.60 acres in the NE 1/4 of the NE 1/4 of Section 22, Township 42, Range 10 East of the Third Principal Meridian, in Cook County, IL;
Property bounded by Bothwell Street, Railroad right-of-way, Plum Grove Road and Chicago Avenue in the Village of Palatine;
Lots 1 through 8 in Block K, of the Town of Palatine, a subdivision of the West 16 2/3 acres of the South 31 acres of the West 1/2 of the Southwest 1/4 of Section 14 and the Southeast 24.12 acres of the South 31 acres of the East 1/2 of the Southeast 1/4 of Section 15, Township 42 North, Range 10, East of the Third Principal Meridian, Ante-Fire, Re-recorded April 10, 1877 as Document 129579, in Cook County, Illinois;
Property bounded by Wilson Street, Plum Grove Road, Slade Street, Railroad right-of-way and Bothwell Street in the Village of Palatine;
Lots 1 through 8 in Block 8 of the Subdivision of part of the East 1/2 of the SE 1/4 Section, Ante-Fire, Re-recorded on April 10, 1877 as Document Number 129579;
Lots 20 and 21 and the West 71.25 feet of Lot 24 of Arthur T. McIntosh and Company's Palatine Farms, being a subdivision of Section 16, Township 42, Range 10 East of the Third Principal Meridian, in Cook County, IL, recorded on June 16, 1919;
Lots 1 through 3 of Millin's Subdivision of the SE 1/4 of Section 15, Township 42, Range 10 East of the Third Principal Meridian, in Cook County, IL;

Property bounded by Colfax Street, Smith Street and Millin's Subdivision of the SE 1/4 of Section 15, Township 42, Range 10 East of the Third Principal Meridian, in Cook County, IL;

Property bounded by Wood Street, Brockway Street and Railroad right-of-way in the Village of Palatine;

Lots 45 through 50 and 58 through 64 of Arthur T. McIntosh and Company's Palatine Farms, being a subdivision of Section 16, Township 42, Range 10 East of the Third Principal Meridian, in Cook County, IL, recorded on June 16, 1919; and

Property bounded by Railroad right-of-way, Brockway Street and Slade Street in the Village of Palatine.

(Source: P.A. 91-367, eff. 7-30-99; 92-16, eff. 6-28-01.)

(was 735 ILCS 5/7-103.97)

Sec. 25-7-103.97 7-103.97. Quick-take; Village of Baylis. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the Village of Baylis for the acquisition of the following described property for the purpose of constructing a sewer project:

A part of the North One-Half of the Northwest Quarter of the Southeast Quarter of Section Seven (7), Township Four (4) South, Range Four (4) West of the New Salem Township, Pike County, Illinois specifically described as follows: COMMENCING: At a point of beginning 540.35 feet South 00 degrees 33 minutes 30 seconds West of center of Section Seven (7), Township Four (4) South, Range Four (4) West of the New Salem Township, Pike County, Illinois, Thence 1,481.74 feet North 64 degrees 56 minutes 58 seconds East Thence 800.0 feet North 90 degrees 00 minutes 00 seconds West Thence 172.61 feet North 00 degrees 33 minutes 30 seconds East to the point of beginning, said area to contain 15.00 acres.

New matter indicated by italics - deletions by strikeout
PROPOSED ACCESS RIGHT OF WAY: Fifty (50) feet wide by
Three hundred eighty six and 77 hundreds feet, said area
containing 0.44 Acres more or less.
(Source: P.A. 92-831, eff. 8-22-02.)
(was 735 ILCS 5/7-103.98)
Sec. 25-7-103.98 Quick-take; County of Lake. Quick-
take proceedings under Article 20 Section 7-103 may be used for a period
of 12 months after the effective date of this amendatory Act of the 92nd
General Assembly, by the County of Lake, for the acquisition of the
following described property as necessary right-of-way to complete the
improvement of County Highway 45 (Washington Street) from Route 45
to Hunt Club Road:
PARCEL 014
THAT PART OF COMMON ELEMENT IN THE TOWN
HOMES OF WOODLAND HILLS CONDOMINIUM, PHASE
1B, AS DELINEATED ON THE SURVEY OF PART OF THE
WEST HALF OF THE SOUTHEAST QUARTER OF SECTION
20, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS,
DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE
WIDENING OF WASHINGTON STREET RECORDED APRIL
15, 1985 AS DOCUMENT NO. 2348877, BEING ALSO THE
POINT OF INTERSECTION OF A LINE DRAWN 15.240
METERS (50.00 FEET) SOUTH OF AND PARALLEL WITH
THE EAST-WEST CENTERLINE OF SAID SECTION 20, WITH
THE EAST LINE OF SAID WEST HALF OF THE SOUTHEAST
QUARTER OF SECTION 20; THENCE WEST ALONG SAID
PARALLEL LINE, ON AN ASSUMED BEARING OF NORTH
89 DEGREES 49 MINUTES 09 SECONDS WEST, A
DISTANCE OF 151.292 METERS (493.08 FEET) TO THE
POINT OF BEGINNING; THENCE CONTINUING NORTH 89
DEGREES 49 MINUTES 09 SECONDS WEST, A DISTANCE
OF 73.395 METERS (240.80 FEET); THENCE ON THE ARC OF

New matter indicated by italics - deletions by strikeout
A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 7.620 METERS (25.00 FEET) AND THE CHORD BEARING OF SOUTH 45 DEGREES 10 MINUTES 51 SECONDS WEST, AN ARC DISTANCE OF 11.969 METERS (39.27 FEET); THENCE SOUTH 00 DEGREES 10 MINUTES 51 SECONDS WEST, A DISTANCE OF 6.614 METERS (21.70 FEET); THENCE ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 63.514 METERS (208.38 FEET) AND THE CHORD BEARING OF SOUTH 11 DEGREES 55 MINUTES 52 SECONDS EAST, AN ARC DISTANCE OF 26.853 METERS (88.10 FEET) TO THE POINT OF REVERSE CURVATURE; THENCE ON THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 241.176 METERS (791.26 FEET) AND THE CHORD BEARING OF SOUTH 22 DEGREES 33 MINUTES 41 SECONDS EAST, AN ARC DISTANCE OF 12.473 METERS (40.92 FEET); THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS EAST, A DISTANCE OF 70.607 METERS (231.65 FEET); THENCE NORTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, A DISTANCE OF 51.789 METERS (169.91 FEET) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.4043 HECTARE (0.999 ACRE), MORE OR LESS.

PERMANENT INDEX NUMBER: 07-20-400-032 THRU -049.

PARCEL 017

THE SOUTH 18.288 METERS (60.00 FEET) OF THE EAST HALF (EXCEPT THE EAST 203.912 METERS (669.00 FEET) OF THE NORTHEAST QUARTER SECTION) OF THE FOLLOWING PARCEL (TAKEN AS A TRACT): THE NORTHEAST QUARTER (EXCEPT EAST 22 RODS AND THE WEST 60 RODS THEREOF) OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.
SAID PARCEL CONTAINING 0.2206 HECTARE (0.545 ACRE), MORE OR LESS, OF WHICH 0.1471 HECTARE (0.363 ACRE), MORE OR LESS, WAS PREVIOUSLY USED FOR HIGHWAY PURPOSES.
PERMANENT INDEX NUMBER: 07-20-200-003.

PARCEL 019
THE SOUTH 18.288 METERS (60.00 FEET) OF THE EAST 155.144 METERS (509.00 FEET) (EXCEPT EAST 22 RODS THEREOF) OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.
SAID PARCEL CONTAINING 0.0814 HECTARE (0.201 ACRE), MORE OR LESS, OF WHICH 0.0546 HECTARE (0.135 ACRE), MORE OR LESS, WAS PREVIOUSLY USED FOR HIGHWAY PURPOSES.
PERMANENT INDEX NUMBER: 07-20-200-003.

(Source: P.A. 92-831, eff. 8-22-02.)

(was 735 ILCS 5/7-103.99)
Sec. 25-7-103.99 7-103.99. Quick-take; Village of Bartlett. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the Village of Bartlett for the acquisition of the following described easements for the purpose of the construction of an asphalt bicycle and multi-purpose public path:
1. PERMANENT EASEMENT. A permanent easement appurtenant, 20 feet to 30 feet in width, over, upon, across, through and under that portion of the Alperin Property legally described as follows:
   Parcel 1:
   That part of the East Half of the Northwest Quarter of Section Thirty-Three, Township Forty-One North, Range Nine, East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southwest corner of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 00

New matter indicated by italics - deletions by strikeout
degrees 26 minutes 35 seconds East, being an assumed bearing on
the West line of the East Half of the Northwest Quarter of said
Section Thirty-Three, a distance of 1273.66 feet; thence South 89
degrees 33 minutes 25 seconds East, perpendicular to the last
described West line, a distance of 40.0 feet to the point of
beginning; thence continuing South 89 degrees 33 minutes 25
seconds East, on said perpendicular line, a distance of 20.0 feet;
thence South 00 degrees 26 minutes 35 seconds West, on a line
60.0 feet East of and parallel with the West line of the East Half of
the Northwest Quarter of said Section Thirty-Three, a distance of
949.0 feet; thence South 89 degrees 33 minutes 25 seconds East,
perpendicular to the last described West line, a distance of 10.0
feet; thence South 00 degrees 26 minutes 35 seconds West, on a
line 70.0 feet East of and parallel with the West line of the East
Half of the Northwest Quarter of said Section Thirty-Three, a
distance of 323.28 feet to the South line of the East Half of the
Northwest Quarter of said Section Thirty-Three; thence South 89
degrees 18 minutes, 39 seconds West, on the last described South
line, a distance of 30.01 feet; thence North 00 degrees 26 minutes
35 seconds East, on a line 40.0 feet East of and parallel with West
line of the East Half of the Northwest Quarter of said Section
Thirty-Three, a distance of 1272.87 feet to the point of beginning,
all in Cook County, Illinois.
Parcel 2:
That part of the East Half of the Northwest Quarter of Section
Thirty-Three, Township Forty-One North, Range Nine, East of the
Third Principal Meridian, bounded and described as follows:
Commencing at the Northwest corner of the East Half of the
Northwest Quarter of said Section Thirty-Three; thence North 89
degrees 23 minutes 39 seconds East, being an assumed bearing on
the North line of the East Half of the Northwest Quarter of said
Section Thirty-Three, a distance of 40.0 feet to the point of
beginning; thence continuing North 89 degrees 23 minutes 39
seconds East, on the last described North line, a distance of 20.0

New matter indicated by italics - deletions by strikeout
feet; thence South 00 degrees 26 minutes 35 seconds West, on a line 60.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1392.66 feet; thence North 89 degrees 33 minutes 25 seconds West, perpendicular to the last described West line, a distance of 20.0 feet; thence North 00 degrees 26 minutes 35 seconds East, on a line 40.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1392.29 feet to the point of beginning, excepting therefrom that part described as follows: Commencing at the Northwest corner of the East Half of the Northwest Quarter of said Section Thirty-Three; thence South 00 degrees 26 minutes 35 seconds West, on the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 453.71 feet to the North right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 79 degrees 38 minutes 52 seconds East, on said North railroad right-of-way line, a distance of 40.61 feet to the point of beginning for said exception; thence continuing South 79 degrees 38 minutes 52 seconds East, on said North railroad right-of-way line, a distance of 20.30 feet; thence South 00 degrees 26 minutes 35 seconds West, on a line 60.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 101.51 feet to the South right-of-way line of said railroad; thence North 79 degrees 38 minutes 52 seconds West, on said South railroad right-of-way line, a distance of 20.30 feet; thence North 00 degrees 26 minutes 35 seconds East, on a line 40.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 101.51 feet to the point of beginning, all in Cook County, Illinois.

(the "Permanent Easement Parcels") for the purpose of constructing, maintaining, repairing, replacing, gaining access to and use by the public of a 12 foot +/- wide, asphalt multi-purpose path.

New matter indicated by italics - deletions by strikeout
2. ACCESS EASEMENT. A non-exclusive easement appurtenant, 25 feet to 27 feet in width, over, upon and across that portion of the Alperin Property legally described as follows:

Parcel 1:
That part of the East Half of the Northwest Quarter of Section Thirty-Three, Township Forty-One North, Range Nine, East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southwest corner of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 00 degrees 26 minutes 35 seconds East, being an assumed bearing on the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1273.66 feet; thence South 89 degrees 33 minutes 25 seconds East, perpendicular to the last described West line, a distance of 13.11 feet to the point of beginning; thence continuing South 89 degrees 33 minutes 25 seconds East, on said perpendicular line, a distance of 26.89 feet; thence South 00 degrees 26 minutes 35 seconds West, on a line 40.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1243.53 feet to a point on a curve concave to the Northeast and having a radius of 45.87 feet; thence Northwesterly 43.45 feet on the arc of the aforementioned curve, having a chord bearing of North 26 degrees 46 minutes 35 seconds West and a chord distance of 41.84 feet; thence North 00 degrees 21 minutes 44 seconds East, a distance of 310.0 feet; thence North 1 degree 18 minutes 37 seconds West, a distance of 238.87 feet; thence North 00 degrees 26 minutes 07 seconds East, a distance of 383.83 feet; thence North 00 degrees 27 minutes 07 seconds East, a distance of 273.74 feet to the point of beginning, all in Cook County, Illinois.

Parcel 2:
That part of the East Half of the Northwest Quarter of Section Thirty-Three, Township Forty-One North, Range Nine, East of the Third Principal Meridian, bounded and described as follows: Commencing at the Northwest corner of the East Half of the

New matter indicated by italics - deletions by strikeout
Northwest Quarter of said Section Thirty-Three; thence North 89 degrees 23 minutes 39 seconds East, being an assumed bearing on the North line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 40.0 feet to the point of beginning; thence South 00 degrees 26 minutes 35 seconds West, on a line 40.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1392.29 feet; thence North 89 degrees 33 minutes 25 seconds West, perpendicular to the last described West line, a distance of 26.89 feet; thence North 00 degrees 27 minutes 07 seconds East, a distance of 9.53 feet; thence North 00 degrees 10 minutes 41 seconds East, a distance of 216.59 feet; thence North 00 degrees 51 minutes 33 seconds East, a distance of 154.56 feet; thence North 00 degrees 24 minutes 25 seconds East, a distance of 260.39 feet; thence North 00 degrees 21 minutes 48 seconds East, a distance of 144.80 feet; thence North 00 degrees 04 minutes 10 seconds East, a distance of 21.74 feet; thence North 00 degrees 51 minutes 20 seconds East, a distance of 84.53 feet; thence North 1 degree 41 minutes 45 seconds East, a distance of 291.25 feet; thence North 00 degrees 56 minutes 03 seconds East, a distance of 113.65 feet to the North line of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 89 degrees 23 minutes 39 seconds East, on the last described North line, a distance of 19.47 feet to the point of beginning, excepting therefrom that part falling within the 100.0 foot wide right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, all in Cook County, Illinois.

(the "Access Easement Parcels") for the purpose of providing access to the public from the center of Naperville Road to the bicycle/multi-purpose asphalt path that will be constructed on the Permanent Easement.

New matter indicated by italics - deletions by strikeout
3. CONSTRUCTION EASEMENT. A temporary construction easement, 57 feet to 67 feet in width, over, upon, across, through and under that portion of the Alperin Property legally described as follows:

Parcel 1:
That part of the East Half of the Northwest Quarter of Section Thirty-Three, Township Forty-One North, Range Nine, East of the Third Principal Meridian, bounded and described as follows:
Commencing at the Southwest corner of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 00 degrees 26 minutes 35 seconds East, being an assumed bearing on the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1273.66 feet; thence South 89 degrees 33 minutes 25 seconds East, perpendicular to the last described West line, a distance of 13.11 feet to the point of beginning; thence continuing South 89 degrees 33 minutes 25 seconds East, on said perpendicular line, a distance of 56.89 feet; thence South 00 degrees 26 minutes 35 seconds West, on a line 70.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 939.0 feet; thence South 89 degrees 33 minutes 25 seconds East, perpendicular to the last described West line, a distance of 10.0 feet; thence South 00 degrees 26 minutes 35 seconds West, on a line 80.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 313.12 feet; thence North 89 degrees 33 minutes 25 seconds West, a distance of 13.27 feet to a point of curve; thence Northwesterly 71.99 feet on the arc of a curve, concave to the Northeast, having a radius of 45.87 feet with a chord bearing of North 44 degrees 35 minutes 51 seconds West and a chord distance of 64.82 feet; thence North 00 degrees 21 minutes 44 seconds East, a distance of 310.0 feet; thence North 1 degree 18 minutes 37 seconds West, a distance of 238.87 feet; thence North 00 degrees 26 minutes 07 seconds East, a distance of 383.83 feet; thence

New matter indicated by italics - deletions by strikeout
North 00 degrees 27 minutes 07 seconds East, a distance of 273.74 feet to the point beginning, all in Cook County, Illinois.

Parcel 2:
That part of the East Half of the Northwest Quarter of Section Thirty-Three, Township Forty-One North, Range Nine, East of the Third Principal Meridian, bounded and described as follows:
Commencing at the Northwest corner of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 89 degrees 23 minutes 39 seconds East, being an assumed bearing on the North line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 70.0 feet to the point of beginning; thence South 00 degrees 26 minutes 35 seconds West, on a line 70.0 feet East of and parallel with the West line of the East Half of the Northwest Quarter of said Section Thirty-Three, a distance of 1392.84 feet; thence North 89 degrees 33 minutes 25 seconds West, perpendicular to the last described West line, a distance of 56.89 feet; thence North 00 degrees 27 minutes 07 seconds East, a distance of 9.53 feet; thence North 00 degrees 10 minutes 41 seconds East, a distance of 216.59 feet; thence North 00 degrees 51 minutes 33 seconds East, a distance of 154.56 feet; thence North 00 degrees 24 minutes 25 seconds East, a distance of 260.39 feet; thence North 00 degrees 21 minutes 48 seconds East, a distance of 144.80 feet; thence North 00 degrees 04 minutes 10 seconds West, a distance of 21.74 feet; thence North 00 degrees 41 minutes 33 seconds East, a distance of 50.42 feet; thence North 00 degrees 03 minutes 26 seconds East, a distance of 44.54 feet; thence North 00 degrees 51 minutes 20 seconds East, a distance of 84.53 feet; thence North 1 degree 41 minutes 45 seconds East, a distance of 291.25 feet; thence North 00 degrees 56 minutes 03 seconds East, a distance of 113.65 feet to the North line of the East Half of the Northwest Quarter of said Section Thirty-Three; thence North 89 degrees 23 minutes 39 seconds East, on the last described North line, a distance of 49.47 feet to the point of beginning, excepting therefrom that part falling within the 100.0 foot wide

New matter indicated by italics - deletions by strikeout
right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, all in Cook County, Illinois.

(the "Temporary Construction Easement Parcels") for the construction and installation of an asphalt, bicycle/multi-purpose path and the restoration of all areas affected and disturbed by said construction as soon as reasonably practical and weather permitting, but in all events all such work shall be completed within 364 days after said easement is granted by court order or decree.

(Source: P.A. 92-831, eff. 8-22-02.)

(was 735 ILCS 5/7-103.100)

Sec. 25-7-103.100 7-103.100. Quick-take; Illinois Department of Natural Resources.

(a) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after the effective date of this amendatory Act of the 92nd General Assembly by the Illinois Department of Natural Resources for the acquisition of the following described property for the purpose of flood control:

NINE (9) TRACTS OF LAND, HEREAFTER DESCRIBED AS PARCELS, BEING ONE PARCEL FOR FEE SIMPLE TITLE AND EIGHT (8) PARCELS FOR PERMANENT EASEMENTS, ALL BEING LOCATED IN SECTIONS 28 AND 29, T17N-R8W OF THE 3RD PRINCIPAL MERIDIAN AND ALL BEING DESCRIBED AS FOLLOWS:

PARCEL A (FEE SIMPLE TITLE)

COMMENCING AT AN EXISTING STONE BEING THE NORTHEAST CORNER OF SECTION 29, T17N-R8W OF THE 3RD PRINCIPAL MERIDIAN; THENCE, S00°17'58"E BEING THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 2456.35 FEET TO A PK NAIL DRIVEN IN THE Pavement; THENCE, N89°48'00"E A DISTANCE OF 32.99 FEET TO THE INTERSECTION WITH A CONCRETE HIGHWAY R.O.W. MONUMENT (DAMAGED) LYING ON THE EASTERLY R.O.W. LINE OF 3 MILE LANE TO BE HEREAFTER

New matter indicated by italics - deletions by strikeout
KNOWN AS THE POINT OF BEGINNING OF PARCEL A; THENCE, S51°22'44"E A DISTANCE OF 33.50 FEET TO AN IRON PIN; THENCE, N89°04'24"E A DISTANCE OF 1025.09 FEET TO AN IRON PIN; THENCE, S87°13'56"E A DISTANCE OF 306.24 FEET TO AN IRON PIN; THENCE, S79°29'07"E A DISTANCE OF 311.29 FEET TO AN IRON PIN LYING ON THE INTERSECTION WITH THE NORTHERLY R.O.W. LINE OF IL. RTE. 125; THENCE, N81°59'11"W ALONG THE NORTHERLY R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 243.13 FEET TO AN IRON PIN; THENCE, S89°48'00"W ALONG SAID NORTHERLY R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 1396.06 FEET TO AN IRON PIN; THENCE, N29°15'08"W ALONG THE NORTHERLY R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 53.76 FEET TO THE POINT OF BEGINNING, SAID PARCEL A CONTAINING 1.046 ACRES, MORE OR LESS; ALSO PARCEL B (PERMANENT EASEMENT) COMMENCING AT AN EXISTING STONE BEING THE NORTHEAST CORNER OF SECTION 29, T17N-R8W OF THE 3RD PRINCIPAL MERIDIAN; THENCE, S00°17'58"E BEING THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 2456.35 FEET TO A PK NAIL DRIVEN IN THE PAVEMENT; THENCE, N89°48'00"E A DISTANCE OF 32.99 FEET TO THE INTERSECTION WITH A CONCRETE HIGHWAY R.O.W. MONUMENT (DAMAGED) LYING ON THE EASTERLY R.O.W. LINE OF 3 MILE LANE TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING OF PARCEL B; THENCE, S51°22'44"E A DISTANCE OF 33.50 FEET TO AN IRON PIN; THENCE, N89°04'24"E A DISTANCE OF 112.73 FEET TO AN IRON PIN; THENCE, N44°49'15"E A DISTANCE OF 343.99 FEET TO AN IRON PIN; THENCE N17°37'15"W A DISTANCE OF 223.84 FEET TO AN IRON PIN; THENCE, S47°06'00"W A DISTANCE OF 428.80 FEET TO AN IRON PIN LOCATED AT THE INTERSECTION WITH THE EASTERLY
R.O.W. LINE OF 3 MILE LANE; THENCE, S00°12'00"E ALONG THE EASTERY R.O.W. LINE OF 3 MILE LANE A DISTANCE OF 146.36 FEET TO THE POINT OF BEGINNING, SAID PARCEL B CONTAINING 2.108 ACRES, MORE OR LESS; ALSO

PARCEL C (PERMANENT EASEMENT)

COMMENCING AT AN EXISTING STONE BEING THE NORTHEAST CORNER OF SECTION 29, T17N-R8W OF THE 3RD PRINCIPAL MERIDIAN; THENCE, S00°17'58"E BEING THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 2456.35 FEET TO A PK NAIL DRIVEN IN THE PAVEMENT; THENCE S89°48'00"W A DISTANCE OF 27.01 FEET TO THE INTERSECTION WITH A CONCRETE HIGHWAY R.O.W. MONUMENT LYING ON THE WESTERY R.O.W. LINE OF 3 MILE LANE TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING FOR PARCEL C; THENCE, N00°12'00"W ALONG THE WESTERY R.O.W. LINE OF 3 MILE LANE A DISTANCE OF 16.25 FEET TO AN IRON PIN; THENCE, N46°47'54"W A DISTANCE OF 84.98 FEET TO AN IRON PIN; THENCE, S47°52'31"W A DISTANCE OF 73.09 FEET TO AN IRON PIN; THENCE, S29°59'17"E A DISTANCE OF 72.48 FEET TO THE INTERSECTION WITH AN IRON PIN ON THE NORTHERLY R.O.W. LINE OF IL. RTE. 125; THENCE, N64°57'00"E ALONG THE NORTHERLY R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 88.29 FEET TO THE POINT OF BEGINNING, SAID PARCEL C CONTAINING 0.166 ACRES, MORE OR LESS; ALSO

PARCEL D (PERMANENT EASEMENT)

COMMENCING AT AN EXISTING STONE BEING THE NORTHEAST CORNER OF SECTION 29, T17N-R8W OF THE 3RD PRINCIPAL MERIDIAN; THENCE, S00°17'58"E ALONG THE EAST LINE OF SECTION 29 A DISTANCE OF 2633.53 FEET TO A PK NAIL DRIVEN INTO THE PAVEMENT BEING AN INTERSECTION WITH THE SOUTH R.O.W. LINE, AS

New matter indicated by italics - deletions by strikeout
EXTENDED, OF IL. RTE. 125; THENCE, S89°48'00"W ALONG THE SOUTH R.O.W. LINE OF SAID IL. RTE. 125 A DISTANCE OF 107.69 FEET TO AN IRON PIN TO BE HEREAFTER KNOWN AS THE EASTERLY PERMANENT EASEMENT LINE AND THE POINT OF BEGINNING FOR PARCEL D; THENCE S89°48'00"W ALONG THE SOUTH R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 81.06 FEET TO A POINT LOCATED AT THE INTERSECTION WITH THE CENTERLINE OF AN EXISTING DITCH; THENCE, S55°58'52"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 209.47 FEET TO A POINT; THENCE, S53°45'52"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 365.47 FEET TO A POINT; THENCE, S65°19'43"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 113.11 FEET TO A POINT; THENCE, S30°34'40"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 75.27 FEET TO A POINT; THENCE, S08°04'16"E ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 168.20 FEET TO A POINT; THENCE, S27°51'33"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 46.96 FEET TO A POINT; THENCE, S65°24'06"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 67.97 FEET TO A POINT; THENCE, S36°00'49"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 59.69 FEET TO A POINT; THENCE, S85°46'17"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 69.25 FEET TO A POINT; THENCE, S54°45'52"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 98.13 FEET TO A POINT; THENCE, S87°00'39"W ALONG THE CENTERLINE OF THE DITCH A DISTANCE OF 40.02 FEET TO A POINT; THENCE, S28°51'55"W ALONG THE CENTERLINE OF THE DITCH A

New matter indicated by italics - deletions by strikeout
DISTANCE OF 21.60 FEET TO A POINT ALSO BEING THE INTERSECTION WITH THE NORTHERLY R.O.W. LINE OF FREMONT STREET; THENCE, S73°36'39"E ALONG THE NORTHERLY R.O.W. LINE OF FREMONT STREET A DISTANCE OF 66.26 FEET TO AN IRON PIN, ALSO BEING THE INTERSECTION WITH THE EASTERLY EASEMENT LINE; THENCE, N69°11'51"E ALONG THE EASTERLY EASEMENT LINE A DISTANCE OF 259.39 FEET TO AN IRON PIN; THENCE, N29°51'00"E ALONG THE EASTERLY EASEMENT LINE A DISTANCE OF 206.51 FEET TO AN IRON PIN; THENCE, N13°03'29"W ALONG THE WESTERLY EASEMENT LINE A DISTANCE OF 222.40 FEET TO AN IRON PIN; THENCE, N54°58'36"E ALONG THE EASTERLY EASEMENT LINE A DISTANCE OF 797.16 FEET TO THE POINT OF BEGINNING, SAID PARCEL D CONTAINING 1.878 ACRES, MORE OR LESS; ALSO

PARCEL E (PERMANENT EASEMENT)

COMMENCING AT A PK NAIL DRIVEN INTO THE PAVEMENT BEING AN INTERSECTION WITH THE SOUTH R.O.W. LINE OF SAID IL. RTE. 125, AS EXTENDED, AS PREVIOUSLY DESCRIBED IN PARCEL D; THENCE, S89°48'00"W ALONG THE SOUTH R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 280.19 FEET TO AN IRON PIN ALSO BEING THE INTERSECTION WITH THE WESTERLY EASEMENT LINE TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING FOR PARCEL E; THENCE, S61°41'32"W ALONG THE WESTERLY EASEMENT LINE A DISTANCE OF 544.25 FEET TO AN IRON PIN; THENCE, S27°23'57"W ALONG THE WESTERLY EASEMENT LINE A DISTANCE OF 309.17 FEET TO AN IRON PIN; THENCE, S10°40'01"E ALONG THE WESTERLY EASEMENT LINE A DISTANCE OF 197.30 FEET TO AN IRON PIN; THENCE, S56°43'56"W ALONG THE WESTERLY EASEMENT LINE A DISTANCE OF 78.07 FEET TO AN IRON PIN; THENCE,

New matter indicated by italics - deletions by strikeout
DISTANCE OF 209.47 FEET TO A POINT LOCATED AT THE INTERSECTION WITH THE SOUTH R.O.W. LINE OF IL. RTE. 125; THENCE, S89°48'00"W ALONG SAID SOUTH R.O.W. LINE OF IL. RTE. 125 A DISTANCE OF 91.44 FEET TO THE POINT OF BEGINNING, SAID PARCEL E CONTAINING 2.628 ACRES, MORE OR LESS; ALSO

PARCEL F (PERMANENT EASEMENT)

COMMENCING AT AN IRON PIN BEING THE INTERSECTION OF THE NORTH R.O.W. LINE OF FREMONT STREET AND THE WEST EASEMENT LINE, AS PREVIOUSLY DESCRIBED IN PARCEL E; THENCE S15°35'22"W ACROSS SAID FREMONT STREET A DISTANCE OF 60.01 FEET TO AN IRON PIN BEING THE INTERSECTION OF THE WESTERLY PERMANENT EASEMENT LINE AND THE SOUTHERLY R.O.W. LINE OF FREMONT STREET TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING OF PARCEL F; THENCE, S19°32'27"W ALONG THE EASEMENT LINE A DISTANCE OF 316.50 FEET TO AN IRON PIN; THENCE, S13°42'05"W ALONG THE EASEMENT LINE A DISTANCE OF 424.35 FEET TO AN IRON PIN; THENCE, S12°12'06"W ALONG THE EASEMENT LINE A DISTANCE OF 53.67 FEET TO AN IRON PIN; THENCE, S06°54'45"E ALONG THE EASEMENT LINE A DISTANCE OF 270.76 FEET TO AN IRON PIN; THENCE, S29°05'13"E ALONG THE EASEMENT LINE A DISTANCE OF 140.63 FEET TO AN IRON PIN; THENCE, S44°58'33"W ALONG THE EASEMENT LINE A DISTANCE OF 268.58 FEET TO AN IRON PIN; THENCE, S05°01'56"E ALONG THE EASEMENT LINE A DISTANCE OF 228.73 FEET TO AN IRON PIN; THENCE, S65°36'08"W ALONG THE EASEMENT LINE A DISTANCE OF 79.03 FEET TO AN IRON PIN; THENCE, S01°45'38"W ALONG THE EASEMENT LINE A DISTANCE OF 67.29 FEET TO AN IRON PIN LOCATED AT THE INTERSECTION WITH THE NORTH R.O.W. LINE OF

New matter indicated by italics - deletions by strikeout
CEMETERY ROAD; THENCE, S89°54'53"E ALONG THE NORTHERLY R.O.W. LINE A DISTANCE OF 153.89 FEET TO AN IRON PIN; THENCE, N11°39'38"E ALONG THE EASTERLY EASEMENT LINE A DISTANCE OF 391.73 FEET TO AN IRON PIN; THENCE, N44°53'07"E ALONG THE EASEMENT LINE A DISTANCE OF 130.86 FEET TO AN IRON PIN; THENCE, N00°00'11"E A DISTANCE OF 131.73 FEET TO AN EXISTING REINFORCEMENT BAR; THENCE, N00°00'11"E A DISTANCE OF 148.55 FEET TO AN IRON PIN; THENCE, N08°44'27"W ALONG THE EASEMENT LINE A DISTANCE OF 266.45 FEET TO AN IRON PIN; THENCE, N08°13'22"E ALONG THE EASEMENT LINE A DISTANCE OF 305.08 FEET TO AN IRON PIN; THENCE, N24°29'54"E ALONG THE EASEMENT LINE A DISTANCE OF 202.57 FEET TO AN IRON PIN; THENCE, S73°35'10"E ALONG THE EASEMENT LINE A DISTANCE OF 158.04 FEET TO AN IRON PIN; THENCE, N20°27'57"E ALONG THE EASEMENT LINE A DISTANCE OF 58.70 FEET TO AN IRON PIN; THENCE, N65°18'27"W ALONG THE EASEMENT LINE A DISTANCE OF 138.22 FEET TO AN IRON PIN; THENCE, N19°41'58"E ALONG THE EASEMENT LINE A DISTANCE OF 66.62 FEET TO AN IRON PIN BEING THE INTERSECTION WITH THE SOUTHERLY R.O.W. LINE OF FREMONT STREET; THENCE, N73°36'39"W ALONG THE SOUTHERLY R.O.W. LINE OF FREMONT STREET A DISTANCE OF 126.11 FEET TO THE POINT OF BEGINNING, SAID PARCEL F CONTAINING 5.060 ACRES, MORE OR LESS; ALSO

PARCEL G (PERMANENT EASEMENT)
COMMENCING AT AN EXISTING REINFORCEMENT BAR LOCATED AT S00°00'11"W A DISTANCE OF 30.00 FEET FROM THE SOUTHWEST CORNER OF LOT 4 IN BLOCK 3 OF THE NORTHWEST ADDITION TO THE VILLAGE OF ASHLAND; THENCE, N89°59'49"W A DISTANCE OF 331.32 FEET TO AN EXISTING REINFORCEMENT BAR; THENCE,

New matter indicated by italics - deletions by strikeout
N00°00'11"E A DISTANCE OF 157.00 FEET TO AN EXISTING REINFORCEMENT BAR TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING OF PARCEL G; THENCE, S89°59'49"E A DISTANCE OF 29.56 FEET TO AN IRON PIN AT THE INTERSECTION WITH THE EASEMENT LINE; THENCE, N13°10'52"W ALONG THE EASEMENT LINE A DISTANCE OF 85.69 FEET TO AN IRON PIN; THENCE, N08°44'27"W ALONG THE EASEMENT LINE A DISTANCE OF 65.89 FEET TO AN IRON PIN; THENCE, S00°00'11"W A DISTANCE OF 148.55 FEET TO THE POINT OF BEGINNING, SAID PARCEL G CONTAINING 0.045 ACRES, MORE OR LESS; ALSO

PARCEL H (PERMANENT EASEMENT)

COMMENCING AT AN EXISTING REINFORCEMENT BAR LOCATED AT S00°00'11"W A DISTANCE OF 30.00 FEET FROM THE SOUTHWEST CORNER OF LOT 4 IN BLOCK 3 OF THE NORTHWEST ADDITION TO THE VILLAGE OF ASHLAND; THENCE, N89°59'49"W A DISTANCE OF 331.32 FEET TO AN EXISTING REINFORCEMENT BAR; THENCE, N00°00'11"E A DISTANCE OF 157.00 FEET TO AN EXISTING REINFORCEMENT BAR TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING OF PARCEL H; THENCE, S89°59'49"E A DISTANCE OF 29.56 FEET TO AN IRON PIN BEING THE INTERSECTION OF THE EASEMENT LINE; THENCE, S12°39'02"W ALONG THE EASEMENT LINE A DISTANCE OF 135.01 FEET TO AN IRON PIN; THENCE, N00°00'11"E A DISTANCE OF 131.73 FEET TO THE POINT OF BEGINNING, SAID PARCEL H CONTAINING 0.045 ACRES, MORE OR LESS; ALSO

PARCEL I (PERMANENT EASEMENT)

COMMENCING AT AN EXISTING IRON PIN DESCRIBED ABOVE IN PARCEL F BEING THE INTERSECTION OF THE NORTH R.O.W. LINE OF CEMETERY ROAD WITH THE WESTERLY EASEMENT LINE; THENCE, S18°00'15"E

New matter indicated by italics - deletions by strikeout
ACROSS CEMETERY ROAD A DISTANCE OF 63.12 FEET TO AN IRON PIN LOCATED AT THE INTERSECTION WITH THE SOUTH R.O.W. LINE OF CEMETERY ROAD, TO BE HEREINAFTER KNOWN AS THE POINT OF BEGINNING OF PARCEL I; THENCE, S38°53'00"W ALONG THE EASEMENT LINE A DISTANCE OF 78.50 FEET TO AN IRON PIN; THENCE, S71°07'03"E ALONG THE EASEMENT LINE A DISTANCE OF 98.61 FEET TO AN IRON PIN; THENCE, N30°48'26"E ALONG THE EASEMENT LINE A DISTANCE OF 108.13 FEET TO AN IRON PIN LOCATED AT THE INTERSECTION WITH THE SOUTH R.O.W. LINE OF CEMETERY ROAD; THENCE, N89°54'52"W ALONG THE SOUTH R.O.W. LINE OF CEMETERY ROAD A DISTANCE OF 99.40 FEET TO THE POINT OF BEGINNING OF PARCEL I, SAID PARCEL CONTAINING 0.190 ACRES, MORE OR LESS.

(Source: P.A. 92-831, eff. 8-22-02.)

Sec. 25-7-103.101 7-103.101. Quick-take; County of Monroe. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly, by the County of Monroe, to acquire right-of-way for the proposed Rogers Street Extension project as follows:

A part of Tax lots 3-A and 3-B of U.S. Survey 720, Claim 516, in Township 2 South, Range 9 West of the 3rd Principal Meridian, Monroe County, Illinois, as shown at page 122 of the Surveyor's Official Plat Record "A" in the Recorder's office of Monroe County, Illinois, and being more particularly described as follows, to wit:

BEGINNING at the Southwest corner of Tax Lot 7 of U.S. Survey 641, Claim 1645, Township 2 South, Range 9 West of the 3rd Principal Meridian, Monroe County, Illinois, as shown at page 115 of the Surveyor's Official Plat Record "A" in the Recorder's office of Monroe County, Illinois; thence South 89 degrees 41 minutes 50 seconds East, an assumed bearing along the South line of U.S.

New matter indicated by italics - deletions by strikeout
Survey 641, Claim 1645 (said line also being the North line of U.S. Survey 720, Claim 516), a distance of 80.00 feet to a point; thence South 00 degrees 10 minutes 08 seconds West, a distance of 72.49 feet to a point; thence South 00 degrees 49 minutes 52 seconds East, a distance of 103.44 feet to a point; thence North 89 degrees 10 minutes 08 seconds East, a distance of 10.00 feet to a point; thence South 00 degrees 49 minutes 52 seconds East, a distance of 140.00 feet to a point; thence North 89 degrees 10 minutes 08 seconds West, a distance of 10.00 feet to a point; thence South 00 degrees 49 minutes 52 seconds East, a distance of 40.00 feet to a point; thence South 89 degrees 10 minutes 08 seconds East, a distance of 25.00 feet to a point; thence North 89 degrees 10 minutes 08 seconds East, a distance of 5.00 feet to a point; thence South 00 degrees 49 minutes 52 seconds East, a distance of 700.00 feet to a point; thence Southeasterly, along a curve to the left having a radius of 19.097.61 feet, a delta of 01 degrees 29 minutes 50 seconds, an arc length of 499.06 feet, and a chord which bears South 01 degrees 34 minutes 48 seconds East, a chord distance of 499.05 feet to a point; thence South 02 degrees 19 minutes 43 seconds East, a distance of 60.17 feet to a point; thence South 18 degrees 45 minutes 15 seconds East, a distance of 58.28 feet to a point on the Northerly

New matter indicated by italics - deletions by strikeout
right-of-way line of Hamacher Street (45.00 feet left of station 15+80.12) as shown on the PLAT OF RIGHT-OF-WAY for Hamacher Street, City of Waterloo, in Envelope 195-B in the Recorder's office of Monroe County, Illinois; thence Southwesterly along said Northerly right-of-way line of Hamacher Street along a curve to the right having a radius of 3072.40 feet, a delta of 02 degrees 00 minutes 54 seconds, an arc length of 108.05 feet, and a chord which bears South 77 degrees 54 minutes 14 seconds West, a chord distance of 108.05 feet to a point (45.00 feet left of station 14+70.48); thence leaving said Northerly right-of-way line of Hamacher Street, North 02 degrees 19 minutes 43 seconds West, a distance of 134.41 feet to a point; thence Northwesterly, along a curve to the right having a radius of 19,187.61 feet, a delta of 01 degrees 29 minutes 50 seconds, an arc length of 501.41 feet, and a chord which bears North 01 degrees 34 minutes 48 seconds West, a chord distance of 501.40 feet to a point; thence North 00 degrees 49 minutes 52 seconds West, a distance of 978.94 feet to a point; thence South 89 degrees 10 minutes 08 seconds West, a distance of 10.00 feet to a point; thence North 00 degrees 49 minutes 52 seconds West, a distance of 40.00 feet to a point; thence North 89 degrees 10 minutes 08 seconds East, a distance of 10.00 feet to a point; thence North 00 degrees 49 minutes 52 seconds West, a distance of 190.00 feet to a point; thence South 89 degrees 10 minutes 08 seconds West, a distance of 10.00 feet to a point; thence North 00 degrees 49 minutes 52 seconds West, a distance of 30.00 feet to a point; thence North 89 degrees 10 minutes 08 seconds East, a distance of 10.00 feet to a point; thence North 00 degrees 49 minutes 52 seconds West, a distance of 204.14 feet to a point; thence North 00 degrees 10 minutes 08 seconds East, a distance of 73.37 feet to the POINT OF BEGINNING, containing 208,032 square feet more or less, or 4.776 acres, more or less.

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.102. Quick-take; Lake County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after the effective date of this amendatory Act of the 93rd General Assembly by Lake County for the acquisition of property necessary for the purpose of improving County Highway 31 (Rollins Road) from Illinois Route 83 to U.S. Route 45.

(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.103. Quick-take; Lake County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after the effective date of this amendatory Act of the 93rd General Assembly by Lake County for the acquisition of property necessary for the purpose of improving County Highway 45 (Washington Street) from Illinois Route 83 to U.S. Route 45.

(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.104. Quick-take; County of La Salle. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the County of La Salle for highway purposes for the acquisition of property described as follows:

County Highway 3 (F.A.S. Route 259) over the Fox River north of the Village of Sheridan, Illinois, BEGINNING at Station -(3+00) on County Highway 3 south of the intersection of Bushnell Street, according to the "Right-of-Way Plans for proposed Federal Aid Highway, F.A.S. Route 259 (C.H. 3), Section 98-00545-00-BR, La Salle County," and extending 3,696.07 feet northerly along the survey centerline for said route to Station 33+96.07 at the intersection of County Highway 3 and North 42nd Road; AND BEGINNING at Station 497+00 on the survey centerline of North 42nd Road and extending 500.00 feet easterly along said centerline to Station 502+00; the net length for land acquisition and authorization being 4,196.07 feet (0.795 miles) all located in Section 5,

New matter indicated by italics - deletions by strikeout
Township 35 North, Range 5 East of the Third Principal Meridian, La Salle County, Illinois.
(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.105. Quick-take; Village of Buffalo Grove. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 2 years after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Buffalo Grove for the acquisition of the following described property necessary for the purpose of improving the intersection of Port Clinton Road and Prairie Road:

OUTLOT "A" OF EDWARD SCHWARTZ'S INDIAN CREEK OF BUFFALO GROVE, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 7, 1994, AS DOCUMENT 3467875, IN LAKE COUNTY, ILLINOIS.

And,

THAT PART OF LOT 30, OF SCHOOL TRUSTEES SUBDIVISION, ALSO KNOWN AS THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS; (COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 16 AS THE PLACE OF BEGINNING OF THIS CONVEYANCE; THENCE NORTH 89 DEGREES-44'-35" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 AFORESAID, A DISTANCE OF 397.96 FEET; THENCE SOUTH 0 DEGREES-00'-00" EAST, A DISTANCE OF 48.00 FEET; THENCE SOUTH 89 DEGREES-44'-35" WEST, ALONG A LINE DRAWN PARALLEL TO AND 48.0 FEET SOUTHERLY OF THE NORTH LINE OF THE SOUTHEAST 1/4 AFORESAID, A DISTANCE OF 325.28 FEET; THENCE SOUTH 44 DEGREES-52'-15" WEST, A DISTANCE OF 39.23 FEET, TO A POINT WHICH IS 45.0 FEET EASTERLY OF THE WEST LINE OF THE SOUTHEAST 1/4 AFORESAID; THENCE SOUTH 0 DEGREES-00'-00" EAST, ALONG

New matter indicated by italics - deletions by strikeout
A LINE DRAWN PARALLEL TO AND 45.0 FEET EASTERNLY OF THE WEST LINE OF THE SOUTHEAST 1/4 AFORESAID, A DISTANCE OF 269.10 FEET; THEN SOUTH 89 DEGREES-44'-35" WEST, A DISTANCE OF 45.0 FEET, TO THE WEST LINE OF THE SOUTHEAST 1/4 AFORESAID; THEN NORTH 0 DEGREES-00'-00" EAST, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 AFORESAID, A DISTANCE OF 344.78 FEET, TO THE NORTHWEST CORNER OF THE SAID SOUTHEAST 1/4 AFORESAID, AND THE PLACE OF BEGINNING OF THIS CONVEYANCE, ALL IN LAKE COUNTY, ILLINOIS."

(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.107. Quick-take; Village of Clarendon Hills. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of one year after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Clarendon Hills for the acquisition of the following described property for a law enforcement facility and related improvements:

ALL OF LOT 8 AND LOT 9 (EXCEPT THE WESTERLY 120 FEET THEREOF) IN BLOCK 11 IN CLARENDON HILLS, BEING A RESUBDIVISION IN THE EAST 1/2 OF SECTION 10 AND IN THE WEST 1/2 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED NOVEMBER 4, 1873 AS DOCUMENT 17060, IN DUPAGE COUNTY, ILLINOIS. P.I.N.'S: 09-10-400-002 AND 006. Common Address: 448 Park Avenue, Clarendon Hills, Illinois 60514.

(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.108. Quick-take; Governors' Parkway Project. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 24 months after the effective date of this amendatory

New matter indicated by italics - deletions by strikeout
Act of the 93rd General Assembly by Madison County for the acquisition of property necessary for the construction of Governors' Parkway between Illinois Route 159 and Illinois 143.
(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.109 7-103.109. Quick-take; Forest Park. Quick-take proceedings under *Article 20 Section 7-103* may be used for a period of 24 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Forest Park for acquisition of property for public building construction purposes:
THE WEST 85.00 FEET OF LOTS 34 THRU 48, INCLUSIVE, IN BLOCK 12; THE EAST HALF OF VACATED HANNAH AVENUE LYING WEST OF AND ADJOINING SAID LOTS 34 THRU 48, INCLUSIVE; THE SOUTH 28.00 FEET OF THE EAST HALF OF VACATED HANNAH AVENUE LYING WEST OF AND ADJOINING A LINE DRAWN FROM THE NORTHWEST CORNER OF LOT 48, IN BLOCK 12 TO THE SOUTHWEST CORNER OF LOT 25 IN BLOCK 5; ALSO THE SOUTH 28.00 FEET OF VACATED 14TH STREET LYING NORTH OF AND ADJOINING THE WEST 85.00 FEET OF SAID LOT 48 IN BLOCK 12 IN BRADISH & MIZNER'S ADDITION TO RIVERSIDE, BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
(Source: P.A. 93-646, eff. 12-31-03.)

Sec. 25-7-103.110 7-103.110. Quick-take; Urbana-Champaign Sanitary District. Quick-take proceedings under *Article 20 Section 7-103* may be used for a period of 24 months after the effective date of this amendatory Act of the 93rd General Assembly by the Urbana-Champaign Sanitary District for the acquisition of permanent and temporary easements for the purpose of implementing phase 2 of the Curtis Road - Windsor Road sanitary interceptor sewer project and constructing and operating the proposed sewers.

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.111. Quick-take; Village of Palatine. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 60 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Palatine for the acquisition of property for the purposes of the Downtown Tax Increment Redevelopment Project Area, bounded generally by Plum Grove Road on the East, Palatine Road on the South, Cedar Street on the West, and Colfax Street on the North, and the Rand Corridor Redevelopment Project Area, bounded generally by Dundee Road on the South, Lake-Cook Road on the North, and on the East and West by Rand Road, in the Village of Palatine more specifically described in the following ordinances adopted by the Village of Palatine:

- Village ordinance 0-224-99, adopted December 13, 1999;
- Village ordinance 0-225-99, adopted December 13, 1999;
- Village ordinance 0-226-99, adopted December 13, 1999;
- Village ordinance 0-13-00, adopted January 24, 2000, correcting certain scrivener's errors and attached as exhibit A to the foregoing legal descriptions;
- Village ordinance 0-23-03, adopted January 27, 2003;
- Village ordinance 0-24-03, adopted January 27, 2003; and

Sec. 25-7-103.112. Quick-take; Bi-State Development Agency; MetroLink Light Rail System. Quick-take proceedings under Article 20 Section 7-103 may be used for a period from September 1, 2003 through September 1, 2004 by the Bi-State Development Agency of the Missouri-Illinois Metropolitan District for station area development, transit oriented development and economic development initiatives in support of the MetroLink Light Rail System, beginning in East St. Louis, Illinois, and terminating at MidAmerica Airport, St. Clair County, Illinois.

New matter indicated by italics - deletions by strikeout
Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Bridgeview for the purpose of acquiring property for a municipal sports stadium and parking areas, team practice facilities, and other related uses as follows:

Parcel 1:
That part of the West half of the Southwest Quarter of Section 30, Township 38 North, Range 13 East of the Third Principal Meridian, described as follows:
Beginning on the East line of the West half of the Southwest quarter with the North line of M.S.A. Bridgeview Court Subdivision recorded on June 8, 1988, as Document Number 88246171, also being the South line of the North 1090 feet of the said Southwest quarter of Section 30; thence South 89 degrees 10 seconds West along said line 33.00 feet; thence North 16 degrees 38 seconds West 349.88 feet along the said East line of Harlem Avenue to the Southwest corner of the land conveyed by Document 0333942009; thence North 89 degrees 46 minutes 35 seconds East to the Northwest corner of the land conveyed by document 99855126; thence South along

New matter indicated by italics - deletions by strikeout
the West line of the land conveyed by said Document 99855126, 350 feet
to the South line of the North 1090 feet also being the North line of
M.S.A. Bridgeview Court; thence West along said line to the point of
beginning, in Cook County, Illinois.
Parcel 2:
Lots 1, 2, 4, 6, 7 and 8, in M.S.A. Bridgeview Court, being a Subdivision
of part of the West half of the southwest quarter of Section 30, Township
38 North, Range 13 East of the Third Principal Meridian, recorded June 7,
1988 as Document 88246171, except that part of Lot 1 conveyed by Deed
recorded as document No. 99016579, except that part of Lot 6 conveyed
by Deed recorded as Document No. 93589062, except that part of Lot 7
conveyed in Deed recorded as Document No. 91540434, and except that
part of Lot 8 recorded as Document No. 0010326872, in Cook County,
Illinois.
Parcel 3:
Easement appurtenant to Parcel 2 for ingress, egress, access, parking,
deposit and retention of storm water over the common areas as described
and set forth in Construction, Operation and Reciprocal Easement
Agreement made by and between Bridgeview Associates, the May
Department Stores Company, and Midfield, Inc., dated July 25, 1988 and
recorded July 29, 1988 as Document No. 88340706.
(Source: P.A. 93-1065, eff. 1-15-05.)
(was 735 ILCS 5/7-103.114)
Sec. 25-7-103.114 7-103.114. Quick-take; City of Ottawa. Quick-
take proceedings under Article 20 Section 7-103 may be used for a period
of 12 months after the effective date of this amendatory Act of the 93rd
General Assembly by the City of Ottawa for the acquisition of property for
the purpose of immediate eradication of a blighted area resulting from the
destruction of most improvements because of fire as follows:
All lots in Block 18 in the Original Town of Ottawa, now the City
of Ottawa, in LaSalle County, Illinois.
(Source: P.A. 93-1065, eff. 1-15-05.)
(was 735 ILCS 5/7-103.115)

New matter indicated by italics - deletions by strikeout
Sec. 25-7-103.115. Quick-take; City of Ottawa. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Ottawa for the acquisition of property for the purpose of installation of public utilities as follows:

That part of the Southeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 8; thence South 89 degrees 41 minutes 32 seconds East 48.60 feet along the North line of the said Southeast Quarter to the intersection of said North line and the North Right of Way line of the CSX Railroad which point is also the Point of Beginning; thence continuing South 89 degrees 41 minutes 32 seconds East 1303.50 feet along said North line to the Northeast corner of the West Half of the Southeast Quarter of said Section 8; thence Southeasterly on a 573.75 foot radius curve to the right 564.56 feet, whose chord bears South 33 degrees 50 minutes 57 seconds East 542.06 feet to a point on the North Right of Way line of the CSX railroad; thence North 74 degrees 06 minutes 16 seconds West 1669.24 feet to the Point of Beginning containing 6.140 acres more or less and all situated in LaSalle County, Illinois.

(Source: P.A. 93-1065, eff. 1-15-05.)

Sec. 25-7-103.116. Quick-take; City of Ottawa. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Ottawa for the acquisition of property for the purpose of installing a rail spur as follows:

That Portion of the East Half of the Northeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian lying South of the public highway between Ottawa and Marseilles which crosses the said East Half of the Northeast Quarter aforesaid

New matter indicated by italics - deletions by strikeout
on the northeast portion thereof; ALSO that portion of the Southeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian lying North of the right of way of the Chicago, Rock Island & Pacific Railroad Company; EXCEPTING therefrom that part conveyed to the State of Illinois for highway purposes by deed recorded as Document #558356, all situated in LaSalle County, Illinois.

(Source: P.A. 93-1065, eff. 1-15-05.)

Sec. 25-7-103.117 Quick-take; City of Oakbrook Terrace. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Oakbrook Terrace for the acquisition of property for the purpose of water main construction as follows:

Beginning at a point on the east line of the southeast 1/4 of Section 21-39-11, located a distance of 520 feet north of the point of intersection of the east line of the southeast 1/4 of Section 21 with the present northerly right of way line of Butterfield Road; Thence westerly along a line which forms an angle of 90 degrees 00 minutes 00 seconds to the east line of the southeast 1/4 of Section 21, a distance of 340 feet, to an angle point; Thence southerly from said angle point along a line which forms an angle of 137 degrees 49 minutes 39 seconds as measured clockwise from west to south, a distance of 297 feet, to a point located 30 feet southwest and perpendicular to the south edge of the existing private road; Thence northwesterly along a curved line located 30 feet south of and parallel to the south edge of the existing private road, through an internal angle of 101 degrees 2 minutes 40 seconds, measured counterclockwise from the northeast to the northwest, a distance of 441.7 feet, to a point located 30 feet southeast and perpendicular to the south edge of the existing private road; Thence, northwesterly along a straight line perpendicular to the existing private road, a distance of 30 feet to a point on the south edge of the existing

New matter indicated by italics - deletions by strikeout
private road; Thence northeasterly and southeasterly along the curved south edge of the existing private road, a distance of 461.5 feet, to a point on the south edge of the existing private road; Thence northeasterly along a straight line and perpendicular to the south edge of the existing private road, a distance of 277 feet, to an angle point (iron pipe); Thence easterly along a straight line, from said angle point, which forms an angle of 137 degrees 49 minutes 39 seconds as measured counterclockwise from south to east, a distance of 350 feet to a point located on the east line of the southeast 1/4 of Section 21-39-11 a distance of 30 feet to the point of beginning.

(Source: P.A. 93-1065, eff. 1-15-05.)

Sec. 25-7-103.118 Quick-take; Ogle County. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by Ogle County for the acquisition of property for the purpose of the construction of a railroad overpass as follows:

A tract of land in the Northeast Quarter in Section 32, Township 40 North, Range 1 East of the Third Principal Meridian, the Township of Flagg, the County of Ogle and the State of Illinois, bounded and described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 32; thence North 0 degrees 37 minutes 41 seconds West along the East line of said Northeast Quarter, a distance of 420.21 feet to the intersection of said East Line and the Northwesterly Right-of-Way Line of the Union Pacific Railroad, said point being the Point of Beginning of the hereinafter described tract of land; thence continuing North 0 degrees 37 minutes 41 seconds West along said East Line, a distance of 1466.85 feet; thence South 89 degrees 22 minutes 02 seconds West, a distance of 32.74 feet to the existing Westerly Right-of-Way Line of a public road designated Thorpe Road; thence South 2 degrees 41 minutes 56 seconds West, a distance of 67.11 feet; thence South 42 degrees
09 minutes 09 seconds West, a distance of 34.04 feet to the beginning of a curve; thence Southwesterly along a line being curved to the left, having a radius of 183.00 feet a central angle of 90 degrees 00 minutes 00 seconds, a chord bearing of South 44 degrees 22 minutes 02 seconds West and an arc distance of 287.46 feet to the termination of said curve; thence South 0 degrees 37 minutes 58 seconds East parallel with the Centerline of said Thorpe Road, a distance of 949.35 feet to the beginning of a curve; thence Southwesterly a line being curved to the right, having a radius of 487.87 feet a central angle of 62 degrees 20 minutes 35 seconds, a chord bearing of South 30 degrees 32 minutes 20 seconds West and an arc distance of 330.95 feet to the Northwesterly Right-of-Way Line of a public road designated Titus Road; thence South 28 degrees 17 minutes 23 seconds East, a distance of 66.00 to the Northwesterly Right-of-Way Line of the Union Pacific Railroad; thence Northeasterly along a line being curved to the left, having a radius of 602.66 feet, a central angle of 62 degrees 20 minutes 35 seconds, a chord bearing of North 30 degrees 32 minutes 20 seconds East and an arc distance of 602.66 to the termination of said curve; thence North 0 degrees 37 minutes 58 seconds, West parallel with the Centerline of said Thorpe Road, a distance of 949.35 feet to the beginning of a curve; thence Northeasterly along a line being curved to the right, having a radius of 117.00 feet, a central angle of 90 degrees; 00 minutes 00 seconds, a chord bearing of North 44 degrees 22 minutes 02 seconds East and an arc distance of 183.79 Feet to the termination of said curve; thence South 33 degrees 48 minutes 48 seconds East, a distance of 29.87 feet to the Westerly Right-of-Way Line of said Thorpe Road; thence South 2 degrees 41 minutes 56 seconds West, a distance of 1141.69 feet; thence South 0 degrees 37 minutes 58 seconds East parallel with the Centerline of said Thorpe Road, a distance of 201.54 feet to the Northwesterly Right-of-Way Line of the Union Pacific Railroad; thence North 61 degrees 42 minutes 17

New matter indicated by italics - deletions by strikeout
seconds East along said Northwesterly Right-of-Way Line, a
distance of 123.77 feet to the Point of Beginning.
Containing 5.292 acres, more or less.
(Source: P.A. 93-1065, eff. 1-15-05.)
(was 735 ILCS 5/7-103.119)
Sec. 25-7-103.119 7-103.119. Quick-take; Village of Plainfield.
Quick-take proceedings under Article 20 Section 7-103 may be used for
the period of 12 months after the effective date of this amendatory Act of
the 93rd General Assembly by the Village of Plainfield for the acquisition
of the following described property for the purposes of water, sewer, and
roadway extensions:

That part of Outlot "A" in Indian Oaks Estates Unit Six, a
subdivision of part of the Southeast Quarter of Section 17 in
Township 36 North and Range 9 East of the Third Principal
Meridian, in Will County, Illinois, according to the plat thereof
recorded April 6, 1989 as Document Number R89-15582,
described as follows:

Beginning at the southeasterly corner of Outlot A, thence
South 45 degrees 31 minutes 50 seconds West along the south line
of the aforesaid Outlot 147.49 feet to the southwesterly corner of
the aforesaid Outlot; thence North 0 degrees 0 minutes 26 seconds
East along the west line of the aforesaid Outlot 221.82 feet; thence
on a northwesterly bearing 134.05 feet to a point on the east line of
the aforesaid Outlot that is 201.53 feet north of the southeasterly
corner; thence southerly along the east line of the aforesaid Outlot
201.53 feet to the point of beginning; containing 0.511 acres, more
or less, all in Will County, Illinois.
Pin No: 03-17-408-023-0000
(Source: P.A. 93-1065, eff. 1-15-05.)
(was 735 ILCS 5/7-103.120)
Sec. 25-7-103.120 7-103.120. Quick-take; Village of Plainfield.
Quick-take proceedings under Article 20 Section 7-103 may be used for
the period of 12 months after the effective date of this amendatory Act of
the 93rd General Assembly by the Village of Plainfield for the acquisition

New matter indicated by italics - deletions by strikeout
of the following described property for the purposes of roadway extensions and traffic signal installation:

Beginning at a P.K. Nail marking the southwest corner of said Section 33; thence on an assumed bearing of North 00 degrees 30 minutes 36 seconds West 523.00 feet along the west line of the Southwest Quarter of said Section 33; thence North 89 degrees 29 minutes 19 seconds East 40.00 feet; thence South 00 degrees 30 minutes 36 seconds East 379.66 feet along a line 40.00 feet easterly of and parallel to the west line of the Southwest Quarter of said Section 33; thence South 26 degrees 12 minutes 37 seconds East 115.56 feet to a point on the northerly existing right of way line of 135th Street (Pilcher Road); thence South 00 degrees 00 minutes 24 seconds East 40.00 feet to a point on the south line of the Southwest Quarter of said Section 33; thence South 89 degrees 59 minutes 36 seconds West 89.76 feet along the south line of the Southwest Quarter of said Section 33 to the Point of Beginning.

Pin No: 01-33-300-008

(Source: P.A. 93-1065, eff. 1-15-05.)

was 735 ILCS 5/7-103.121

Sec. 25-7-103.121 7-103.121. Quick-take; Rochester Road District. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months from the effective date of this amendatory Act of the 93rd General Assembly by Rochester Road District, for the purpose of road construction and maintenance, for the acquisition of property legally described as:

Parcel No. 3
A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:
Commencing at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 326.11 feet to the point of beginning; thence continuing South 0 degrees 44 minutes 49 seconds East, 359.27 feet; thence

New matter indicated by italics - deletions by strikeout
North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 359.27 feet; thence South 86 degrees 59 minutes 03 seconds East, 35.08 feet to the point of beginning.

All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.124 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

Parcel No. 6
A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:
Commencing at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 276.00 feet to the point of beginning; thence continuing South 0 degrees 44 minutes 49 seconds East, 50.11 feet; thence North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 50.11 feet; thence South 86 degrees 59 minutes 03 seconds East, 35.08 feet to the point of beginning.

All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.017 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

Parcel No. 9
A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:
Beginning at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 276.00 feet; thence North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 50.11 feet; thence South 86 degrees 59 minutes 03 seconds East, 35.08 feet to the point of beginning.

New matter indicated by italics - deletions by strikeout
seconds West, 224.01 feet; thence South 89 degrees 15 minutes 11 seconds West, 5.00 feet; thence North 0 degrees 44 minutes 49 seconds West, 49.07 feet to the north line of the Southwest Quarter of said Section 6; thence North 88 degrees 22 minutes 11 seconds East, 40.00 feet to the point of beginning.

All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.100 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

(Source: P.A. 93-1065, eff. 1-15-05.)

Sec. 25-7-103.122

Quick-take; Village of Skokie. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Skokie for the acquisition of property for the purpose of open space and the development of a park as follows:

8148 Lincoln Avenue
Index Numbers (PINS): 10-21-409-002-0000 and 10-21-409-003-0000
Lot 2 and the North 1/2 of Lot 3 in the Subdivision of Lot 28 in the Subdivision of the South 105 acres of the Southeast 1/4 of Section 21, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

8158 Lincoln Avenue
Index Number (PIN) 10-21-409-001-0000
Lot 1 in the Subdivision of Lot 28 in the Subdivision of the South 105 acres of the Southeast 1/4 of Section 21, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

(Source: P.A. 93-1065, eff. 1-15-05.)
of 12 months after the effective date of this amendatory Act of the 94th General Assembly for road improvement purposes for the acquisition of the following described real property:

PARCEL 1
A part of the Southeast Quarter of Section 35, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of said Section 35; thence South 88 degrees 49 minutes 30 seconds West, a distance of 85.50 feet along the south line of the Southeast Quarter of said Section 35; thence North 1 degree 09 minutes 40 seconds West, 16.57 feet to the north right of way line of a township road; thence North 55 degrees 46 minutes 40 seconds East, 56.79 feet; thence northerly 357.19 feet along a curve to the left having a radius of 8564.37 feet, the chord of said curve bears North 2 degrees 12 minutes 30 seconds East, 357.16 feet; thence North 1 degree 00 minutes 50 seconds East, 496.06 feet; thence North 1 degree 06 minutes 30 seconds East, 598.18 feet; thence North 1 degree 16 minutes 00 seconds East, 254.87 feet to the north line of the Southeast Quarter of said Section 35; thence North 88 degrees 58 minutes 30 seconds East along said line, 30.02 feet to the east line of the Southeast Quarter of said Section 35; thence South 0 degrees 58 minutes 50 seconds West along said line, a distance of 2653.24 feet to the point of beginning, including that portion containing 1.717 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 1.967 acres, more or less.

ALSO
A part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: A tract of land 5 feet in width lying between Station 23+15.00 and Station 23+28.73 a distance of 13.73 feet along the east side of the proposed east right of way line of a highway designated as
Construction Section 85-00043-00-RS, as surveyed and staked out under the direction of the Dewitt County Highway Department.

PARCEL 2
A part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southwest corner of said Section 36; thence North 0 degrees 58 minutes 50 seconds East along the west line of the Southwest Quarter of said Section 36, a distance of 1326.62 feet; thence North 88 degrees 58 minutes 00 seconds East, 29.24 feet; thence South 1 degree 06 minutes 30 seconds West, 428.52 feet; thence South 1 degree 00 minutes 50 seconds West, 496.01 feet; thence southerly 358.88 feet along a curve to the right having a radius of 8624.37 feet, the chord of said curve bears South 2 degrees 12 minutes 20 seconds West, 358.85 feet; thence South 65 degrees 33 minutes 40 seconds East, 47.95 feet to the north right of way line of a township road; thence South 1 degree 00 minutes 10 seconds East, 23.03 feet to the south line of the Southwest Quarter of said Section 36; thence South 89 degrees 00 minutes 30 seconds West along said south line, a distance of 65.15 feet to the point of beginning, including that portion containing 0.741 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.867 acres, more or less.

PARCEL 3A
A part of the Northwest Quarter of the Southwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Northwest corner of the Southwest Quarter of said Section 36; thence North 88 degrees 55 minutes 30 seconds East, a distance of 30.02 feet; thence South 1 degree 16 minutes 00 seconds West, 257.12 feet; thence South 0 degrees 55 minutes 50 seconds West, 598.00 feet; thence South 0 degrees 55 minutes 00 seconds West, 300.05 feet; thence South 1 degree 06 minutes 30 seconds West, 171.50 feet to the south line of the Northwest Quarter of the Southwest Quarter of said Section 36; thence South...

New matter indicated by italics - deletions by strikeout
88 degrees 58 minutes 00 seconds West along said line, 29.24 feet to the west line of the Southwest Quarter of said Section 36; thence North 0 degrees 58 minutes 50 seconds East, a distance of 1326.62 feet to the point of beginning, including that portion containing 0.761 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.890 acres, more or less.

ALSO
A part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
A tract of land 5 feet in width lying between Station 23+28.54 and Station 23+50.00 a distance of 21.46 feet along the east side of the proposed east right of way line of a highway designated as Construction Section 85-00043-00-RS, as surveyed and staked out under the direction of the Dewitt County Highway Department.

PARCEL 3B
A part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southwest Corner of the Northwest Quarter of said Section 36; thence North 0 degrees 48 minutes 30 seconds East along the west line of the Northwest Quarter of said Section 36, a distance of 1327.69 feet; thence North 88 degrees 54 minutes 10 seconds East, 31.20 feet; thence South 0 degrees 45 minutes 40 seconds West, 381.76 feet; thence South 0 degrees 47 minutes 50 seconds West, 601.02 feet; thence South 1 degree 04 minutes 50 seconds West, 344.97 feet to the south line of the Northwest Quarter of said Section 36; thence South 88 degrees 55 minutes 30 seconds West along said line, a distance of 30.02 feet to the point of beginning, including that portion containing 0.762 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.955 acres, more or less.

PARCEL 4
A part of the Northeast Quarter of Section 35, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southeast corner of the Northeast Quarter of said Section 35; thence North 0 degrees 48 minutes 30 seconds East along the east line of said Section 35, a distance of 1327.69 feet to the north line of the Southeast Quarter of the Northeast Quarter of said Section 35; thence South 89 degrees 10 minutes 50 seconds West along the said north line, 28.83 feet; thence South 0 degrees 45 minutes 40 seconds West, 379.93 feet; thence South 0 degrees 47 minutes 50 seconds West, 600.85 feet; thence South 1 degree 04 minutes 50 seconds West, 347.05 feet to the south line of the Northeast Quarter of said Section 35; thence North 88 degrees 58 minutes 30 seconds East along said south line, a distance of 30.02 feet to the point of beginning, including that portion containing 0.852 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.874 acres, more or less.

PARCEL 6
A part of the Northwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Northwest corner of said Section 36; thence South 0 degrees 48 minutes 30 seconds West along the west line of said Section 36, a distance of 1327.69 feet to the south line of the Northwest Quarter of the Northwest Quarter of said Section 36; thence North 88 degrees 54 minutes 10 seconds East along the said south line, 31.20 feet; thence North 0 degrees 45 minutes 40 seconds East, 217.18 feet; thence North 0 degrees 56 minutes 50 seconds East, 300.01 feet; thence North 0 degrees 41 minutes 10 seconds East, 761.94 feet; thence North 42 degrees 26 minutes 10 seconds East, 30.04 feet to the south right of way line of a township road; thence North 0 degrees 40 minutes 00 seconds East, 26.76 feet to the north line of said Section 36; thence South 88 degrees 53 minutes 00 seconds West along said north line, a distance of 50.02 feet to the point of beginning, including that
Portion containing 0.777 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.963 acres, more or less.

ALSO
A part of the Northwest Quarter of Section 36, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
A tract of land 5 feet in width lying between Station 50+30.00 and Station 50+75.00 a distance of 45.00 feet along the east side of the proposed east right of way line of a highway designated as Construction Section 85-0043-00-RS, as surveyed and staked out under the direction of the Dewitt County Highway Department.

PARCEL 7
A part of the Southeast Quarter of Section 26, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southeast corner of the Southeast Quarter of said Section 26; thence North 0 degrees 58 minutes 30 seconds East along the east line of said Section 26, a distance of 1331.43 feet to the north line of the Southeast Quarter of the Southeast Quarter of said Section 26; thence South 89 degrees 16 minutes 30 seconds West along said north line, 29.65 feet; thence South 0 degrees 58 minutes 20 seconds West, 339.94 feet; thence South 1 degree 13 minutes 40 seconds West, 600.09 feet; thence South 0 degrees 38 minutes 50 seconds West, 343.24 feet; thence South 42 degrees 37 minutes 30 seconds West, 29.90 feet to the north right of way line of a township road; thence South 0 degrees 40 minutes 00 seconds West, 26.33 feet to the south line of said Section 26; thence North 89 degrees 23 minutes 00 seconds 00 seconds East along said south line, a distance of 50.02 feet to the point of beginning, including that portion containing 0.792 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.954 acres, more or less.

PARCEL 8
A part of the Southwest Quarter of Section 25, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:

New matter indicated by italics - deletions by strikeout
Beginning at the Southwest corner of the Southwest Quarter of said Section 25; thence North 0 degrees 58 minutes 30 seconds East along the west line of said Section 25, a distance of 2662.85 feet to the north line of the Southwest Quarter of said Section 25; thence North 89 degrees 04 minutes 40 seconds East along said north line, 28.37 feet; thence South 0 degrees 49 minutes 50 seconds West, 773.22 feet; thence South 0 degrees 58 minutes 20 seconds West, 900.10 feet; thence South 1 degree 13 minutes 40 seconds West, 599.92 feet; thence South 0 degrees 38 minutes 50 seconds West, 343.01 feet; thence South 40 degrees 45 minutes 00 seconds East, 30.24 feet to the north right-of-way line of a township road; thence South 0 degrees 40 minutes 00 seconds West, 23.16 feet to the south line of said Section 25; thence South 88 degrees 53 minutes 00 seconds West along said south line, a distance of 50.02 feet to the point of beginning, including that portion containing 1.492 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 1.823 acres, more or less.

PARCEL 11

A part of the Northwest Quarter of Section 25, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southwest corner of the Northwest Quarter of said Section 25; thence North 0 degrees 39 minutes 50 seconds East along the west line of said Section 25, a distance of 285.00 feet to the north property line; thence North 89 degrees 04 minutes 40 seconds East along said north line, a distance of 29.52 feet; thence South 0 degrees 53 minutes 40 seconds West, a distance of 285.03 feet to the south line of the Northwest Quarter of said Section 25; thence South 89 degrees 04 minutes 40 seconds West along said south line, a distance of 28.37 feet to the point of beginning, including that portion containing 0.153 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.189 acres, more or less.

PARCEL 12

New matter indicated by italics - deletions by strikeout
A part of the Northwest Quarter of Section 25, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: Commencing at the Southwest Corner of said Section 25; thence North 0 degrees 39 minutes 50 seconds East along the west line of said Section 25, a distance of 285.00 feet to the south property line and the point of beginning; thence continuing North 0 degrees 39 minutes 50 seconds East along said west line, a distance of 1043.42 feet to the north line of the South Half of the Northwest Quarter of said Section 25; thence North 89 degrees 06 minutes 10 seconds East along said north line, a distance of 31.28 feet; thence South 0 degrees 49 minutes 00 seconds West, a distance of 101.59 feet; thence South 0 degrees 33 minutes 40 seconds West, a distance of 400.04 feet; thence South 0 degrees 53 minutes 50 seconds West, 541.83 feet to the south property line; thence South 89 degrees 04 minutes 40 seconds West along the said south line, a distance of 29.52 feet to the point of beginning, including that portion containing 0.571 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.741 acres, more or less.

PARCEL 14
A part of the Northeast Quarter of Section 26, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: Beginning at the Northeast Corner of said Section 26; thence South 0 degrees 39 minutes 50 seconds West along the east line of the Northeast Quarter of said Section 26, a distance of 1130.32 feet to the south monumented parcel line; thence North 89 degrees 13 minutes 10 seconds West along said south monumented parcel line, 28.20 feet; thence North 0 degrees 49 minutes 00 seconds East, 201.20 feet; thence North 0 degrees 53 minutes 30 seconds East, 875.01 feet; thence North 29 degrees 29 minutes 30 seconds West, 39.54 feet to the south right of way line of a township road; thence North 0 degrees 52 minutes 30 seconds East, 18.75 feet to the north line of the Northeast Quarter of said Section 26; thence North 89 degrees 12 minutes 20 seconds East along said north line,
44.01 feet to the point of beginning, including that portion containing 0.588 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.696 acres, more or less.

ALSO
A part of the Northeast Quarter of Section 26, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
A tract of land 5 feet in width lying between Station 105+00.00 and Station 105+40.00 a distance of 40.00 feet along the west side of the proposed west right of way line of a highway designated as Construction Section 85-00043-00-RS, as surveyed and staked out under the direction of the Dewitt County Highway Department.

PARCEL 22
A part of the Southeast Quarter of Section 14, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southeast Corner of said Section 14; thence South 89 degrees 21 minutes 00 seconds West along the south line of the Southeast Quarter of said Section 14, a distance of 36.03 feet; thence North 1 degree 06 minutes 30 seconds East, 31.02 feet to the north right of way line of County Highway 15; thence North 11 degrees 32 minutes 30 seconds East, 54.77 feet; thence North 1 degree 01 minute 40 seconds East, 469.47 feet; thence North 0 degrees 51 minutes 40 seconds East, 750.02 feet; thence North 1 degree 05 minutes 10 seconds East, 25.08 feet to the north line of the south half of the Southeast Quarter of said Section 14; thence North 89 degrees 25 minutes 00 seconds East, 28.95 feet to the east line of the Southeast Quarter of said Section 14; thence South 1 degree 03 minutes 40 seconds West along said line, a distance of 1329.19 feet to the point of beginning, including that portion containing 0.725 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.838 acres, more or less.

PARCEL 24

New matter indicated by italics - deletions by strikeout
A part of the Southeast Quarter of Section 14, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: Beginning at the Northeast Corner of the Southeast Quarter of said Section 14; thence South 1 degree 03 minutes 40 seconds West along the east line of said Southeast Quarter, a distance of 1329.19 feet to the south line of the Northeast Quarter of the Southeast Quarter of said Section 14; thence South 89 degrees 25 minutes 00 seconds West, 28.95 feet; thence North 1 degree 05 minutes 20 seconds East, 925.01 feet; thence North 1 degree 11 minutes 50 seconds East, 404.25 feet to the north line of said Southeast Quarter; thence North 89 degrees 28 minutes 50 seconds East along said line, a distance of 27.57 feet to the point of beginning, including that portion containing 0.775 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.870 acres, more or less.

PARCEL 26
A part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:

Beginning at the Northwest Corner of the Southwest Quarter of said Section 13; thence South 1 degree 03 minutes 40 seconds West, along the west line of the Southwest Quarter of said Section 13, a distance of 440.13 feet to the south parcel line; thence North 89 degrees 10 minutes 40 seconds East along said parcel line, 31.50 feet; thence North 1 degree 05 minutes 20 seconds East, 34.00 feet; thence North 1 degree 11 minutes 55 seconds East, 400.01 feet; thence North 1 degree 03 minutes 00 seconds East, 6.15 feet to the north line of the Southwest Quarter of said Section 13; thence South 89 degrees 11 minutes 10 seconds West along said north line, 32.46 feet to the point of beginning, including that portion containing 0.247 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.323 acres, more or less.

PARCEL 27

New matter indicated by italics - deletions by strikeout
A part of the Northeast Quarter of Section 14, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Southeast Corner of the Northeast Quarter of said Section 14; thence North 0 degrees 58 minutes 50 seconds East along the east line of the Northeast Quarter of said Section 14, a distance of 316.77 feet to the north parcel line; thence South 89 degrees 28 minutes 50 seconds West along said line, 27.18 feet; thence South 1 degree 03 minutes 00 seconds West, 316.78 feet to the south line of the Northeast Quarter of said Section 14; thence North 89 degrees 28 minutes 50 seconds East along said line, 27.57 feet to the point of beginning, including that portion containing 0.176 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.199 acres, more or less.

PARCEL 29
A part of the Northeast Quarter of Section 14, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:
Beginning at the Northeast Corner of said Section 14; thence South 0 degrees 58 minutes 50 seconds West along the east line of the Northeast Quarter of said Section 14, a distance of 2342.88 feet to the south parcel line; thence South 89 degrees 29 minutes 00 seconds West, 27.18 feet; thence North 1 degree 03 minutes 00 seconds East, 878.86 feet; thence North 0 degrees 50 minutes 10 seconds East, 1399.89 feet; thence North 0 degrees 44 minutes 30 seconds East, 22.44 feet; thence North 40 degrees 31 minutes 30 seconds West, 30.32 feet to the existing south right of way line of a township road; thence North 0 degrees 44 minutes 30 seconds East, 18.43 feet to the north line of said Northeast Quarter; thence North 89 degrees 31 minutes 50 seconds East along said line, 49.89 feet to the point of beginning, including that portion containing 1.238 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 1.490 acres, more or less.

PARCEL 30

New matter indicated by italics - deletions by strikeout
A part of the Northwest Quarter of Section 13, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:

Beginning at the Northwest Corner of said Section 13; thence South 0 degrees 58 minutes 50 seconds West along the west line of the Northwest Quarter of said Section 13, a distance of 1329.82 feet to the south parcel line; thence North 89 degrees 09 minutes 50 seconds East along said line, 33.58 feet; thence North 0 degrees 50 minutes 10 seconds East, 1264.13 feet; thence North 0 degrees 44 minutes 30 seconds East, 22.64 feet; thence North 42 degrees 44 minutes 20 seconds East, 29.90 feet to the existing south right of way line of a township road; thence North 0 degrees 44 minutes 40 seconds East, 21.30 feet to the north line of said Northwest Quarter; thence South 89 degrees 08 minutes 50 seconds West along said line, 50.15 feet to the point of beginning, including that portion containing 0.830 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.989 acres, more or less.

PARCEL 31
A part of the Southwest Quarter of Section 12, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:

Beginning at the Southwest Corner of said Section 12; thence North 0 degrees 48 minutes 30 seconds East along the west line of the Southwest Quarter of said Section 12, a distance of 2580.09 feet to the north parcel line; thence North 89 degrees 22 minutes 40 seconds East, 31.05 feet; thence South 0 degrees 52 minutes 40 seconds West, 245.61 feet; thence South 0 degrees 45 minutes 00 seconds West, 1099.99 feet; thence South 0 degrees 57 minutes 50 seconds West, 800.03 feet; thence South 0 degrees 44 minutes 30 seconds West, 392.46 feet; thence South 40 degrees 26 minutes 10 seconds East, 30.38 feet to the existing north right of way line of a township road; thence South 0 degrees 44 minutes 40 seconds West, 18.47 feet to the south line of said Southwest Quarter; thence South 89 degrees 08 minutes 50 seconds West along said line, 50.15 feet to the point of beginning, including that portion

New matter indicated by italics - deletions by strikeout
containing 1.493 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 1.840 acres, more or less.

ALSO

A part of the Southwest Quarter of Section 12, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows:

A tract of land 5 feet in width lying between Station 235+40.00 and Station 235+70.00 a distance of 30.00 feet along the east side of the proposed east right of way line of a highway designated as Construction Section 85-00043-00-RS, as surveyed and staked out under the direction of the Dewitt County Highway Department.

PARCEL 33

A part of the Southeast Quarter of Section 11, Township 19 North, Range 3 East, Third Principal Meridian, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 11; thence South 0 degrees 48 minutes 30 seconds West along the east line of the Southeast Quarter of said Section 11, a distance of 13.79 feet to the north parcel line and the point of beginning; thence continuing South 0 degrees 48 minutes 30 seconds West, 70.01 feet to the south parcel line; thence South 89 degrees 56 minutes 00 seconds West along said parcel line, 28.95 feet; thence North 0 degrees 52 minutes 40 seconds East, 70.01 feet to the north parcel line; thence North 89 degrees 56 minutes 00 seconds East, 28.86 feet to the point of beginning, including that portion containing 0.040 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.046 acres, more or less.

PARCEL 34

A part of the Southwest Quarter of Section 12, Township 19 North, Range 3 East, Third Principal Meridian, described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 12; thence North 89 degrees 22 minutes 40 seconds East along the north line of the Southwest Quarter of said Section 12, a distance of 31.17 feet; thence South 0 degrees 52 minutes 40

New matter indicated by italics - deletions by strikeout
seconds West, 100.03 feet to the south parcel line; thence South 89 degrees 22 minutes 40 seconds West along said parcel line, 31.05 feet; thence North 0 degrees 48 minutes 30 seconds East, 100.03 feet to the point of beginning, including that portion containing 0.057 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 0.071 acres, more or less.

PARCEL 38
A part of the Northwest Quarter of Section 12, Township 19 North, Range 3 East of the Third Principal Meridian, described as follows: Beginning at the Southwest corner of the Northwest Quarter of said Section 12; thence North 89 degrees 22 minutes 40 seconds East along the south line of the Northwest Quarter of said Section 12, a distance of 31.17 feet; thence North 0 degrees 52 minutes 40 seconds East, 154.41 feet; thence North 0 degrees 39 minutes 40 seconds East, 500.00 feet; thence North 0 degrees 46 minutes 30 seconds East, 199.96 feet; thence North 2 degrees 34 minutes 30 seconds East, 107.55 feet to the south line of the north 80 acres of the Northwest Quarter of said Section 12; thence South 89 degrees 34 minutes 20 seconds West along said south line, 45.86 feet to the west line of the Northwest Quarter of said Section 12; thence South 0 degrees 48 minutes 30 seconds West along the west line of the Northwest Quarter of said Section 12, a distance of 1361.66 feet to the point of beginning including that portion containing 0.758 acres, more or less, which exists as public road right-of-way, said perpetual right-of-way easement containing 1.042 acres, more or less.

(Source: P.A. 94-408, eff. 8-2-05; revised 9-26-05.)

Sec. 25-7-103.124 7-103.113. Quick-take; Williamson County. The corporate authorities of Williamson County are hereby authorized to acquire, singularly or jointly with other parties, by gift, purchase, condemnation, or otherwise, any land or interest in land, necessary for the

New matter indicated by italics - deletions by strikeout
construction and development of a coal mine or transportation facilities to serve a coal mine, to improve or arrange for the improvement of the land and, if deemed to be in the public interest, to convey such land, or interest in land, so acquired and improved to a railroad or company developing the coal mine for fair market value. In addition, quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 94th General Assembly by Williamson County for the acquisition of the following described property for the purpose of constructing a railroad spur line:

PARCEL 1
As described by deed record book 162, page 337:
A triangular tract of land located in the Northwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 3 East of the 3rd Principal Meridian bounded and described as follows: Beginning at the Southwest corner of said Northwest Quarter of the Southeast Quarter and running thence north, along the west line of said land, two hundred forty (240) feet more or less, to a point sixty-five (65) feet northwesterly from the located center line of the track to the Lake Creek Mine, measured at right angle thereto. Thence south fifty-seven (57) degrees east magnetic bearing, parallel to said center line four hundred (400) feet more or less, to a point in the south line of said land, thence west along said south line three hundred twenty (320) feet more or less, to a point of beginning, containing eighty-eight (0.88) of an acre more or less, excepting the coal underlying same which has heretofore been disposed of.
Parcel 1: Containing an estimated 0.88 Acres.

PARCEL 2
As described by deed record book 162, page 336:
A strip of land one hundred thirty (130) feet wide, extending over and across the north half of the Southwest Quarter of the Southeast Quarter of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, said strip of land being sixty-five (65) feet in width on each side of the located
center line of the track to Lake Creek Mine. Said located center line intersects the north line of said land, at a point two hundred ten (210) feet east of the northwest corner of said land and run thence south fifty-seven (57) degrees east, magnetic bearing, eleven hundred fifty-three (1153) feet more or less, to a point in the south line of said land one hundred eighty-nine (189) feet west of the southeast corner of said land. Said strip of land contains three and forty-five hundredths (3.45) acres more or less.

Parcel 2: Containing an estimated 3.45 Acres.

PARCEL 3
As described by deed record book 162, page 339:
A triangular tract of land located in the South Half of the Southwest Quarter of the Southeast Quarter of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, bounded and described as follows:
Beginning at the northeast corner of said land, and running thence west two hundred seventy (270) feet more or less, to a point fifty (50) feet southwesterly from the located center line to the track to Lake Creek Mine, thence south fifty-seven (57) degrees east, magnetic bearing, parallel to said center line, three hundred thirty (330) feet more or less, to the point of beginning, containing sixty-three hundredths (0.63) of an acre more or less; excepting the coal underlying same which has heretofore been disposed of.

Parcel 3: Containing an estimated 0.63 Acres.

PARCEL 4
A parcel of land to the extent owned one hundred and thirty-five (135) feet wide located in and running across the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, bounded and described as follows:
Beginning at the northwest corner of said South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Eight (8) South, Range Three (3) East and running thence south along the west line of said land fifty-three (53) feet more or less to the point

New matter indicated by italics - deletions by strikeout
of beginning, thence south along the west line of the said land one hundred and fifty nine (159) feet thence south fifty-seven degrees (57) east, magnetic bearing eight hundred (800) feet more or less to a point on the south line of Section Seven (7), Township Eight (8) South, Range Three (3) East; said point being six hundred seventy (670) feet east of the southeast corner of said Section Seven (7), thence east along the south line of said Section Seven (7) two hundred twenty-three (223) feet to a point being four hundred and forty-seven (447) feet east of the southeast corner of said Section Seven (7) thence north fifty-seven (57) degrees west one thousand and sixty-four (1064) feet more or less to the point of beginning; containing 1.48 acres more or less.

Parcel 4: Containing an estimated 1.48 Acres.

(Source: P.A. 94-660, eff. 8-22-05; revised 9-26-05.)

( was 735 ILCS 5/7-103.139)

Sec. 25-7-103.139 7-103.139. Quick-take; Village of Lincolnwood.

(a) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly for the purpose of a municipal parking lot in the Touhy Crawford Business District by the Village of Lincolnwood for the acquisition of a portion of the following properties:

(1) PIN 10-26-316-021;
(2) PIN 10-26-316-022;
(3) PIN 10-26-316-023; and
(4) PIN 10-26-316-024.

(b) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months following the effective date of this amendatory Act of the 92nd General Assembly for the purpose of the construction of the planned East West Connector Road running within its corporate limits by the Village of Lincolnwood for the acquisition of a portion of the following properties:

(1) PIN 10-35-204-002;
(2) PIN 10-35-204-003;
(3) PIN 10-35-204-004;

New matter indicated by italics - deletions by strikeout
(4) PIN 10-35-204-005;
(5) PIN 10-35-204-006;
(6) PIN 10-35-204-007;
(7) PIN 10-35-204-008;
(8) PIN 10-35-204-016;
(9) PIN 10-35-136-005;
(10) PIN 10-35-136-008;
(11) PIN 10-35-203-007;
(12) PIN 10-35-135-004;
(13) PIN 10-35-107-002;
(14) PIN 10-35-107-008;
(15) PIN 10-35-500-010;
(16) PIN 10-35-500-012;
(17) PIN 10-35-107-016; and
(18) A 60 foot strip of land across that part of the Chicago and Northwestern Railroad (Union Pacific) railroad property lying in the north 1/2 of section 35, township 41 north, range 13 east of the third principal meridian in Cook County, Illinois.

(c) Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months following the effective date of this amendatory Act of the 92nd General Assembly by the Village of Lincolnwood for the acquisition of the property PIN 10-35-200-039 for the purpose of public works usage and storage within the Touhy Lawndale Tax Increment Financing District and the Northeast Industrial Tax Increment Financing District.

(Source: P.A. 92-525, eff. 2-8-02.)

Sec. 25-7-103.140 7-103.140. Quick-take; Village of Bolingbrook. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the Village of Bolingbrook for the acquisition of the following described property for the purpose of roadway extension:

PARCEL 1:

New matter indicated by italics - deletions by strikeout
That part of parcel 02-30-200-002 located in the Northeast Quarter of Section 30, Township 37 North, Range 10 East of the Third Principal Meridian lying westerly of Weber Road in Will County, Illinois, more particularly described as follows:

Commencing at the Northeast Corner of said Northeast Quarter; thence S 1 deg. 19 min. 22 sec. E along the east line of said Northeast Quarter a distance of 2047.60 feet to the point of intersection of the centerline of the extension of Remington Boulevard; thence S 88 deg. 40 min. 35 sec. W along said centerline of the extension of Remington Boulevard a distance of 50.00 feet to the intersection of said centerline of Remington Boulevard and the west line of Weber Road at the point of beginning of this description;

1.) thence N 1 deg. 19 min. 22 sec. W along said west line of Weber Road a distance of 519.11 feet;
2.) thence S 88 deg. 14 min. 37 sec. W along north line of said parcel 02-30-200-002 a distance of 20.00 feet;
3.) thence S 1 deg. 19 min. 22 sec. E along a line 20.00 feet parallel to the west line of Weber Road a distance of 418.96 feet;
4.) thence S 43 deg. 40 min. 37 sec. W a distance of 63.64 feet;
5.) thence S 88 deg. 40 min. 35 sec. W a distance of 70.00 feet;
6.) thence S 1 deg. 19 min. 04 sec. E a distance of 5.00 feet;
7.) thence S 88 deg. 40 min. 35 sec. W a distance of 175.00 feet;
8.) thence west a distance of 227.70 feet along a tangential curve concave south having a radius of 686.62 feet and a cord bearing of S 79 deg. 10 min. 35 sec. W;
9.) thence S 67 deg. 10 min. 30 sec. W a distance of 229.11 feet;
10.) thence S 69 deg. 40 min. 35 sec. W a distance of 352.08 feet;
11.) thence west a distance of 559.79 feet; along a tangential curve concave south having a radius of 676.62 feet and a cord bearing of S 45 deg. 58 min. 31 sec. W;
12.) thence south a distance of 55.38 feet along a tangential curve concave east having a radius of 995.00 feet and a cord bearing of S
20 deg. 40 min. 49 sec. W to a point on the south line of said parcel 02-30-200-002;
13.) thence N 88 deg. 14 min. 38 sec. E along said south line of parcel 02-30-200-002 a distance of 42.93 feet to the point of intersection of said south line of parcel 02-30-200-002 and said centerline of the extension of Remington Boulevard;
14.) thence N 88 deg. 14 min. 38 sec. E along said south line of parcel 02-30-200-002 a distance of 43.22 feet;
15.) thence north a distance of 20.27 feet along a non-tangential curve concave east having a radius of 915.00 feet and a cord bearing of N 21 deg. 38 min. 17 sec. E;
16.) thence north a distance of 493.60 feet along a tangential curve concave east having a radius of 596.62 feet and a cord bearing of N 45 deg. 58 min. 31 sec. E;
17.) thence N 69 deg. 40 min. 35 sec. E a distance of 352.08 feet;
18.) thence N 72 deg. 10 min. 40 sec. E a distance of 229.11 feet;
19.) thence east a distance of 194.53 feet along a non-tangential curve concave south having a radius of 586.62 feet and a cord bearing of N 79 deg. 10 min. 36 sec. E;
20.) thence N 88 deg. 40 min. 35 sec. E a distance of 240.00 feet;
21.) thence S 46 deg. 19 min. 23 sec E a distance of 84.85 feet;
22.) thence S 1 deg. 19 min. 22 sec. E along a line 10.00 feet parallel to the west line of Weber Road a distance of 485.00 feet;
23.) thence N 88 deg. 13 min. 38 sec. E along said south line of parcel 02-30-200-002 a distance of 10.00 feet;
24.) thence N 1 deg. 19 min. 22 sec. W along said west line of Weber Road a distance of 594.92 feet to the point of beginning, in Will County, Illinois, said parcel containing 3.77 acres, more or less.

(Source: P.A. 92-525, eff. 2-8-02.)
(was 735 ILCS 5/7-103.141)
Sec. 25-7-103.141. Quick-take; Village of Downers Grove. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory
Act of the 92nd General Assembly by the Village of Downers Grove within the area of the Downers Grove Central Business District Tax Increment Financing District described below, to be used only for acquiring properties for providing off-street parking facilities:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 21.12 FEET OF LOTS 18 AND 19 OF ASSESSOR'S SUBDIVISION, A SUBDIVISION IN SECTIONS 7 AND 8 IN AFORESAID TOWNSHIP 38 NORTH, RANGE 11 EAST, RECORDED AS DOCUMENT NO. 14481 AND THE EAST LINE OF MAIN STREET, AND RUNNING THENCE EASTERLY, ALONG SAID SOUTH LINE, TO THE WEST LINE OF LOT 16, OF AFORESAID ASSESSOR'S SUBDIVISION; THENCE NORTHWESTERLY, ALONG THE WEST LINE OF AFORESAID LOT 16, TO THE SOUTHEAST CORNER OF LOT 17 OF AFORESAID ASSESSOR'S SUBDIVISION; THENCE NORTHERLY, ALONG THE EAST LINE OF AFORESAID LOT 17, TO THE SOUTH LINE OF LOT 52 OF AFORESAID ASSESSOR'S SUBDIVISION; THENCE EASTERLY, ALONG THE SOUTH LINE OF AFORESAID LOT 52 AND THE EASTERLY EXTENSION THEREOF, TO THE WEST LINE OF WASHINGTON STREET; THENCE NORTHERLY, ALONG THE WEST LINE OF WASHINGTON STREET, TO A POINT THAT IS 94.80 FEET SOUTH FROM THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 4 OF CURTISS ADDITION TO DOWNERS GROVE, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 7317; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF LOT 15 IN AFORESAID ASSESSOR'S SUBDIVISION, TO THE WEST LINE OF SAID LOT 15; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 15, TO THE NORTH LINE THEREOF, SAID LINE BEING

New matter indicated by italics - deletions by strikeout
THE SOUTH LINE OF BLOCK 4 IN AFORESAID CURTISS ADDITION TO DOWNERS GROVE; THENCE EASTERLY, ALONG SAID NORTH LINE, TO THE WEST LINE OF WASHINGTON STREET; THENCE NORTHERLY, ALONG SAID WEST LINE, SAID LINE ALSO BEING THE EAST LINE OF AFORESAID BLOCK 4 IN CURTISS ADDITION TO DOWNERS GROVE, TO THE SOUTH LINE OF CURTISS STREET, SAID LINE BEING THE NORTH LINE OF AFORESAID BLOCK 4; THENCE WESTERLY, ALONG SAID SOUTH LINE TO A POINT THAT IS 32.0 FEET, EASTERLY, AS MEASURED ON THE NORTH LINE OF LOT 8 IN BLOCK 4 OF AFORESAID CURTISS SUBDIVISION; THENCE SOUTHERLY, ALONG THE WEST FACE OF A BRICK BUILDING AND THE SOUTHERLY EXTENSION THEREOF, ON A STRAIGHT LINE, TO AN INTERSECTION WITH A LINE DESCRIBED AS BEGINNING 23 LINKS (15.18 FEET) SOUTH, AS MEASURED ON THE EAST LINE OF MAIN STREET, OF THE SOUTHWEST CORNER OF LOT 10 IN BLOCK 4 OF AFORESAID CURTISS SUBDIVISION AND RUNNING THENCE SOUTHEASTERLY 1.98 CHAINS (130.68 FEET), TO A POINT 32 LINKS (21.12 FEET) SOUTH OF THE SOUTH LINE OF AFORESAID LOT 8, THENCE EASTERLY 86 LINKS, (56.76 FEET), TO THE END OF THE HEREBIN DESCRIBED LINE; THENCE WESTERLY, FOLLOWING ALONG SAID PREVIOUSLY DESCRIBED LINE, FROM THE INTERSECTION REFERENCED HEREBIN, TO THE EAST LINE OF MAIN STREET; THENCE SOUTHERLY, ALONG SAID EAST LINE OF MAIN STREET, TO THE POINT OF BEGINNING, ALL DUPAGE COUNTY, ILLINOIS.

(Source: P.A. 92-525, eff. 2-8-02.)

was 735 ILCS 5/7-103.142

Sec. 25-7-103.142 7-103.142. Quick-take; Village of Mount Prospect. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory

New matter indicated by italics - deletions by strikeout
Act of the 92nd General Assembly by the Village of Mount Prospect for the acquisition of the following described property for the purpose of constructing a new village hall and public parking facility:

PARCEL 1: THE EAST 50 FEET OF LOT 12 IN BLOCK 4 OF BUSSE AND WILLE'S RESUBDIVISION IN MOUNT PROSPECT IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE SOUTH 32 FEET OF LOT 13 (EXCEPT THE WEST 96 FEET THEREOF) IN BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION IN MOUNT PROSPECT IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 31, 1906 AS DOCUMENT 3839591, IN COOK COUNTY, ILLINOIS.

TAX I.D. NUMBERS: 08-12-103-019 AND 08-12-103-027.

and ALL RIGHTS, TITLE, EASEMENTS, LICENSES OR INTERESTS WHATSOEVER FOR INGRESS, EGRESS AND PARKING OVER, UPON AND ACROSS THE REAL PROPERTY IDENTIFIED BELOW:

PARCEL 1: LOT 13 (EXCEPT THE SOUTH 65 FEET THEREOF) IN BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION OF MOUNT PROSPECT IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 31, 1906 AS DOCUMENT NUMBER 3839591 IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE NORTH 33 FEET OF THE SOUTH 65 FEET OF LOT 13 IN BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION OF MOUNT PROSPECT IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11 EAST

New matter indicated by italics - deletions by strikeout
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3: LOT 8, 9, 10 AND 11 BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION IN MOUNT PROSPECT IN WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4: THE WEST 96 FEET OF THE SOUTH 32 FEET OF LOT 13 BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION IN MOUNT PROSPECT IN WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5: LOT 12, (EXCEPT THE EAST 50 FEET THEREOF) BLOCK 4 IN BUSSE AND WILLE'S RESUBDIVISION IN MOUNT PROSPECT IN WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TAX I.D. NUMBERS: 08-12-103-020, 08-12-103-021, 08-12-103-025, 08-12-103-026, 08-12-103-014, 08-12-103-017, 08-12-103-032, and 08-12-103-031.

(Source: P.A. 92-525, eff. 2-8-02.)

Sec. 25-7-103.143 Quick-take; City of Neoga. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the City of Neoga for the acquisition of temporary and permanent easements across a portion of the following described property for the purpose of extending the municipal water works system:


New matter indicated by italics - deletions by strikeout
RIGHT-OF-WAY LINE OF SAID STATE ROAD; THENCE WEST 300 FEET; THENCE SOUTHERLY, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING CONTAINING 2 ACRES, MORE OR LESS, ALL SITUATED IN THE COUNTY OF CUMBERLAND AND STATE OF ILLINOIS.

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF U.S. ROUTE NO. 45 AND THE NORTH LINE OF SEC. 19, T. 10 N., R. 7 E. OF THE 3RD P.M., BEING AN IRON PIN; THENCE S. 90° 42'02" E., ASSUMED, ALONG THE NORTH LINE OF SAID SECTION 19, A DISTANCE OF 485.09 FEET TO AN IRON PIN; THENCE S. 00° 12'50" E., A DISTANCE OF 503.64 FEET TO AN IRON PIN; THENCE N. 89° 42'02" W., PARALLEL WITH THE NORTH LINE OF SAID SECTION 19 TO THE EAST RIGHT-OF-WAY LINE OF U.S. ROUTE NO. 45, A DISTANCE OF 671.23 FEET TO AN IRON PIN; THENCE N. 20° 07'52" E., ALONG THE EAST LINE OF U.S. ROUTE NO. 45, A DISTANCE OF 535.37 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN THE COUNTY OF CUMBERLAND AND STATE OF ILLINOIS.


New matter indicated by italics - deletions by strikeout
LINE OF STATE ROUTE NO. 45; THENCE EAST 300 FEET; THENCE NORTHERLY 275 FEET PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD; THENCE WEST 300 FEET; THENCE SOUTHERLY, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING CONTAINING 2 ACRES, MORE OR LESS, ALL SITUATED IN THE COUNTY OF CUMBERLAND AND STATE OF ILLINOIS.


SUBJECT TO CONVEYANCE FOR FAI ROUTE 57. ALL SITUATED IN THE COUNTY OF CUMBERLAND IN THE STATE OF ILLINOIS.
Sec. 25-7-103.144. Quick-take; Village of Plainfield. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the Village of Plainfield for the acquisition of the following described property for the purpose of making public improvements to construct road, water, sewer, and drainage systems to serve existing and planned park and school sites:


New matter indicated by italics - deletions by strikeout
PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS. PIN #01-32-200-002.


New matter indicated by italics - deletions by strikeout
NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID RAILWAY COMPANY TO A POINT IN THE NORTH SECTION LINE OF SAID SECTION WHICH IS 825.52 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE EAST ALONG THE NORTH SECTION LINE OF SAID SECTION, 167.34 FEET; THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID RAILWAY COMPANY TO A POINT IN THE EAST LINE OF THE WEST HALF OF NORTHEAST QUARTER OF SAID SECTION WHICH IS 347.07 FEET NORTH OF THE POINT OF BEGINNING: THENCE SOUTH TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS. PIN # 01-32-200-003.


Parcel #6: THE NORTH 30 FEET OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS. PIN #01-33-100-006.

Parcel #7: THE WEST 50 FEET OF THE SOUTH 670 FEET OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP
37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN. PIN #01-33-200-002.
Parcel #8: THE WEST 160.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THAT PART CONVEYED FOR ROADWAY PURPOSES BY DOCUMENT NUMBER 484643, RECORDED APRIL 23, 1935), IN WILL COUNTY, ILLINOIS. PIN #03-08-400-006.

(Source: P.A. 92-525, eff. 2-8-02.)
(was 735 ILCS 5/7-103.145)
Sec. 25-7-103.145 7-103.145. Quick-take; City of Champaign and Champaign County. Quick-take proceedings under Article 20 Section 7-103 may be used to acquire real property, including fee simple and temporary and permanent easements, for the Olympian Drive construction and reconstruction project for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the City of Champaign or by the County of Champaign for acquisition of any portion of the following described property:

Land lying within a corridor bounded by a line 200 feet on either side of the existing line of Olympian Drive (also known as TR151) between Mattis Avenue and Market Avenue in Hensley Township in Champaign County; and also land lying within a corridor bounded by a line 200 feet on either side of the center line of Mattis Avenue, Farber Drive, Prospect Avenue, Neil Street (extended), and Market Street for a distance of 1,000 feet north and south of the right-of-way lines of Olympian Drive on each of the named roadways, all located within Hensley Township in Champaign County.

(Source: P.A. 92-525, eff. 2-8-02.)
(was 735 ILCS 5/7-103.146)
Sec. 25-7-103.146 7-103.146. Quick-take; Village of Plainfield. Quick-take proceedings under Article 20 Section 7-103 may be used by the Village of Plainfield for a period of 12 months after the effective date of

New matter indicated by italics - deletions by strikeout
this amendatory Act of the 92nd General Assembly to acquire any portion of the following described property for a 30-foot sanitary sewer easement:

THAT PART OF THE FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 8, & TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 35 MINUTES 10 SECONDS EAST, ON SAID SOUTH LINE, 1941.46 FEET, TO THE WEST LINE OF PARCEL A PER CONDEMNATION CASE W66G730H; THENCE NORTH 01 DEGREE 06 MINUTES 43 SECONDS WEST, ON SAID WEST LINE, 61.62 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 126. PER DOCUMENT NO. 484643, FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREE 06 MINUTES 43 SECONDS WEST, 30.00 FEET, TO A POINT 30.00 FEET NORTH OF, AS MEASURED PERPENDICULAR TO, SAID NORTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 29 MINUTES 41 SECONDS WEST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY, 482.39 FEET, TO A POINT 30.00 FEET NORTH OF AN ANGLE POINT IN SAID RIGHT-OF-WAY; THENCE NORTH 89 DEGREES 55 MINUTES 28 SECONDS WEST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY, 1297.00 FEET, TO THE EAST LINE OF THE WEST 160.00 FEET OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 11 MINUTES 55 SECONDS WEST, ON SAID EAST LINE, 30.00 FEET, TO THE NORTH RIGHT-OF-WAY AFORESAID; THENCE SOUTH 89 DEGREES 55 MINUTES 28 SECONDS EAST, ON SAID NORTH RIGHT-OF-WAY, 1297.22 FEET, TO AN ANGLE POINT IN SAID RIGHT-OF-WAY; THENCE NORTH 89 DEGREES 29 MINUTES 41 SECONDS EAST, ON SAID NORTH RIGHT-OF-WAY, 482.86
FEET, TO THE POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS. PIN NO. 03-08-400-005.

(Source: P.A. 92-525, eff. 2-8-02.)

(was 735 ILCS 5/7-103.147)

Sec. 25-7-103.147 7-103.147. Quick-take; City of West Chicago. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the City of West Chicago for the acquisition of the following described property for the purpose of constructing a water treatment plant:

Lots 1 and 2 in Owen Larson's subdivision, of part of the northwest 1/4 of Section 5, Township 39 North, Range 9, East of the Third Principal Meridian, According to the Plat thereof Recorded November 10, 1992 as Document R92-217425, in DuPage County, Illinois. Permanent Parcel Numbers 04-05-200-036 and 04-05-200-037.

(Source: P.A. 92-525, eff. 2-8-02.)

(735 ILCS 5/7-103.148)

Sec. 25-7-103.148 7-103.148. Quick-take; Village of Melrose Park. Quick-take proceedings under Article 20 Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 92nd General Assembly by the Village of Melrose Park for the acquisition of the following described property for the purpose of constructing a parking facility and training facility for use by the Village of Melrose Park Fire Prevention Bureau and Fire Station:

LOT 8 (EXCEPT THE NORTH 51.0 FEET THEREOF) IN HEATH'S RESUBDIVISION OF LOTS H, K, R AND S OF BLOCK 7 IN HENRY SOFFEL'S THIRD ADDITION TO MELROSE PARK IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. REAL ESTATE TAX NUMBER 15-04-303-058.

(Source: P.A. 92-525, eff. 2-8-02.)

(735 ILCS 5/7-103.149)
Sec. 25-7-103.149. Quick-take; O'Hare Modernization Program purposes. Quick-take proceedings under Article 20 Section 7-103 may be used by the City of Chicago for the purpose of acquiring property within the area bounded on the north, between Carmen Drive and the Union Pacific/Canadian Pacific Railroad, by Old Higgins Road, and between Old Higgins Road and Touhy Avenue, by the Union Pacific/Canadian Pacific Railroad, and east of the Union Pacific/Canadian Pacific Railroad by the northern boundary of O'Hare existing on January 1, 2003; on the east by the eastern boundary of O'Hare existing on January 1, 2003; on the southeast by the southeastern boundary of O'Hare existing on January 1, 2003; on the south between the eastern boundary of O'Hare and the Union Pacific Railroad by the southern boundary of O'Hare existing on January 1, 2003; on the south, between the Union Pacific Railroad and the eastern boundary of York Road by the Canadian Pacific railroad yard; and the railroad spur intersecting York Road between Arthur and Pratt Avenues, by the east boundary of York Road; and on the northwest, between York Road and the Union Pacific/Canadian Pacific Railroad, by the railroad spur, and between the railroad spur and the point at which the extended eastern boundary of Carmen Drive intersects the Union Pacific/Canadian Pacific Railroad, by the Union Pacific/Canadian Pacific Railroad, and between the Union Pacific/Canadian Pacific Railroad and Old Higgins Road, by the extended eastern boundary of Carmen Drive and by Carmen Drive, for the O'Hare Modernization Program as defined in Section 10 of the O'Hare Modernization Act.

(Source: P.A. 93-450, eff. 8-6-03.)

Article 90. Miscellaneous Provisions

Section 90-5-5. Applicability. This Act applies only to complaints to condemn that are filed on or after its effective date.

Section 90-5-10. Continuation of prior statutes. The provisions of this Act, insofar as they are the same or substantially the same as those of any prior statute, shall be construed as a continuation of that prior statute and not as a new enactment, except as those provisions may be limited by other provisions of this Act.

New matter indicated by italics - deletions by strikeout
Section 90-5-15. Strict construction. This Act shall be strictly construed as a limitation on the exercise of eminent domain powers.

Section 90-5-20. Home rule. The authorization of the use of eminent domain proceedings to take or damage property is an exclusive power and function of the State. No condemning authority, including a home rule unit, may exercise the power of eminent domain otherwise than as provided in this Act. This Act is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 90-5-90. Formatting in Senate Bill 3086. Most of the provisions of Articles 10, 20, and 25 of this Act are derived from Article VII of the Code of Civil Procedure. In the Bill creating this Act, the provisions so derived have been shown in amendatory format, that is, (i) the changes made to those provisions, as they existed in the Code of Civil Procedure on the date that the Bill was prepared, have been shown with striking and underscoring in the manner commonly used in amendatory Acts; (ii) the Section of the Code of Civil Procedure from which the material is derived is shown in the "was" citation at the beginning of the Section; and (iii) the Source information from the Code of Civil Procedure has been retained at the end of the Section. Sections not shown in amendatory format are new.

Article 95. Amendatory Provisions

Part 1. Repealer and Mandate Exemption

(735 ILCS 5/Art. VII rep.)

Section 95-1-5. The Code of Civil Procedure is amended by repealing Article VII.

Section 95-1-10. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

Part 5. Power Subject to Act

New matter indicated by italics - deletions by strikeout
Section 95-5-2. The Intergovernmental Cooperation Act is amended by adding Section 7.5 as follows:

(5 ILCS 220/7.5 new)

Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-5. The National Forest Land Act is amended by adding Section 5 as follows:

(5 ILCS 585/5 new)

Sec. 5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-10. The Secretary of State Buildings in Cook County Act is amended by adding Section 3 as follows:

(15 ILCS 330/3 new)

Sec. 3. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-15. The Civil Administrative Code of Illinois is amended by adding Section 5-680 as follows:

(20 ILCS 5/5-680 new)

Sec. 5-680. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-20. The Economic Development Area Tax Increment Allocation Act is amended by adding Section 9.5 as follows:

(20 ILCS 620/9.5 new)

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-25. The Particle Accelerator Land Acquisition Act is amended by adding Section 1.5 as follows:

(20 ILCS 685/1.5 new)

Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-30. The State Parks Act is amended by adding Section 2.5 as follows:

(20 ILCS 835/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-35. The Illinois Coal and Energy Development Bond Act is amended by adding Section 3.05 as follows:

(20 ILCS 1110/3.05 new)

Sec. 3.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-40. The Abandoned Mined Lands and Water Reclamation Act is amended by adding Section 2.14 as follows:

(20 ILCS 1920/2.14 new)

Sec. 2.14. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-45. The Capital Development Board Act is amended by adding Section 9.08c as follows:

(20 ILCS 3105/9.08c new)

New matter indicated by italics - deletions by strikeout
Sec. 9.08c. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-50. The Building Authority Act is amended by adding Section 5.2 as follows:

(20 ILCS 3110/5.2 new)
Sec. 5.2. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-55. The Illinois Pension Code is amended by adding Section 15-167.4 as follows:

(40 ILCS 5/15-167.4 new)
Sec. 15-167.4. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-60. The Quad Cities Interstate Metropolitan Authority Compact Act is amended by adding Section 4 as follows:

(45 ILCS 30/4 new)
Sec. 4. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-65. The Quad Cities Interstate Metropolitan Authority Act is amended by adding Section 42 as follows:

(45 ILCS 35/42 new)
Sec. 42. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-70. The Bi-State Development Powers Act is amended by adding Section 1.5 as follows:

New matter indicated by italics - deletions by strikeout
(45 ILCS 110/1.5 new)
Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-75. The Public Building Commission Act is amended by adding Section 14.3 as follows:
(50 ILCS 20/14.3 new)
Sec. 14.3. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-80. The Exhibition Council Act is amended by adding Section 6.4a as follows:
(50 ILCS 30/6.4a new)
Sec. 6.4a. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-85. The Local Government Property Transfer Act is amended by adding Section 5 as follows:
(50 ILCS 605/5 new)
Sec. 5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-90. The Counties Code is amended by adding Section 5-1128 as follows:
(55 ILCS 5/5-1128 new)
Sec. 5-1128. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-95. The County Economic Development Project Area Property Tax Allocation Act is amended by adding Section 9.5 as follows:

(55 ILCS 85/9.5 new)

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-100. The County Economic Development Project Area Tax Increment Allocation Act of 1991 is amended by adding Section 62 as follows:

(55 ILCS 90/62 new)

Sec. 62. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-105. The Township Code is amended by adding Section 85-12 as follows:

(60 ILCS 1/85-12 new)

Sec. 85-12. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-110. The Illinois Municipal Code is amended by adding Section 11-61-4 as follows:

(65 ILCS 5/11-61-4 new)

Sec. 11-61-4. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-115. The Revised Cities and Villages Act of 1941 is amended by adding Section 21-19.5 as follows:

(65 ILCS 20/21-19.5 new)

Sec. 21-19.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire
property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-125. The Sports Stadium Act is amended by adding Section 3.5 as follows:

(65 ILCS 100/3.5 new)
Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-130. The Economic Development Project Area Tax Increment Allocation Act of 1995 is amended by adding Section 62 as follows:

(65 ILCS 110/62 new)
Sec. 62. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-135. The Airport Authorities Act is amended by adding Section 9.05 as follows:

(70 ILCS 5/9.05 new)
Sec. 9.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-140. The Interstate Airport Authorities Act is amended by adding Section 4.5 as follows:

(70 ILCS 10/4.5 new)
Sec. 4.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-145. The Kankakee River Valley Area Airport Authority Act is amended by adding Section 3.5 as follows:

(70 ILCS 15/3.5 new)

New matter indicated by italics - deletions by strikeout
**Sec. 3.5. Eminent domain.** Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-150. The Civic Center Code is amended by changing Section 2-20 and by adding Sections 10-15.5, 20-17, 75-22, 80-17, 125-17, 155-17, 170-22, 185-17, 200-17, 205-17, 215-17, 255-22, 265-22, and 280-22 as follows:

(70 ILCS 200/2-20)

Sec. 2-20. Rights and powers, including eminent domain. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain exhibition centers, civic auditoriums, cultural facilities and office buildings, including sites and parking areas and commercial facilities therefor located within the metropolitan area;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers, and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

New matter indicated by italics - deletions by strikeout
(e) To enter into contracts treating in any manner with the objects and purposes of this Article.

(f) Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/10-15.5 new)

Sec. 10-15.5. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/20-17 new)

Sec. 20-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/75-22 new)

Sec. 75-22. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/80-17 new)

Sec. 80-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/125-17 new)

Sec. 125-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/155-17 new)

New matter indicated by italics - deletions by strikeout
Sec. 155-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/170-22 new)

Sec. 170-22. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/185-17 new)

Sec. 185-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/200-17 new)

Sec. 200-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/205-17 new)

Sec. 205-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/215-17 new)

Sec. 215-17. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.
(70 ILCS 200/255-22 new)

Sec. 255-22. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
(70 ILCS 200/265-22 new)
Sec. 265-22. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

(70 ILCS 200/280-22 new)
Sec. 280-22. Eminent domain. Notwithstanding any other provision of this Article, any power granted under this Article to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-155. The Metropolitan Pier and Exposition Authority Act is amended by adding Section 5.3 as follows:

(70 ILCS 210/5.3 new)
Sec. 5.3. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-160. The Soil and Water Conservation Districts Act is amended by adding Section 22.04a as follows:

(70 ILCS 405/22.04a new)
Sec. 22.04a. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-165. The Conservation District Act is amended by adding Section 12e as follows:

(70 ILCS 410/12e new)
Sec. 12e. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-170. The Fort Sheridan Redevelopment Commission Act is amended by adding Section 17 as follows:

(70 ILCS 507/17 new)

New matter indicated by italics - deletions by strikeout
Sec. 17. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-175. The Southwestern Illinois Development Authority Act is amended by adding Section 8.5 as follows:

(70 ILCS 520/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-180. The Illinois Drainage Code is amended by adding Section 4-17.5 as follows:

(70 ILCS 605/4-17.5 new)

Sec. 4-17.5. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-185. The Chicago Drainage District Act is amended by adding Section 7 as follows:

(70 ILCS 615/7 new)

Sec. 7. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-190. The Fire Protection District Act is amended by adding Section 10.5 as follows:

(70 ILCS 705/10.5 new)

Sec. 10.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-195. The Downstate Forest Preserve District Act is amended by adding Section 6.5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 6.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-200. The Cook County Forest Preserve District Act is amended by adding Section 8.5 as follows:

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-205. The Hospital District Law is amended by adding Section 15.4 as follows:

Sec. 15.4. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-210. The Illinois Medical District Act is amended by adding Section 3.5 as follows:

Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-215. The Tuberculosis Sanitarium District Act is amended by adding Section 5.05 as follows:

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-220. The Illinois Medical District at Springfield Act is amended by adding Section 22 as follows:

(70 ILCS 925/22 new)

Sec. 22. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-225. The Mosquito Abatement District Act is amended by adding Section 7.5 as follows:

(70 ILCS 1005/7.5 new)

Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-230. The Museum District Act is amended by adding Section 8.5 as follows:

(70 ILCS 1105/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-235. The Park District Code is amended by adding Section 8-1.2 as follows:

(70 ILCS 1205/8-1.2 new)

Sec. 8-1.2. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-240. The Park Commissioners Land Condemnation Act is amended by adding Section 2.5 as follows:

(70 ILCS 1225/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-245. The Park Commissioners Water Control Act is amended by adding Section 1-b as follows:

(70 ILCS 1230/1-b new)

Sec. 1-b. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-250. The Park Commissioners Street Control (1889) Act is amended by adding Section 2.5 as follows:

(70 ILCS 1250/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-255. The Park District Aquarium and Museum Act is amended by adding Section 1.5 as follows:

(70 ILCS 1290/1.5 new)

Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-260. The Park District Airport Zoning Act is amended by adding Section 3 as follows:

(70 ILCS 1305/3 new)

Sec. 3. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-265. The Park District Elevated Highway Act is amended by adding Section 5.5 as follows:

(70 ILCS 1310/5.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-270. The Chicago Park District Act is amended by adding Section 15.5 as follows:

(70 ILCS 1505/15.5 new)

Sec. 15.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-275. The Lincoln Park Commissioners Land Condemnation Act is amended by adding Section 5.5 as follows:

(70 ILCS 1570/5.5 new)

Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-280. The Havana Regional Port District Act is amended by adding Section 8.5 as follows:

(70 ILCS 1805/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-285. The Illinois International Port District Act is amended by adding Section 7.5 as follows:

(70 ILCS 1810/7.5 new)

Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-290. The Illinois Valley Regional Port District Act is amended by adding Section 13.5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 13.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-295. The Jackson-Union Counties Regional Port District Act is amended by adding Section 5.05 as follows:

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-300. The Joliet Regional Port District Act is amended by adding Section 5.05 as follows:

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-305. The Kaskaskia Regional Port District Act is amended by adding Section 14.5 as follows:

Sec. 14.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-310. The Mt. Carmel Regional Port District Act is amended by adding Section 6.05 as follows:

Sec. 6.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-315. The Seneca Regional Port District Act is amended by adding Section 5.5 as follows:

(70 ILCS 1845/5.5 new)

Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-320. The Shawneetown Regional Port District Act is amended by adding Section 5.05 as follows:

(70 ILCS 1850/5.05 new)

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-325. The Southwest Regional Port District Act is amended by adding Section 5.05 as follows:

(70 ILCS 1855/5.05 new)

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-330. The Tri-City Regional Port District Act is amended by adding Section 5.05 as follows:

(70 ILCS 1860/5.05 new)

Sec. 5.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-335. The Waukegan Port District Act is amended by adding Section 5.5 as follows:

(70 ILCS 1865/5.5 new)

Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-340. The White County Port District Act is amended by adding Section 8.5 as follows:
(70 ILCS 1870/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-345. The Railroad Terminal Authority Act is amended by adding Section 16.5 as follows:
(70 ILCS 1905/16.5 new)

Sec. 16.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-350. The Grand Avenue Railroad Relocation Authority Act is amended by adding Section 27 as follows:
(70 ILCS 1915/27 new)

Sec. 27. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-355. The River Conservancy Districts Act is amended by adding Section 10b as follows:
(70 ILCS 2105/10b new)

Sec. 10b. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-360. The Sanitary District Act of 1907 is amended by adding Section 15.5 as follows:
(70 ILCS 2205/15.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 15.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-365. The North Shore Sanitary District Act is amended by adding Section 8.05 as follows:

(70 ILCS 2305/8.05 new)

Sec. 8.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-370. The Sanitary District Act of 1917 is amended by adding Section 8.05 as follows:

(70 ILCS 2405/8.05 new)

Sec. 8.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-375. The Metropolitan Water Reclamation District Act is amended by adding Section 8.5 as follows:

(70 ILCS 2605/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-380. The Sanitary District Act of 1936 is amended by adding Section 10.5 as follows:

(70 ILCS 2805/10.5 new)

Sec. 10.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-385. The Metro-East Sanitary District Act of 1974 is amended by adding Section 2-7.5 as follows:

New matter indicated by italics - deletions by strikeout
(70 ILCS 2905/2-7.5 new)

Sec. 2-7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-390. The Sanitary District Revenue Bond Act is amended by adding Section 10.5 as follows:

(70 ILCS 3010/10.5 new)

Sec. 10.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-393. The Illinois Sports Facilities Authority Act is amended by adding Section 12.1 as follows:

(70 ILCS 3205/12.1 new)

Sec. 12.1. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-395. The Surface Water Protection District Act is amended by adding Section 16.05 as follows:

(70 ILCS 3405/16.05 new)

Sec. 16.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-400. The Metropolitan Transit Authority Act is amended by adding Section 8.5 as follows:

(70 ILCS 3605/8.5 new)

Sec. 8.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-405. The Local Mass Transit District Act is amended by adding Section 5.4 as follows:

(70 ILCS 3610/5.4 new)

Sec. 5.4. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-410. The Regional Transportation Authority Act is amended by adding Section 2.13a as follows:

(70 ILCS 3615/2.13a new)

Sec. 2.13a. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-415. The Public Water District Act is amended by adding Section 12.5 as follows:

(70 ILCS 3705/12.5 new)

Sec. 12.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-420. The Water Authorities Act is amended by adding Section 6.5 as follows:

(70 ILCS 3715/6.5 new)

Sec. 6.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-425. The Illinois Local Library Act is amended by adding Section 4-7.05 as follows:

(75 ILCS 5/4-7.05 new)

Sec. 4-7.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-430. The Public Library District Act of 1991 is amended by adding Section 30-55.82 as follows:

(75 ILCS 16/30-55.82 new)

Sec. 30-55.82. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-435. The Libraries in Parks Act is amended by adding Section 1.5 as follows:

(75 ILCS 65/1.5 new)

Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-440. The School Code is amended by adding Section 22-40 as follows:

(105 ILCS 5/22-40 new)

Sec. 22-40. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-445. The University of Illinois Act is amended by adding Section 7i as follows:

(110 ILCS 305/7i new)

Sec. 7i. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-450. The University of Illinois at Chicago Land Transfer Act is amended by adding Section 2.5 as follows:

(110 ILCS 325/2.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-455. The Institution for Tuberculosis Research Act is amended by adding Section 3.5 as follows:

(110 ILCS 335/3.5 new)

Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-460. The Southern Illinois University Revenue Bond Act is amended by adding Section 3.5 as follows:

(110 ILCS 525/3.5 new)

Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-465. The State Colleges and Universities Revenue Bond Act of 1967 is amended by adding Section 3.5 as follows:

(110 ILCS 615/3.5 new)

Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-470. The Chicago State University Law is amended by adding Section 5-42 as follows:

(110 ILCS 660/5-42 new)

Sec. 5-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-475. The Chicago State University Revenue Bond Law is amended by adding Section 6-12 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 6-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-480. The Eastern Illinois University Law is amended by adding Section 10-42 as follows:

(110 ILCS 665/10-42 new)

Sec. 10-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-485. The Eastern Illinois University Revenue Bond Law is amended by adding Section 11-12 as follows:

(110 ILCS 666/11-12 new)

Sec. 11-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-490. The Governors State University Law is amended by adding Section 15-42 as follows:

(110 ILCS 670/15-42 new)

Sec. 15-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-495. The Governors State University Revenue Bond Law is amended by adding Section 16-12 as follows:

(110 ILCS 671/16-12 new)

Sec. 16-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-500. The Illinois State University Law is amended by adding Section 20-42 as follows:

(110 ILCS 675/20-42 new)

Sec. 20-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-505. The Illinois State University Revenue Bond Law is amended by adding Section 21-12 as follows:

(110 ILCS 676/21-12 new)

Sec. 21-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-510. The Northeastern Illinois University Law is amended by adding Section 25-42 as follows:

(110 ILCS 680/25-42 new)

Sec. 25-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-515. The Northeastern Illinois University Revenue Bond Law is amended by adding Section 26-12 as follows:

(110 ILCS 681/26-12 new)

Sec. 26-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-520. The Northern Illinois University Law is amended by adding Section 30-42 as follows:

(110 ILCS 685/30-42 new)

Sec. 30-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-525. The Northern Illinois University Revenue Bond Law is amended by adding Section 31-12 as follows:

(110 ILCS 686/31-12 new)

Sec. 31-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-530. The Western Illinois University Law is amended by adding Section 35-42 as follows:

(110 ILCS 690/35-42 new)

Sec. 35-42. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-535. The Western Illinois University Revenue Bond Law is amended by adding Section 36-12 as follows:

(110 ILCS 691/36-12 new)

Sec. 36-12. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-540. The Board of Regents Revenue Bond Act of 1967 is amended by adding Section 3.5 as follows:

(110 ILCS 710/3.5 new)

Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-545. The Public Community College Act is amended by adding Section 3-36.5 as follows:

(110 ILCS 805/3-36.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 3-36.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-550. The Public Utilities Act is amended by adding Section 8-509.5 as follows:

(220 ILCS 5/8-509.5 new)
Sec. 8-509.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-555. The Gas Storage Act is amended by adding Section 1.5 as follows:

(220 ILCS 15/1.5 new)
Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-565. The Electric Supplier Act is amended by adding Section 13.5 as follows:

(220 ILCS 30/13.5 new)
Sec. 13.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-570. The Telegraph Act is amended by adding Section 3.5 as follows:

(220 ILCS 55/3.5 new)
Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-575. The Telephone Company Act is amended by adding Section 4.5 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 4.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-580. The Ferries Act is amended by adding Section 24 as follows:

Sec. 24. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-585. The Highway Advertising Control Act of 1971 is amended by adding Section 9.5 as follows:

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-605. The State Housing Act is amended by adding Section 6.5 as follows:

Sec. 6.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-610. The Housing Authorities Act is amended by adding Section 8.3b as follows:

Sec. 8.3b. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-615. The Housing Development and Construction Act is amended by adding Section 5.5 as follows:

(310 ILCS 20/5.5 new)

Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-620. The House Relocation Act is amended by adding Section 2.5 as follows:

(310 ILCS 35/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-625. The Blighted Areas Redevelopment Act of 1947 is amended by adding Section 14.5 as follows:

(315 ILCS 5/14.5 new)

Sec. 14.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-630. The Blighted Vacant Areas Development Act of 1949 is amended by adding Section 5.5 as follows:

(315 ILCS 10/5.5 new)

Sec. 5.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-635. The Neighborhood Redevelopment Corporation Law is amended by adding Section 9.5 as follows:

(315 ILCS 20/9.5 new)

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-640. The Urban Community Conservation Act is amended by adding Section 6.5 as follows:

(315 ILCS 25/6.5 new)

Sec. 6.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-645. The Urban Renewal Consolidation Act of 1961 is amended by adding Section 12.5 as follows:

(315 ILCS 30/12.5 new)

Sec. 12.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-670. The Junkyard Act is amended by adding Section 6.5 as follows:

(415 ILCS 95/6.5 new)

Sec. 6.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-675. The Radioactive Waste Storage Act is amended by adding Section 1.5 as follows:

(420 ILCS 35/1.5 new)

Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-715. The Fish and Aquatic Life Code is amended by adding Section 1-147 as follows:

(515 ILCS 5/1-147 new)

New matter indicated by italics - deletions by strikeout
Sec. 1-147. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-720. The Wildlife Code is amended by adding Section 1.9-2 as follows:

(520 ILCS 5/1.9-2 new)
Sec. 1.9-2. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-725. The Habitat Endowment Act is amended by adding Section 37 as follows:

(520 ILCS 25/37 new)
Sec. 37. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-730. The Illinois Natural Areas Preservation Act is amended by adding Section 7.05a as follows:

(525 ILCS 30/7.05a new)
Sec. 7.05a. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-740. The State Forest Act is amended by adding Section 3.5 as follows:

(525 ILCS 40/3.5 new)
Sec. 3.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-745. The Illinois Highway Code is amended by adding Section 4-501.5 as follows:

New matter indicated by italics - deletions by strikeout
(605 ILCS 5/4-501.5 new)
Sec. 4-501.5. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-750. The Toll Highway Act is amended by adding Section 9.7 as follows:
(605 ILCS 10/9.7 new)
Sec. 9.7. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-755. The Toll Bridge Act is amended by adding Section 16 as follows:
(605 ILCS 115/16 new)
Sec. 16. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-760. The Railroad Incorporation Act is amended by adding Section 17.5 as follows:
(610 ILCS 5/17.5 new)
Sec. 17.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-770. The Railroad Powers Act is amended by adding Section 1.05 as follows:
(610 ILCS 70/1.05 new)
Sec. 1.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-775. The Street Railroad Right of Way Act is amended by adding Section 2.5 as follows:

(610 ILCS 115/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-780. The Rivers, Lakes, and Streams Act is amended by adding Section 19.5 as follows:

(615 ILCS 5/19.5 new)

Sec. 19.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-785. The Illinois Waterway Act is amended by adding Section 7.8a as follows:

(615 ILCS 10/7.8a new)

Sec. 7.8a. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-790. The Flood Control Act of 1945 is amended by adding Section 7.5 as follows:

(615 ILCS 15/7.5 new)

Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-795. The Illinois and Michigan Canal Management Act is amended by adding Section 9.5 as follows:

(615 ILCS 30/9.5 new)

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by

New matter indicated by italics - deletions by strikeout
condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-800. The Illinois and Michigan Canal Development Act is amended by adding Section 10.5 as follows:

(615 ILCS 45/10.5 new)

Sec. 10.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-810. The Illinois Aeronautics Act is amended by adding Section 74.5 as follows:

(620 ILCS 5/74.5 new)

Sec. 74.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-815. The Airport Zoning Act is amended by adding Section 33.5 as follows:

(620 ILCS 25/33.5 new)

Sec. 33.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-820. The General County Airport and Landing Field Act is amended by adding Section 2.5 as follows:

(620 ILCS 40/2.5 new)

Sec. 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-825. The County Airport Law of 1943 is amended by adding Section 7.5 as follows:

(620 ILCS 45/7.5 new)

New matter indicated by italics - deletions by strikeout
Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Law, any power granted under this Law to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-830. The County Airports Act is amended by adding Section 31.5 as follows:
(620 ILCS 50/31.5 new)
Sec. 31.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-835. The County Air Corridor Protection Act is amended by adding Section 20 as follows:
(620 ILCS 52/20 new)
Sec. 20. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-840. The East St. Louis Airport Act is amended by adding Section 5 as follows:
(620 ILCS 55/5 new)
Sec. 5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-850. The Illinois Vehicle Code is amended by adding Section 2-105.5 as follows:
(625 ILCS 5/2-105.5 new)
Sec. 2-105.5. Eminent domain. Notwithstanding any other provision of this Code, any power granted under this Code to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-885. The Coast and Geodetic Survey Act is amended by adding Section 2.5 as follows:

New matter indicated by italics - deletions by strikeout
Section 2.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-890. The Mining Act of 1874 is amended by adding Section 1.5 as follows:

Sec. 1.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-905. The Corporation Canal Construction Act is amended by adding Section 2.05 as follows:

Sec. 2.05. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-910. The Gas Company Property Act is amended by adding Section 7.5 as follows:

Sec. 7.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Section 95-5-915. The Merger of Not For Profit Corporations Act is amended by adding Section 9.5 as follows:

Sec. 9.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

New matter indicated by italics - deletions by strikeout
Section 95-5-920. The Cemetery Association Act is amended by adding Section 16.5 as follows:

(805 ILCS 320/16.5 new)

Sec. 16.5. Eminent domain. Notwithstanding any other provision of this Act, any power granted under this Act to acquire property by condemnation or eminent domain is subject to, and shall be exercised in accordance with, the Eminent Domain Act.

Part 10. Cross-references

Section 95-10-5. The Freedom of Information Act is amended by changing Section 7 as follows:

(5 ILCS 140/7) (from Ch. 116, par. 207)

Sec. 7. Exemptions.

(1) The following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations adopted under federal or State law.

(b) Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy. Information exempted under this subsection (b) shall include but is not limited to:

(i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from federal agencies or public bodies;

(ii) personnel files and personal information maintained with respect to employees, appointees or elected officials of any public body or applicants for those positions;

New matter indicated by italics - deletions by strikeout
(iii) files and personal information maintained with respect to any applicant, registrant or licensee by any public body cooperating with or engaged in professional or occupational registration, licensure or discipline;

(iv) information required of any taxpayer in connection with the assessment or collection of any tax unless disclosure is otherwise required by State statute;

(v) information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies; provided, however, that identification of witnesses to traffic accidents, traffic accident reports, and rescue reports may be provided by agencies of local government, except in a case for which a criminal investigation is ongoing, without constituting a clearly unwarranted per se invasion of personal privacy under this subsection; and

(vi) the names, addresses, or other personal information of participants and registrants in park district, forest preserve district, and conservation district programs.

(c) Records compiled by any public body for administrative enforcement proceedings and any law enforcement or correctional agency for law enforcement purposes or for internal matters of a public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

(ii) interfere with pending administrative enforcement proceedings conducted by any public body;

(iii) deprive a person of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source or confidential information furnished only by the confidential source;
(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct;

(vi) constitute an invasion of personal privacy under subsection (b) of this Section;

(vii) endanger the life or physical safety of law enforcement personnel or any other person; or

(viii) obstruct an ongoing criminal investigation.

(d) Criminal history record information maintained by State or local criminal justice agencies, except the following which shall be open for public inspection and copying:

(i) chronologically maintained arrest information, such as traditional arrest logs or blotters;

(ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;

(iii) court records that are public;

(iv) records that are otherwise available under State or local law; or

(v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of this Section.

"Criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individuals are

New matter indicated by italics - deletions by strikeout
not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, including:

(i) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(ii) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the
disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) Test questions, scoring keys and other examination data used to administer an academic examination or determined the qualifications of an applicant for a license or employment.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings.

(l) Library circulation and order records identifying library users with specific materials.

New matter indicated by italics - deletions by strikeout
(m) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(n) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(o) Information received by a primary or secondary school, college or university under its procedures for the evaluation of faculty members by their academic peers.

(p) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(q) Documents or materials relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(r) Drafts, notes, recommendations and memoranda pertaining to the financing and marketing transactions of the public body. The records of ownership, registration, transfer, and exchange of municipal debt obligations, and of persons to whom payment with respect to these obligations is made.

(s) The records, documents and information relating to real estate purchase negotiations until those negotiations have been

New matter indicated by italics - deletions by strikeout
completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act Article VII of the Code of Civil Procedure, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(t) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool.

(u) Information concerning a university's adjudication of student or employee grievance or disciplinary cases, to the extent that disclosure would reveal the identity of the student or employee and information concerning any public body's adjudication of student or employee grievances or disciplinary cases, except for the final outcome of the cases.

(v) Course materials or research materials used by faculty members.

(w) Information related solely to the internal personnel rules and practices of a public body.

(x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.

New matter indicated by italics - deletions by strikeout
(aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(cc) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.

(ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

New matter indicated by italics - deletions by strikeout
(jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(ll) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(mm) Maps and other records regarding the location or security of a utility's generation, transmission, distribution, storage, gathering, treatment, or switching facilities.

(nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council under the Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.

New matter indicated by italics - deletions by strikeout
(pp) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(qq) (pp) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (qq) (pp) shall apply until the conclusion of the trial and appeal of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(2) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 93-43, eff. 7-1-03; 93-209, eff. 7-18-03; 93-237, eff. 7-22-03; 93-325, eff. 7-23-03, 93-422, eff. 8-5-03; 93-577, eff. 8-21-03; 93-617, eff. 12-9-03; 94-280, eff. 1-1-06; 94-508, eff. 1-1-06; 94-664, eff. 1-1-06; revised 8-29-05.)

Section 95-10-10. The Civil Administrative Code of Illinois is amended by changing Section 5-675 as follows:

(20 ILCS 5/5-675) (was 20 ILCS 5/51)

Sec. 5-675. Acquisition of land. The Secretary of Transportation and the Director of Natural Resources are respectively authorized, with the consent in writing of the Governor, to acquire by private purchase, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, any and all lands, buildings, and grounds for which an appropriation may be made by the General Assembly to their respective departments. To the extent necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, Public Law 91-646, the Department of Transportation and the Department of Natural Resources, respectively, are authorized to operate a relocation program and to pay relocation costs. The departments are authorized to exceed the maximum payment limits of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act when necessary to
ensure the provision of decent, safe, or sanitary housing or to secure a suitable relocation site.

The Director of Central Management Services is authorized, with the consent in writing of the Governor, to acquire by private purchase, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, all other lands, buildings, and grounds for which an appropriation may be made by the General Assembly. To the extent necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, Public Law 91-646, the Department of Central Management Services is authorized to operate a relocation program and to pay relocation costs. The Department is authorized to exceed the maximum payment limits of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act when necessary to ensure the provision of decent, safe, and sanitary housing or to secure a suitable relocation site. The Department shall make or direct the payment of the relocation amounts from the funds available to acquire the property.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 95-10-15. The Particle Accelerator Land Acquisition Act is amended by changing Section 1 as follows:

Sec. 1. The Department of Commerce and Economic Opportunity Community Affairs is authorized, with the consent in writing of the Governor, to acquire and accept by gift, grant, purchase, or in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, the fee simple title or such lesser interest as may be desired to any and all lands, buildings and grounds, including lands, buildings and grounds already devoted to public use, required for construction, maintenance and operation of a high energy BEV Particle Accelerator by the United States Atomic Energy Commission, and for such other supporting land and facilities as may be required or useful for such construction, and to take whatever action may be necessary or

New matter indicated by italics - deletions by strikeout
desirable in connection with such acquisition or in connection with preparing the property acquired for transfer as provided in Section 3.
(Source: P.A. 82-783; revised 12-6-03.)

Section 95-10-20. The State Parks Act is amended by changing Section 2 as follows:

(20 ILCS 835/2) (from Ch. 105, par. 466)

Sec. 2. It shall be the policy of the State of Illinois to acquire a system of State parks which shall embody the following purposes and objectives:

(1) To preserve the most important historic sites and events which are connected with early pioneer or Indian history, so that such history of the Indians, explorers, missionaries and settlers may be preserved, not only as a tribute to those who made possible the building of the State of Illinois and of the Union, but also as a part of the education of present and future Illinois citizens.

(2) To set aside as public reservations those locations which have unusual scenic attractions caused by geologic or topographic formations, such as canyons, gorges, caves, dunes, beaches, moraines, palisades, examples of Illinois prairie, and points of scientific interest to botanists and naturalists. These areas should be large in size and whenever practicable shall be not less than 1,000 acres in extent. However, smaller areas may be acquired wherever conditions do not warrant the acquisition of the larger acreage.

(3) To preserve large forested areas and marginal lands along the rivers, small water courses, and lakes for a recreation use different from that given by the typical city park, and so that these tracts may remain unchanged by civilization, so far as possible, and be kept for future generations. Such areas also, should be acquired in units of 1,000 acres or more and may be available as fish and game preserves. However, smaller areas may be acquired wherever conditions do not warrant the acquisition of the larger acreage.

(4) To connect these parks with each other by a system of scenic parkways with widths varying from 100 to 1,000 feet, as a supplement to and completion of the State highway system. Where the present State
highway routes may serve this purpose, their location, alignment and design should be studied with this plan in view. At suitable locations along these highways, pure water supplies and shelters and comfort facilities of attractive design may be installed for the convenience of the public.

The Department of Natural Resources is authorized in behalf of the State of Illinois to accept by donation or bequest, to purchase or acquire by condemnation proceedings in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, or by contract for deed payable over a period of time not to exceed 10 years, or in any other legal manner, the title to all such lands, waters or regions, and the easements appurtenant or contributory thereto, which shall be in accord with such policy in respect to a system of State parks, for the purpose of which the General Assembly may make an appropriation. Purchases by contract for deed under this Section shall not exceed $20,000,000 in total purchase price for land under contract at any one given time.

(Source: P.A. 89-445, eff. 2-7-96.)

Section 95-10-25. The Illinois Coal and Energy Development Bond Act is amended by changing Section 3 as follows:

(20 ILCS 1110/3) (from Ch. 96 1/2, par. 4103)

Sec. 3. The Department of Commerce and Economic Opportunity Community Affairs shall have the following powers and duties:

(a) To solicit, accept and expend gifts, grants or any form of assistance, from any source, including but not limited to, the federal government or any agency thereof;

(b) To enter into contracts, including, but not limited to, service contracts, with business, industrial, university, governmental or other qualified individuals or organizations to promote development of coal and other energy resources. Such contracts may be for, but are not limited to, the following purposes: (1) the commercial application of existing technology for development of coal resources, (2) to initiate or complete development of new technology for development of coal resources, and (3) for planning, design, acquisition, development, construction, improvement and financing a site or sites and facilities for establishing plants, projects

New matter indicated by italics - deletions by strikeout
or demonstrations for development of coal resources and research, development and demonstration of alternative forms of energy; and

(c) In the exercise of other powers granted it under this Act, to acquire property, real, personal or mixed, including any rights therein, by exercise of the power of condemnation in accordance with the procedures provided for the exercise of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended, provided, however, the power of condemnation shall be exercised solely for the purposes of siting and/or rights of way and/or easements appurtenant to coal utilization and/or coal conversion projects. The Department shall not exercise its powers of condemnation until it has used reasonable good faith efforts to acquire such property before filing a petition for condemnation and may thereafter use such powers when it determines that such condemnation of property rights is necessary to avoid unreasonable delay or economic hardship to the progress of activities carried out in the exercise of powers granted under this Act. After June 30, 1985, the Department shall not exercise its power of condemnation for a project which does not receive State or U.S. Government funding. Before use of the power of condemnation for projects not receiving State or U.S. Government funding, the Department shall hold a public hearing to receive comments on the exercise of the power of condemnation. The Department shall use the information received at hearing in making its final decision on the exercise of the power of condemnation. The hearing shall be held in a location reasonably accessible to the public interested in the decision. The Department shall promulgate guidelines for the conduct of the hearing.

(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 95-10-30. The Capital Development Board Act is amended by changing Section 9.08a as follows:

(20 ILCS 3105/9.08a) (from Ch. 127, par. 779.08a)

Sec. 9.08a. The Capital Development Board is authorized, with the consent in writing of the Director of Central Management Services and of the Governor, to acquire by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act
Article VII of the Code of Civil Procedure, all lands, buildings and grounds for which an appropriation may be made by the General Assembly, other than those acquired by those agencies specified under Section 5-675 of the Departments of State Government Law (20 ILCS 5/5-675).

(Source: P.A. 91-239, eff. 1-1-00.)

Section 95-10-35. The Building Authority Act is amended by changing Section 5 as follows:

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

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

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

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

In the course of such activities, acquire property of any and every kind and description, whether real, personal or mixed, by gift, purchase or otherwise. It may also acquire real estate of the State of Illinois controlled by any officer, department, board, commission, or other agency of the State, or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of

New matter indicated by italics - deletions by strikeout
Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission or any public community college district board, the jurisdiction of which is transferred by such officer, department, board, commission, or other agency, or the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the School Building Commission or any public community college district board, to the Authority. The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the School Building Commission and any public community college district board, respectively, shall prepare plans and specifications for and have supervision over any project to be undertaken by the Authority for their use. Before any other particular construction is undertaken, plans and specifications shall be approved by the lessee provided for under (b) below, except as indicated above.

(b) Execute leases of facilities and sites to, and charge for the use of any such facilities and sites by, any officer, department, board, commission or other agency of the State of Illinois, or the Director of the Department of Central Management Services when the Director is requested to, by and on behalf of, or for the use of, any officer, department, board, commission or other agency of the State of Illinois, or by the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of

New matter indicated by italics - deletions by strikeout
Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the School Building Commission or any public community college district board. Such leases may be entered into contemporaneously with any financing to be done by the Authority and payments under the terms of the lease shall begin at any time after execution of any such lease.

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

(d) Borrow money and issue and sell bonds in such amounts as the Authority may determine for the purpose of acquiring, constructing, completing or remodeling, or putting fixed equipment in any such facility; refund and refinance the same from time to time as often as advantageous and in the public interest to do so; and pledge any and all income of such Authority, and any revenues derived from such facilities, or any combination thereof, to secure the payment of such bonds and to redeem such bonds. All such bonds are subject to the provisions of Section 6 of this Act.

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

New matter indicated by italics - deletions by strikeout
1. Whenever the Authority considers it advisable and in the interests of the Authority to borrow funds temporarily for any of the purposes enumerated in this Section, the Authority may from time to time, and pursuant to appropriate resolution, issue interim notes to evidence such borrowings including funds for the payment of interest on such borrowings and funds for all necessary and incidental expenses in connection with any of the purposes provided for by this Section and this Act until the date of the permanent financing. Any resolution authorizing the issuance of such notes shall describe the project to be undertaken and shall specify the principal amount, rate of interest (not exceeding the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract,) and maturity date, but not to exceed 5 years from date of issue, and such other terms as may be specified in such resolution; however, time of payment of any such notes may be extended for a period of not exceeding 3 years from the maturity date thereof.

The Authority may provide for the registration of the notes in the name of the owner either as to principal alone, or as to both principal and interest, on such terms and conditions as the Authority may determine by the resolution authorizing their issue. The notes shall be issued from time to time by the Authority as funds are borrowed, in the manner the Authority may determine. Interest on the notes may be made payable semiannually, annually or at maturity. The notes may be made redeemable, prior to maturity, at the option of the Authority, in the manner and upon the terms fixed by the resolution authorizing their issuance. The notes may be executed in the name of the Authority by the Chairman of the Authority or by any other officer or officers of the Authority as the Authority by resolution may direct, shall be attested by the Secretary or such other officer or officers of the Authority as the Authority may by resolution direct, and be sealed with the Authority's corporate seal. All such notes and the interest thereon may be secured by a pledge of any income and revenue derived by

New matter indicated by italics - deletions by strikeout
the Authority from the project to be undertaken with the proceeds of the notes and shall be payable solely from such income and revenue and from the proceeds to be derived from the sale of any revenue bonds for permanent financing authorized to be issued under Sections 5 and 6 of this Act, and from the property acquired with the proceeds of the notes.

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

2. The Authority, in order further to secure the payment of the interim notes, is, in addition to the foregoing, authorized and empowered to make any other or additional covenants, terms and conditions not inconsistent with the provisions of subparagraph (a) of this Section, and do any and all acts and things as may be necessary or convenient or desirable in order to secure payment of its interim notes, or in the discretion of the Authority, as will tend to make the interim notes more acceptable to lenders, notwithstanding that the covenants, acts or things may not be enumerated herein; however, nothing contained in this subparagraph shall authorize the Authority to secure the payment of the interim notes out of property or facilities, other than the facilities acquired with the proceeds of the interim notes, and any net income and revenue derived from the facilities and the proceeds of revenue bonds as hereinabove provided.

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

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

New matter indicated by italics - deletions by strikeout
(g) Employ agents and employees necessary to carry out the duties and purposes of the Authority.

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

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

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

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

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

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

Section 95-10-40. The Property Tax Code is amended by changing Sections 22-55 and 22-95 as follows:

(35 ILCS 200/22-55)

Sec. 22-55. Tax deeds to convey merchantable title. This Section shall be liberally construed so that tax deeds shall convey merchantable title. In the event the property has been taken by eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, the tax purchaser shall be entitled to the award which is the substitute for the
property. Tax deeds issued pursuant to this Section are subject to Section 22-70.
(Source: P.A. 86-1158; 86-1431; 86-1475; 87-145; 87-669; 87-671; 87-895; 87-1189; 88-455.)
(35 ILCS 200/22-95)
Sec. 22-95. Order of court setting aside certificate of purchase; payments. Any judgment or order of the circuit court, setting aside the lien under the certificate of purchase filed in accordance with Section 22-90 shall provide that the claimant pay to the city, village or incorporated town, or its assignee holding the certificate of purchase, the following:
(a) the amount for which the same was sold, together with the amount of the penalty bid at the tax sale, if set aside before the expiration of 6 months from the day of sale;
(b) if between 6 and 12 months, the amount for which the same was sold together with twice the amount of the penalty bid;
(c) if between 12 and 18 months, the amount for which the same was sold together with 3 times the amount of the penalty bid;
(d) if between 18 months and 2 years, the amount for which the same was sold together with 4 times the amount of the penalty bid at the sale;
(e) if after 2 years, the amount for which the same was sold together with 4 times the amount of the penalty bid at the sale, and interest thereafter at the rate of 5% per year on the amount for which the same was sold.
In all cases, the claimant shall also pay costs of $10 in counties of 3,000,000 or more inhabitants and $5 in counties with less than 3,000,000 inhabitants.
A final judgment or order of the circuit court in any case or in an eminent domain proceeding under the Eminent Domain Act Article VII of the Code of Civil Procedure involving the title to or interest in any property in which the city, village or incorporated town, or its assignee holding a certificate of purchase, has an interest, or setting aside any lien under the certificate filed under this Code shall not be entered, until the claimant makes reimbursement to the city, village or incorporated town or

New matter indicated by italics - deletions by strikeout
its assignee holding the certificate of purchase. The county clerk is entitled to a fee of $5 in counties with 3,000,000 or more inhabitants and $2 in counties with less than 3,000,000 inhabitants for preparing the estimate of the amount required to redeem. The estimate of the county clerk is prima facie evidence in all courts of the amount due to such city, village or incorporated town or its assignee.

(Source: P.A. 87-669; 88-455.)

Section 95-10-45. The Public Building Commission Act is amended by changing Section 14 as follows:

(50 ILCS 20/14) (from Ch. 85, par. 1044)
Sec. 14. A Public Building Commission is a municipal corporation and constitutes a body both corporate and politic separate and apart from any other municipal corporation or any other public or governmental agency. It may sue and be sued, plead and be impleaded, and have a seal and alter such at pleasure, have perpetual succession, make and execute contracts, leases, deeds and other instruments necessary or convenient to the exercise of its powers, and make and from time to time amend and repeal its by-laws, rules and regulations not inconsistent with this Act. In addition, it has and shall exercise the following public and essential governmental powers and functions and all other powers incidental or necessary, to carry out and effectuate such express powers:
(a) To select, locate and designate, at any time and from time to time, one or more areas lying wholly within the territorial limits of the municipality or of the county seat of the county in which the Commission is organized, or within the territorial limits of the county if the site is to be used for county purposes, or (in the case of a county having a population of at least 20,000 but not more than 21,000 as determined by the 1980 federal census) within the territorial limits of the county if the site is to be used for municipal purposes, as the site or sites to be acquired for the erection, alteration or improvement of a building or buildings, public improvement or other facilities for the purposes set forth in this Section. The site or sites selected shall be conveniently located within such county, municipality or county seat and of an area in size sufficiently large to accomplish and effectuate the purpose of this Act and sufficient to provide...
for proper architectural setting and adequate landscaping for such building or buildings, public improvement or other facilities.

(1) Where the governing body of the county seat or the governing body of any municipality with 3,000 or more inhabitants has adopted the original resolution for the creation of the Commission, the site or sites selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are subject to approval by a majority of the members of the governing body of the county seat or by a majority of the members of the governing body of the municipality. However, where the site is for a county project and is outside the limits of a municipality, the approval of the site shall be by the county board.

(2) Where the original resolution for the creation of the Commission has been adopted by the governing body of the county, the site or sites selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are subject to approval by a majority of the members of the governing body of the county and to approval by 3/4 of the members of the governing body of the county seat, except that approval of 3/4 of the members of the governing body of the county seat is not required where the site is for a county or (in the case of a county having a population of at least 20,000 but not more than 21,000 as determined by the 1980 federal census) a municipal project and is outside the limits of the county seat, in which case approval by 3/4 of the members of the governing body of any municipality where the site or sites will be located is required; and, if such site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, are not approved by 3/4 of the members of the governing body of the county seat the Commission may by resolution request that the approval of the site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, be submitted to a referendum at the next general election in accordance with the general election law, and shall present such resolution to the county clerk. Upon receipt of such resolution the county clerk shall immediately notify the board of election commissioners, if any; however, referenda pursuant to such resolution

New matter indicated by italics - deletions by strikeout
shall not be called more frequently than once in 4 years. The proposition shall be in substantially the following form:

---------------------------------------------
Shall ........ be acquired for the erection, alteration or improvement of a building or buildings pursuant to the Public Building Commission Act, approved July 5, 1955, which project it is estimated will cost $........, including the cost of the site acquisition and for the payment of which revenue bonds in the amount of $...., maturing .... and bearing interest at the rate of .....% per annum, may be issued?

---------------------------------------------

If a majority of the electors voting on the proposition vote in favor of the proposition, the site or sites so selected, and in the case of a project for an Airport Authority, the site or sites selected, the project and any lease agreements, shall be approved. Except where approval of the site or sites has been obtained by referendum, the area or areas may be enlarged by the Board of Commissioners, from time to time, as the need therefor arises. The selection, location and designation of more than one area may, but need not, be made at one time but may be made from time to time.

(b) To acquire the fee simple title to the real property located within such area or areas, including easements and reversionary interests in the streets, alleys and other public places and personal property required for its purposes, by purchase, gift, legacy, or by the exercise of the power of eminent domain, and title thereto shall be taken in the corporate name of the Commission. Eminent domain proceedings shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended. All land and appurtenances

New matter indicated by italics - deletions by strikeout
therefore, acquired or owned by the Commission are to be deemed acquired or owned for a public use or public purpose.

Any municipal corporation which owns fee simple title to real property located within such an area, may convey such real property, or any part thereof, to the Commission with a provision in such conveyance for the reverter of such real property to the transferor municipal corporation at such time as all revenue bonds and other obligations of the Commission incident to the real property so conveyed, have been paid in full, and such Commission is hereby authorized to accept such a conveyance.

(c) To demolish, repair, alter or improve any building or buildings within the area or areas, and to erect a new building or buildings, improvement and other facilities within the area or areas to provide space for the conduct of the executive, legislative and judicial functions of government, its various branches, departments and agencies thereof and to provide buildings, improvements and other facilities for use by local government in the furnishing of essential governmental, health, safety and welfare services to its citizens; to furnish and equip such building or buildings, improvements and other facilities, and maintain and operate them so as to effectuate the purposes of this Act.

(d) To pave and improve streets within such area or areas, and to construct, repair and install sidewalks, sewers, waterpipes and other similar facilities and site improvements within such area or areas and to provide for adequate landscaping essential to the preparation of such site or sites in accordance with the purposes of this Act.

(e) To make provisions for offstreet parking facilities.

(f) To operate, maintain, manage and to make and enter into contracts for the operation, maintenance and management of such buildings and other facilities and to provide rules and regulations for the operation, maintenance and management thereof.

(g) To employ and discharge without regard to any Civil Services Act, engineering, architectural, construction, legal and financial experts and such other employees as may be necessary in its judgment to carry out the purposes of this Act and to fix compensation for such employees, and

New matter indicated by italics - deletions by strikeout
enter into contracts for the employment of any person, firm, or corporation, and for professional services necessary or desirable for the accomplishment of the objects and purposes of the Commission and the proper administration, management, protection and control of its property.

(h) To rent all or any part or parts of such building, buildings, or other facilities to any municipal corporation that organized or joined in the organization of the Public Building Commission or to any branch, department, or agency thereof, or to any branch, department, or agency of the State or Federal government, or to any other state or any agency or political subdivision of another state with which the Commission has entered into an intergovernmental agreement or contract under the Intergovernmental Cooperation Act, or to any municipal corporation with which the Commission has entered into an intergovernmental agreement or contract under the Intergovernmental Cooperation Act, or to any other municipal corporation, quasi municipal corporation, political subdivision or body politic, or agency thereof, doing business, maintaining an office, or rendering a public service in such county for any period of time, not to exceed 30 years.

(i) To rent such space in such building or buildings as from time to time may not be needed by any governmental agency for such other purposes as the Board of Commissioners may determine will best serve the comfort and convenience of the occupants of such building or buildings, and upon such terms and in such manner as the Board of Commissioners may determine.

(j) To execute written leases evidencing the rental agreements authorized in paragraphs (h) and (i) of this Section.

(k) To procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the Public Building Commission in the performance of the duties of his office or employment or any other insurable risk, as the Board of Commissioners in its discretion may deem necessary.

New matter indicated by italics - deletions by strikeout
(l) To accept donations, contributions, capital grants or gifts from any individuals, associations, municipal and private corporations and the United States of America, or any agency or instrumentality thereof, for or in aid of any of the purposes of this Act and to enter into agreements in connection therewith.

(m) To borrow money from time to time and in evidence thereof to issue and sell revenue bonds in such amount or amounts as the Board of Commissioners may determine to provide funds for the purpose of acquiring, erecting, demolishing, improving, altering, equipping, repairing, maintaining and operating buildings and other facilities and to acquire sites necessary and convenient therefor and to pay all costs and expenses incident thereto, including, but without in any way limiting the generality of the foregoing, architectural, engineering, legal and financing expense, which may include an amount sufficient to meet the interest charges on such revenue bonds during such period or periods as may elapse prior to the time when the project or projects may become revenue producing and for one year in addition thereto; and to refund and refinance, from time to time, revenue bonds so issued and sold, as often as may be deemed to be advantageous by the Board of Commissioners.

(n) To enter into any agreement or contract with any lessee, who, pursuant to the terms of this Act, is renting or is about to rent from the Commission all or part of any building or buildings or facilities, whereby under such agreement or contract such lessee obligates itself to pay all or part of the cost of maintaining and operating the premises so leased. Such agreement may be included as a provision of any lease entered into pursuant to the terms of this Act or may be made the subject of a separate agreement or contract between the Commission and such lessee.

(Source: P.A. 86-325; 86-1215; 87-1208.)

Section 95-10-50. The Local Government Property Transfer Act is amended by changing Sections 2 and 4 as follows:

(50 ILCS 605/2) (from Ch. 30, par. 157)

Sec. 2. If the territory of any municipality shall be wholly within, coextensive with, or partly within and partly without the corporate limits of any other municipality, or if the municipality is a school district and the

New matter indicated by italics - deletions by strikeout
territory of the school district is adjacent to the boundaries of any other school district, and the first mentioned municipality (herein called "transferee municipality"), shall by ordinance declare that it is necessary or convenient for it to use, occupy or improve any real estate held by the last mentioned municipality (herein called the "transferor municipality") in the making of any public improvement or for any public purpose, the corporate authorities of the transferor municipality shall have the power to transfer all of the right, title and interest held by it immediately prior to such transfer, in and to such real estate, whether located within or without either or both of said municipalities, to the transferee municipality upon such terms as may be agreed upon by the corporate authorities of both municipalities, in the manner and upon the conditions following:

(a) If such real estate shall be held by the transferor municipality without restriction, the said municipality shall have power to grant or convey such real estate or any portion thereof to the transferee municipality upon such terms as may be agreed upon by the corporate authorities of both municipalities, by an instrument of conveyance signed by the mayor, president or other chief executive of the transferor municipality, attested by its clerk or secretary and sealed with its corporate seal, all duly authorized by a resolution passed by the vote of 2/3 of the members of the legislative body of the transferor municipality then holding office, and duly recorded in the office of the recorder in the county in which said real estate is located. Provided, however, that any municipality may, in the manner above provided, convey real estate to a Public Building Commission organized and existing pursuant to "An Act to authorize the creation of Public Building Commissions and to define their rights, powers and duties", approved July 5, 1955, as amended, when duly authorized by a majority vote of the members of the legislative body of such municipality then holding office whenever provision is made in the conveyance for a reverter of the real estate to such transferor municipality. The transferee municipality shall thereafter have the right to use, occupy or improve the real estate so transferred for any municipal or public purpose and shall hold said real estate by the same right, title and interest by which
the transferor municipality held said real estate immediately prior to said transfer.

(b) If any such real estate shall be held by the transferor municipality subject to or limited by any restriction, and the transfeeree municipality shall desire the use, occupation or improvement thereof free from said restriction, the transferor municipality (or the transfeeree municipality, in the name of and for and on behalf of the transferor municipality, but without subjecting the transferor municipality to any expense without the consent of its corporate authorities), shall have the power to secure from its grantor, or grantors, their heirs, successors, assigns, or others, a release of any or all of such restrictions upon such terms as may be agreed upon between either of said municipalities and the person or persons entitled to the benefit of said restrictions. Upon the recording of any such release the transferor municipality shall then have the powers granted in paragraph (a) of this Section.

(c) If either the transferor municipality or the transfeeree municipality shall be unable to secure a release of any restriction as above provided, the transferor municipality (or the transfeeree municipality in the name of and for and in behalf of the transferor municipality, but without subjecting the transferor municipality to any expense without the consent of its corporate authorities), shall have the power to file in any circuit court a petition for the purpose of removing or releasing said restriction and determining the compensation, if any, to be paid in consequence thereof to the owner or owners of said real estate, for any right, title or interest which they or any of them may or might have in and to any such real estate arising out of said restriction. If any compensation shall be awarded, the same shall be measured by the actual damage, if any, to the owner or owners of said real estate, resulting from the removal or release of said restriction, and shall be determined as of the date of the filing of said petition. Upon the payment of such compensation as may be awarded, if any, the transferor municipality shall have the powers granted in paragraph (a) of this Section, and said transferor municipality shall grant and convey the said real estate to the transfeeree municipality upon the terms and

New matter indicated by italics - deletions by strikeout
conditions theretofore agreed upon by the said municipalities and in the manner provided for in paragraph (a) of this Section.

(d) If the transferor municipality shall hold an easement in any real estate for a particular purpose different from the purpose for which the transferee municipality shall desire to use, occupy or improve said real estate, the transferor municipality (or the transferee municipality in the name of and for and in behalf of the transferor municipality, but without subjecting the transferor municipality to any expense without the consent of its corporate authorities), shall have the power to file in any circuit court a petition for the purpose of terminating said easement and securing the right to use, occupy and improve any such real estate for the purpose or purposes set forth in said petition, and for determining the compensation, if any, to be paid in consequence thereof to the owner, or owners of said real estate. If any compensation shall be awarded, the same shall be measured by the actual damage, if any, to the owner or owners of said real estate, resulting from the termination of the said easement and the granting of the right sought in said petition, and shall be determined as of the date of the filing of said petition. Upon the payment of such compensation as may be awarded, if any, the easement held by the transferor municipality shall in the final order entered in such proceeding be declared terminated and the right of the transferee municipality in said real estate shall be declared. If the transferee municipality shall desire to use, occupy or improve said real estate for the same purpose authorized by the easement held by the transferor municipality, the transferor municipality shall have the power to transfer said easement to the transferee municipality by instrument of conveyance as provided for in paragraph (a).

(e) If such real estate shall have been acquired or improved by the transferor municipality under the Local Improvements Act, or under the said Act in conjunction with any other Act, and the times fixed for the payment of all installments of the special assessments therefor have not elapsed at the time the transferor and transferee municipalities shall have reached an agreement for the transfer of said real estate, the transferee municipality shall deposit with the transferor municipality to be placed in the special assessment funds authorized to be collected to pay the cost of

New matter indicated by italics - deletions by strikeout
acquiring or improving said real estate, an amount sufficient to pay (1) the installments of said special assessments not due and payable at the time of the agreement for said transfer, and (2) the amounts paid in advance by any property owner on account of said special assessments, which, had such amounts not been paid in advance, would have been due and payable after the date of such agreement, and the transferor municipality shall upon the receipt of such amount cause orders to be entered in the courts in which said special assessments were confirmed, cancelling the installments becoming due and payable after the said time at which the transferor and transferee municipalities shall have reached an agreement for the transfer of said real estate, and releasing the respective lots, tracts, and parcels of real estate assessed in any such proceedings from the installments of the said assessments in this paragraph authorized to be cancelled. The transferor municipality shall after the entry of such orders of cancellation refund to any property owner who has paid the same in advance, any amounts which otherwise would have been due and payable after the said time at which the transferor and transferee municipalities shall have reached an agreement for the transfer of said real estate. Upon the entry of such orders of cancellation the transferor municipality shall then have the powers granted in paragraph (a) of this Section.

(f) The procedure, for the removal of any restriction upon the real estate of the transferor municipality, for the termination of any easement of the transferor municipality in said real estate and the declaration of another or different right in the transferee municipality in said real estate, and for the ascertainment of just compensation therefor, shall be as near as may be like that provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(g) If any property shall be damaged by the release or removal of any restrictions upon, or the termination of any easement in, or the granting of a new right in any real estate held by the transferor municipality, the same shall be ascertained and paid as provided by law. 
(Source: P.A. 83-358.)

(50 ILCS 605/4) (from Ch. 30, par. 158a)
Sec. 4. Any municipality shall have the power upon resolution passed by a two-thirds vote of the members of its legislative body then holding office, to transfer all of the right, title and interest held by it immediately prior to such transfer, in and to any real estate, whether located within or without such municipality, to the State of Illinois, for any authorized purpose of state government, upon such terms and conditions as may be agreed upon by the transferor municipality and the State of Illinois, and the State of Illinois is authorized to accept the title or interest in such real estate so conveyed; except that a majority vote of the members of such legislative body then holding office is sufficient for the dedication by any municipality of any area as a nature preserve as provided in the "Illinois Natural Areas Preservation Act" as now or hereafter amended. If such real estate is held by the transferor municipality subject to or limited by any restriction, the State of Illinois, by the Secretary of Transportation or by the Director of any state department, or the Chairman or President of any commission, board or agency of the State vested by law with the power, duty or function of the State Government for which said property is to be used by the State after its acquisition, may remove such restriction through purchase, agreement or condemnation. Any such condemnation proceedings shall be brought and maintained by the State of Illinois and shall conform, as nearly as may be, with the procedure provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.  
(Source: P.A. 82-783.)

Section 95-10-55. The Counties Code is amended by changing Sections 5-15009 and 5-30021 as follows:
(55 ILCS 5/5-15009) (from Ch. 34, par. 5-15009)
Sec. 5-15009. Acquisition of lands and construction of facilities. The county board shall have the power to acquire land for any and all of the purposes herein specified by this Division, and adopt and enforce ordinances for the necessary protection of sources of water supply and shall also have power to build dams and reservoirs for the storage of water, sink wells, establish intakes and water gathering stations, build water purification works, pumping stations, conduits, pipe lines, regulating

New matter indicated by italics - deletions by strikeout
works and all appurtenances required for the production, development and delivery of adequate, pure and wholesome water supplies into the distribution systems of incorporated cities and villages and corporations and individuals in unincorporated areas and is further empowered to build, operate and maintain such works when and where necessary and to sell water to said incorporated cities and villages and said corporations and individuals not in incorporated cities and villages, by meter measurements and at rates that will at least defray all fixed, maintenance and operating charges. Profits may be used for the extension and improvements of the water works system but not for any other function enumerated herein.

For the purpose of acquiring, constructing, extending or improving any waterworks system, sewerage system or combined waterworks and sewerage system, or for waste management, under this Division, or any property necessary or appropriate therefor, any county has the right of eminent domain within such county as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(Source: P.A. 86-962.)

(55 ILCS 5/5-30021) (from Ch. 34, par. 5-30021)

Sec. 5-30021. Determination of economic hardship. The preservation commission, upon a determination after review of all evidence and information that the denial of a certificate of appropriateness has denied, or will deny the owner of a landmark or of a property within a preservation district of all reasonable use of, or return on, the property, shall undertake one or the other of the following actions:

(1) offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property:

(2) offer to purchase the property at a reasonable price or institute eminent domain proceedings pursuant to the Eminent Domain Act Article VII of the Code of Civil Procedure; or

(3) issue a certificate of appropriateness for the proposed construction, alteration, demolition or removal.

(Source: P.A. 86-962.)

New matter indicated by italics - deletions by strikeout
Section 95-10-60. The Township Code is amended by changing Section 115-55 as follows:

(60 ILCS 1/115-55)

Sec. 115-55. (a) The board may acquire by gift, legacy, purchase, condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure and except as otherwise provided in this subsection, lease, agreement, or otherwise the fee or any lesser right or interest in real property that is open land and may hold that property with or without public access for open space, scenic roadway, pathway, outdoor recreation, or other conservation benefits. No township in a county having a population of more than 150,000 but not more than 250,000 has authority under this Article to acquire property by condemnation, and no other township has authority under this Article to acquire by condemnation (i) property that is used for farming or agricultural purposes; (ii) property that is situated within the corporate limits of a municipality or contiguous to one or more municipalities unless approval to acquire the property by condemnation is obtained under Section 115-30 or 115-35; (iii) property upon which development has commenced; or (iv) property owned by a religious organization, church, school, or charitable organization exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986 or similar provisions of any successor law, or any other organization controlled by or affiliated with such a religious organization, church, school, or charitable organization.

(b) For purposes of this Section:

(1) "Development" of property is deemed to have commenced if (i) at least 30 days before the filing of a petition under Section 115-10, an application for a preliminary plan or preliminary planned unit development has been filed with the applicable governmental entity or, if neither is required, a building permit has been obtained at least 30 days before the filing of a petition under Section 115-10; (ii) mass grading of the property has commenced; and (iii) within 180 days of the date the open space plan is recommended for approval by the board under Section 115-
5 or by petition of the voters under Section 115-20, 115-30, or 115-35, the installation of public improvements has commenced.

(2) "Contiguous" means contiguous for purposes of annexation under Article 7 of the Illinois Municipal Code.

(3) Real property is deemed used for farming or agricultural purposes if it is more than 10 acres in area and devoted primarily to (i) the raising and harvesting of crops, (ii) the feeding, breeding, and management of livestock, (iii) dairying, or (iv) any other agricultural or horticultural use or combination of those uses, with the intention of securing substantial income from those activities, and has been so used for the 3 years immediately preceding the filing of a condemnation action. Real property used for farming or agricultural purposes includes land devoted to and qualifying for payments or other compensation under a soil conservation program under an agreement with an agency of the federal government and also includes the construction and use of dwellings and other buildings customarily associated with farming and agricultural uses when associated with those uses.

(c) If a township's acquisitions of open land, or interests in open land when combined with other lands in the township held for open space purposes by other governmental entities, equals 30% of the total acreage of the township, then the township may not acquire additional open land by condemnation.

(d) Any parcel of land that is included in an open space plan adopted by a township that has not been acquired by the township under this Section within 3 years, or within 2 years with respect to existing open space programs, after the later of (i) July 29, 1988, or (ii) the date of the passage of the referendum may not thereafter be acquired by condemnation by the township under this Section, except that if an action in condemnation to acquire the parcel is filed under this Section within that 3 year or 2 year period, as applicable, the parcel may be acquired by condemnation by the township notwithstanding the fact that the condemnation action may not be concluded within the 3 year or 2 year period, as applicable. Notwithstanding the foregoing, if a parcel of land...
cannot be acquired by condemnation under subsection (a) because of its use for farming or agricultural purposes, the 3 year or 2 year period, as applicable, shall be tolled until the date the parcel ceases to be used for farming or agricultural purposes. Notwithstanding the foregoing, the fee or any lesser right or interest in real property that is open land may be acquired after the 3 year or 2 year period, as applicable, by any means authorized under subsection (a) other than condemnation.

(Source: P.A. 91-641, eff. 8-20-99.)


(65 ILCS 5/11-19-10) (from Ch. 24, par. 11-19-10)

Sec. 11-19-10. Every city, village, and incorporated town may acquire by purchase, gift or condemnation any real property within or without the corporate limits of such city, village or incorporated town for the purpose of providing facilities for the disposal of garbage, refuse and ashes. In all cases where property is acquired or sought to be acquired by condemnation, the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as heretofore and hereafter amended. In any village containing a population of less than 15,000 where the property sought to be acquired is to be used for a refuse derived fuel system and for industrial development that will utilize steam and electricity derived from such system, such property may be acquired pursuant to the "quick-take" procedures prescribed in Section 7-103 of such Code (now Article 20 of the Eminent Domain Act) if such procedures are commenced on or before June 30, 1987. As used herein, "refuse derived fuel system" means a facility designed to convert refuse and other waste materials into steam and electricity to be used for industrial development and other commercial purposes.

If a city, village or incorporated town joins with one or more than one other city, village or incorporated town or county in the exercise of the

New matter indicated by italics - deletions by strikeout
powers granted by this section, (a) any real property purchased shall be taken in the names of the contracting cities, villages, incorporated towns, and counties, if any; (b) in case of condemnation, the city, village or incorporated town in which the real property lies, or the city, village or incorporated town nearest to the area of the real property to be condemned, shall institute condemnation proceedings; Provided, (1) any real property so acquired shall be held in trust by such city, village or incorporated town for the benefit of the contracting cities, villages, incorporated towns, and counties, all of which shall bear the expense of condemnation according to agreement; (2) when real property acquired by condemnation is no longer used for joint disposal of garbage, refuse and ashes, it shall be sold by the city, village or incorporated town in whose name it is held and the proceeds shall be distributed to the contracting cities, villages, incorporated towns, and counties as their interests shall appear. Any improvements existing on real property jointly acquired by purchase, gift or condemnation for garbage, refuse and ashes disposal purposes which cannot be used for such purposes may be disposed of in such manner as is mutually agreeable to the cities, villages, incorporated towns, and counties involved.

(Source: P.A. 84-1119.)

(65 ILCS 5/11-28-1) (from Ch. 24, par. 11-28-1)
Sec. 11-28-1. Whenever a city needs a lot or parcel of land as a site for a building to be erected for any hospital established and supported by the city, and the city cannot agree with the owners thereof upon the compensation therefor, the city has the power to proceed to have the compensation determined in the manner provided by law for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.

(Source: P.A. 82-783.)

(65 ILCS 5/11-61-1a) (from Ch. 24, par. 11-61-1a)
Sec. 11-61-1a. Any municipality with a population of over 500,000 may utilize the quick-take procedures if such procedures are commenced on or before January 1, 1990, for exercising the power of eminent domain under Section 7-103 of the Code of Civil Procedure (now Article 20 of the

New matter indicated by italics - deletions by strikeout
Eminent Domain Act) for the purpose of constructing or extending rapid transit lines within the area bounded by a line beginning at the intersection of East Jackson Boulevard and South Michigan Avenue in the City of Chicago, running South on South Michigan Avenue to East Pershing Road, then West on East Pershing Road and West Pershing Road to South Ashland Avenue, then South on South Ashland Avenue to West Garfield Boulevard, then West on West Garfield Boulevard and West 55th Street to South Pulaski Road, then South on South Pulaski Road to West 63rd Street, then West on West 63rd Street to South Central Avenue, then North on South Central Avenue to West 55th Street, then East on West 55th Street to South Cicero Avenue, then North on South Cicero Avenue to West 47th Street, then East on West 47th Street to South Kedzie Avenue, then North on South Kedzie Avenue to West Cermak Road, then East on West Cermak Road to South Halsted Street, then North on South Halsted Street to West Jackson Boulevard, then East on West Jackson Boulevard and East Jackson Boulevard to the place of beginning.

(Source: P.A. 84-1477.)

(65 ILCS 5/11-63-5) (from Ch. 24, par. 11-63-5)

Sec. 11-63-5. The corporate authorities may acquire a site or sites for a community building or buildings by condemnation in the name of the municipality in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.

(Source: P.A. 82-783.)

(65 ILCS 5/11-65-3) (from Ch. 24, par. 11-65-3)

Sec. 11-65-3. Every such municipality may acquire by dedication, gift, lease, contract, purchase, or condemnation all property and rights, necessary or proper, within the corporate limits of the municipality, for municipal convention hall purposes, and for these purposes may (1) appropriate money, (2) levy and collect taxes, (3) borrow money on the credit of the municipality, and (4) issue bonds therefor.

In all cases where property is acquired or sought to be acquired by condemnation, the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under the Eminent Domain Act. New matter indicated by italics - deletions by strikeout
Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.
(Source: P.A. 92-774, eff. 1-1-03.)

(65 ILCS 5/11-66-10) (from Ch. 24, par. 11-66-10)
Sec. 11-66-10. The board of directors, with the approval of the corporate authorities may acquire a site for a municipal coliseum by condemnation in the name of the municipality. Any proceeding to condemn for this purpose shall be maintained and conducted in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.
(Source: P.A. 82-783.)

(65 ILCS 5/11-71-1) (from Ch. 24, par. 11-71-1)
Sec. 11-71-1. Any municipality is hereby authorized to:
(a) Acquire by purchase or otherwise, own, construct, equip, manage, control, erect, improve, extend, maintain and operate motor vehicle parking lot or lots, garage or garages constructed on, above and/or below ground level, public off-street parking facilities for motor vehicles, parking meters, and any other revenue producing facilities, hereafter referred to as parking facilities, necessary or incidental to the regulation, control and parking of motor vehicles, as the corporate authorities may from time to time find the necessity therefor exists, and for that purpose may acquire property of any and every kind or description, whether real, personal or mixed, by gift, purchase or otherwise. Any municipality which has provided or does provide for the creation of a plan commission under Division 12 of this Article 11 shall submit to and receive the approval of the plan commission before establishing or operating any such parking facilities;
(b) Maintain, improve, extend and operate any such parking facilities and charge for the use thereof;
(c) Enter into contracts dealing in any manner with the objects and purposes of this Division 71, including the leasing of space on, or in connection with, parking meters for advertising purposes. Any contract for such advertising shall prohibit any interference with traffic control, shall

New matter indicated by italics - deletions by strikeout
prohibit placing any advertising sign or device on parking meters that exceeds the dimensions of 8 by 12 inches and shall contain such other provisions as the corporate authorities deem necessary in the public interest. All revenues derived from any such contract shall be used exclusively for traffic regulation and maintenance of streets within the municipality;

(d) Acquire sites, buildings and facilities by gift, lease, contract, purchase or condemnation under power of eminent domain, and pledge the revenues thereof for the payment of any revenue bonds issued for such purpose as provided in this Division 71. In all cases where property or rights are acquired or sought to be acquired by condemnation, the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under the Eminent Domain Act, Article VII of the Code of Civil Procedure, as heretofore and hereafter amended and the fee or such lesser interest in land may be acquired as the municipality may deem necessary;

(e) Finance the acquisition, construction, maintenance and/or operation of such parking facilities by means of general tax funds, special assessments, special taxation, revenue bonds, parking fees, special charges, rents or by any combination of such methods; and

(f) Borrow money and issue and sell revenue bonds in such amount or amounts as the corporate authorities may determine for the purpose of acquiring, completing, erecting, constructing, equipping, improving, extending, maintaining or operating any or all of its parking facilities, and refund and refinance the same from time to time as often as it shall be advantageous and to the public interest to do so.

If any part of the financing of the acquisition and/or construction of such parking facilities is done by means of special assessments or special taxation, the provisions of Division 2 of Article 9 of this Code shall be followed with respect to the special assessments or special taxation for such purpose.

(Source: P.A. 82-783.)

(65 ILCS 5/11-71-10) (from Ch. 24, par. 11-71-10)
Sec. 11-71-10. In addition to the other powers granted in this Division, the corporate authorities may lease the space over any municipally owned parking lot to any person, firm or corporation if the corporate authorities first determine by resolution that such lease is in the best public interest and stating the reasons therefor. Such lease shall be granted by an ordinance and shall not exceed 99 years in length.

The lease shall specify the purpose for which the leased space may be used. If the purpose is to erect in the space a building or other structure attached to the lot, the lease shall contain a reasonably accurate description of the building to be erected and of the manner in which it shall be imposed upon or around the lot. In such case, the lease shall provide for use by the lessee of such areas of the surface of such lot as may be essential for the support of the building or other structure to be erected as well as for the connection of essential public or private utilities to such building or structure.

Any building erected in the space leased shall be operated, as far as is practicable, separately from the parking lot owned by the municipality.

Such lease shall be signed in the name of the municipality by the mayor or president and shall be attested by the municipal clerk under the corporate seal. The lease shall also be executed by the lessee in such manner as may be necessary to bind him. After being so executed, the lease shall be duly acknowledged and thereupon shall be recorded in the office of the recorder of the county in which is located the land involved in the lease.

If, in the judgment of the corporate authorities, the public interest requires that any building erected in the leased space be removed so that a street, alley, or public place may be restored to its original condition, the lessor municipality may condemn the lessee's interest in the leased space by proceeding in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure. After payment of such damages as may be fixed in the condemnation proceedings, the municipality may remove all buildings or other structures from the leased space and restore the buildings adjoining the leased space to their original condition.

New matter indicated by italics - deletions by strikeout
Any building or other structure erected above a municipally owned parking lot shall be subject to all property taxes levied on private property within the same taxing authorities unless such building or structure is wholly owned by the municipality and wholly used for governmental purposes.

No provision of this section shall be construed to abrogate or vary the terms of any mortgage in effect upon the effective date of this amendatory act of 1961 relative to the use of any such parking lot.

(Source: P.A. 83-358.)

(65 ILCS 5/11-74.2-9) (from Ch. 24, par. 11-74.2-9)

Sec. 11-74.2-9. In exercising the power to acquire real estate as provided in this Division, the corporate authorities may proceed by gift, purchase or condemnation to acquire the fee simple title to all real property lying within a redevelopment area, including easements and reversionary interests in the streets, alleys and other public places lying within such area; if the property is to be obtained by condemnation, such power of condemnation may be exercised only when at least 85% of the land located within the boundaries of each plan has been acquired previously by the corporate authorities or private organization pursuant to the implementation of the plan through good faith negotiations and such negotiations are unsuccessful in acquiring the remaining land. If any such real property is subject to an easement the corporate authorities in their discretion, may acquire the fee simple title to such real property subject to such easement if they determine that such easement will not interfere with carrying out the redevelopment plan. If any such real property is already devoted to a public use it may nevertheless be acquired, provided that no property belonging to the United States of America, the State of Illinois or any municipality may be acquired without the consent of such governmental unit and that no property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without the approval of the Illinois Commerce Commission. In carrying out the provisions of this Division, the corporate authorities are vested with the power to exercise the right of eminent domain. Condemnation proceedings instituted by the corporate
authorities shall be in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended. No power of condemnation shall be used to acquire a site for a commercial project as defined in paragraph (c) of Section 11-74.2-2.

Nothing in this Section shall be construed to exclude property in a final redevelopment plan from taxation.

(Source: P.A. 82-783.)

(65 ILCS 5/11-75-5) (from Ch. 24, par. 11-75-5)

Sec. 11-75-5. If, in the judgment of the corporate authorities, the public interest requires that any building erected in the leased space be removed so that a street, alley, or public place may be restored to its original condition, the lessor municipality may condemn the lessee's interest in the leased space by proceeding in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended. After payment of such damages as may be fixed in the condemnation proceedings, the municipality may remove all buildings or other structures from the leased space and restore the buildings adjoining the leased space to their original condition.

(Source: P.A. 82-783.)

(65 ILCS 5/11-92-3) (from Ch. 24, par. 11-92-3)

Sec. 11-92-3. The city or village, to carry out the purposes of this Division 92, has all the rights and powers over its harbor as it does over its other property, and its rights and powers include but are not limited to the following:

(a) To furnish complete harbor facilities and services, including but not limited to: launching, mooring, docking, storing, and repairing facilities and services; parking facilities for motor vehicles and boat trailers; and roads for access to the harbor.

(b) To acquire by gift, legacy, grant, purchase, lease, or by condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, and property

New matter indicated by italics - deletions by strikeout
necessary or appropriate for the purposes of this Division 92, including riparian rights, within or without the city or village.

(c) To use, occupy and reclaim submerged land under the public waters of the State and artificially made or reclaimed land anywhere within the jurisdiction of the city or village, or in, over, and upon bordering public waters.

(d) To acquire property by agreeing on a boundary line in accordance with the procedures set forth in Sections 11-123-8 and 11-123-9.

(e) To locate and establish dock, shore and harbor lines.

(f) To license, regulate, and control the use and operation of the harbor, including the operation of all waterborne vessels in the harbor and within 1000 feet of the outer limits of the harbor, or otherwise within the jurisdiction of the city or village, except that such city or village shall not forbid the full and free use by the public of all navigable waters, as provided by federal law.

(g) To charge and collect fees for all facilities and services, and compensation for materials furnished.

(h) To appoint harbor masters and other personnel, defining their duties and authority.

(i) To enter into contracts and leases of every kind, dealing in any manner with the objects and purposes of this Division 92, upon such terms and conditions as the city or village determines.

(Source: P.A. 83-388.)

(65 ILCS 5/11-97-2) (from Ch. 24, par. 11-97-2)  
Sec. 11-97-2. The corporate authorities of any municipality, whether incorporated under the general law or a special charter, may lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve and maintain one or more driveways from the corporate limits of the municipality to parks owned by the municipality outside its corporate limits. The cost of these driveways may be paid out of any fund in the municipal treasury, acquired under the authority of law for park purposes. The corporate authorities may acquire the land necessary for this purpose by purchase, legacy or gift, or in case the land cannot be so acquired, they

New matter indicated by italics - deletions by strikeout
may acquire it by condemnation in the manner provided for the exercise of
the right of eminent domain under the Eminent Domain Act Article VII of
(Source: P.A. 83-388.)

(65 ILCS 5/11-103-3) (from Ch. 24, par. 11-103-3)
Sec. 11-103-3. In all cases where property or rights are acquired or
sought to be acquired by condemnation, the procedure shall be, as nearly
as may be, like that provided for the exercise of the right of eminent
domain under the Eminent Domain Act Article VII of the Code of Civil
Procedure, as heretofore and hereafter amended.
(Source: P.A. 82-783.)

(65 ILCS 5/11-119.1-7) (from Ch. 24, par. 11-119.1-7)
Sec. 11-119.1-7. Except as otherwise provided by this Division, a
municipal power agency may acquire all real or personal property that it
deems necessary for carrying out the purposes of this Division, whether in
fee simple absolute or a lesser interest, by condemnation and the exercise
of the power of eminent domain in the manner provided in the Eminent
Domain Act Article VII of the Code of Civil Procedure. A municipal
power agency shall have no power of eminent domain with respect to any
real or personal property owned or leased by any eligible utility as part of a
system, whether existing, under construction or being planned, of facilities
for the generation, transmission, production or distribution of electrical
power.

The authority of a municipal power agency to acquire real or
personal property by condemnation or the exercise of the power of
eminent domain shall be a continuing power, and no exercise thereof shall
exhaust it.
(Source: P.A. 83-997.)

(65 ILCS 5/11-119.2-7) (from Ch. 24, par. 11-119.2-7)
Sec. 11-119.2-7. Except as otherwise provided by this Division, a
municipal natural gas agency may acquire all real or personal property that
it deems necessary for carrying out the purposes of this Division, whether
in fee simple absolute or a lesser interest, by condemnation and the
exercise of the power of eminent domain in the manner provided in the

New matter indicated by italics - deletions by strikeout
Eminent Domain Act Article VII of the Code of Civil Procedure. A municipal natural gas agency shall have no power of eminent domain with respect to any real or personal property owned or leased by any eligible utility as part of a system, whether existing, under construction or being planned, of facilities for the storage, exploration, transmission, production or distribution of natural gas.

The authority of a municipal natural gas agency to acquire real or personal property by condemnation or the exercise of the power of eminent domain shall be a continuing power, and no exercise thereof shall exhaust it.

(Source: P.A. 84-1221.)

(65 ILCS 5/11-123-4) (from Ch. 24, par. 11-123-4)

Sec. 11-123-4. Every city and village for the purpose of carrying out the powers granted in this Division 123, may acquire by purchase, gift, or condemnation, any property necessary or appropriate for any of the purposes enumerated in this Division 123. In all cases where property is acquired or sought to be acquired by condemnation, the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended. Nothing in this Section limits the power of a municipality to acquire by grant from the state submerged land or artificially made or reclaimed land as provided in Section 11-123-9.

(Source: P.A. 82-783.)

(65 ILCS 5/11-130-9) (from Ch. 24, par. 11-130-9)

Sec. 11-130-9. For the purpose of purchasing any waterworks under this Division 130, or for the purpose of purchasing any property necessary therefor, the municipality has the right of eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.

(Source: P.A. 82-783.)

(65 ILCS 5/11-135-6) (from Ch. 24, par. 11-135-6)

Sec. 11-135-6. Whenever such commission shall pass an ordinance for the construction or acquisition of any waterworks properties, or

New matter indicated by italics - deletions by strikeout
improvements or extension or mains, pumping stations, reservoirs or other appurtenances thereto, which such commission is authorized to make, the making of which will require that private property be taken or damaged, such commission may cause compensation therefor to be ascertained and may condemn and acquire possession thereof in the same manner as nearly as may be, as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended. However, proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be instituted in the circuit court of the county where the property sought to be taken or damaged is situated.

In addition, when a Water Commission created under the Water Commission Act of 1985, as amended, requires that public property be taken or damaged for the purposes specified above, such commission may condemn and acquire possession of public property and cause compensation for such public property to be ascertained in the same manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended, during such time as the Commission has the power to initiate action in the manner provided by Article 20 of the Eminent Domain Act (quick-take procedure) Sections 7-103 through Sections 7-112 of the Code of Civil Procedure, as amended.

In the event a Commission created under the Water Commission Act of 1985 shall determine that negotiations for the acquisition of property or easements for making any improvement which such Commission is authorized to make have proven unsuccessful and the Commission shall have by resolution adopted a schedule or plan of operation for the execution of the project and therein made a finding that it is necessary to take such property or easements immediately or at some specified later date in order to comply with the schedule, the Commission may commence proceedings to acquire such property or easements in the same manner provided in Article 20 of the Eminent Domain Act (quick-take procedure) Sections 7-103 through 7-112 of the Code of Civil Procedure, as amended; except that if the property or easement is located

New matter indicated by italics - deletions by strikeout
in a municipality having more than 2,000,000 inhabitants, the Commission may not commence such proceedings until the acquisition has been approved by ordinance of the corporate authorities of the municipality.

Any commission has the power to acquire, hold, sell, lease as lessor or lessee, transfer or dispose of real or personal property, or interest therein, as it deems appropriate in the exercise of its powers for its lawful purposes. When, in the opinion of a commission, real estate owned by it, however acquired, is no longer necessary, appropriate, required for the use of, profitable to, or for best interest of the commission, such commission may, by resolution, lease such surplus real estate for a period not to exceed 99 years, or sell such surplus real estate, in accordance with procedures adopted by resolution by such commission.

(Source: P.A. 84-1473.)

(65 ILCS 5/11-136-6) (from Ch. 24, par. 11-136-6)

Sec. 11-136-6. Whenever such commission shall pass an ordinance for the construction or acquisition of any waterworks properties or sewer properties or improvements or extensions or mains, pumping stations, reservoirs or other appurtenances thereto, which such commission is authorized to make, the making of which will require that private property be taken or damaged, such commission may cause compensation therefor to be ascertained and may condemn and acquire possession thereof in the same manner as nearly as may be, as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended. However, proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be instituted in the county where the property sought to be taken or damaged is situated.

(Source: P.A. 82-783.)

(65 ILCS 5/11-139-12) (from Ch. 24, par. 11-139-12)

Sec. 11-139-12. For the purpose of acquiring, constructing, extending, or improving any combined waterworks and sewerage system under this Division 139, or any property necessary or appropriate therefor, any municipality has the right of eminent domain, as provided by the
Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.

The fair cash market value of an existing waterworks and sewerage system, or portion thereof, acquired under this Division 139, which existing system is a special use property as defined in Article VII of the "Code of Civil Procedure", approved August 19, 1981, as heretofore or hereafter amended, may be determined in accordance with the following valuation principles.

The fair cash market value of existing facilities, whether real or personal, may be determined by utilizing the net earnings which are attributable to the facilities in question for the preceding fiscal year on the date the condemnation petition is filed, over the remaining useful life of the facilities. Said earnings may be capitalized under an annuity capitalization method and discounted to present value. The fair cash market value of any extensions, additions or improvements of the existing system made subsequent to the date that the condemnation petition is filed may be determined by utilizing the probable net earnings attributable to the facilities in question over the remaining life of the facilities. The probable earnings may be capitalized under an annuity capitalization method and discounted to present value.

The value of the land and easements upon which the facilities are situated may be determined in accordance with the foregoing principles, giving due account to the special use of the property for water and sewerage purposes.

For the purposes of this Section no prior approval of the Illinois Commerce Commission, or any other body having jurisdiction over the existing system, shall be required.

(Source: P.A. 83-1466.)

(65 ILCS 5/11-141-10) (from Ch. 24, par. 11-141-10)

Sec. 11-141-10. For the purpose of improving or extending, or constructing or acquiring and improving and extending a sewerage system under this Division 141, a municipality may acquire any property necessary or appropriate therefor by eminent domain as provided by the

New matter indicated by italics - deletions by strikeout
Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended.
(Source: P.A. 82-783.)

Section 95-10-70. The Sports Stadium Act is amended by changing Section 3 as follows:
(65 ILCS 100/3) (from Ch. 85, par. 6033)
Sec. 3. In order to accomplish the purposes of this Act, a municipality with a population in excess of 2,000,000 may acquire by eminent domain, by a complaint filed before July 1, 1992, pursuant to Article VII of the Code of Civil Procedure (now the Eminent Domain Act), as now or hereafter amended; and such municipality may acquire by immediate vesting of title, commonly referred to as "quick take," pursuant to Sections 7-102 through 7-112 of the Code of Civil Procedure (now Article 20 of the Eminent Domain Act), as now or hereafter amended; real or personal property or interests in real or personal property located within any of the following described parcels for the purpose of facilitating the construction of an indoor stadium for professional sports and amusement events having a seating capacity of less than 28,000:

PARCEL 1:
THAT PART OF SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS BOUNDED AS FOLLOWS: ON THE NORTH BY THE NORTH LINE OF WASHINGTON STREET, ON THE EAST BY THE EAST LINE OF PAULINA STREET, ON THE SOUTH BY THE SOUTH LINE OF ADAMS STREET AND ON THE WEST BY THE WEST LINE OF DAMEN AVENUE (BUT EXCEPTING THE BLOCK BOUNDED ON THE NORTH BY THE SOUTH LINE OF WASHINGTON STREET, ON THE EAST BY THE WEST LINE OF HERMITAGE AVENUE, ON THE SOUTH BY THE NORTH LINE OF WARREN BOULEVARD AND ON THE WEST BY THE EAST LINE OF WOOD STREET; ALSO EXCEPTING THE BLOCK BOUNDED ON THE NORTH BY THE SOUTH LINE OF MONROE STREET, ON THE EAST BY THE WEST LINE OF WOOD STREET, ON THE SOUTH BY THE NORTH LINE OF ADAMS STREET AND ON THE

PARCEL 2:
LOTS 14 THROUGH 24 AND LOTS 33 THROUGH 48, BOTH INCLUSIVE, IN THE SUBDIVISION OF BLOCK 61 OF CANAL TRUSTEES' SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:
The block bounded on the north by the south line of MADISON STREET, bounded on the east by the west line of DAMEN AVENUE, bounded on the south by the north line of MONROE STREET, bounded on the west by the east line of SEELEY AVENUE in the east 1/2 of the north west 1/4 of section 18, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

New matter indicated by italics - deletions by strikeout
However, such municipality shall not have the power to acquire by eminent domain any property located within the foregoing parcels which is owned, leased, used or occupied by the Chicago Board of Education, the Chicago Housing Authority, the Chicago Park District, or any unit of local government, and which was also so owned, leased, used or occupied on January 1, 1989.

(Source: P.A. 86-110; 87-895.)

Section 95-10-75. The Airport Authorities Act is amended by changing Section 9 as follows:

(70 ILCS 5/9) (from Ch. 15 1/2, par. 68.9)

Sec. 9. Procedure for eminent domain. In all cases where land in fee simple, rights in land, air or water, easements or other interests in land, air or water or property or property rights are acquired or sought to be acquired by said authority by condemnation, the procedure shall be, as nearly as may be, in accordance with that provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended.

(Source: P.A. 82-783.)

Section 95-10-80. The Kankakee River Valley Area Airport Authority Act is amended by changing Section 3 as follows:

(70 ILCS 15/3) (from Ch. 15 1/2, par. 703)

Sec. 3. Purposes. It is hereby declared, as a matter of legislative determination, that in order to promote the general welfare, to facilitate safe and convenient air travel and transport to and from the Kankakee River Valley Area, by the acquisition or construction and maintenance and operation of one or more airports in the Kankakee River Valley Area, and to promote the economic development of the area surrounding any such airport in a manner compatible with the safe and efficient operation thereof, it is necessary in the public interest, and is hereby declared to be a public purpose, to provide for the establishment of a Kankakee River Valley Area Airport Authority and to authorize such Authority:

(a) to acquire land for a new airport in the Kankakee River Valley Area and to construct, operate and maintain such airport;

New matter indicated by italics - deletions by strikeout
(b) to acquire land for such other airports at such locations within the Kankakee River Valley Area as the Authority shall determine, subject to a declaration of public interest enacted into law by the General Assembly and to construct, operate and maintain any such airports, and to acquire, by purchase, lease or otherwise, such other existing airports within the Kankakee River Valley Area as the Authority shall deem necessary and to improve, operate and maintain any such airports;

(c) to acquire, by purchase, lease or otherwise, construct, operate and maintain related facilities for any such airport and to let or grant concessions or privileges in any such related facilities;

(d) to acquire land lying within the perimeter area of any such airport; to construct, operate and maintain related facilities and perimeter area facilities in the perimeter area of any such airport; and to let or grant concessions or privileges in any part or all of the perimeter area of any such airport and the perimeter area facilities thereon; (e) to exercise the right of eminent domain to acquire land for airports at such locations within the Kankakee River Valley Area as the Authority shall deem necessary in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(Source: P.A. 86-1400.)


(70 ILCS 200/2-20)

Sec. 2-20. Rights and powers, including eminent domain. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain exhibition centers, civic auditoriums, cultural facilities and office buildings, including sites and parking areas and commercial facilities therefor located within the metropolitan area;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational,

New matter indicated by italics - deletions by strikeout
trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers, and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(e) To enter into contracts treating in any manner with the objects and purposes of this Article.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/10-15)

Sec. 10-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office, educational and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits,
shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/20-15)

Sec. 20-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and expositions grounds, convention or exhibition centers, civic auditoriums, office and municipal buildings, and associated facilities, including but not limited to hotel and restaurant facilities; and sites and parking areas and facilities therefor located within the metropolitan area;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, theatrical, sports, trade and scientific exhibits, shows and events and to use, lease as lessor, or allow the use of such grounds, centers, auditoriums and associated facilities for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers, auditoriums, associated facilities, and parking areas and facilities in the manner provided for the exercise of the right of
eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas and facilities, grounds, centers, auditoriums and associated facilities and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(e) To enter into contracts treating any manner with the objects and purposes of this Article.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/75-20)

Sec. 75-20. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

New matter indicated by italics - deletions by strikeout
(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/80-15)

Sec. 80-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office and county buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges
Sec. 125-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office and county buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)
Sec. 155-1. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair or exposition grounds, convention or exhibition centers, civic auditoriums, and office and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fair, exhibits, shows and events, whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, building and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right to eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums, and to collect admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

Sec. 185-15. Rights and powers. The Authority shall have the following rights and powers:

New matter indicated by italics - deletions by strikeout
(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office and county buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/200-15)

Sec. 200-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain exhibitions grounds, convention or exhibition centers,
civic auditoriums, and office and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for by the Eminent Domain Act Article VII of the Code of Civil Procedure.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/205-15)

Sec. 205-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and exposition grounds, convention or exhibition centers and civic auditoriums, including sites and parking areas and facilities therefor located within the City area, and to lease air space over and appurtenant to such facilities;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use

New matter indicated by italics - deletions by strikeout
of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain, to acquire sites for such grounds, centers and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas, and facilities, grounds, centers and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest of any bonds issued by the Authority;

(e) To enter into contracts treating in any manner with the objects and purposes of this Article.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/215-15)
Sec. 215-15. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain exhibitions grounds, convention or exhibition centers, civic auditoriums, and office and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

New matter indicated by italics - deletions by strikeout
(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for by the Eminent Domain Act Article VII of the Code of Civil Procedure.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/255-20)
Sec. 255-20. Rights and powers. The Springfield Metropolitan Exposition and Auditorium Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and exposition grounds, convention or exhibition centers and civic auditoriums, including sites and parking areas and facilities therefor located within the metropolitan area;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas and facilities, grounds, centers

New matter indicated by italics - deletions by strikeout
and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(e) To enter into contracts treating in any manner with the objects and purposes of this Article.

(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/265-20)
Sec. 265-20. Rights and powers. The Authority shall have the following rights and powers:

(a) To acquire, purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair expositions grounds, convention or exhibition centers, civic auditoriums, and office and municipal buildings, including sites and parking areas and facilities therefor located within the metropolitan area.

(b) To enter into contracts treating in any manner with the objects and purposes of this Article.

(c) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency.

(d) To exercise the right of eminent domain to acquire sites for such grounds, centers, buildings and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as amended.

(e) To fix and collect just, reasonable and nondiscriminatory charges and rents for the use of such parking areas and facilities, grounds, centers, buildings and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority.
Authority and to pay the principal of and the interest on any bonds issued by the Authority.
(Source: P.A. 90-328, eff. 1-1-98.)

(70 ILCS 200/280-20)
Sec. 280-20. Rights and powers. The Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and expositions grounds, convention or exhibition centers, civic auditoriums, including sites and parking areas and facilities therefor located within the metropolitan area and office buildings, if such buildings are acquired as part of the main auditorium complex;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, theatrical, sports, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas and facilities, grounds, centers and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(e) To enter into contracts treating any manner with the objects and purposes of this Article.
(Source: P.A. 90-328, eff. 1-1-98.)

Section 95-10-90. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 5 as follows:

New matter indicated by italics - deletions by strikeout
(70 ILCS 210/5) (from Ch. 85, par. 1225)

Sec. 5. The Metropolitan Pier and Exposition Authority shall also have the following rights and powers:

(a) To accept from Chicago Park Fair, a corporation, an assignment of whatever sums of money it may have received from the Fair and Exposition Fund, allocated by the Department of Agriculture of the State of Illinois, and Chicago Park Fair is hereby authorized to assign, set over and transfer any of those funds to the Metropolitan Pier and Exposition Authority. The Authority has the right and power hereafter to receive sums as may be distributed to it by the Department of Agriculture of the State of Illinois from the Fair and Exposition Fund pursuant to the provisions of Sections 5, 6i, and 28 of the State Finance Act. All sums received by the Authority shall be held in the sole custody of the secretary-treasurer of the Metropolitan Pier and Exposition Board.

(b) To accept the assignment of, assume and execute any contracts heretofore entered into by Chicago Park Fair.

(c) To acquire, own, construct, equip, lease, operate and maintain grounds, buildings and facilities to carry out its corporate purposes and duties, and to carry out or otherwise provide for the recreational, cultural, commercial or residential development of Navy Pier, and to fix and collect just, reasonable and nondiscriminatory charges for the use thereof. The charges so collected shall be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest upon any revenue bonds issued by the Authority. The Authority shall be subject to and comply with the Lake Michigan and Chicago Lakefront Protection Ordinance, the Chicago Building Code, the Chicago Zoning Ordinance, and all ordinances and regulations of the City of Chicago contained in the following Titles of the Municipal Code of Chicago: Businesses, Occupations and Consumer Protection; Health and Safety; Fire Prevention; Public Peace, Morals and Welfare; Utilities and Environmental Protection; Streets, Public Ways, Parks, Airports and Harbors;

New matter indicated by italics - deletions by strikeout
Electrical Equipment and Installation; Housing and Economic Development (only Chapter 5-4 thereof); and Revenue and Finance (only so far as such Title pertains to the Authority's duty to collect taxes on behalf of the City of Chicago).

(d) To enter into contracts treating in any manner with the objects and purposes of this Act.

(e) To lease any buildings to the Adjutant General of the State of Illinois for the use of the Illinois National Guard or the Illinois Naval Militia.

(f) To exercise the right of eminent domain by condemnation proceedings in the manner provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, including, with respect to Site B only, the authority to exercise quick take condemnation by immediate vesting of title under Article 20 of the Eminent Domain Act Sections 7-103 through 7-112 of the Code of Civil Procedure, to acquire any privately owned real or personal property and, with respect to Site B only, public property used for rail transportation purposes (but no such taking of such public property shall, in the reasonable judgment of the owner, interfere with such rail transportation) for the lawful purposes of the Authority in Site A, at Navy Pier, and at Site B. Just compensation for property taken or acquired under this paragraph shall be paid in money or, notwithstanding any other provision of this Act and with the agreement of the owner of the property to be taken or acquired, the Authority may convey substitute property or interests in property or enter into agreements with the property owner, including leases, licenses, or concessions, with respect to any property owned by the Authority, or may provide for other lawful forms of just compensation to the owner. Any property acquired in condemnation proceedings shall be used only as provided in this Act. Except as otherwise provided by law, the City of Chicago shall have a right of first refusal prior to any sale of any such property by the Authority to a third party other than substitute property. The Authority shall develop and implement a relocation

New matter indicated by italics - deletions by strikeout
plan for businesses displaced as a result of the Authority's acquisition of property. The relocation plan shall be substantially similar to provisions of the Uniform Relocation Assistance and Real Property Acquisition Act and regulations promulgated under that Act relating to assistance to displaced businesses. To implement the relocation plan the Authority may acquire property by purchase or gift or may exercise the powers authorized in this subsection (f), except the immediate vesting of title under Article 20 of the Eminent Domain Act, Sections 7-103 through 7-112 of the Code of Civil Procedure, to acquire substitute private property within one mile of Site B for the benefit of displaced businesses located on property being acquired by the Authority. However, no such substitute property may be acquired by the Authority unless the mayor of the municipality in which the property is located certifies in writing that the acquisition is consistent with the municipality's land use and economic development policies and goals. The acquisition of substitute property is declared to be for public use. In exercising the powers authorized in this subsection (f), the Authority shall use its best efforts to relocate businesses within the area of McCormick Place or, failing that, within the City of Chicago.

(g) To enter into contracts relating to construction projects which provide for the delivery by the contractor of a completed project, structure, improvement, or specific portion thereof, for a fixed maximum price, which contract may provide that the delivery of the project, structure, improvement, or specific portion thereof, for the fixed maximum price is insured or guaranteed by a third party capable of completing the construction.

(h) To enter into agreements with any person with respect to the use and occupancy of the grounds, buildings, and facilities of the Authority, including concession, license, and lease agreements on terms and conditions as the Authority determines. Notwithstanding Section 24, agreements with respect to the use and occupancy of the grounds, buildings, and facilities of the Authority.

New matter indicated by italics - deletions by strikeout
Authority for a term of more than one year shall be entered into in accordance with the procurement process provided for in Section 25.1.

(i) To enter into agreements with any person with respect to the operation and management of the grounds, buildings, and facilities of the Authority or the provision of goods and services on terms and conditions as the Authority determines.

(j) After conducting the procurement process provided for in Section 25.1, to enter into one or more contracts to provide for the design and construction of all or part of the Authority's Expansion Project grounds, buildings, and facilities. Any contract for design and construction of the Expansion Project shall be in the form authorized by subsection (g), shall be for a fixed maximum price not in excess of the funds that are authorized to be made available for those purposes during the term of the contract, and shall be entered into before commencement of construction.

(k) To enter into agreements, including project agreements with labor unions, that the Authority deems necessary to complete the Expansion Project or any other construction or improvement project in the most timely and efficient manner and without strikes, picketing, or other actions that might cause disruption or delay and thereby add to the cost of the project.

Nothing in this Act shall be construed to authorize the Authority to spend the proceeds of any bonds or notes issued under Section 13.2 or any taxes levied under Section 13 to construct a stadium to be leased to or used by professional sports teams.

(Source: P.A. 91-101, eff. 7-12-99; 91-357, eff. 7-29-99; 92-208, eff. 8-2-01.)

Section 95-10-95. The Conservation District Act is amended by changing Section 12 as follows:

(70 ILCS 410/12) (from Ch. 96 1/2, par. 7112)

Sec. 12. To the extent necessary to carry out the purpose of this Act and in addition to any other powers, duties and functions vested in a district by law, but subject to such limitations and restrictions as are

New matter indicated by italics - deletions by strikeout
imposed elsewhere by this Act or another law, a district is authorized and empowered:

(a) To adopt by-laws, adopt and use a common seal, enter into contracts, acquire and hold real and personal estate and take such other actions as may be necessary for the proper conduct of its affairs.

(b) To make and publish all ordinances, rules and regulations necessary for the management and protection of its property and the conduct of its affairs.

(c) To study and ascertain the district's wildland and other open space resources and outdoor recreation facilities, the need for preserving such resources and providing such facilities and the extent to which such needs are being currently met and to prepare and adopt a co-ordinated plan of areas and facilities to meet such needs.

(d) To acquire by gift, legacy, purchase, condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, lease, agreement or otherwise the fee or any lesser right or interest in real property and to hold the same with or without public access for open space, wildland, scenic roadway, pathway, outdoor recreation, or other conservation benefits. A district that is entirely within a county of under 200,000 inhabitants and contiguous to a county of more than 2,000,000 inhabitants and that is authorized by referendum as provided in subsection (d) of Section 15 to incur indebtedness over 0.575% but not to exceed 1.725% may acquire an interest in real estate by condemnation only if approved by an affirmative vote of two-thirds of the total number of trustees authorized for that district; such a district may exchange, sell, or otherwise dispose of any portion of any interest in real estate acquired by it by any means within 2 years of acquiring that interest, provided that a public hearing on the exchange, sale or other disposition of such real estate or interest therein is held prior to such action.

The Department of Natural Resources, the county board, or the governing body of any municipality, district or public corporation may, upon request of the conservation district, set apart and transfer any real or personal property owned or controlled by it and not devoted or dedicated

New matter indicated by italics - deletions by strikeout
to any other inconsistent public use, to the conservation district. In acquiring or accepting land or rights thereto, due consideration shall be given to its open space, outdoor recreation or other conservation values and no real property shall be acquired or accepted which in the opinion of the district or the Department of Natural Resources is of low value from the standpoint of its proposed use.

(e) To classify, designate, plan, develop, preserve, administer and maintain all areas, places and facilities in which it has an interest, and construct, reconstruct, alter and renew buildings and other structures, and equip and maintain the same.

(f) To accept gifts, grants, legacies, contributions and appropriations of money and other personal property for conservation purposes.

(g) To employ and fix the compensation of an executive officer who shall be responsible to the board for the carrying out of its policies. The executive officer shall have the power, subject to the approval of the board, to employ and fix the compensation of such assistants and employees as the board may consider necessary for carrying out the purposes and provisions of this Act.

(h) To charge and collect reasonable fees for the use of such facilities, privileges and conveniences as may be provided.

(i) To police its property and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by the ordinances of the district and to employ and commission police officers and other qualified persons to enforce the same.

(j) To undertake studies pertaining to the natural history, archaeology, history or conservation of natural resources of the county.

(k) To lease land for a period not longer than 50 years from the date of the lease to a responsible person, firm, or corporation for construction, reconstruction, alteration, renewal, equipment, furnishing, extension, development, operation and maintenance of lodges, housekeeping and sleeping cabins, swimming pools, golf courses, campgrounds, sand beaches, marinas, convention and entertainment centers, roads and parking areas, and other related buildings and facilities.

New matter indicated by italics - deletions by strikeout
In any lease of land leased pursuant to this subsection (k), upon expiration of the lease title to all structures on the leased land shall be vested in the district.

(l) To lease any building or facility constructed, reconstructed, altered, renewed, equipped, furnished, extended, developed, and maintained by the district to a responsible person, firm, or corporation for operation or development, or both, and maintenance for a period not longer than 20 years from the date of the lease.

(Source: P.A. 89-445, eff. 2-7-96; revised 10-11-05.)

Section 95-10-100. The Fort Sheridan Redevelopment Commission Act is amended by changing Section 15 as follows:

(70 ILCS 507/15)

Sec. 15. Fort Sheridan Redevelopment Commission; creation; duties.

(a) By intergovernmental agreement approved by ordinance adopted by any 3 or more cities which are contiguous to or encompass all or part of Fort Sheridan, and the county within which they lie, those cities and counties may establish the Fort Sheridan Redevelopment Commission, itself a municipal corporation and a public body politic and corporate. The intergovernmental agreement shall provide the manner and terms on which any member may withdraw from membership in the Commission and on which the Commission may terminate and dissolve in whole or in part. The intergovernmental agreement may be amended by the concurrence of all the members who have approved the existing intergovernmental agreement. The intergovernmental agreement shall set forth the corporate name of the Commission as the "Fort Sheridan Redevelopment Commission" and the duration of the Commission. The Commission's duration may be perpetual. Promptly upon entering into an intergovernmental agreement establishing the Commission or upon amending any intergovernmental agreement, a copy of the intergovernmental agreement or amendment shall be filed in the Office of the Secretary of State of Illinois. The addition or withdrawal of any member or the dissolution of the Commission shall be promptly certified by an officer of the Commission to the Secretary of State of Illinois.

New matter indicated by italics - deletions by strikeout
(b) The governing body of the Commission shall be a board of directors. The number, terms of office, and qualifications of the Board of Directors shall be set forth in the intergovernmental agreement. Each party to the intergovernmental agreement shall appoint 2 directors. The method of voting by directors shall be provided for in the intergovernmental agreement, which may authorize the corporate authorities of a member to designate an individual to cast the vote or votes of its directors at any meeting of the Board. The Board shall determine the general policy of the Commission, approve the annual budget, make all appropriations, adopt all resolutions and ordinances providing for the issuance of bonds or notes by the Commission, adopt its bylaws, rules, and regulations, and have such other powers and duties as may be prescribed in this Act and the intergovernmental agreement.

The Board shall act by a vote of a majority of its Directors or by a greater majority if required in the intergovernmental agreement. The Board may create one or more committees, define their duties, and designate the members of the committees. The members of the committee do not have to be members of the Board. The Commission shall have officers who shall be elected in a manner and for a term as prescribed by the intergovernmental agreement or determined by the Board under the intergovernmental agreement.

(c) Subject to subsection (d), alone or in conjunction with other persons, the Commission shall have authority to: (i) act as public developer in carrying out development programs in and for Fort Sheridan; (ii) make available adequate management, administrative and technical, financial, and other assistance necessary for encouraging the defined, organized, planned and scheduled, diversified, economically, technologically, and environmentally sound community environment in Fort Sheridan, and to do so through the use of management procedures and programs which will rely to the maximum extent on private enterprise; (iii) provide a conduit for the State and federal governments to make their resources available to Fort Sheridan; (iv) encourage the fullest utilization of the economic potential of supply of recreational, residential and commercial building sites at reasonable costs; (v) utilize improved

New matter indicated by italics - deletions by strikeout
technology in producing well-designed housing needed to accommodate the people of the area; (vi) create or aid the creation of neighborhoods where people live and find recreation; (vii) assist, plan, develop, build and construct, or finance any facility or project to enhance the community environment and technological management when requested to do so by any college, municipality or other municipal corporation.

(d) The Commission shall have no power except as set forth in the intergovernmental agreement and such power shall be exercised, if at all, in accordance with the procedures and subject to the limitations, if any, provided in the intergovernmental agreement. Accordingly, the Commission shall have such powers as shall be provided in the intergovernmental agreement establishing it, which may include, but need not be limited to, the following powers:

(1) To sue or be sued in its corporate name;
(2) To apply for and accept gifts, grants, or loans of funds or property, financial, or other aid from any public agency or private entity, including but not limited to the State of Illinois and the United States of America or any agency or instrumentality of Illinois or the United States.
(3) To acquire, hold, sell, lease as lessor or lessee, deal in, lend, transfer, convey, donate, or otherwise dispose of real or personal property, or interests in the property, under procedures and for consideration, that may be less than market value, as it deems appropriate in the exercise of its powers, to provide for the use of property by any member upon the terms and conditions and with the fees or charges it determines, and to mortgage, pledge, or otherwise grant security interests in any such property;
(4) To make and execute all contracts and other instruments necessary or convenient to the exercise of its powers;
(5) With respect to its powers and functions not inconsistent with this Section, to adopt, amend, or repeal ordinances, resolutions, rules, and regulations, and to adopt all such ordinances by use of the following ordaining clause: "Be it

New matter indicated by italics - deletions by strikeout
ordained by the Board of Directors of the Fort Sheridan Redevelopment Commission, Lake County, Illinois”;

(6) To develop a comprehensive plan or redevelopment plan for Fort Sheridan and to hold public hearings on the plans; and

(A) To create, develop, and implement plans for Fort Sheridan and the redevelopment of Fort Sheridan which may provide for various uses, including but not limited to, residential, recreational, and commercial uses; and

(B) To prepare, submit, and administer plans, and to participate in projects or intergovernmental agreements, or both, and to create reserves for planning, constructing, reconstructing, acquiring, owning, managing, insuring, leasing, equipping, extending, improving, operating, maintaining, and repairing land and projects that it owns or leases; and

(7) To provide for the insurance, including self insurance, of any property or operations of the Commission or its members, directors, officers and employees, against any risk or hazard, and to indemnify its members, agents, independent contractors, directors, officers, and employees against any risk or hazard;

(8) To appoint, retain, and employ officers, agents, independent contractors, and employees to carry out its powers and functions;

(9) To make and execute any contract with any agency of the State or federal government, any unit of local government, or any person, including intergovernmental contracts under Section 10 of Article VII of the Constitution of the State of Illinois or the Intergovernmental Cooperation Act and contracts that require the contracting party to pay the Commission compensation for the right to develop all or any portion of Fort Sheridan in accord with land use, building, or redevelopment plans approved by the Commission;

New matter indicated by italics - deletions by strikeout
(10) To acquire, own, construct, lease, operate, equip, and maintain fair, exposition, arena, land, and office or municipal office buildings, and associated facilities and grounds, including sites, parking areas and facilities located within Fort Sheridan;

(11) To acquire and accept by purchase, lease, gift, or otherwise any property or rights from any persons, any municipal corporation, body politic, or agency of the State or federal government, or from the State or federal government itself, useful for its purposes, and to apply for and accept grants, matching grants, loans, or appropriations from the State of Illinois or federal government, or any agency or instrumentality of the State or federal government to be used for any of the purposes of the Commission and to enter into any agreement with the State or federal government in relation to the grants, matching grants, loans, or appropriations;

(12) To plan for grounds, centers, and auditoriums and to plan, sponsor, hold, arrange, and finance fairs, industrial, cultural, educational, theatrical, sports, trade and scientific exhibits, shows, and events and to use or allow the use of the grounds, centers, and auditoriums for the holding of fairs, exhibits, shows, and events whether conducted by the Commission or some other person or governmental body or agency; and

(A) To fix and collect just, reasonable, and nondiscriminatory charges and rents for the use of the parking areas and facilities, grounds, centers, buildings, and auditoriums and admission charges to fairs, shows, exhibits, and events sponsored or held by the Commission and to lease air space over and appurtenant to the areas, facilities, grounds, centers, buildings, and auditoriums. The charges collected may be used to defray the reasonable expenses of the Commission and to pay the principal of and the interest on any bonds issued by the Commission; and

(B) To own, lease, or otherwise acquire an interest, in whole or in part, in any public or private firm,
corporation or association useful for its purposes and in conformance with its rights and powers.

(13) To exercise the right of eminent domain by condemnation proceedings in the manner provided by the Eminent Domain Act Article VII of the Code of Civil Procedure to acquire private property for the lawful purposes of the Commission or to carry out any comprehensive plan or redevelopment plan;

(14) To install, repair, construct, reconstruct, or relocate streets, roads, alleys, sidewalks, utilities, and site improvements essential to the preparation of Fort Sheridan for use in accordance with the redevelopment plan;

(15) To enter into intergovernmental agreements relating to sharing tax and other revenues and sharing, limiting, and transferring land use planning, subdivision, and zoning powers;

(16) Within the corporate limits of any member provided that member has given its consent or within Fort Sheridan, to establish Special Service Districts or Tax Increment Financing Districts and, in connection therewith, to issue bonds in accord with the procedures and for the purposes set forth in the Property Tax Code, and Section 11-74.4-1, of the Illinois Municipal Code as if the Commission were a "municipality" within the meaning of the said Acts;

(17) To undertake any project and to exercise any other power or function possessed by any of its members other than zoning and taxing powers not expressly authorized under this Act; and

(18) To borrow money for the corporate purposes of the Commission and, in evidence of its obligation to repay the borrowing, issue its negotiable revenue bonds or notes for any of its corporate purposes, including, but not limited to, the following: for paying costs of planning, constructing, reconstructing, acquiring, owning, leasing, equipping, or improving any land within Fort Sheridan for any project located or to be located in Fort Sheridan; for paying other expenses incident to or incurred in

New matter indicated by italics - deletions by strikeout
connection with the land or project; for repaying advances made to or by the Commission for those purposes; for paying interest on the bonds or notes until the estimated date of completion of any such project and for a period after the estimated completion date as the Board of the Commission shall determine; for paying financial, legal, administrative, and other expenses of the authorization, issuance, sale, or delivery of bonds or notes; for paying costs of insuring payment of or other credit enhancement of the bonds or notes; for providing or increasing a debt service reserve fund with respect to any or all of the Commission's bonds or notes; for creation of reserves for the planning, constructing, reconstructing, acquiring, leasing, managing, equipping, extending, insuring, or improving of projects; and for paying, refunding, or redeeming any of the Commission's bonds or notes before, after, or at their maturity, including paying redemption premiums or interest accruing or to accrue on the bonds or notes being paid or redeemed or for paying any other costs in connection with any such payment or redemption.

(A) Any bonds or notes issued under this Section by the Commission shall be authorized by resolution or ordinance of the Board of the Commission adopted by the affirmative vote of a majority of the Directors and in compliance with any additional requirements as may be set forth in the intergovernmental agreement establishing the Commission. The action of the Commission authorizing the issuance of the bonds may be effective immediately upon its adoption and shall describe in a general way any project contemplated to be financed by the bonds or notes, set forth the estimated cost of the project, and determine the project's period of usefulness. The authorizing resolution or ordinance shall determine the maturity or maturities of the bonds or notes, the denominations, the rate or rates at which the bonds or notes are to bear interest, and all the other terms and details of the bonds or notes. The bonds or

New matter indicated by italics - deletions by strikeout
notes may be issued as serial bonds payable in installments or as term bonds with or without sinking fund installments or a combination of the serial bonds and term bonds. All bonds or notes shall mature within the period of estimated usefulness of the project for which the bonds or notes are issued, as determined by the Board, but in any event not more than 50 years from their date of issue. The bonds and notes may bear interest at the rates the resolution or ordinance provides, notwithstanding any other provision of law, and shall be payable at the times determined in the resolution or ordinance. Bonds or notes of the Commission shall be sold in the manner that the Board of the Commission determines, either at par or at a premium, or at discount.

(B) In connection with the issuance of its bonds or notes, the Commission may enter into arrangements to provide additional security and liquidity for its obligations, including but not limited to, municipal bond insurance, letters of credit, lines of credit by which the Commission may borrow funds to pay or redeem its obligations, and purchase or remarketing arrangements for assuring the ability of owners of the obligations to sell or to have redeemed the obligations. The Commission may enter into contracts and may agree to pay fees to persons providing those arrangements, including from bond or note proceeds.

(C) The Commission's action authorizing the issuance of bonds or notes may provide that interest rates may vary depending on criteria set forth in the resolution or ordinance, including but not limited to variation of interest rates as may be necessary to cause bonds or notes to be remarketable at a price equal to their principal amount, and may provide for appointment of a national banking association, bank trust company, investment banker, or other financial institution to serve as a remarketing agent in

New matter indicated by italics - deletions by strikeout
that connection. Notwithstanding any other provision of law, the resolution or ordinance of the Commission authorizing the issuance of its bonds or notes may provide that alternative interest rates or provisions will apply when the bonds or notes are held by a person providing a letter of credit or other credit enhancement arrangement for those bonds or notes.

(D) The authorization of the issuance of any bonds or notes under this subsection shall constitute a contract with the holders of the bonds and notes. The resolution or ordinance may contain such covenants and restrictions regarding the project and the contracts, the issuance of additional bonds or notes by the Commission, the security for the bonds and notes, and any other matters deemed necessary or advisable by the Board to assure the payment of the bonds or notes of the Commission.

(E) The resolution or ordinance authorizing the issuance of bonds or notes by the Commission shall provide for the application of revenues derived from the operation of the Commission's projects, revenues received from its members including revenue from contracts for the use of the Commission's projects, and revenues from its investment earnings to the payment of the operating expenses of the projects; the provision of adequate depreciation, reserve, or replacement funds for the project, planned projects, and bonds or notes; and the payment of principal, premium, and interest on the bonds or notes of the Commission including amounts for the purchase of the bonds or notes. The resolution or ordinance may provide that revenues of the Commission so derived and other receipts of the Commission which may be applied to those purposes shall be placed in separate funds and used for those purposes and also may provide that revenues not required for those purposes may be used for any proper

New matter indicated by italics - deletions by strikeout
purpose of the Commission or may be returned to members. Any notes of the Commission may, in addition, be secured by a pledge of proceeds of bonds to be issued by the Commission, as specified in the resolution or ordinance authorizing the issuance of the notes.

(F) All bonds and notes of the Commission issued under this subsection shall be revenue bonds or notes. The bonds or notes shall have no claim for payment other than from revenues of the Commission derived from the operation of its projects, revenues received from its members including from contracts for the use of the Commission's projects, bond or note proceeds, other receipts of the Commission as the intergovernmental agreement establishing the Commission may authorize to be pledged to the payment of bonds or notes, and investment earnings on the foregoing, all as and to the extent as provided in the resolution or ordinance of the Board authorizing the issuance of the bonds or notes. Bonds or notes issued by the Commission under this subsection shall not constitute an indebtedness of the Commission or of any member within the meaning of any constitutional or statutory limitation. It shall be plainly stated on each bond and note that it does not constitute an indebtedness of the Commission or of any member within the meaning of any constitutional or statutory limitation.

(G) As long as any bonds or notes of the Commission created under this subsection are outstanding and unpaid, the Commission shall not terminate or dissolve and no member may withdraw from the Commission except as permitted by the resolution or ordinance authorizing outstanding bonds or notes. The Commission shall establish fees and charges for its operations sufficient to provide adequate revenues to meet all of the requirements under its various resolutions authorizing bonds or notes.

(H) A holder of any bond or note issued under this subsection may, in any civil action, mandamus, or other proceeding, enforce and compel performance of all duties required
to be performed by the Commission as set forth in the authorizing resolution or ordinance, or any members of the Commission or other persons contracting with the Commission in connection with any of the Commission's projects, including the imposition of fees and charges, the collection of sufficient revenues and the proper application of revenues as provided in this subsection.

(I) In addition, the resolution or ordinance authorizing any bonds or notes issued under this subsection may provide for a pledge, assignment, lien, or security interest, for the benefit of the holders of any or all bonds or notes of the Commission, (i) on any and all revenues derived from any contracts for the use of the Commission's projects and investment earnings of the projects, (ii) on any and all revenues received from its members, or (iii) on funds or accounts securing the payment of the bonds or notes as provided in the authorizing resolution. In addition, the pledge, assignment, lien, or security interest may be made on any receipts of the Commission that the intergovernmental agreement authorizes the Commission to apply to the payment of bonds or notes. Any such pledge, assignment, lien, or security interest for the benefit of holders of bonds or notes shall be valid and binding from the time the bonds or notes are issued, without any physical delivery or further act, and shall be valid and binding against or before any claims of any other party having any claims of any kind against the Commission irrespective of whether the other parties have notice of the pledge, assignment, lien, or security interest.

(J) A resolution or ordinance of the Board authorizing the issuance of bonds or notes under this subsection may provide for the appointment of a corporate trustee for any or all of the bonds or notes, and in that event, shall prescribe the rights, duties, and powers of the trustee to be exercised for the benefit of the Commission and the protection of the holders of the bonds or notes. The trustee may be any trust company or state or national bank having the power of a trust company within Illinois. The resolution or ordinance may provide for the trustee to hold in trust,
invest, and use amounts in funds and accounts created by the resolution or ordinance. The resolution or ordinance may also provide for the assignment and direct payment to the trustee of amounts owed by members and other persons to the Commission under contracts for the use of or access to the Commission's projects, for application by the trustee to the purposes for which the revenues are to be used as provided in this subsection and as provided in the authorizing resolution. Upon receipt of the assignment, the member or other person shall make the assigned payments directly to the trustee.

(Source: P.A. 89-149, eff. 1-1-96.)

Section 95-10-105. The Southwestern Illinois Development Authority Act is amended by changing Section 8 as follows:

(70 ILCS 520/8) (from Ch. 85, par. 6158)

Sec. 8. (a) The Authority may, but need not, acquire title to any project with respect to which it exercises its authority.

(b) The Authority shall have power to acquire by purchase, lease, gift or otherwise any property or rights therein from any person or persons, the State of Illinois, any municipal corporation, any local unit of government, the government of the United States and any agency or instrumentality of the United States, any body politic or any county useful for its purposes, whether improved for the purposes of any prospective project or unimproved. The Authority may also accept any donation of funds for its purposes from any such source. The Authority may acquire any real property, or rights therein, upon condemnation. The acquisition by eminent domain of such real property or any interest therein by the Authority shall be in the manner provided by the Eminent Domain Act "Code of Civil Procedure", as now or hereafter amended, including Article 20 Section 7-103 thereof (quick-take power).

The Authority shall not exercise any quick-take eminent domain powers granted by State law within the corporate limits of a municipality unless the governing authority of the municipality authorizes the Authority to do so. The Authority shall not exercise any quick-take eminent domain
powers granted by State law within the unincorporated areas of a county unless the county board authorizes the Authority to do so.

(c) The Authority shall have power to develop, construct and improve, either under its own direction or through collaboration with any approved applicant, or to acquire through purchase or otherwise any project, using for such purpose the proceeds derived from its sale of revenue bonds, notes or other evidences of indebtedness or governmental loans or grants and to hold title in the name of the Authority to such projects.

(d) The Authority shall have the power to enter into intergovernmental agreements with the State of Illinois, the counties of Madison or St. Clair, the Southwest Regional Port District, the Illinois Finance Authority, the Illinois Housing Development Authority, the Metropolitan Pier and Exposition Authority, the United States government and any agency or instrumentality of the United States, the city of East St. Louis, any unit of local government located within the territory of the Authority or any other unit of government to the extent allowed by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act.

(e) The Authority shall have the power to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois and agencies or personnel of any unit of local government.

(f) The Authority shall have the power to exercise powers and issue bonds as if it were a municipality so authorized in Divisions 12.1, 74, 74.1, 74.3 and 74.5 of Article 11 of the Illinois Municipal Code.

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

Section 95-10-110. The Chicago Drainage District Act is amended by changing Section 6 as follows:

(70 ILCS 615/6) (from Ch. 42, par. 359)

Sec. 6. Whenever it shall be necessary to take or damage private property, for any purpose contemplated by this Act, whether within or without said drainage district, the compensation therefor may be ascertained and the proceedings for the condemnation thereof may be had

New matter indicated by italics - deletions by strikeout
in the manner provided in the Eminent Domain Act article nine of an act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and the cost of constructing and maintaining the improvements herein provided for may be defrayed by special assessment upon the property benefited thereby within such district only, said assessments to be levied and collected as provided in said Article 9 of an Act entitled "An Act to provide for the incorporation of cities and villages", approved April 10, 1872.
(Source: Laws 1887, p. 126.)

Section 95-10-115. The Fire Protection District Act is amended by changing Section 10 as follows:
(70 ILCS 705/10) (from Ch. 127 1/2, par. 30)
Sec. 10. The Board of Trustees of any fire protection district incorporated under this Act has the power to acquire private property by gift, grant, lease, purchase, condemnation or otherwise, within the boundaries of said district, or within one mile beyond the boundaries of said district, for the purposes herein specified and to adopt and enforce ordinances for the necessary protection of sources of the water supply and also has power to build houses for care of fire protection apparatus. When private property is condemned under this Act, the compensation shall be determined in the manner as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.
(Source: P.A. 82-783.)

Section 95-10-120. The Hospital District Law is amended by changing Section 16 as follows:
(70 ILCS 910/16) (from Ch. 23, par. 1266)
Sec. 16. In all cases where land in fee simple, rights in land, air or water, easements or other interests in land, air, or water or property or property rights are acquired by a District by condemnation, the procedure shall be, as nearly as may be, in accordance with that provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended.
(Source: P.A. 82-783.)

New matter indicated by italics - deletions by strikeout
Section 95-10-125. The Illinois Medical District Act is amended by changing Sections 3 and 9 as follows:

(70 ILCS 915/3) (from Ch. 111 1/2, par. 5004)

Sec. 3. Property; acquisition. The Commission is authorized to acquire the fee simple title to real property lying within the District and personal property required for its purposes, by gift, purchase, or otherwise, and title thereto shall be taken in the corporate name of the Commission. The Commission may acquire by lease such real and personal property found by the Commission to be necessary for its purposes and to which the Commission finds that it need not acquire the fee simple title for carrying out of such purposes. All real and personal property within the District, except that owned and used for purposes authorized under this Act by medical institutions or allied educational institutions, hospitals, dispensaries, clinics, dormitories or homes for the nurses, doctors, students, instructors or other officers or employees of the aforesaid institutions located in the District, or any real property which is used for offices or for recreational purposes in connection with the aforesaid institutions, or any improved residential property within a currently effective historical district properly designated under a federal statute or a State or local statute that has been certified by the Secretary of the Interior to the Secretary of the Treasury as containing criteria which will substantially achieve the purpose of preserving and rehabilitating buildings of historical significance to the district, may be acquired by the Commission in its corporate name under the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(Source: P.A. 89-356, eff. 8-17-95.)

(70 ILCS 915/9) (from Ch. 111 1/2, par. 5019)

Sec. 9. This Act shall not be construed to limit the jurisdiction of the City of Chicago to territory outside the limits of the District nor to impair any power now possessed by or hereafter granted to the City of Chicago or to cities generally except such as are expressly granted to the Commission by Section 8 of this Act. The property of the Commission shall be exempt from taxation, and shall be subject to condemnation by the

New matter indicated by italics - deletions by strikeout
State and any municipal corporation or agency of the state for any State or municipal purpose under the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.
(Source: P.A. 82-783.)

Section 95-10-130. The Illinois Medical District at Springfield Act is amended by changing Sections 20 and 85 as follows:

(70 ILCS 925/20)

Sec. 20. Property; acquisition. The Commission is authorized to acquire the fee simple title to real property lying within the District and personal property required for its purposes, by gift, purchase, or otherwise. Title shall be taken in the corporate name of the Commission. The Commission may acquire by lease any real property lying within the District and personal property found by the Commission to be necessary for its purposes and to which the Commission finds that it need not acquire the fee simple title for carrying out of those purposes. All real and personal property within the District, except that owned and used for purposes authorized under this Act by medical institutions or allied educational institutions, hospitals, dispensaries, clinics, dormitories or homes for the nurses, doctors, students, instructors, or other officers or employees of those institutions located in the District, or any real property that is used for offices or for recreational purposes in connection with those institutions, or any improved residential property within a currently effective historical district properly designated under a federal statute or a State or local statute that has been certified by the Secretary of the Interior to the Secretary of the Treasury as containing criteria that will substantially achieve the purpose of preserving and rehabilitating buildings of historical significance to the district, may be acquired by the Commission in its corporate name under the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure. The Commission has no quick-take powers, no zoning powers, and no power to establish or enforce building codes. The Commission may not acquire any property pursuant to this Section before a comprehensive master plan has been approved under Section 70.

New matter indicated by italics - deletions by strikeout
Sec. 85. Jurisdiction. This Act shall not be construed to limit the jurisdiction of the City of Springfield to territory outside the limits of the District nor to impair any power now possessed by or hereafter granted to the City of Springfield or to cities generally. Property owned by and exclusively used by the Commission shall be exempt from taxation and shall be subject to condemnation by the State and any municipal corporation or agency of the State for any State or municipal purpose under the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

Section 95-10-135. The Park District Code is amended by changing Sections 8-1 and 11.1-3 as follows:

Sec. 8-1. General corporate powers. Every park district shall, from the time of its organization, be a body corporate and politic by such name as set forth in the petition for its organization or such name as it may adopt under Section 8-8 hereof and shall have and exercise the following powers:

(a) To adopt a corporate seal and alter the same at pleasure; to sue and be sued; and to contract in furtherance of any of its corporate purposes.

(b) (1) To acquire by gift, legacy, grant or purchase, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, any and all real estate, or rights therein necessary for building, laying out, extending, adorning and maintaining any such parks, boulevards and driveways, or for effecting any of the powers or purposes granted under this Code as its board may deem proper, whether such lands be located within or without such district; but no park district, except as provided in paragraph (2) of this subsection, shall have any power of condemnation in the manner provided for the exercise of the power of eminent domain under the
**Eminent Domain Act** Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, or otherwise as to any real estate, lands, riparian rights or estate, or other property situated outside of such district, but shall only have power to acquire the same by gift, legacy, grant or purchase, and such district shall have the same control of and power over lands so acquired without the district as over parks, boulevards and driveways within such district.

(2) In addition to the powers granted in paragraph (1) of subsection (b), a park district located in more than one county, the majority of its territory located in a county over 450,000 in population and none of its territory located in a county over 1,000,000 in population, shall have condemnation power in the manner provided for the exercise of the power of eminent domain under the **Eminent Domain Act** Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, or as otherwise granted by law as to any and all real estate situated up to one mile outside of such district which is not within the boundaries of another park district.

(c) To acquire by gift, legacy or purchase any personal property necessary for its corporate purposes provided that all contracts for supplies, materials or work involving an expenditure in excess of $20,000 shall be let to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality, and serviceability, after due advertisement, excepting contracts which by their nature are not adapted to award by competitive bidding, such as contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part, contracts for the printing of finance committee reports and departmental reports, contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness, contracts for utility services such as water, light, heat, telephone or telegraph, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases

New matter indicated by italics - deletions by strikeout
of equipment previously owned by some entity other than the district itself, and contracts for the purchase of magazines, books, periodicals, pamphlets and reports and excepting where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board.

All competitive bids for contracts involving an expenditure in excess of $20,000 must be sealed by the bidder and must be opened by a member or employee of the park board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days notice of the time and place of the bid opening.

For purposes of this subsection, "due advertisement" includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district or, if no newspaper is published in the district, in a newspaper of general circulation in the area of the district.

(d) To pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction, and to effect the objects for which such districts are formed.

(e) To prescribe such fines and penalties for the violation of ordinances as it shall deem proper not exceeding $1,000 for any one offense, which fines and penalties may be recovered by an action in the name of such district in the circuit court for the county in which such violation occurred. The park district may also seek in the action, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations, and the court shall grant such relief where appropriate. The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of such district.
(f) To manage and control all officers and property of such districts and to provide for joint ownership with one or more cities, villages or incorporated towns of real and personal property used for park purposes by one or more park districts. In case of joint ownership, the terms of the agreement shall be fair, just and equitable to all parties and shall be set forth in a written agreement entered into by the corporate authorities of each participating district, city, village or incorporated town.

(g) To secure grants and loans, or either, from the United States Government, or any agency or agencies thereof, for financing the acquisition or purchase of any and all real estate, or rights therein, or for effecting any of the powers or purposes granted under this Code as its Board may deem proper.

(h) To establish fees for the use of facilities and recreational programs of the districts and to derive revenue from non-resident fees from their operations. Fees charged non-residents of such district need not be the same as fees charged to residents of the district. Charging fees or deriving revenue from the facilities and recreational programs shall not affect the right to assert or utilize any defense or immunity, common law or statutory, available to the districts or their employees.

(i) To make contracts for a term exceeding one year, but not to exceed 3 years, notwithstanding any provision of this Code to the contrary, relating to: (1) the employment of a park director, superintendent, administrator, engineer, health officer, land planner, finance director, attorney, police chief, or other officer who requires technical training or knowledge; (2) the employment of outside professional consultants such as engineers, doctors, land planners, auditors, attorneys, or other professional consultants who require technical training or knowledge; and (3) the provision of data processing equipment and services. With respect to any contract made under this subsection (i), the corporate authorities shall include in the annual appropriation ordinance for each fiscal year an appropriation of a sum of money sufficient to pay the amount which, by the terms of the contract, is to become due and payable during that fiscal year.

New matter indicated by italics - deletions by strikeout
(j) To enter into licensing or management agreements with not-for-profit corporations organized under the laws of this State to operate park district facilities if the corporation covenants to use the facilities to provide public park or recreational programs for youth.

(Source: P.A. 92-614, eff. 7-8-02; 93-897, eff. 1-1-05.)

(70 ILCS 1205/11.1-3) (from Ch. 105, par. 11.1-3)

Sec. 11.1-3. A park district, to carry out the purposes of this Article, has all the rights and powers over its harbor as it does over its other property, and its rights and powers include but are not limited to the following:

(a) To furnish complete harbor facilities and services, including but not limited to: launching, mooring, docking, storing, and repairing facilities and services; parking facilities for motor vehicles and boat trailers; and roads for access to the harbor.

(b) To acquire by gift, legacy, grant, purchase, lease, or by condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, any property necessary or appropriate for the purposes of this Article, including riparian rights, within or without the park district.

(c) To use, occupy and reclaim submerged land under the public waters of the State and artificially made or reclaimed land anywhere within the jurisdiction of the park district, or in, over, and upon bordering public waters.

(d) To acquire property by agreeing on a boundary line in accordance with the procedures set forth in Sections 11-123-8 and 11-123-9 of the Illinois Municipal Code, as amended.

(e) To locate and establish dock, shore and harbor lines.

(f) To license, regulate, and control the use and operation of the harbor, including the operation of all water-borne vessels in the harbor and within 1000 feet of the outer limits of the harbor, or otherwise within the jurisdiction of the park district, except that such park district shall not forbid the full and free use by the public of all navigable waters, as provided by Federal Law.

New matter indicated by italics - deletions by strikeout
(g) To charge and collect fees for all facilities and services, and compensation for materials furnished.

(h) To appoint harbor masters and other personnel, defining their duties and authority.

(i) To enter into contracts and leases of every kind, dealing in any manner with the objects and purposes of this Article, upon such terms and conditions as the park district determines.

(Source: P.A. 83-388.)

Section 95-10-140. The Park Commissioners Land Condemnation Act is amended by changing Section 2 as follows:

(70 ILCS 1225/2) (from Ch. 105, par. 55)

Sec. 2. Such park commissioners are hereby vested with power to take and acquire title to such pieces or parcels of land as may be necessary for such widening, and may proceed to procure the condemnation of the same in the manner prescribed for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure; the provisions of which said Article are hereby extended to said park commissioners.

(Source: P.A. 82-783.)

Section 95-10-145. The Park Commissioners Water Control Act is amended by changing Section 1 as follows:

(70 ILCS 1230/1) (from Ch. 105, par. 92)

Sec. 1. Every board of park commissioners existing under the laws of this state, which has now, or may hereafter have or acquire control over any public park, boulevard or driveway bordering upon any public waters in this state shall have the power to extend such park, boulevard or driveway over and upon the bed of such public waters, and that every board of park commissioners existing under the laws of this state, which now has, or may hereafter have or acquire, control over two or more separate public parks, whether they constitute a part of one park system or not, bordering upon any public waters in this state, shall have power to connect the same by constructing a park, boulevard, driveway or parkway, extending over and upon the submerged land and bed of such public waters, and over and upon any lands adjacent to or adjoining upon or

New matter indicated by italics - deletions by strikeout
penetrating into such waters, and may extend any such park by constructing a park, boulevard, driveway or parkway over any private property, and over any navigable river or any part thereof which lies within the territory, the property of which shall be taxable for the maintenance of the park under the control of said board of park commissioners, so as to connect such park, boulevard, driveway or parkway with any park, boulevard, driveway or parkway now or hereafter constructed, and connected with or forming a part of any other park system; and in extending such park or in constructing such park, boulevard, driveway or parkway, the said board of park commissioners may construct such viaducts, bridges or tunnels or parts of viaducts, bridges or tunnels, within its said territory as to it may seem necessary, and that every such board of park commissioners may acquire the lands, or the riparian or other rights of the owners of lands, or both, whether of individuals or corporations, on the shores adjacent to or adjoining the public waters or rivers in which it is proposed to construct any such park, boulevard, driveway or parkway, or extension or connection, also the title of the private or public owners, if any there be, to lands lying beneath, adjacent to or adjoining such public waters or rivers, also the title of any lands penetrating into such public waters and the title of any lands into, upon or over which it is proposed to construct any such park, boulevard, driveway or parkway or any such extension or connection, or any viaduct, bridge or tunnel forming a part thereof, by contract with or deed from any such owner or owners, whether individuals or corporations, or by condemnation: Provided, however, that no extension which shall be made shall interfere with the practical navigation of such public waters or rivers for the purposes of commerce, without due authority from the proper official of the United States government having control thereof. Said board of park commissioners and said riparian or adjacent owners are hereby authorized to agree upon a boundary line dividing such adjacent, adjoining, submerged and penetrating lands, acquired or to be acquired by said board of park commissioners, and such adjacent, adjoining, submerged and penetrating lands to be taken, owned and used by said riparian or other owners in lieu of and as compensation for the release of said lands and riparian rights to
said board of park commissioners. In case said board of park commissioners are unable to agree with and such owner or owners or persons interested, either as to such boundary or dividing line and such lands to be taken by such riparian or other owners and persons interested as compensation for the release and granting of such lands and riparian or other rights or in case the compensation to be paid for or in respect of the property, riparian or other rights, the adjacent, adjoining, submerged and penetrating or other lands sought to be appropriated or damaged for the purposes mentioned in this act, cannot be agreed upon by the parties interested, or in case the owner of the property is incapable of consenting, or his name or residence is unknown, or he is a non-resident of the state, or, if in any event, the said board of park commissioners shall elect to acquire the riparian or other rights, or the adjacent, adjoining, submerged, and penetrating or other lands, or any such rights or lands, proceedings may be had to condemn the said riparian or other rights and the said adjacent, adjoining, submerged and penetrating or other lands, or any of them, according to the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, and amendments thereto.

(Source: P.A. 82-783.)

Section 95-10-150. The Park Commissioners Street Control (1889) Act is amended by changing Section 2 as follows:

(70 ILCS 1250/2) (from Ch. 105, par. 126)

Sec. 2. Whenever any such board of park commissioners shall determine to extend any such boulevard or driveway under this Act, said board shall prepare a plan of such proposed extension, and make an estimate of the cost thereof, and shall obtain the consent in writing of the owners of at least two-thirds of the frontage of all of the lands not appropriated to or held for public use abutting on such public waters, in front of which it is proposed to extend such boulevard or driveway for the making of such extension, and shall also obtain the consent of the supervisor and assessor corporate authorities of the town or towns in which the lands abutting on such public waters in front of such proposed extension may lie, to the making of such extension. The riparian or other

New matter indicated by italics - deletions by strikeout
rights of the owners of lands on the shore adjoining the waters in which it is proposed to construct such extension, the said board of park commissioners may acquire by contract with or deeds from any such owner; and in case of inability to agree with any such owner, proceedings may be had to condemn such rights according to the provisions of the Eminent Domain Act article nine of an act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and the amendments thereof. 

(Source: Laws 1889, p. 212.)

Section 95-10-155. The Park District Aquarium and Museum Act is amended by changing Section 1 as follows:

(70 ILCS 1290/1) (from Ch. 105, par. 326)

Sec. 1. The corporate authorities of cities and park districts having the control or supervision of any public park or parks, are hereby authorized to purchase, erect and maintain within any public park or parks under the control or supervision of such corporate authorities, edifices to be used as aquariums or as museums of art, industry, science or natural or other history, or to permit the directors or trustees of any corporation or society organized for the construction or maintenance and operation of an aquarium or museum as hereinabove described to erect, enlarge, ornament, build, rebuild, rehabilitate, improve, maintain and operate its aquarium or museum or museums within any public park now or hereafter under the control or supervision of any city or park district, and to contract with any such directors or trustees of any such aquarium, museum or museums relative to the erection, enlargement, ornamentation, building, rebuilding, rehabilitation, improvement, maintenance and operation thereof. Any city or park district may charge, or permit such an aquarium or museum to charge, an admission fee. Any such aquarium or museum, however, shall be open without charge, when accompanied by a teacher, to the children in actual attendance upon grades kindergarten through twelve in any of the schools in this State at all times. Any such aquarium or museum, however, must be open to the public without charge for a period equivalent to 52 days, at least 6 of which must be during the period from June through August, each year. Notwithstanding said provisions, charges may be made

New matter indicated by italics - deletions by strikeout
at any time for special services and for admission to special facilities within any aquarium or museum for the education, entertainment or convenience of visitors. The proceeds of such admission fees and charges for special services and special facilities shall be devoted exclusively to the purposes for which the tax authorized by Section 2 hereof may be used. If any owner or owners of any lands or lots abutting or fronting on any such public park, or adjacent thereto, have any private right, easement, interest or property in such public park appurtenant to their lands or lots or otherwise, which would be interfered with by the erection and maintenance of any aquarium or museum as hereinbefore provided, or any right to have such public park remain open or vacant and free from buildings, the corporate authorities of the city or park district having control of such park, may condemn the same in the manner prescribed for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended.

(Source: P.A. 91-918, eff. 7-7-00; 92-553, eff. 1-1-03.)

Section 95-10-160. The Park District Elevated Highway Act is amended by changing Section 5 as follows:

(70 ILCS 1310/5) (from Ch. 105, par. 327h)

Sec. 5. Whenever the making of any part of an improvement or the locating of a route or any part thereof under the provisions of this Act will require that private property or property devoted to a public or semi-public use be acquired, the board of park commissioners, in its name, shall have the right and power to purchase the necessary property from the owner thereof, or, if compensation therefor cannot be agreed upon, to acquire and pay for said property together with any damage to land not taken, in accordance with the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended, provided, however, that the board of park commissioners shall not be required, in any case, to furnish bond.

(Source: P.A. 82-783.)

Section 95-10-165. The Chicago Park District Act is amended by changing Sections 15, 25.1, and 26.3 as follows:

(70 ILCS 1505/15) (from Ch. 105, par. 333.15)
Sec. 15. Acquisition of real estate.

(a) The Chicago Park District may acquire by gift, grant, purchase, or condemnation (and may incur indebtedness for the purchase of) any real estate lands, riparian estates or rights, and other property (including abandoned railroad rights-of-way) required or needed for any park, for parkways, driveways, or boulevards, or for extending, adorning, or maintaining the same for the purpose of establishing, acquiring, completing, enlarging, ornamenting, building, rebuilding, and improving public parks, boulevards, bridges, subways, viaducts, and approaches thereto, wharfs, piers, jetties, air landing fields and basins, shore protection works, pleasure grounds and ways, walks, pathways, driveways, roadways, highways, and all public works, grounds, or improvements under the control of and within the jurisdiction of the park commissioners, including (i) filling in submerged land for park purposes, (ii) constructing all buildings, field houses, stadiums, shelters, conservatories, museums, service shops, power plants, structures, playground devices, and boulevard and building lighting systems, and (iii) building all other types of permanent improvement and construction necessary to render the property under the control of the park commissioners usable for the enjoyment of that property as public parks, parkways, boulevards, and pleasureways, whether the land is located within or without the district, if the land is deemed necessary for park purposes or for parkways, driveways, or boulevards. The Chicago Park District shall have no power of condemnation, however, as to real estate lands, riparian rights or estates, or other property located outside the district, but shall only have power to acquire that property by gift, grant, or purchase.

(b) After December 31, 1958, the powers granted in this Section are subject to and limited by the Chicago Park and City Exchange of Functions Act. As provided in that Act and in Section 7 of this Act, the Chicago Park District may not after that date acquire, extend, and maintain boulevards, driveways, roadways, and highways used as thoroughfares for vehicular traffic into or within parks, or any bridges, subways, viaducts, and approaches thereto.

New matter indicated by italics - deletions by strikeout
(c) The Chicago Park District may acquire by lease or permit the right to occupy and use real estate lands and riparian estates for park and parkway purposes and may improve, maintain, and equip the lands and estates when authorized by the Commissioners.

(d) The power of condemnation conferred by this Act shall be exercised in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(Source: P.A. 90-695, eff. 1-1-99.)

(70 ILCS 1505/25.1) (from Ch. 105, par. 333.23b)

Sec. 25.1. The Chicago Park District is hereby authorized to: (a) Acquire by purchase or otherwise, own, construct, equip, manage, control, erect, improve, extend, maintain and operate motor vehicle parking lot or lots, underground garage or garages, parking meters, and any other revenue producing facilities necessary or incidental to the regulation, control and parking of motor vehicles (hereinafter referred to as parking facilities), as the Commissioners of the Chicago Park District may from time to time find the necessity therefor exists, and for that purpose may acquire property of any and every kind or description, whether real, personal or mixed, by gift, purchase or otherwise;

(b) Maintain, improve, extend and operate any such parking facilities and charge for the use thereof;

(c) Enter into contracts dealing in any manner with the objects and purposes of sections 25.1 to 25.9, both inclusive, of this Act as now enacted and as may hereafter be amended;

(d) Acquire sites and facilities by gift, lease, contract, purchase or condemnation under power of eminent domain, and to pledge the revenues thereof for the payment of any bonds issued for such purpose as provided for in sections 25.1 to 25.9, both inclusive, of this Act as now enacted and as may hereafter be amended. In all cases where property or rights are acquired or sought to be acquired by condemnation the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended, and as may hereafter be amended;

New matter indicated by italics - deletions by strikeout
(e) Borrow money and issue and sell bonds in such amount or amounts as the Commissioners may determine for the purpose of acquiring, completing, erecting, constructing, equipping, improving, extending, maintaining or operating any or all of its parking facilities, and to refund and refinance the same from time to time as often as it shall be advantageous and to the public interest to do so.

(Source: P.A. 82-783.)

(70 ILCS 1505/26.3) (from Ch. 105, par. 333.23n)

Sec. 26.3. The Chicago Park District, to carry out the purposes of this section, has all the rights and powers over its harbor as it does over its other property, and its rights and powers include but are not limited to the following:

(a) To furnish complete harbor facilities and services, including but not limited to: launching, mooring, docking, storing, and repairing facilities and services; parking facilities for motor vehicles and boat trailers; and roads for access to the harbor.

(b) To acquire by gift, legacy, grant, purchase, lease, or by condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended, any property necessary or appropriate for the purposes of this Section, including riparian rights, within or without the Chicago Park District.

(c) To use, occupy and reclaim submerged land under the public waters of the State and artificially made or reclaimed land anywhere within the jurisdiction of the Chicago Park District, or in, over, and upon bordering public waters.

(d) To acquire property by agreeing on a boundary line in accordance with the provisions of "An Act to enable the commissioners of Lincoln Park to extend certain parks, boulevards and driveways under its control from time to time and granting submerged lands for the purpose of such extensions and providing for the acquisition of riparian rights and shore lands and interests therein for the purpose of such extensions and to defray the cost thereof," approved May 25, 1931, and "An Act to enable Park Commissioners having control of a park or parks bordering upon

New matter indicated by italics - deletions by strikeout
public waters in this state, to enlarge and connect the same from time to
time by extensions over lands and the bed of such waters, and defining the
use which may be made of such extensions, and granting lands for the
purpose of such enlargements," approved May 14, 1903, as amended, and
the other Statutes pertaining to Park Districts bordering on navigable
waters in the State of Illinois.

(e) To locate and establish dock, shore and harbor lines.
(f) To license, regulate, and control the use and operation of the
harbor, including the operation of all water-borne vessels in the harbor, or
otherwise within the jurisdiction of the Chicago Park District.
(g) To establish and collect fees for all facilities and services, and
compensation for materials furnished. Fees charged nonresidents of such
district need not be the same as fees charged to residents of the district.
(h) To appoint a director of special services, harbor masters and
other personnel, defining their duties and authority.
(i) To enter into contracts and leases of every kind, dealing in any
manner with the objects and purposes of this section, upon such terms and
conditions as the Chicago Park District determines.
(j) To establish an impoundment area or areas within the
jurisdiction of the Chicago Park District.
(k) To remove and store within the impoundment area or areas a
water-borne vessel that:

(1) is tied or attached to any docks, piers or buoys or other
moorings in or upon any harbors or waters of the park system in
contravention of those Sections of the Code of the Chicago Park District
pertaining to the use of harbors or any rules promulgated by the general
superintendent thereunder;
(2) is located in the waters or harbors for a period of 12 hours or
more without a proper permit;
(3) is abandoned or left unattended in the waters or harbors that
impedes navigation on the waters;
(4) is impeding navigation on the waters, because the persons in
charge are incapacitated due to injury or illness;

New matter indicated by italics - deletions by strikeout
(5) is abandoned in the waters or harbors for a period of 10 hours or more;

(6) is seized under Article 36 of the Criminal Code of 1961, having been used in the commission of a crime;

(7) is reported stolen and the owner has not been located after a reasonable search.

(l) To impose a duty on the director of special services or other appointed official to manage and operate the impoundment process and to keep any impounded vessel until such vessel is repossessed by the owner or other person legally entitled to possession thereof or otherwise disposed of in accordance with ordinances or regulations established by the Chicago Park District.

(m) To impose fees and charges for redemption of any impounded vessel to cover the cost of towing and storage of the vessel while in custody of the Chicago Park District.

(n) To release any impounded vessel to a person entitled to possession or to dispose of such vessel which remains unclaimed after a reasonable search for the owner has been made in full compliance with ordinances and regulations of the Chicago Park District.

(o) To control, license and regulate, including the establishment of permits and fees therefor, the chartering, renting or letting for hire of any vessel operating on the waters or harbors within the jurisdiction of the Chicago Park District.

(p) To rent storage space to owners of vessels during such seasons and at such fees as are prescribed from time to time in regulations of the Chicago Park District.

(Source: P.A. 83-388.)

Section 95-10-170. The Lincoln Park Commissioners Land Condemnation Act is amended by changing Section 5 as follows:

(70 ILCS 1570/5) (from Ch. 105, par. 82)

Sec. 5. In case the Commissioners of Lincoln Park are unable to agree with the owner or owners of or any persons interested in such adjacent and adjoining lands or interests therein or riparian or other rights appurtenant thereto or are unable to agree upon a boundary line between

New matter indicated by italics - deletions by strikeout
the lands to be held by the Commissioners of Lincoln Park and the lands to be held or retained by such shore owner in lieu of or as compensation for the release of such adjacent or adjoining lands and interest therein and riparian and other rights appurtenant thereto, or in case any owner is incapable of consenting or his name or residence is unknown or he is a non-resident of the State, proceedings may be had to condemn such lands and interests therein and the right to impose restrictions upon the use thereof and the riparian rights appurtenant thereto according to the provisions for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.
(Source: P.A. 82-783.)

Section 95-10-175. The Havana Regional Port District Act is amended by changing Section 8 as follows:
(70 ILCS 1805/8) (from Ch. 19, par. 608)
Sec. 8. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, terminal facilities, and other transportation facilities within the Port District adequate to serve the needs of commerce within the area served by the Port District. The Port District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended, except that no property owned by any municipality within the Port District shall be taken or appropriated without first obtaining consent of the governing body of such municipality.
(Source: P.A. 82-783.)

Section 95-10-180. The Illinois International Port District Act is amended by changing Section 7 as follows:
(70 ILCS 1810/7) (from Ch. 19, par. 158)
Sec. 7. The Port District shall have power to acquire and accept by purchase, lease, gift, grant or otherwise any and all real property, whether a

New matter indicated by italics - deletions by strikeout
fee simple absolute or a lesser estate, and personal property either within or without its corporate limits, or any right therein that may be useful for its purposes and to provide for the development of adequate channels, ports, harbors, terminals, port facilities, and terminal facilities adequate to serve the needs of commerce within the District. The District may acquire by condemnation any and all real property lying within the Lake Calumet area (as hereinbefore defined) and also any and all real property lying within 1/2 mile of the Calumet River or Lake Calumet and the whole of any parcel of real property adjacent to such River or Lake which is wholly within the corporate limits of the City of Chicago even though part of such parcel may be more than 1/2 mile from such River or Lake, whether a fee simple absolute or a lesser estate, or any right or rights therein (including riparian rights) that may be required for its corporate purposes in the manner as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operations of, any common carrier engaged in interstate commerce, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission. The District shall have no power to acquire by condemnation any property other than as prescribed in this Section.

Any property or facility shall be leased or operated, if at all, only by two or more unrelated contracting parties in parcels that are as nearly equal in all respects as practicable unless the Board determines that it is in the best interest of the District to lease the property or facility to a single contracting party.

Also, the District may dedicate to the public for highway purposes any of its real property and such dedications may be subject to such conditions and the retention of such interest therein as may be deemed for the best interest of the District by its Board.
The District may sell, convey, or operate any of its buildings, structures or other improvements located upon District property as may be deemed in the best interest of the District by its Board.

Also, the District, subject to the public bid requirements prescribed in Section 5.02 in respect to public warehouses or public grain elevators, may lease to others for any period of time, not to exceed 99 years, upon such terms as its Board may determine, any of its real property, rights of way or privileges, or any interest therein, or any part thereof, for industrial, manufacturing, commercial, recreational, or harbor purposes, which is in the opinion of the Port District Board no longer required for its primary purposes in the development of port and harbor facilities for the use of public transportation, or which may not be immediately needed for such purposes, but where such leases will in the opinion of the Port District Board aid and promote such purposes, and in conjunction with such leases, the District may grant rights of way and privileges across the property of the District, which rights of way and privileges may be assignable and irrevocable during the term of any such lease and may include the right to enter upon the property of the District to do such things as may be necessary for the enjoyment of such leases, rights of way and privileges, and such leases may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by such Board.

Also, the District shall have the right to grant easements and permits for the use of any such real property, rights of way or privileges which in the opinion of the Board will not interfere with the use thereof by said District for its primary purposes and such easements and permits may contain such conditions and retain such interest therein as may be deemed for the best interest of said District by said Board.

With respect to any and all leases, easements, rights of way, privileges and permits made or granted by the Board, the Board may agree upon and collect the rentals, charges and fees that may be deemed for the best interest by its Board. Such rentals, charges and fees shall be used to defray the reasonable expenses of the District and to pay the principal of and interest on any revenue bonds issued by the District.

New matter indicated by italics - deletions by strikeout
Section 95-10-185. The Illinois Valley Regional Port District Act is amended by changing Section 13 as follows:

Sec. 13. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, terminal facilities, and other transportation facilities within the Port District adequate to serve the needs of commerce within the area served by the Port District. The Port District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended, except that no property owned by any municipality within the Port District shall be taken or appropriated without first obtaining consent of the governing body of such municipality.

Section 95-10-190. The Jackson-Union Counties Regional Port District Act is amended by changing Section 5 as follows:

Sec. 5. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities and terminal facilities adequate to serve the needs of commerce within the District. The District shall also have the power to acquire and accept, by purchase, lease, gift, grant, or otherwise, any property and rights useful for its purpose, and to provide for the development, ownership, and construction of industrial sites, plants, and facilities, including, but not limited to, plants and facilities for ethanol and its by-products. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter

New matter indicated by italics - deletions by strikeout
amended; except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operations of, any common carrier engaged in interstate commerce, or of any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission. Notwithstanding the provisions of any other Section of this Act, the District shall have full power and authority to lease any or all of its facilities for operation and maintenance to any person for such length of time and upon such terms as the District shall deem necessary.

Also the District may lease to others for any period of time, not to exceed 99 years, upon such terms as its Board may determine, any of its real property, rights of way or privileges, or any interest therein, or any part thereof, for industrial, manufacturing, commercial or harbor purposes, which is in the opinion of the Port District Board no longer required for its primary purposes in the development of port and harbor facilities for the use of public transportation, or which may not be immediately needed for such purposes, but where such leases will in the opinion of the Port District Board aid and promote such purposes, and in conjunction with such leases, the District may grant rights of way and privileges across the property of the District, which rights of way and privileges may be assignable and irrevocable during the term of any such lease and may include the right to enter upon the property of the District to do such things as may be necessary for the enjoyment of such leases, rights of way and privileges, and such leases may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by such Board.

Also, the District shall have the right to grant easements and permits for the use of any such real property, rights of way or privileges which in the opinion of the Board will not interfere with the use thereof by the District for its primary purposes and such easements and permits may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by the Board.
With respect to any and all leases, easements, rights of way, privileges and permits made or granted by the Board, the Board may agree upon and collect the rentals, charges and fees that may be deemed for the best interest of the District. Such rentals, charges and fees shall be used to defray the reasonable expenses of the District and to pay the principal of and interest on any revenue bonds issued by the District.

(Source: P.A. 89-78, eff. 6-30-95.)

Section 95-10-195. The Joliet Regional Port District Act is amended by changing Section 5 as follows:

(70 ILCS 1825/5) (from Ch. 19, par. 255)

Sec. 5. The District has power to acquire and accept by purchase, lease, gift, grant, or otherwise any property or rights useful for its purposes, and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, and terminal facilities adequate to serve the needs of commerce within the District. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operations of, any common carrier engaged in interstate commerce, or of any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission.

(Source: P.A. 82-783.)

Section 95-10-200. The Kaskaskia Regional Port District Act is amended by changing Section 14 as follows:

(70 ILCS 1830/14) (from Ch. 19, par. 514)

Sec. 14. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, terminal facilities, and other transportation facilities within the Port District adequate to serve the needs

New matter indicated by italics - deletions by strikeout
of commerce within the area served by the Port District. The Port District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore and hereafter amended, except that no property owned by any municipality within the Port District shall be taken or appropriated without first obtaining consent of the governing body of such municipality.
(Source: P.A. 82-783.)

Section 95-10-205. The Mt. Carmel Regional Port District Act is amended by changing Section 6 as follows:

(70 ILCS 1835/6) (from Ch. 19, par. 706)

Sec. 6. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, terminal facilities, aquariums, museums, planetariums, climatrons and any other building or facility which the District has the power to acquire, construct, reconstruct, extend or improve, to serve the needs of commerce within the District. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended; except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by or necessary for the actual operations of any common carrier engaged in interstate commerce, or of any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission; and except that no property owned by any city within the District shall be taken or appropriated without first obtaining the consent of the governing body of such city.
(Source: P.A. 82-783.)

New matter indicated by italics - deletions by strikeout
Section 95-10-210. The Seneca Regional Port District Act is amended by changing Section 5 as follows:

(70 ILCS 1845/5) (from Ch. 19, par. 355)

Sec. 5. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities and terminal facilities adequate to serve the needs of commerce within the District. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operations of, any common carrier engaged in interstate commerce, or of any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission.
(Source: P.A. 82-783.)

Section 95-10-215. The Shawneetown Regional Port District Act is amended by changing Section 5 as follows:

(70 ILCS 1850/5) (from Ch. 19, par. 405)

Sec. 5. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities and terminal facilities adequate to serve the needs of commerce within the District. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operations of, any common carrier engaged in interstate commerce, or of any other

New matter indicated by italics - deletions by strikeout
public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or appropriated by the District without first obtaining the approval of the Illinois Commerce Commission. Notwithstanding the provisions of any other Section of this Act, the District shall have full power and authority to lease any or all of its facilities for operation and maintenance to any person for such length of time and upon such terms as the District shall deem necessary.

Also the District may lease to others for any period of time, not to exceed 99 years, upon such terms as its Board may determine, any of its real property, rights of way or privileges, or any interest therein, or any part thereof, for industrial, manufacturing, commercial or harbor purposes, which is in the opinion of the Port District Board no longer required for its primary purposes in the development of port and harbor facilities for the use of public transportation, or which may not be immediately needed for such purposes, but where such leases will in the opinion of the Port District Board aid and promote such purposes, and in conjunction with such leases, the District may grant rights of way and privileges across the property of the District, which rights of way and privileges may be assignable and irrevocable during the term of any such lease and may include the right to enter upon the property of the District to do such things as may be necessary for the enjoyment of such leases, rights of way and privileges, and such leases may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by such Board.

Also, the District shall have the right to grant easements and permits for the use of any such real property, rights of way or privileges which in the opinion of the Board will not interfere with the use thereof by the District for its primary purposes and such easements and permits may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by the Board.

With respect to any and all leases, easements, rights of way, privileges and permits made or granted by the Board, the Board may agree upon and collect the rentals, charges and fees that may be deemed for the best interest of the District. Such rentals, charges and fees shall be used to

New matter indicated by italics - deletions by strikeout
defray the reasonable expenses of the District and to pay the principal of
and interest on any revenue bonds issued by the District.
(Source: P.A. 82-783.)

Section 95-10-220. The Tri-City Regional Port District Act is
amended by changing Section 5 as follows:

(70 ILCS 1860/5) (from Ch. 19, par. 288)

Sec. 5. The District has power to acquire and accept by purchase,
lease, gift, grant or otherwise any property and rights useful for its
purposes and to provide for the development of channels, ports, harbors,
airports, airfields, terminals, port facilities and terminal facilities adequate
to serve the needs of commerce within the District. The District may
acquire real or personal property or any rights therein in the manner, as
near as may be, as is provided for the exercise of the right of eminent
domain under the Eminent Domain Act Article VII of the Code of Civil
Procedure, as heretofore or hereafter amended; except that no rights or
property of any kind or character now or hereafter owned, leased,
controlled or operated and used by, or necessary for the actual operations
of, any common carrier engaged in interstate commerce, or of any other
public utility subject to the jurisdiction of the Illinois Commerce
Commission, shall be taken or appropriated by the District without first
obtaining the approval of the Illinois Commerce Commission and except
that no property owned by any city or village within the District shall be
taken or appropriated without first obtaining the consent of such city or
village.

Also, the District may lease to others for any period of time, not to
exceed 99 years, upon such terms as its Board may determine, any of its
real property, rights of way or privileges, or any interest therein, or any
part thereof, for industrial, manufacturing, commercial or harbor purposes.
In conjunction with such leases, the District may grant rights of way and
privileges across the property of the District, which rights of way and
privileges may be assignable and irrevocable during the term of any such
lease and may include the right to enter upon the property of the District to
do such things as may be necessary for the enjoyment of such leases, rights
of way and privileges, and such leases may contain such conditions and

New matter indicated by italics - deletions by strikeout
retain such interest therein as may be deemed for the best interest of the District by such Board.

Also, the District shall have the right to grant easements and permits for the use of any such real property, rights of way or privileges which in the opinion of the Board will not interfere with the use thereof by the District for its primary purposes and such easements and permits may contain such conditions and retain such interest therein as may be deemed for the best interest of the District by the Board.

With respect to any and all leases, easements, rights of way, privileges and permits made or granted by the Board, the Board may agree upon and collect the rentals, charges and fees that may be deemed for the best interest of the District. Except as provided in this Act for interim financing, such rentals, charges and fees shall be used to defray the reasonable expenses of the District and to pay the principal of and interest on any revenue bonds issued by the District.

(Source: P.A. 82-783.)

Section 95-10-225. The Waukegan Port District Act is amended by changing Section 5 as follows:

(70 ILCS 1865/5) (from Ch. 19, par. 183)

Sec. 5. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities and terminal facilities and merchandising, commercial and industrial areas incidental to the ownership and operation of an airport terminal facility adequate to serve the needs of commerce within the District. The District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, except that no rights or property of any kind or character now or hereafter owned, leased, controlled or operated and used by, or necessary for the actual operation of, any common carrier engaged in interstate commerce, or of any other public utility subject to the jurisdiction of the Illinois Commerce Commission, shall be taken or

New matter indicated by italics - deletions by strikeout
appropriated by the District without first obtaining the approval of that
Commission. The District has the power to lease, sell, exchange and
mortgage real and personal property for any of the purposes for which it
may acquire property under the terms of this Act. Any conveyance or
mortgage by the District shall be signed by its Chairman and attested by its
Secretary.
(Source: P.A. 82-783.)

Section 95-10-230. The White County Port District Act is amended
by changing Section 8 as follows:

(70 ILCS 1870/8) (from Ch. 19, par. 758)

Sec. 8. The District has power to acquire and accept by purchase,
lease, gift, grant or otherwise any property and rights useful for its
purposes and to provide for the development of channels, ports, harbors,
airports, airfields, terminals, port facilities, terminal facilities, and other
transportation facilities within the Port District adequate to serve the needs
of commerce within the area served by the Port District. The Port District
may acquire real or personal property or any rights therein in the manner,
as near as may be, as is provided for the exercise of the right of eminent
domain under the Eminent Domain Act Article VII of the Code of Civil
Procedure, as now or hereafter amended, except that no property owned by
any municipality within the Port District shall be taken or appropriated
without first obtaining the consent of the governing body of such
municipality.
(Source: P.A. 82-783.)

Section 95-10-235. The Railroad Terminal Authority Act is
amended by changing Section 16 as follows:

(70 ILCS 1905/16) (from Ch. 114, par. 376)

Sec. 16. Acquisition of area. Upon approval of the determination as
provided in the preceding section, the Railroad Terminal Authority may
proceed to acquire by gift, purchase, legacy, or by the exercise of the
power of eminent domain the fee simple title to the real property located
within the area or areas described in such determination including
easements and reversionary interests in the streets, alleys and other public
places and personal property, required for its purposes, and title thereto

New matter indicated by italics - deletions by strikeout
shall be taken in the corporate name of the Authority. Any such property which is already devoted to a public use may nevertheless be acquired, provided that no property belonging to the United States of America or the State of Illinois may be acquired without the consent of such governmental unit. No property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without a prior finding by the Illinois Commerce Commission that the taking would not result in the imposition of an undue burden on intrastate commerce and until the agreements with 3/4 of the railroad companies owning and 3/4 of the railroad companies operating or using Railroad Terminals as provided in subsection (f) of Section 14 of this Act have been obtained, and provided further that obligations heretofore imposed upon any such corporation by the State of Illinois or the United States of America shall remain in force. Condemnation proceedings shall be in all respects in accordance with the Eminent Domain Act Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended. All land and appurtenances thereto, acquired or owned by the Authority are to be deemed acquired or owned for a public use or public purpose.

(Source: P.A. 83-388.)

Section 95-10-240. The Grand Avenue Railroad Relocation Authority Act is amended by changing Section 25 as follows:

(70 ILCS 1915/25)

Sec. 25. Acquisition of property. The Authority shall have the power to acquire by gift, purchase, legacy, or by the exercise of eminent domain the fee simple title to real property located within the boundaries of the Authority, including temporary and permanent easements, as well as reversionary interests in the streets, alleys and other public places and personal property, required for its purposes, and title thereto shall be taken in the corporate name of the Authority. Any such property which is already devoted to a public use may nevertheless be acquired, provided that no property belonging to the United States of America or the State of Illinois may be acquired without the consent of such governmental unit. No property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired

New matter indicated by italics - deletions by strikeout
without a prior finding by the Illinois Commerce Commission that the taking would not result in the imposition of an undue burden on intrastate commerce. Eminent domain proceedings shall be conducted in all respects in the manner provided for the exercise of the right of the eminent domain under the Eminent Domain Act, Article VII of the Code of Civil Procedure. The Authority shall have "quick take" powers for a period of 3 years from the effective date of this Act and continuing for any actions commenced during the 3 years. No condemnation proceedings for the acquisition of new property shall be instituted without the prior concurrence of the effected Railroads in the route, width and title to be acquired thereby. All land and appurtenances thereto, acquired or owned by the Authority, are to be deemed acquired or owned for a public use or public purpose. 

(Source: P.A. 89-134, eff. 7-14-95.)

Section 95-10-245. The River Conservancy Districts Act is amended by changing Section 10a as follows:

(70 ILCS 2105/10a) (from Ch. 42, par. 393)

Sec. 10a. Such conservancy district may acquire by purchase, condemnation or otherwise any and all real and personal property, right of way and privileges whether within or without its corporate limits that may be required for its corporate purposes; and in case any district formed hereunder shall be unable to agree with any person or party upon the terms and amounts for which it may desire to acquire or purchase any such property, it may proceed to acquire the same in accordance with the terms and provisions of this Act.

Whenever the board of trustees of any conservancy district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and may condemn and acquire possession thereof in the same manner as nearly as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act, Article VII of the Code of Civil Procedure, and all amendments thereto. Provided, however, that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be
instituted in the county where the property sought to be taken or damaged is situated; and, provided, that all damages to property whether determined by agreement or by final judgment of court shall be paid, prior to the payment of any other debt or obligation.

When in making any improvements which any district is authorized by this Act to make, it shall be necessary to enter upon and take possession of any public property or properties held for public use, the board of trustees of such district shall have the power to and may acquire the necessary right of way over any other property held for public use in the same manner as is herein provided for acquiring private property, and may enter upon and use the same for the purposes aforesaid: Provided, the public use thereof shall not be unnecessarily interrupted or interfered with, and that the same shall be restored to its former usefulness as soon as possible.
(Source: P.A. 82-783.)

Section 95-10-250. The Sanitary District Act of 1907 is amended by changing Section 18 as follows:

(70 ILCS 2205/18) (from Ch. 42, par. 264)
Sec. 18. Whenever it shall be necessary to take or damage private property for right of way or other purposes, for or in connection with any improvement or work authorized by this Act, such sanitary district may cause compensation therefor to be ascertained, and acquire the same, in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, and amendments thereto: Provided, all such proceedings shall be instituted in the county where the property sought to be taken or damaged, is situate, and all damages or compensation, whether determined by agreement or final judgment of court, shall be paid out of the annual district tax prior to the payment of any other debt or obligation.
(Source: P.A. 82-783.)

Section 95-10-255. The North Shore Sanitary District Act is amended by changing Section 15 as follows:

(70 ILCS 2305/15) (from Ch. 42, par. 291)
Sec. 15. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and condemn and acquire possession thereof in the same manner as nearly as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure. Provided, however, that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases, be instituted in the county where the property sought to be taken or damaged is situated; and provided, that all damages to property, whether determined by agreement or by final judgment of court, shall be paid prior to the payment of any other debt or obligation. 
(Source: P.A. 82-783.)

Section 95-10-260. The Sanitary District Act of 1917 is amended by changing Sections 16.9, 16.10, and 18 as follows:

(70 ILCS 2405/16.9) (from Ch. 42, par. 315.9)

Sec. 16.9. The trustees of the sanitary district may acquire, by purchase or contract with an individual, corporation or municipality, a waterworks sufficient for the needs of the inhabitants of the district. In the event that the trustees are unable to agree with any person, corporation or municipality upon the terms under which it may acquire such a waterworks under this Act, then the right to obtain such waterworks may be acquired by condemnation in a circuit court by proceedings in the manner as near as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended. The compensation or rates to be paid for such waterworks and the manner of payment shall be determined by the judgment of the court wherein such proceedings take place. 
(Source: P.A. 84-1308.)

(70 ILCS 2405/16.10) (from Ch. 42, par. 315.10)

Sec. 16.10. For the purpose of purchasing any waterworks under this Act or for the purpose of purchasing any property necessary therefor,
the district has the right of eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended. (Source: P.A. 82-783.)

(70 ILCS 2405/18) (from Ch. 42, par. 317)

Sec. 18. (a) The board of trustees of any such sanitary district may prevent the pollution of any waters from which a water supply may be obtained by any city, town or village within the district, and may appoint and support a sufficient police force, the members of which may have and exercise police powers over the territory within such drainage district, and over the territory included within a radius of 15 miles from the intake of any such water supply in any such waters, for the purpose of preventing the pollution of the waters, and any interference with any of the property of such sanitary district. Such police officers when acting within the limits of any such city, town or village, shall act in aid of the regular police force thereof, and are subject to the direction of its chief of police, city or village marshals or other head thereof. However, in so doing, they shall not be prevented or hindered from executing the orders and authority of the board of trustees of such sanitary district. Before compelling a change in any method of disposal of sewage so as to prevent the pollution of any water, the board of trustees of such district shall first have provided means to prevent the pollution of the water from sewage or refuse originating from their own sanitary districts.

(b) Where any such sanitary district has constructed a sewage disposal plant and the board of trustees of such district finds that it will promote the public health, comfort or convenience, the board may build and maintain a dam or dams or other structures in any river or stream flowing in or through such district at any point or points within the boundaries of such district or within 3 miles outside the boundaries thereof so as to regulate or control the flow of the waters of such river or stream and the tributaries thereof, but shall not take or damage private property without making just compensation as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

New matter indicated by italics - deletions by strikeout
(c) After the construction of such sewage disposal plant, if the board finds that it will promote the public health, comfort or convenience, such board of trustees may by whatever means necessary, remove debris, refuse and other objectionable matter from, keep clean and wholesome, and dredge, dam, deepen or otherwise improve the channel, bed or banks of any such river or stream, or any portion thereof, within the boundaries of any such sanitary district or within 3 miles outside the boundaries thereof.

(d) After the construction of such sewage disposal plant, if the board finds that it will promote the prevention of pollution of waters of the State, such board of trustees may adopt ordinances or rules and regulations, prohibiting or regulating the discharge to sewers of inadmissible wastes or substances toxic to biological wastewater treatment processes. Inadmissible wastes include those which create a fire or explosion hazard in the sewer or treatment works; those which will impair the hydraulic capacity of sewer systems; and those which in any quantity, create a hazard to people, sewer systems, treatment processes, or receiving waters. Substances that may be toxic to wastewater treatment processes include copper, chromium, lead, zinc, arsenic and nickel and any poisonous compounds such as cyanide or radioactive wastes which pass through wastewater treatment plants in hazardous concentrations and menace users of the receiving waters. Such ordinances or rules and regulations shall be effective throughout the sanitary district, in the incorporated areas as well as the unincorporated areas and all public sewers therein.

(e) The board of trustees of any sanitary district organized under this Act is authorized to apply to the circuit court for injunctive relief or mandamus when, in the opinion of the board of trustees, such relief is necessary to prevent the pollution of any waters from which a water supply may be obtained by any municipality within the district.

(f) The sanitary district shall have the power and authority to prevent the pollution of any waters, as defined in Section 26 of this Act, from which a water supply may be obtained by any city, town or village. The sanitary district, acting through the chief administrative officer of such
sanitary district, shall have the power to commence an action or proceeding in the circuit court in and for the county in which the district is located for the purpose of having the pollution stopped and prevented either by mandamus or injunction. The court shall specify a time, not exceeding 20 days after the service of the copy of the petition, in which the party complained of must answer the petition, and in the meantime, the party be restrained. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances of the case and enter an appropriate order in respect to the matters complained of. An appeal may be taken in the same manner and with the same effect as appeals are taken in other actions for mandamus or injunction. (Source: P.A. 85-1136.)

Section 95-10-265. The Metropolitan Water Reclamation District Act is amended by changing Section 16 as follows:

(70 ILCS 2605/16) (from Ch. 42, par. 336)

Sec. 16. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and condemn and acquire possession thereof in the same manner as nearly as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure. However, proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases, be instituted in the county where the property sought to be taken or damaged is situated and all damages to property whether determined by agreement or by final judgment of court shall be paid out of the annual district tax, prior to the payment of any other debt or obligation. In the event the board of trustees of such sanitary district shall determine that negotiations for the acquisition property for flood control projects or easements for sewers or sewer improvement over, under or upon certain parcels or tracts of land necessary for the right of way for any improvement which such District is authorized to make have proven unsuccessful and the Board of Trustees shall have by resolution adopted a
schedule or plan of operation for the execution of the project and therein made a finding that it is necessary to take such property immediately or at some specified later date in order to comply with the schedule, the Board may commence proceedings to acquire such property or easements in the same manner provided in Article 20 of the Eminent Domain Act (quick-take procedure) Sections 7-103 through 7-112 of the Code of Civil Procedure, as amended.

(Source: P.A. 82-783.)

Section 95-10-270. The Sanitary District Act of 1936 is amended by changing Sections 24, 26i, 26j, 27, 32k, and 32l as follows:

(70 ILCS 2805/24) (from Ch. 42, par. 435)

Sec. 24. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and may condemn and acquire possession thereof in the same manner as nearly as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, and all amendments thereto: Provided, however, that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be instituted in the county where the property sought to be taken or damaged is situated: And, provided, that all damages to property whether determined by agreement or by final judgment of court shall be paid, prior to the payment of any other debt or obligation.

(Source: P.A. 82-783.)

(70 ILCS 2805/26i) (from Ch. 42, par. 437i)

Sec. 26i. The trustees of the sanitary district may acquire, by purchase or contract with an individual, corporation or municipality, a drainage system sufficient for the needs of the inhabitants of the district. In the event that the trustees are unable to agree with any person, corporation or municipality upon the terms under which it may acquire such a drainage system under this Act, then the right to obtain such drainage system may be acquired by condemnation in a circuit court by proceedings in the

New matter indicated by italics - deletions by strikeout
manner as near as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended. The compensation or rates to be paid for such drainage system and the manner of payment shall be determined by the judgment of the court wherein such proceedings take place.

(Source: P.A. 84-1308.)

(70 ILCS 2805/26j) (from Ch. 42, par. 437j)

Sec. 26j. For the purpose of purchasing any drainage system under this act or for the purpose of purchasing any property necessary therefor, the district has the right of eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(Source: P.A. 82-783.)

(70 ILCS 2805/27) (from Ch. 42, par. 438)

Sec. 27. (a) The board of trustees of any such sanitary district shall have power and authority to prevent the pollution of any waters from which a water supply may be obtained within said sanitary district, and shall have the right and power to appoint and support a sufficient police force, the members of which shall have and may exercise police powers over the territory within such sanitary district and over the territory included within a radius of fifteen miles from the intake of any such water supply, for the purpose of preventing the pollution of said waters, and over any interference with any of the property of such sanitary district: Provided, that before compelling a change in any method of disposal of sewage so as to prevent the said pollution of any water, the board of trustees of such sanitary district shall first have provided means to prevent the pollution of said water from sewage or refuse originating from their own sanitary districts.

(b) Where any such sanitary district has constructed a sewage disposal plant and the board of trustees of such district finds that it will conduce to the public health, comfort or convenience, said board shall have power and authority to build and maintain a dam or dams or other structures in any river or stream flowing in or through such district at any point or points within the boundaries of such district or within three miles outside the boundaries thereof so as to regulate or control the flow of the

New matter indicated by italics - deletions by strikeout
waters of such river or stream and the tributaries thereof, but shall not take or damage private property without making just compensation as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(c) After the construction of such sewage disposal plant, if said board finds that it will conduce to the public health, comfort or convenience, such board of trustees shall have power by whatever means necessary to remove debris, refuse and other objectionable matter from, keep clean and wholesome, and dredge, dam, deepen or otherwise improve the channel, bed or banks of any such river or stream, or any portion thereof, within the boundaries of any such sanitary district or within three miles outside the boundaries thereof.

(d) The board of trustees of any sanitary district organized under this Act is authorized to apply to the circuit court for injunctive relief or mandamus when, in the opinion of the board of trustees, such relief is necessary to prevent the pollution of any waters from which a water supply may be obtained within the district.

(e) The sanitary district shall have the power and authority to prevent the pollution of any waters from which a water supply may be obtained by any city, town or village. The sanitary district, acting through the chief administrative officer of such sanitary district, shall have the power to commence an action or proceeding in the circuit court in and for the county in which the district is located for the purpose of having the pollution stopped and prevented either by mandamus or injunction. The court shall specify a time, not exceeding 20 days after the service of the copy of the petition, in which the party complained of must answer the petition, and in the meantime, the party be restrained. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances of the case and enter an appropriate order in respect to the matters complained of. An appeal may be taken in the same manner and with the same effect as appeals are taken in other actions for mandamus or injunction.

(Source: P.A. 85-1136.)

(70 ILCS 2805/32k) (from Ch. 42, par. 443k)

New matter indicated by italics - deletions by strikeout
Sec. 32k. The trustees of the sanitary district may acquire, by purchase or contract with an individual, corporation or municipality, a water supply sufficient for diluting and flushing its sewer system and for the needs of the inhabitants of the district. In the event that the trustees shall be unable to agree with any person, corporation or municipality upon the terms under which it may acquire such a water supply under this act, then the right to obtain such a supply may be acquired by condemnation in any court of competent jurisdiction by proceedings in the manner as near as may be as is provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended. The compensation or rates to be paid for such supply of water and the manner of payment shall be as may be determined by the decree or judgment of the court wherein such proceedings may be had.

(Source: P.A. 84-545.)

Sec. 32l. For the purpose of purchasing any waterworks under this act or for the purpose of purchasing any property necessary therefor, the district has the right of eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(Source: P.A. 82-783.)

Section 95-10-275. The Sanitary District Revenue Bond Act is amended by changing Section 10 as follows:

Sec. 10. For the purpose of improving or extending, or constructing or acquiring and improving and extending any sewerage system under this Act, a sanitary district has the right to acquire any property necessary or appropriate therefor by eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

(Source: P.A. 82-783.)

Section 95-10-280. The Illinois Sports Facilities Authority Act is amended by changing Section 12 as follows:

Sec. 12. Acquisition of property. The Authority may acquire in its own name, by gift or purchase, any real or personal property, or interests in

New matter indicated by italics - deletions by strikeout
real or personal property, necessary or convenient to carry out its corporate purposes. The Authority may acquire by eminent domain, by complaint filed before July 1, 1991 pursuant to Article VII of the Code of Civil Procedure (now the Eminent Domain Act), as amended; and the Authority may acquire by immediate vesting of title, commonly referred to as "quick take", pursuant to Sections 7-103 through 7-112 of the Code of Civil Procedure (now Article 20 of the Eminent Domain Act), as amended; real or personal property or interests in real or personal property located within any of the following described parcels:

Parcel A:
That property located within the City of Chicago bounded by 33rd Street on the North, Normal Street on the West, 35th Street on the South and the Western most part of the right-of-way of the Chicago and Western Indiana R.R. on the East.

Parcel B:
That property located within the City of Chicago bounded by 33rd Street on the North, the Eastern most part of the right-of-way of the Conrail R.R. on the West, 37th Street on the South and Wentworth Avenue on the East with the exception of the following: Lots 1 to 10, inclusive, and Lot 13 in Le Moyne's Subdivision of the South 1/2 of Block 19 of Canal Trustees' Subdivision of Section 33, Township 39 North, Range 14, East of the Third Principal Meridian, together with those parts of the East 1/2 of the vacated North and South 16 foot alley in said subdivision lying West of and adjoining said lots;
also excepting
Lots 42, 43, 44 and 45 in Le Moyne's Subdivision aforesaid together with the North 1/2 of the vacated East and West 16 foot alley in said subdivision lying South of and adjoining said Lot 45, and also those parts of the West 1/2 of the vacated North and South 16 foot alley in said subdivision lying East of and adjoining said Lots 42, 43, 44 and 45 and the North 1/2 of the vacated East and West 16 foot alley lying South of and adjoining said Lot 45;
also excepting

New matter indicated by italics - deletions by strikeout
Lots 14 to 23, inclusive, and Lot 24 (except the North 16 feet thereof) in Le Moyne's Subdivision of the South 1/2 of Block 19 of Canal Trustees' Subdivision of Section 33, Township 39 North, Range 14, East of the Third Principal Meridian, together with those parts of the East 1/2 of the vacated North and South 16 foot alley in said subdivision lying West of and adjoining said lots and part of lot;

also excepting
Lots 27 to 37, inclusive, in Le Moyne's Subdivision aforesaid together with that part of the South 1/2 of the vacated East and West 8 foot alley in said subdivision lying North of and adjoining said Lot 27, and also those parts of the West 1/2 of the vacated North and South 16 foot alley said subdivision lying East of and adjoining said Lots 28 to 37, inclusive, and that part of said Lot 27 lying South of the South line of the North 16 feet of Lot 24 in said subdivision extended West, all in Cook County, Illinois.

Parcel C:
That property located within the City of Chicago bounded by 37th Street on the North, the Eastern most part of the right-of-way of the Conrail R.R. on the West, 39th Street on the South and Princeton Ave on the East.

Provided, however, that the Authority shall not have the power to acquire by eminent domain any property located within Parcel A, Parcel B or Parcel C which was, on January 1, 1987, owned, leased, used or occupied by the City of Chicago, the Chicago Board of Education, the Chicago Housing Authority, the Chicago Park District, or any other public body.

(Source: P.A. 85-1034.)

Section 95-10-285. The Surface Water Protection District Act is amended by changing Section 16 as follows:

(70 ILCS 3405/16) (from Ch. 42, par. 463)

Sec. 16. The board of trustees of any surface water protection district has the power: to adopt and enforce ordinances for the necessary protection from surface water damage; to acquire real and personal property, rights of way and privileges either within or without its corporate limits that may be required for its corporate purposes; and to acquire or

New matter indicated by italics - deletions by strikeout
construct structures necessary to exercise the powers herein conferred and
to dispose of such property and structures when no longer needed.

In acquiring any property, right of way or privilege therein, the
board of trustees may exercise the power of eminent domain in the manner
provided in the Eminent Domain Act Article VII of the Code of Civil
Procedure, as amended.

When, in making any improvement, it is necessary to enter upon
any public property or property held for public use, the board of trustees
may acquire the necessary right of way over or through such property in
the manner herein provided for the acquisition of private property, but the
public use of such property shall not be unnecessarily interrupted or
interfered with and it shall be restored to its former usefulness as soon as
possible.
(Source: P.A. 82-783.)

Section 95-10-290. The Regional Transportation Authority Act is
amended by changing Section 2.13 as follows:

(70 ILCS 3615/2.13) (from Ch. 111 2/3, par. 702.13)

Sec. 2.13. (a) The Authority may take and acquire possession by
eminent domain of any property or interest in property which the Authority
is authorized to acquire under this Act. The power of eminent domain may
be exercised by ordinance of the Authority, and shall extend to all types of
interests in property, both real and personal (including without limitation
easements for access purposes to and rights of concurrent usage of existing
or planned public transportation facilities), whether or not the property is
public property or is devoted to public use and whether or not the property
is owned or held by a public transportation agency, except as specifically
limited by this Act.

(b) The Authority shall exercise the power of eminent domain
granted in this Section in the manner provided for the exercise of the right
of eminent domain under the Eminent Domain Act Article VII of the Code
of Civil Procedure, as now or hereafter amended, except that the Authority
may not exercise the authority provided in Article 20 of the Eminent
Domain Act (quick-take procedure) Sections 7-103 through 7-112 of the
Code of Civil Procedure providing for immediate possession in such

New matter indicated by italics - deletions by strikeout
proceedings, and except that those provisions of Section 10-5-10 of the Eminent Domain Act Section 7-102 of that Code requiring prior approval of the Illinois Commerce Commission in certain instances shall apply to eminent domain proceedings by the Authority only as to any taking or damaging by the Authority of any real property of a railroad not used for public transportation or of any real property of other public utilities.

(c) The Authority may exercise the right of eminent domain to acquire public property only upon the concurrence of 2/3 of the then Directors. In any proceeding for the taking of public property by the Authority through the exercise of the power of eminent domain the venue shall be in the Circuit Court of the county in which the property is located. The right of eminent domain may be exercised over property used for public park purposes, for State Forest purposes or for forest preserve purposes only upon a written finding adopted by concurrence of 2/3 of the then Directors, after public hearing and a written study done for the Authority, that such taking is necessary to accomplish the purposes of this Act, that no feasible alternatives to such taking exist, and that the advantages to the public from such taking exceed the disadvantages to the public of doing so. In any proceeding for the exercise of the right of eminent domain for the taking by the Authority of property used for public park, State forest, or forest preserve purposes, the court shall not order the taking of such property unless it has reviewed and concurred in the findings required of the Authority by this paragraph. No property dedicated as a nature preserve pursuant to the "Illinois Natural Areas Preservation Act", as now or hereafter amended, may be acquired in eminent domain by the Authority.

(Source: P.A. 82-783.)

Section 95-10-295. The Public Water District Act is amended by changing Section 8 as follows:

(70 ILCS 3705/8) (from Ch. 111 2/3, par. 195)

Sec. 8. Whenever the board of trustees of any public water district shall pass an ordinance for the construction or acquisition of any waterworks properties or improvements or extensions which such district is authorized to make, the making of which will require that private

New matter indicated by italics - deletions by strikeout
property be taken or damaged, such district may cause compensation thereof to be ascertained and may condemn and acquire possession thereof in the same manner as nearly as may be as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended; provided, however, that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be instituted in the county where the property sought to be taken or damaged is situated.
(Source: P.A. 82-783.)

Section 95-10-300. The Libraries in Parks Act is amended by changing Section 1 as follows:

(75 ILCS 65/1) (from Ch. 81, par. 41)

Sec. 1. That the corporate authorities of cities and park districts, or any board of park commissioners having the control or supervision of any public park or parks, are hereby authorized to permit any free public library, organized under the terms and provisions of an act entitled, "An Act to encourage and promote the establishment of free public libraries in cities, villages and towns of this State," approved June 17, 1891, in force July 1, 1891, to erect and maintain, at its own expense, its library building within any public park now or hereafter under the control or supervision of such city, park district or board of park commissioners and to contract with any such free public library relative to the erection, maintenance and administration thereof. If any owner or owners of any lands or lots abutting or fronting on any such park, or adjacent thereto, or any other person or persons, have any right, easement, interest or property in such public park appurtenant to their lands or lots, or otherwise, which would be interfered with by the erection and maintenance of any free public library building, as hereinbefore provided, or any right to have such public park, or any part thereof, remain open and vacant and free from any buildings the corporate authorities of the city or park district or any board of park commissioners, having control of such park, may condemn the same in the manner prescribed for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, and the amendments thereto.

New matter indicated by italics - deletions by strikeout
Section 95-10-305. The University of Illinois Act is amended by changing Section 7 as follows:

(110 ILCS 305/7) (from Ch. 144, par. 28)
Sec. 7. Powers of trustees.
(a) The trustees shall have power to provide for the requisite buildings, apparatus, and conveniences; to fix the rates for tuition; to appoint such professors and instructors, and to establish and provide for the management of such model farms, model art, and other departments and professorships, as may be required to teach, in the most thorough manner, such branches of learning as are related to agriculture and the mechanic arts, and military tactics, without excluding other scientific and classical studies. The trustees shall, upon the written request of an employee withhold from the compensation of that employee any dues, payments or contributions payable by such employee to any labor organization as defined in the Illinois Educational Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the trustees shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding. They may accept the endowments and voluntary professorships or departments in the University, from any person or persons or corporations who may offer the same, and, at any regular meeting of the board, may prescribe rules and regulations in relation to such endowments and declare on what general principles they may be admitted: Provided, that such special voluntary endowments or professorships shall not be incompatible with the true design and scope of the act of congress, or of this Act: Provided, that no student shall at any time be allowed to remain in or about the University in idleness, or without full mental or industrial occupation: And provided further, that the trustees, in the exercise of any of the powers conferred by this Act, shall not create any liability or indebtedness in excess of the funds in the hands of the treasurer of the University at the time of creating such liability or indebtedness, and which may be specially and properly applied to the

New matter indicated by italics - deletions by strikeout
payment of the same. Any lease to the trustees of lands, buildings or facilities which will support scientific research and development in such areas as high technology, super computing, microelectronics, biotechnology, robotics, physics and engineering shall be for a term not to exceed 18 years, and may grant to the trustees the option to purchase the lands, buildings or facilities. The lease shall recite that it is subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease.

Leases for the purposes described herein exceeding 5 years shall have the approval of the Illinois Board of Higher Education.

The Board of Trustees may, directly or in cooperation with other institutions of higher education, acquire by purchase or lease or otherwise, and construct, enlarge, improve, equip, complete, operate, control and manage medical research and high technology parks, together with the necessary lands, buildings, facilities, equipment and personal property therefor, to encourage and facilitate (a) the location and development of business and industry in the State of Illinois, and (b) the increased application and development of technology and (c) the improvement and development of the State's economy. The Board of Trustees may lease to nonprofit corporations all or any part of the land, buildings, facilities, equipment or other property included in a medical research and high technology park upon such terms and conditions as the University of Illinois may deem advisable and enter into any contract or agreement with such nonprofit corporations as may be necessary or suitable for the construction, financing, operation and maintenance and management of any such park; and may lease to any person, firm, partnership or corporation, either public or private, any part or all of the land, building, facilities, equipment or other property of such park for such purposes and upon such rentals, terms and conditions as the University may deem advisable; and may finance all or part of the cost of any such park, including the purchase, lease, construction, reconstruction, improvement, remodeling, addition to, and extension and maintenance of all or part of such high technology park, and all equipment and furnishings, by

New matter indicated by italics - deletions by strikeout
legislative appropriations, government grants, contracts, private gifts, loans, receipts from the operation of such high technology park, rentals and similar receipts; and may make its other facilities and services available to tenants or other occupants of any such park at rates which are reasonable and appropriate.

The Trustees shall have power (a) to purchase real property and easements, and (b) to acquire real property and easements in the manner provided by law for the exercise of the right of eminent domain, and in the event negotiations for the acquisition of real property or easements for making any improvement which the Trustees are authorized to make shall have proven unsuccessful and the Trustees shall have by resolution adopted a schedule or plan of operation for the execution of the project and therein made a finding that it is necessary to take such property or easements immediately or at some specified later date in order to comply with the schedule, the Trustees may acquire such property or easements in the same manner provided in Article 20 of the Eminent Domain Act (quick-take procedure) Sections 7-103 through 7-112 of the Code of Civil Procedure.

The Board of Trustees also shall have power to agree with the State's Attorney of the county in which any properties of the Board are located to pay for services rendered by the various taxing districts for the years 1944 through 1949 and to pay annually for services rendered thereafter by such district such sums as may be determined by the Board upon properties used solely for income producing purposes, title to which is held by said Board of Trustees, upon properties leased to members of the staff of the University of Illinois, title to which is held in trust for said Board of Trustees and upon properties leased to for-profit entities the title to which properties is held by the Board of Trustees. A certified copy of any such agreement made with the State's Attorney shall be filed with the County Clerk and such sums shall be distributed to the respective taxing districts by the County Collector in such proportions that each taxing district will receive therefrom such proportion as the tax rate of such taxing district bears to the total tax rate that would be levied against such

New matter indicated by italics - deletions by strikeout
properties if they were not exempt from taxation under the Property Tax Code.

The Board of Trustees of the University of Illinois, subject to the applicable civil service law, may appoint persons to be members of the University of Illinois Police Department. Members of the Police Department shall be peace officers and as such have all powers possessed by policemen in cities, and sheriffs, including the power to make arrests on view or warrants of violations of state statutes and city or county ordinances, except that they may exercise such powers only in counties wherein the University and any of its branches or properties are located when such is required for the protection of university properties and interests, and its students and personnel, and otherwise, within such counties, when requested by appropriate state or local law enforcement officials; provided, however, that such officer shall have no power to serve and execute civil processes.

The Board of Trustees must authorize to each member of the University of Illinois Police Department and to any other employee of the University of Illinois exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the University of Illinois and (ii) contains a unique identifying number. No other badge shall be authorized by the University of Illinois. Nothing in this paragraph prohibits the Board of Trustees from issuing shields or other distinctive identification to employees not exercising the powers of a peace officer if the Board of Trustees determines that a shield or distinctive identification is needed by the employee to carry out his or her responsibilities.

The Board of Trustees may own, operate, or govern, by or through the College of Medicine at Peoria, a managed care community network established under subsection (b) of Section 5-11 of the Illinois Public Aid Code.

The powers of the trustees as herein designated are subject to the provisions of "An Act creating a Board of Higher Education, defining its powers and duties, making an appropriation therefor, and repealing an Act herein named", approved August 22, 1961, as amended.

New matter indicated by italics - deletions by strikeout
The Board of Trustees shall have the authority to adopt all administrative rules which may be necessary for the effective administration, enforcement and regulation of all matters for which the Board has jurisdiction or responsibility.

(b) To assist in the provision of buildings and facilities beneficial to, useful for, or supportive of University purposes, the Board of Trustees of the University of Illinois may exercise the following powers with regard to the area located on or adjacent to the University of Illinois at Chicago campus and bounded as follows: on the West by Morgan Street; on the North by Roosevelt Road; on the East by Union Street; and on the South by 16th Street, in the City of Chicago:

   (1) Acquire any interests in land, buildings, or facilities by purchase, including installments payable over a period allowed by law, by lease over a term of such duration as the Board of Trustees shall determine, or by exercise of the power of eminent domain;

   (2) Sub-lease or contract to purchase through installments all or any portion of buildings or facilities for such duration and on such terms as the Board of Trustees shall determine, including a term that exceeds 5 years, provided that each such lease or purchase contract shall be and shall recite that it is subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent or purchase installments payable under the terms of such lease or purchase contract; and

   (3) Sell property without compliance with the State Property Control Act and retain proceeds in the University Treasury in a special, separate development fund account which the Auditor General shall examine to assure compliance with this Act.

Any buildings or facilities to be developed on the land shall be buildings or facilities that, in the determination of the Board of Trustees, in whole or in part: (i) are for use by the University; or (ii) otherwise advance the interests of the University, including, by way of example, residential facilities for University staff and students and commercial facilities which

New matter indicated by italics - deletions by strikeout
provide services needed by the University community. Revenues from the development fund account may be withdrawn by the University for the purpose of demolition and the processes associated with demolition; routine land and property acquisition; extension of utilities; streetscape work; landscape work; surface and structure parking; sidewalks, recreational paths, and street construction; and lease and lease purchase arrangements and the professional services associated with the planning and development of the area. Moneys from the development fund account used for any other purpose must be deposited into and appropriated from the General Revenue Fund. Buildings or facilities leased to an entity other than the University shall not be subject to any limitations applicable to a State supported college or university under any law. All development on the land and all use of any buildings or facilities shall be subject to the control and approval of the Board of Trustees.

(Source: P.A. 92-370, eff. 8-15-01; 93-423, eff. 8-5-03.)

Section 95-10-310. The University of Illinois at Chicago Land Transfer Act is amended by changing Section 2 as follows:

(110 ILCS 325/2) (from Ch. 144, par. 70.2)

Sec. 2. If the property transferred under Section 1 is held by the Chicago Park District, subject to or limited by any limitation or restriction, The Board of Trustees of the University of Illinois, after its acquisition, may remove such limitation or restriction through purchase, agreement or condemnation. Condemnation proceedings shall be brought and maintained by The Board of Trustees of the University of Illinois and shall conform, as nearly as may be, with the procedure provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as the same is now or may subsequently be amended.

(Source: P.A. 82-783.)

Section 95-10-315. The Electric Supplier Act is amended by changing Section 13 as follows:

(220 ILCS 30/13) (from Ch. 111 2/3, par. 413)

Sec. 13. An electric cooperative when it is found by the Commission that it is necessary so to do may proceed to take or damage

New matter indicated by italics - deletions by strikeout
private property as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended. The requirement of such finding by the Commission is not to be construed to require authorization by the Commission of the facility for which the authorization to use eminent domain is sought.
(Source: P.A. 82-783.)

Section 95-10-320. The State Housing Act is amended by changing Section 38 as follows:

(310 ILCS 5/38) (from Ch. 67 1/2, par. 188)

Sec. 38. The acquisition by eminent domain of real property or any interest therein by a housing corporation shall be in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

Such acquisition by eminent domain shall be limited to the interests, rights or estates, the character of which is specified in the notice of hearing under Section 26, and to the areas of projects authorized in accordance with Section 26 of this Act; and it may be exercised only by the housing corporation authorized to acquire and construct such project.

The power of eminent domain shall not be exercised by a housing corporation except with specific authorization of such action by the Illinois Housing Development Authority following the acquirement either by purchase or by duly authenticated option to purchase by such corporation of at least one-half of the net land area needed for such housing project.

Upon the filing of any petition of a housing corporation in the exercise of the power of eminent domain conferred by this Act, the court shall require a bond, with sufficient surety, in such an amount as the court shall determine, conditioned for the payment by the petitioner of all costs, expenses and reasonable attorney's fees paid or incurred by the defendant or defendants in case the petitioner shall dismiss its petition before the entry of an order by the court authorizing the petitioner to enter upon and use the property or in case the petitioner shall fail to make payment of full compensation within the time named in such order.
(Source: P.A. 82-783.)

New matter indicated by italics - deletions by strikeout
Section 95-10-325. The Housing Authorities Act is amended by changing Section 9 as follows:

(310 ILCS 10/9) (from Ch. 67 1/2, par. 9)

Sec. 9. Whenever it shall be deemed necessary by an Authority in connection with the exercise of its powers herein conferred to take or acquire the fee of any real property in the area of operation or any interest therein or right with respect thereto, such Authority may acquire the same directly or through its agent or agents from the owner or owners thereof or may acquire the same by the exercise of eminent domain in the manner provided by the *Eminent Domain Act* Article VII of the Code of Civil Procedure, as amended.

If any of such property is devoted to a public use it may nevertheless be acquired, provided that no property belonging to a government may be acquired without its consent and that no property belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without the approval of the Illinois Commerce Commission.

The power of eminent domain shall apply not only to improved or unimproved property which may be acquired for or as an incident to the development or operation of a project or projects, but also to: (a) any improved or unimproved property the acquisition of which is necessary or appropriate for the rehabilitation or redevelopment of any blighted or slum area, or (b) any improved or unimproved property which the Authority may require to carry out the provisions of this Act. Such power may be exercised by the Housing Authority on its own initiative or as an agent of the city, village, incorporated town, county or counties, or any government, or for the purpose of sale or lease to: (a) a housing corporation operating under "An Act in relation to housing", approved July 12, 1933, as amended; (b) neighborhood redevelopment corporations operating under the "Neighborhood Redevelopment Corporation Law", approved July 9, 1941, as amended; (c) insurance companies operating under Section 125a of the "Illinois Insurance Code", approved June 29, 1937, as amended; (d) non-profit corporations organized for the purpose of constructing, managing and operating housing projects and for the

New matter indicated by italics - deletions by strikeout
improvement of housing conditions, including the rental or sale of housing units to persons in need thereof; or to any other individual, association or corporation desiring to engage in a development or redevelopment project. No sale or lease shall be made hereunder to any of the aforesaid corporations, associations or individuals unless a plan has been approved by the Authority and the Department for the development or redevelopment of such property and unless the purchaser or lessee furnishes the Authority a bond, with satisfactory sureties, in an amount not less than 10% of the cost of such development or redevelopment, conditioned on the completion of such development or redevelopment in accordance with the approved plan; provided that the requirement of the bond may be waived by the Department if it is satisfied of the financial ability of the purchaser or lessee to complete such development or redevelopment in accordance with the approved plan. To further assure that the real property so sold or leased shall be used in accordance with the plan, the Department may require the purchaser or lessee to execute in writing such undertakings as the Department deems necessary to obligate such purchaser or lessee (1) to use the property for the purposes presented in plans; (2) to commence and complete the building of the improvements designated in the plan within the periods of time that the Department fixes as reasonable; and (3) to comply with such other conditions as are necessary to carry out the purpose of this Act. Any such property may be sold pursuant to this section for any legal consideration in an amount to be approved by the Department.

If the area of operation of a housing authority includes a city, village or incorporated town having a population in excess of 500,000 as determined by the last preceding Federal census, no real property or interest in real property shall be acquired in such municipality by the housing authority until such time as the housing authority has advised the governing body of such municipality of the description of the real property, or interest therein, proposed to be acquired, and the governing body of the municipality has approved the acquisition thereof by the housing authority.

New matter indicated by italics - deletions by strikeout
A "blighted or slum area" means any area of not less, in the aggregate, than one acre, excepting that in any municipality having a population in excess of 500,000, as determined by the last preceding Federal census, a "blighted or slum area" means any area of not less than one acre which area, in either case, has been designated by municipal ordinance or by the Authority as an integrated project for rehabilitation, development or redevelopment, where (a) buildings or improvements, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, excessive land coverage, deleterious land use or layout or any combination of these factors, are a detriment to public safety, health or morals, or welfare, or (b) there exists platted land which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise substantially impairs or arrests the sound growth of the community and which is to be developed for predominantly residential uses, or (c) there exists open unplatted land necessary for sound community growth which is to be developed for predominantly residential uses, or (d) parcels of land remain undeveloped because of improper platting, delinquent taxes or special assessments, scattered or uncertain ownerships, clouds on title, artificial values due to excessive utility costs, or any other impediment to the use of such area for predominantly residential uses; provided, that if in any city, village or incorporated town there exists a land clearance commission, created under the "Blighted Areas Redevelopment Act of 1947", having the same area of operation as a housing authority created in and for any such municipality, such housing authority shall have no power to acquire land of the character described in sub-paragraphs (b), (c) or (d) of the definition of "blighted or slum area", in this paragraph for the purpose of development or redevelopment by private enterprise.

The Housing Authority shall have power to hold or use any such property for uses authorized by this Act, or to sell, lease or exchange such property as is not required for such uses by the Authority. In case of sale or lease to other than a public corporation or public agency, notice shall be given and bids shall be received in the manner provided by Section 11-76-

New matter indicated by italics - deletions by strikeout
2 of the Illinois Municipal Code, as amended, and bids may be accepted by vote of three of the five Commissioners of the Authority; provided, however, that such requirement of notice and bidding shall not apply to a sale or lease to any individual, association or corporation described in the preceding paragraph; nor to a sale or lease of an individual dwelling unit in a project, to be used by the purchaser as a dwelling for his family; nor to a sale or lease of a project or part thereof to an association to be so used by its members. In case of exchange of property for property privately owned, three disinterested appraisers shall be appointed to appraise the value of the property to be exchanged, and such exchange shall not be made unless the property to be received by the Authority is equal or greater in value than the property to be exchanged therefor, or if less than such value, that the difference shall be paid in money.

(Source: P.A. 83-333.)

Section 95-10-330. The Housing Development and Construction Act is amended by changing Section 5 as follows:

(310 ILCS 20/5) (from Ch. 67 1/2, par. 57)

Sec. 5. Any grants paid hereunder to a housing authority shall be deposited in a separate fund and, subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, may be used for any or all of the following purposes as the needs of the community may require: the acquisition of land by purchase, gift or condemnation and the improvement thereof, the purchase and installation of temporary housing facilities, the construction of housing units for rent or sale to veterans, the families of deceased servicemen, and for persons and families who by reason of overcrowded housing conditions or displacement by eviction, fires or other calamities, or slum clearance or other private or public project involving relocation, are in urgent need of safe and sanitary housing, the making of grants in connection with the sale or lease of real property as provided in the following paragraph of this section, and for any and all purposes authorized by the "Housing Authorities Act," approved March 19, 1934, as amended, including administrative expenses of the housing authorities in relation to the aforesaid objectives, to the extent and for the purposes authorized and

New matter indicated by italics - deletions by strikeout
approved by the Department of Commerce and Economic Opportunity Community Affairs. Each housing authority is vested with power to exercise the right of eminent domain for the purposes authorized by this Act. Condemnation proceedings instituted by any such authority shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as amended.

In addition to the foregoing, and for the purpose of facilitating the development and construction of housing, housing authorities may, with the approval of the Department of Commerce and Economic Opportunity Community Affairs, enter into contracts and agreements for the sale or lease of real property acquired by the Authority through the use of the grant hereunder, and may sell or lease such property to (1) housing corporations operating under "An Act in relation to housing," approved July 12, 1933, as amended; (2) neighborhood redevelopment corporations operating under the "Neighborhood Redevelopment Corporation Law," approved July 9, 1941; (3) insurance companies operating under Article VIII of the Illinois Insurance Code; (4) non-profit corporations organized for the purpose of constructing, managing and operating housing projects and the improvement of housing conditions, including the sale or rental of housing units to persons in need thereof; or (5) to any other individual, association or corporation, including bona fide housing cooperatives, desiring to engage in a development or redevelopment project. The term "corporation" as used in this section, means a corporation organized under the laws of this or any other state of the United States, or of any country, which may legally make investments in this State of the character herein prescribed, including foreign and alien insurance companies as defined in Section 2 of the "Illinois Insurance Code." No sale or lease shall be made hereunder to any of the aforesaid corporations, associations or individuals unless a plan approved by the Authority has been presented by the purchaser or lessee for the development or redevelopment of such property, together with a bond, with satisfactory sureties, of not less than 10% of the cost of such development or redevelopment, conditioned upon the completion of such development or redevelopment; provided that the

New matter indicated by italics - deletions by strikeout
requirement of the bond may be waived by the Department of Commerce and Economic Opportunity Community Affairs if it is satisfied of the financial ability of the purchaser or lessee to complete such development or redevelopment in accordance with the presented plan. To further assure that the real property so sold or leased shall be used in accordance with the plan, the Department of Commerce and Economic Opportunity Community Affairs may require the purchaser or lessee to execute in writing such undertakings as the Department deems necessary to obligate such purchaser or lessee (1) to use the property for the purposes presented in the plan; (2) to commence and complete the building of the improvements designated in the plan within the periods of time that the Department of Commerce and Economic Opportunity Community Affairs fixes as reasonable, and (3) to comply with such other conditions as are necessary to carry out the purposes of this Act. Any such property may be sold pursuant to this section for any legal consideration in an amount to be approved by the Department of Commerce and Economic Opportunity Community Affairs. Subject to the approval of the Department of Commerce and Economic Opportunity Community Affairs, a housing authority may pay to any non-profit corporation of the character described in this section from grants made available from state funds, such sum of money which, when added to the value of the land so sold or leased to such non-profit corporation and the value of other assets of such non-profit corporation available for use in the project, will enable such non-profit corporation to obtain Federal Housing Administration insured construction mortgages. Any such authority may also sell, transfer, convey or assign to any such non-profit corporation any personal property, including building materials and supplies, as it deems necessary to facilitate the completion of the development or redevelopment by such non-profit corporation.

If the area of operation of a housing authority includes a city, village or incorporated town having a population in excess of 500,000, as determined by the last preceding Federal Census, no real property or interest in real property shall be acquired in such municipality by the housing authority until such time as the housing authority has advised the governing body of such municipality of the description of the real

New matter indicated by italics - deletions by strikeout
property, or interest therein, proposed to be acquired, and the governing
body of the municipality has approved the acquisition thereof by the
housing authority.
(Source: P.A. 90-418, eff. 8-15-97; revised 12-1-04.)

Section 95-10-335. The House Relocation Act is amended by
changing Section 2 as follows:

(310 ILCS 35/2) (from Ch. 67 1/2, par. 104)

Sec. 2. Where real property has been acquired for highway
purposes by any political subdivision or municipal corporation of the State
and is improved with a dwelling or dwellings which otherwise must be
removed or demolished in order to construct such highway, any such
political subdivision or municipal corporation may acquire other real
property by purchase, gift, legacy or pursuant to the provisions for the
exercise of the right of eminent domain under the Eminent Domain Act
Article VII of the Code of Civil Procedure, approved August 19, 1981, as
amended, for the purpose of providing a site on which such dwelling or
dwellings may be relocated in order that it or they may continue to be used
for housing purposes and may cause any such dwelling to be moved to
such a site, provide it with a suitable foundation and restore and
rehabilitate the dwelling in its entirety.
(Source: P.A. 83-388.)

Section 95-10-340. The Blighted Areas Redevelopment Act of
1947 is amended by changing Section 14 as follows:

(315 ILCS 5/14) (from Ch. 67 1/2, par. 76)

Sec. 14. Upon approval of the determination as provided in the
preceeding Section the Land Clearance Commission may proceed to plan
and undertake a redevelopment project which includes conservation and
rehabilitation as previously defined in this Act and to acquire by gift,
purchase or condemnation the fee simple title to all real property lying
within the area included in the redevelopment project, including easements
and reversionary interests in the streets, alleys and other public places
lying within such area. If any such real property is subject to an easement
the Commission, in its discretion, may acquire the fee simple title to such
real property subject to such easement if it determines that such easement

New matter indicated by italics - deletions by strikeout
will not interfere with the consummation of a redevelopment plan. If any such real property is already devoted to a public use it may nevertheless be acquired, provided that no property belonging to the United States of America, the State of Illinois or any municipality may be acquired without the consent of such governmental unit and that no property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without the approval of the Illinois Commerce Commission. Each Land Clearance Commission is vested with the power to exercise the right of eminent domain. Condemnation proceedings instituted by Land Clearance Commissions shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended.

(Source: P.A. 82-783.)

Section 95-10-345. The Urban Renewal Consolidation Act of 1961 is amended by changing Sections 12 and 22 as follows:

(315 ILCS 30/12) (from Ch. 67 1/2, par. 91.112)

Sec. 12. Upon approval of the determination as provided in the preceding Section, the Department, as agent for the municipality, may proceed to acquire by gift, purchase or condemnation the fee simple title to all real property lying within the area included in the redevelopment project, including easements and reversionary interests in the streets, alleys and other public places lying within such area. If any such real property is subject to an easement the Department, in its discretion, may acquire the fee simple title to such real property subject to such easement if it determines that such easement will not interfere with the consummation of a redevelopment plan. If any such real property is already devoted to a public use it may nevertheless be acquired, provided that no property belonging to the United States of America, the State of Illinois or any municipality may be acquired without the consent of such governmental unit and that no property devoted to a public use belonging to a corporation subject to the jurisdiction of the Illinois Commerce Commission may be acquired without the approval of the Illinois Commerce Commission. Each Department, as agent for the municipality,
is hereby vested with the power to exercise the right of eminent domain. Condemnation proceedings instituted hereunder shall be brought by and in the name of the municipality and shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended.

Any determination to acquire a particular slum or blighted area, or any other area which may constitute a redevelopment project, as herein defined, heretofore made by a land clearance commission pursuant to the "Blighted Areas Redevelopment Act of 1947," approved July 2, 1947, as amended, and heretofore approved by the State Housing Board and the governing body of the municipality, shall be sufficient to authorize acquisition by the Department, as agent for the municipality, of all or any of the real property included in such area.

(Source: P.A. 82-783.)

(315 ILCS 30/22) (from Ch. 67 1/2, par. 91.122)

Sec. 22. The Department of a municipality shall have the power to acquire by purchase, condemnation or otherwise any improved or unimproved real property the acquisition of which is necessary or appropriate for the implementation of a conservation plan for a conservation area as defined herein; to remove or demolish substandard or other buildings and structures from the property so acquired; to hold, improve, mortgage and manage such properties; and to sell, lease, or exchange such properties, provided that contracts for repair, improvement or rehabilitation of existing improvements as may be required by the conservation plan to be done by the Department involving in excess of $1,000.00 shall be let by free and competitive bidding to the lowest responsible bidder upon such bond and subject to such regulations as may be set by the Department, and provided further that all new construction for occupancy and use other than by any municipal corporation or subdivision thereof shall be on land privately owned. The acquisition, use or disposition of any real property in pursuance of this section must conform to a conservation plan developed in the manner hereinafter set forth. In case of the sale or lease of any real property acquired under the
provisions of this Act such buyer or lessee must as a condition of sale or lease, agree to improve and use such property according to the conservation plan, and such agreement may be made a covenant running with the land and on order of the governing body such agreement shall be made a covenant running with the land. The Department shall by public notice by publication once each week for 2 consecutive weeks in a newspaper having general circulation in the municipality prior to the execution of any contract to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto, invite proposals from and make available all pertinent information to redevelopers or any person interested in undertaking to redevelop or rehabilitate a conservation area, or any part thereof, provided that, in municipalities in which no newspaper is published, publication may be made by posting a notice in 3 prominent places within the municipality. Such notice shall contain a description of the conservation area, the details of the conservation plan relating to the property which the purchaser shall undertake in writing to carry out and such undertakings as the Department may deem necessary to obligate the purchaser, his successors and assigns (1) to use the property for the purposes designated in the conservation plan, (2) to commence and complete the improvement, repair, rehabilitation, or construction of the improvements within the periods of time which the Department fixes as reasonable and (3) to comply with such other conditions as are necessary to carry out the purposes of the Act. The Department may negotiate with any persons for proposals for the purchase, lease or other transfer of any real property acquired pursuant to this Act and shall consider all redevelopment and rehabilitation proposals submitted to it and the financial and legal ability of the persons making such proposals to carry them out. The Department, as agent for the municipality, at a public meeting, notice of which shall have been published in a newspaper of general circulation within the municipality at least 15 but not more than 30 days prior to such meeting, may accept such proposals as it deems to be in the public interest and in furtherance of the purposes of this Act; provided that, all sales or leases of real property shall be made at not less than fair use value.

New matter indicated by italics - deletions by strikeout
Condemnation proceedings instituted hereunder shall be brought by and in the name of the municipality and shall be in all respects in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended.

No property shall be held for more than 5 years, after which period such property shall be sold to the highest bidder at public sale. The Department may employ competent private real estate management firms to manage such properties as may be acquired, or the Department may manage such properties.
(Source: P.A. 82-783.)

Section 95-10-350. The Radioactive Waste Storage Act is amended by changing Section 1 as follows:

(420 ILCS 35/1) (from Ch. 111 1/2, par. 230.1)

Sec. 1. The Director of Nuclear Safety is authorized to acquire by private purchase, acceptance, or by condemnation in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, any and all lands, buildings and grounds where radioactive by-products and wastes produced by industrial, medical, agricultural, scientific or other organizations can be concentrated, stored or otherwise disposed in a manner consistent with the public health and safety. Whenever, in the judgment of the Director of Nuclear Safety, it is necessary to relocate existing facilities for the construction, operation, closure or long-term care of a facility for the safe and secure disposal of low-level radioactive waste, the cost of relocating such existing facilities may be deemed a part of the disposal facility land acquisition and the Department of Nuclear Safety may, on behalf of the State, pay such costs. Existing facilities include public utilities, commercial or industrial facilities, residential buildings, and such other public or privately owned buildings as the Director of Nuclear Safety deems necessary for relocation. The Department of Nuclear Safety is authorized to operate a relocation program, and to pay such costs of relocation as are provided in the federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act", Public Law 91-646. The

New matter indicated by italics - deletions by strikeout
Director of Nuclear Safety is authorized to exceed the maximum payments provided pursuant to the federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act" if necessary to assure the provision of decent, safe, and sanitary housing, or to secure a suitable alternate location. Payments issued under this Section shall be made from the Low-level Radioactive Waste Facility Development and Operation Fund established by the Illinois Low-Level Radioactive Waste Management Act. (Source: P.A. 85-1407.)

Section 95-10-355. The Illinois Highway Code is amended by changing Sections 6-309, 10-302, 10-602, and 10-702 as follows:

(605 ILCS 5/6-309) (from Ch. 121, par. 6-309)

Sec. 6-309. The damages sustained by the owner or owners of land by reason of the laying out, widening, alteration or vacation of a township or district road, may be agreed upon by the owners of such lands, if competent to contract, and the highway commissioner or county superintendent, as the case may be. Such damages may also be released by such owners, and in such case the agreement or release shall be in writing, the same shall be filed and recorded with the copy of the order laying out, widening, altering or vacating such road in the office of the district clerk, and shall be a perpetual bar against such owners, their grantees and assigns for all further claims for such damages.

In case the highway commissioner or the county superintendent, as the case may be, acting for the road district, is unable to agree with the owner or owners of the land necessary for the laying out, widening or alteration of such road on the compensation to be paid, the highway commissioner, or the county superintendent of highways, as the case may be, may in the name of the road district, enter condemnation proceedings to procure such land, in the same manner as near as may be, as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended. (Source: P.A. 82-783.)

(605 ILCS 5/10-302) (from Ch. 121, par. 10-302)
Sec. 10-302. Every county which, by ordinance, determines to exercise the powers granted by this Division of this Article has the right to acquire by purchase or otherwise, to construct, repair, maintain and operate any such bridge and its approaches across, above or under any railroad or public utility right-of-way, and in, upon, under or above any public or private road, highway, street, alley or public ground, or upon any property owned by any municipality, political subdivision or agency of this State, and for the purpose of acquiring property or easements necessary or incidental in the construction, repair, maintenance or operation of any such bridge and the approaches thereto, any such county shall have the right of eminent domain as provided by the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended. The county board of each such county has power to make, enact and enforce all needful rules and regulations in connection with the acquisition, construction, maintenance, operation, management, care or protection of any such bridge, and such county board shall establish rates of toll or charges for the use of each such bridge which shall be sufficient at all times to pay the cost of maintenance and operation of such bridge and its approaches, and the principal of and interest on all bonds issued and all other obligations incurred by such county under the provisions of this Division of this Article. Rules and regulations shall be established from time to time by ordinance.

Rates of toll or charges for the use of each such bridge shall be established, revised, maintained, be payable and be enforced, including by administrative adjudication as provided in Section 10-302.5, as the county board of each such county may determine by ordinance.

(Source: P.A. 89-120, eff. 7-7-95.)

(605 ILCS 5/10-602) (from Ch. 121, par. 10-602)

Sec. 10-602. Every municipality has the power:

(1) To construct, or acquire by purchase, lease, gift, or condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, ferries and bridges, the necessary land therefor, and the approaches thereto, whenever the
ferry, bridge, land, or approaches are within the corporate limits, or within 5 miles of the corporate limits of the municipality, and also to maintain the specified property;

(2) To construct and maintain highways within 5 miles of the corporate limits of the municipality connecting with either end of such a bridge or ferry;

(3) To construct or acquire by purchase, lease, gift, or condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended, ferries and bridges, the necessary land therefor, and the approaches thereto, within 5 miles of the corporate limits of the municipality, over any river forming a boundary of the State of Illinois, and also to maintain the specified property;

(4) To donate money to aid the road districts in which is situated any ferry, bridge, or highway connecting therewith, specified in this section, in constructing, or improving the same, and to issue the bonds of the municipality for that purpose.

All such ferries, bridges, and highways shall be free to the public and no toll shall ever be collected by the municipality except that:

(1) Tolls may be collected for transit over and use of bridges defined in Section 10-801, as provided for in Sections 10-802 and 10-805.

(2) Any municipality which, within the provisions of this section, bears the principal expense and becomes indebted for any ferry, bridge, or the approach thereto, over any river forming a boundary of the State of Illinois, may collect a reasonable toll, for the use thereof, to be set apart and appropriated to the payment of that indebtedness, the interest thereon, and the expense of maintenance of that bridge, ferry, and approach thereto, but for no other purpose;

(3) Where any municipality is the owner of any toll bridges or ferries which it is keeping up and maintaining by authority of law, all ownership and rights vested in the municipality shall continue and be held and exercised by it, and the municipality from time to time may fix the rates of toll on those bridges and ferries; and

New matter indicated by italics - deletions by strikeout
(4) In all cases where, after July 1, 1881, a bridge has been constructed, or a ferry has been acquired across a navigable stream, by any municipality in whole or in part, and where the population of the municipality furnishing the principal part of the expense thereof did not exceed 5,000, and where it is necessary to maintain a draw and lights, and where a debt was incurred by the municipality for these purposes, a reasonable toll may be collected by the municipality contracting the indebtedness. This toll shall be set apart and appropriated to the payment of that indebtedness, the interest thereon, and the expense of keeping the bridge in repair and of maintaining, opening, and closing the draws and lights, or, in case of a ferry, keeping the approaches and boat in repair and for operating the ferry.

(Source: P.A. 82-783.)

(605 ILCS 5/10-702) (from Ch. 121, par. 10-702)
Sec. 10-702. Every municipality has the power:

(1) To acquire, by purchase or otherwise, construct, operate and maintain, and repair any bridge within the corporate limits, or within 5 miles of the corporate limits of the municipality, including the necessary land therefor and the approaches thereto. In the exercise of the authority herein granted, the municipality may acquire such property, or any portion thereof or interest therein through condemnation proceedings for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, as heretofore or hereafter amended.

(2) To acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal, mixed, tangible or intangible, or any interest therein in connection with such a bridge or bridges;

(3) To fix, alter, charge, collect, segregate, and apply tolls and other charges for transit over and use of such a bridge or bridges;

(4) To borrow money, make and issue bonds payable from and secured by a pledge of net revenue of the bridge for the construction of which such bonds may be issued;

New matter indicated by italics - deletions by strikeout
(5) To make contracts of every kind and nature and to execute all instruments necessary or convenient for the carrying out of the purposes of this Division of this Article;

(6) To accept grants from the United States and to enter into contracts with the United States in connection therewith;

(7) To enter upon any lands, areas, and premises for the purpose of making soundings, surveys and examinations;

(8) To do all things necessary to carry out the powers given in this Division of this Article.

(Source: P.A. 82-783.)

Section 95-10-360. The Toll Highway Act is amended by changing Section 9.5 as follows:

(605 ILCS 10/9.5)

Sec. 9.5. Acquisition by purchase or by condemnation. The Authority is authorized to acquire by purchase or by condemnation, in the manner provided for the exercise of the power of eminent domain under Article VII of the Code of Civil Procedure, any and all lands, buildings, and grounds necessary or convenient for its authorized purpose. The Authority shall comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, Public Law 91-646, as amended, and the implementing regulations in 49 CFR Part 24 and is authorized to operate a relocation program and to pay relocation costs. If there is a conflict between the provisions of this amendatory Act of 1998 and the provisions of the federal law or regulations, however, the provisions of this amendatory Act of 1998 shall control. The Authority is authorized to exceed the maximum payment limits of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act when necessary to ensure the provision of decent, safe, or sanitary housing, or to secure a suitable relocation site. The Authority may not adopt rules to implement the federal law or regulations referenced in this Section unless those rules have received the prior approval of the Joint Committee on Administrative Rules.

(Source: P.A. 90-681, eff. 7-31-98.)
Section 95-10-365. The Rivers, Lakes, and Streams Act is amended by changing Section 19 as follows:

(615 ILCS 5/19) (from Ch. 19, par. 66)

Sec. 19. It shall be the duty of the Department of Natural Resources to from time to time prepare and devise schemes, plans, ways and means for the reservation or acquisition by the State of desirable tracts of land in connection with the public waters of the State of Illinois, to the end that public reservations or preserves may be made along said public bodies of water for the use of all of the people of the State of Illinois, for pleasure, recreation and sport, and as such reservations or preserves may be made or acquired from time to time, the same shall be under the jurisdiction of the Department of Natural Resources. The Department of Natural Resources is authorized, with the consent in writing of the Governor, to acquire by private purchase or by condemnation in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, any and all lands sought to carry out the provisions of this Section.

(Source: P.A. 89-445, eff. 2-7-96.)

Section 95-10-370. The Illinois Aeronautics Act is amended by changing Section 74 as follows:

(620 ILCS 5/74) (from Ch. 15 1/2, par. 22.74)

Sec. 74. Condemnation. In exercising its powers and performing its functions under the laws of this State pertaining to aeronautics, when it is necessary for the use and benefit of the public, pursuant to such laws, that private property be taken or damaged or entry be made on private property, for the purpose of constructing and installing any airport, restricted landing area or other air navigation facility, including buildings, structures and other improvements in connection therewith, the Department in the name of the State, within the limitations of available appropriations, shall have the right to purchase the necessary land, rights in land, or easements, including avigation easements, from the owner thereof and purchase from the owner the right of entry, or if compensation therefor cannot be agreed upon between the Department and the owner, to have just compensation ascertained and to acquire and pay for such property, land, easement or

New matter indicated by italics - deletions by strikeout
right of entry, in the manner provided for the exercise of the right of eminent domain under the *Eminent Domain Act* Article VII of the Code of Civil Procedure, as amended. When the Department, in the name of the State, files a petition to condemn any private property, rights in land, or easement, as herein provided, the Department may enter upon the land and premises, and the buildings or structures located thereon, notwithstanding that the damage or compensation in connection with such condemnation has not theretofore been determined and paid.  
(Source: P.A. 82-783.)

Section 95-10-375. The General County Airport and Landing Field Act is amended by changing Section 3 as follows:

(620 ILCS 40/3) (from Ch. 15 1/2, par. 71)

Sec. 3. In all cases where property or rights are acquired or sought to be acquired by condemnation, the procedure shall be, as nearly as may be, like that provided for the exercise of the right of eminent domain under the *Eminent Domain Act* Article VII of the Code of Civil Procedure, as amended.  
(Source: P.A. 82-783.)

Section 95-10-380. The County Airport Law of 1943 is amended by changing Section 7 as follows:

(620 ILCS 45/7) (from Ch. 15 1/2, par. 90)

Sec. 7. In all cases where property or property rights are acquired or sought to be acquired by the Board of Directors by condemnation, the procedure shall be in the name of the county in which such airport is located and the procedure shall be as nearly as may be in accordance with that provided for the exercise of the right of eminent domain under the *Eminent Domain Act* Article VII of the Code of Civil Procedure, as amended. The Board of Directors shall adopt a resolution setting forth the necessity for such condemnation, the description of the land required and the purposes therefor, stating the facts pertaining to the negotiations by the Board of Directors and the owner or owners of such land or air rights above such land, and the fact that the directors and the owner or owners thereof cannot agree upon the price therefor, or that the title thereto, or the air rights thereon cannot be obtained except by condemnation for the
reason of the legal disability of the owner or owners thereof or persons interested therein as the case may be, and cause a proper authenticated copy of the resolution to be filed with the county board of the county in which such airport is situated. The county board shall then examine the resolution and upon determining that the acquisition of the land or air rights are for the best interests of the airport and the public generally, may authorize the condemnation in the same manner as the county may do for general purposes of the county; provided, that all costs expenses and awards in condemnation shall be paid from the Airport fund.

(Source: P.A. 83-706.)

Section 95-10-385. The County Airports Act is amended by changing Section 31 as follows:

(620 ILCS 50/31) (from Ch. 15 1/2, par. 135)
Sec. 31. To exercise the right of eminent domain in the following manner: If any plans and surveys provided for in this Act have been approved by the Department, and the resolution presented to the county board adopted as in this Act provided, require that private property be taken or damaged, the County Airport Commission in the name of the county shall have the right to purchase the necessary land from the owner thereof, or if compensation therefor cannot be agreed upon, to have such just compensation ascertained and to acquire and pay for such property in the same manner as near as may be, as provided for in the Eminent Domain Act "An Act to provide for the exercise of right of eminent domain" approved April 10, 1872, as amended; provided, that the commission shall not be required, in any case, to furnish a bond.

(Source: Laws 1945, p. 594.)

Section 95-10-390. The O'Hare Modernization Act is amended by changing Section 15 as follows:

(620 ILCS 65/15)
Sec. 15. Acquisition of property. In addition to any other powers the City may have, and notwithstanding any other law to the contrary, the City may acquire by gift, grant, lease, purchase, condemnation (including condemnation by quick take under Article 20 of the Eminent Domain Act Section 7-103.149 of the Code of Civil Procedure), or otherwise any right,

New matter indicated by italics - deletions by strikeout
title, or interest in any private property, property held in the name of or belonging to any public body or unit of government, or any property devoted to a public use, or any other rights or easements, including any property, rights, or easements owned by the State, units of local government, or school districts, including forest preserve districts, for purposes related to the O'Hare Modernization Program. The powers given to the City under this Section include the power to acquire, by condemnation or otherwise, any property used for cemetery purposes within or outside of the City, and to require that the cemetery be removed to a different location. The powers given to the City under this Section include the power to condemn or otherwise acquire (other than by condemnation by quick take under Article 20 of the Eminent Domain Act Section 7-103 of the Code of Civil Procedure), and to convey, substitute property when the City reasonably determines that monetary compensation will not be sufficient or practical just compensation for property acquired by the City in connection with the O'Hare Modernization Program. The acquisition of substitute property is declared to be for public use. Property acquired under this Section includes property that the City reasonably determines will be necessary for future use, regardless of whether final regulatory or funding decisions have been made; provided, however, that quick-take of such property is subject to Section 25-7-103.149 of the Eminent Domain Act Section 7-103.149 of the Code of Civil Procedure.

(Source: P.A. 93-450, eff. 8-6-03.)

Section 95-10-395. The Illinois Vehicle Code is amended by changing Section 18c-7501 as follows:

(625 ILCS 5/18c-7501) (from Ch. 95 1/2, par. 18c-7501)

Sec. 18c-7501. Eminent Domain. If any rail carrier shall be unable to agree with the owner for the purchase of any real estate required for the purposes of its incorporation, or the transaction of its business, or for its depots, station buildings, machine and repair shops, or for right of way or any other lawful purpose connected with or necessary to the building, operating or running of such rail carrier, such may acquire such title in the manner that may be now or hereafter provided for by the law of eminent domain.

New matter indicated by italics - deletions by strikeout
A rail carrier may exercise quick take powers of eminent domain as provided in Article 20 of the Eminent Domain Act Article VII of the Code of Civil Procedure, as now or hereafter amended, when all of the following conditions are met: (1) the complaint for condemnation is filed within one year of the effective date of this amendatory Act of 1988; (2) the purpose of the condemnation proceeding is to acquire land for the construction of an industrial harbor railroad port; and (3) the total amount of land to be acquired for that purpose is less than 75 acres and is adjacent to the Illinois River.

(Source: P.A. 85-1159.)

Section 95-10-400. The Coast and Geodetic Survey Act is amended by changing Section 2 as follows:

(765 ILCS 230/2) (from Ch. 1, par. 3502)

Sec. 2. If the parties interested cannot agree upon the amount to be paid for damages caused thereby, the United States of America may proceed to condemn said land as provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure.

(Source: P.A. 82-783.)

Section 95-10-405. The Joint Tenancy Act is amended by changing Section 2 as follows:

(765 ILCS 1005/2) (from Ch. 76, par. 2)

Sec. 2. Except as to executors and trustees, and except also where by will or other instrument in writing expressing an intention to create a joint tenancy in personal property with the right of survivorship, the right or incident of survivorship as between joint tenants or owners of personal property is hereby abolished, and all such joint tenancies or ownerships shall, to all intents and purposes, be deemed tenancies in common. However, the foregoing shall not be deemed to impair or affect the rights, privileges and immunities set forth in the following paragraphs (a), (b), (c), (d) and (e):

(a) When a deposit in any bank or trust company transacting business in this State has been made or shall hereafter be made in the names of 2 or more persons payable to them when

New matter indicated by italics - deletions by strikeout
the account is opened or thereafter, the deposit or any part thereof or any interest or dividend thereon may be paid to any one of those persons whether the other or others be living or not, and when an agreement permitting such payment is signed by all those persons at the time the account is opened or thereafter the receipt or acquittance of the person so paid shall be valid and sufficient discharge from all parties to the bank for any payments so made.

(b) When shares of stock, bonds or other evidences of indebtedness or of interest are or have been issued or registered by any corporation, association or other entity in the names of 2 or more persons as joint tenants with the right of survivorship, the corporation, association or other entity and their respective transfer agents may, upon the death of any one of the registered owners, transfer those shares of stock, bonds, or other evidences of indebtedness or of interest to or upon the order of the survivor or survivors of the registered owners, without inquiry into the existence, validity or effect of any will or other instrument in writing or the right of the survivor or survivors to receive the property, and without liability to any other person who might claim an interest in or a right to receive all or a portion of the property so transferred.

(c) When shares of stock, bonds, or other evidences of indebtedness or of interest are or have been issued in the joint names of 2 or more persons or their survivors by corporations, including state chartered savings and loan associations, federal savings and loan associations, and state and federal credit unions, authorized to do business in this State, all payments on account thereof made then or thereafter, redemption, repurchase or withdrawal value or price, accumulations thereon, credits to, profits, dividends, or other rights thereon or accruing thereto may be paid or delivered in whole or in part to any of those persons whether the other person or persons be living or not, and when an agreement permitting such payment or delivery is signed by all those persons at the time when the shares of stock, bonds or

New matter indicated by italics - deletions by strikeout
evidences of indebtedness or of interest were issued or thereafter, the payment or delivery to any such person, or a receipt or acquittance signed by any such person, to whom any such payment or any such delivery of rights is made, shall be a valid and sufficient release and discharge of any such corporation for the payment or delivery so made.

(d) When the title to real property is held in joint tenancy by 2 or more persons or in tenancy by the entirety, and payment of compensation is made to any county treasurer for the taking or damaging of that real property in the manner provided for the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure, or pursuant to any Act of the General Assembly now or hereafter enacted for the exercise of the sovereign power of eminent domain, the right of survivorship to the title in and to that real property shall be transferred to the money so paid to and in the hands of the county treasurer. However, upon application to the county treasurer holding the money by any joint tenant for his proportionate share thereof, or by any tenant by the entirety for a one-half share thereof, he shall receive the same from the county treasurer without the consent or approval of any other joint tenant, and the person making the application shall have no survivorship rights in the balance remaining in the hands of the county treasurer after deducting therefrom his proportionate share.

(e) When the property owned in joint tenancy is a motor vehicle which is the subject of a title issued by the Secretary of State, the owners shown on the certificate of title shall enjoy the benefits of right of survivorship unless they elect otherwise. A certificate of title which shows more than one name as owner shall give rise to a presumption of ownership in joint tenancy with right of survivorship.

Furthermore, any non-transferable United States Savings Bond, debenture, note or other obligation of the United States of America therein named shall, upon the death of the designated person, if the bond or other
obligation is now or hereafter issued made payable to a designated person and upon his death to another person then outstanding, become the property of and be payable to the other person therein named. If any such non-transferable bond, debenture, note or other obligation of the United States of America be made payable to 2 persons, in the alternative, the bond or other obligation shall, upon the death of either person, if the bond or other obligation is then outstanding, become the property of and be payable to the survivor of them.
(Source: P.A. 86-966; 86-1475.)

Section 95-10-410. The Gas Company Property Act is amended by changing Section 7 as follows:

Sec. 7. If any stockholder of any of the companies, parties to the agreement or agreements provided for in section 4, not voting in favor of or not acquiescing in such agreement or agreements, objects to the purchase or lease, or the consolidation and merger, as defined in said agreement or agreements, he shall give notice of his dissent within thirty days of such meeting and may demand payment for his stock, and shall thereupon receive from such corporation in which he shall hold stock, its fair cash value, at the time when the vote for the agreement or agreements was so cast, and such corporation shall cancel the same. But if such dissenting stockholder shall refuse to part with his stock, or if the value of the same cannot be agreed upon, then such corporation shall, within ninety days of the time of said meeting, proceed to take and acquire the same and the interest of said dissenting stockholder therein, by the exercise of the power and right of eminent domain, hereby granted to such corporation for that purpose, and paying to, or tendering to, such dissenting stockholder, or to the county treasurer for his use, the value of the stock by him held, such value to be ascertained as of the time aforesaid and to be found and determined in the manner provided for the condemnation of property for public use by the exercise of the right of eminent domain under the Eminent Domain Act Article VII of the Code of Civil Procedure. Any stock so acquired shall be cancelled by the company acquiring the same. If such stockholder shall not give notice of his dissent within thirty days, as

New matter indicated by italics - deletions by strikeout
aforesaid, he shall be held to have acquiesced in the agreement aforesaid, and shall be subject thereto.
(Source: P.A. 82-783.)

Article 99. Effective Date

Section 99-5-5. Effective date. This Act takes effect on January 1, 2007.


PUBLIC ACT 94-1056
(Senate Bill No. 2225)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Higher Education Student Assistance Act is amended by adding Section 39 as follows:

(110 ILCS 947/39 new)

Sec. 39. Monetary Award Program Plus.

(a) The Commission shall receive and consider applications for monetary grant assistance under this Section to benefit those students who will not receive Monetary Award Program grants awarded in accordance with Section 35 of this Act, but who will benefit from assistance in paying for the costs of attendance at institutions of higher learning. Subject to a separate appropriation for this purpose and sufficient revenue from the sale of student loan assets, transaction processing, or refinancing, an applicant is eligible for a Monetary Award Program Plus grant under this Section if the Commission finds that the applicant meets all of the following qualifications:

(1) He or she is a resident of this State and a citizen or permanent resident of the United States.

New matter indicated by italics - deletions by strikeout
(2) He or she is enrolled at least half-time as a sophomore, junior, or senior at a MAP-eligible institution, as defined under the Monetary Award Program.

(3) He or she will not receive in the same academic year a Monetary Award Program grant under Section 35 of this Act.

(4) He or she is from a family that had an adjusted gross income, listed on the Free Application for Federal Student Aid, of less than $200,000 for the 2005 taxable year.

(b) All grants under this Section are applicable only to tuition and mandatory fee costs. The Commission shall determine the grant amount for each student, which amount must not exceed $500 per year or $250 per semester and must not exceed tuition and mandatory fees net of State and federal financial aid.

(c) Grants under this Section may be awarded only for the Fall 2006 and Spring 2007 semesters.

(d) The Commission shall pay Monetary Award Program Plus grant awards to eligible students by application date, on a first-come, first-served basis.

(e) The Commission, in determining the number of Monetary Award Program Plus grants to be awarded, shall utilize whatever appropriate data is available and shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(f) The Commission shall determine if sufficient funds are available from the sale of student loan assets, transaction processing, or refinancing to continue Monetary Award Program Plus beyond the Spring 2007 semester and shall prepare a report for the Governor and General Assembly indicating whether funding is available and how it can be used to support the program.

Section 99. Effective date. This Act takes effect July 1, 2006.
Approved July 31, 2006.
Effective July 31, 2006.

New matter indicated by italics - deletions by strikeout
AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Sections 14-108.3, 15-155, 15-168.1, 16-128, 16-158, and 16-169.1 as follows:

(40 ILCS 5/14-108.3)
Sec. 14-108.3. Early retirement incentives.
(a) To be eligible for the benefits provided in this Section, a person must:

(1) be a member of this System who, on any day during June, 2002, is (i) in active payroll status in a position of employment with a department and an active contributor to this System with respect to that employment, and terminates that employment before the retirement annuity under this Article begins, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) receiving benefits under Section 14-123, 14-123.1 or 14-124, but only if the member has not been receiving those benefits for a continuous period of more than 2 years as of the date of application;

(2) not have received any retirement annuity under this Article beginning earlier than August 1, 2002;

(3) file with the Board on or before December 31, 2002 a written application requesting the benefits provided in this Section;

(4) terminate employment under this Article no later than December 31, 2002 (or the date established under subsection (d), if applicable);

(5) by the date of termination of service, have at least 8 years of creditable service under this Article, without the use of any creditable service established under this Section;

New matter indicated by italics - deletions by strikeout
(6) by the date of termination of service, have at least 5 years of membership service earned while an employee under this Article, which may include military service for which credit is established under Section 14-105(b), service during the qualifying period for which credit is established under Section 14-104(a), and service for which credit has been established by repaying a refund under Section 14-130, but shall not include service for which any other optional service credit has been established; and

(7) not receive any early retirement benefit under Section 16-133.3 of this Code.

(b) An eligible person may establish up to 5 years of creditable service under this Article, in increments of one month, by making the contributions specified in subsection (c). In addition, for each month of creditable service established under this Section, a person's age at retirement shall be deemed to be one month older than it actually is.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average compensation under Section 14-103.12 or the determination of compensation under this or any other Article of this Code.

The age enhancement established under this Section may not be used to enable any person to begin receiving a retirement annuity calculated under Section 14-110 before actually attaining age 50 (without any age enhancement under this Section). The age enhancement established under this Section may be used for all other purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of the level income option in Section 14-112, the reversionary annuity under Section 14-113, and the required distributions under Section 14-121.1.

The age enhancement established under this Section may be used in determining benefits payable under Article 16 of this Code under the Retirement Systems Reciprocal Act, if the person has at least 5 years of service credit in the Article 16 system that was earned while participating in...
in that system as a teacher (as defined in Section 16-106) employed by a
department (as defined in Section 14-103.04). Age enhancement
established under this Section shall not otherwise be used in determining
benefits payable under other Articles of this Code under the Retirement
Systems Reciprocal Act.

(c) For all creditable service established under this Section, a
person must pay to the System an employee contribution to be determined
by the System, based on the member's rate of compensation on June 1,
2002 (or the last date before June 1, 2002 for which a rate can be
determined) and the retirement contribution rate in effect on June 1, 2002
for the member (or for members with the same social security and
alternative formula status as the member).

If the member receives a lump sum payment for accumulated
vacation, sick leave and personal leave upon withdrawal from service, and
the net amount of that lump sum payment is at least as great as the amount
of the contribution required under this Section, the entire contribution
must be paid by the employee by payroll deduction. If there is no such
lump sum payment, or if it is less than the contribution required under this
Section, the member shall make an initial payment by payroll deduction,
equal to the net amount of the lump sum payment for accumulated
vacation, sick leave, and personal leave, and have the remaining amount
due treated as a reduction from the retirement annuity in 24 equal monthly
installments beginning in the month in which the retirement annuity takes
effect. The required contribution may be paid as a pre-tax deduction from
earnings. For federal and Illinois tax purposes, the monthly amount by
which the annuitant's benefit is reduced shall not be treated as a
contribution by the annuitant, but rather as a reduction of the annuitant's
monthly benefit.

(c-5) The reduction in retirement annuity provided in subsection (c)
of Section 14-108 does not apply to the annuity of a person who retires
under this Section. A person who has received any age enhancement or
creditable service under this Section may begin to receive an unreduced
retirement annuity upon attainment of age 55 with at least 25 years of

New matter indicated by italics - deletions by strikeout
creditable service (including any age enhancement and creditable service established under this Section).

(d) In order to ensure that the efficient operation of State government is not jeopardized by the simultaneous retirement of large numbers of key personnel, the director or other head of a department may, for key employees of that department, extend the December 31, 2002 deadline for terminating employment under this Article established in subdivision (a)(4) of this Section to a date not later than April 30, 2003 by so notifying the System in writing by December 31, 2002.

(e) Notwithstanding Section 14-111, a person who has received any age enhancement or creditable service under this Section and who reenters service under this Article (or as an employee of a department under Article 16) other than as a temporary employee thereby forfeits that age enhancement and creditable service and is entitled to a refund of the contributions made pursuant to this Section.

(f) The System shall determine the amount of the increase in the present value of future benefits resulting from the granting of early retirement incentives under this Section and shall report that amount to the Governor and the Commission on Government Forecasting and Accountability on or after the effective date of this amendatory Act of the 93rd General Assembly and on or before November 15, 2004. Beginning with State fiscal year 2008, the increase reported under this subsection (f) shall be included in the calculation of the required State contribution under Section 14-131.

(g) In addition to the contributions otherwise required under this Article, the State shall appropriate and pay to the System an amount equal to $70,000,000 in State fiscal years 2004 and 2005.

(h) The Commission on Government Forecasting and Accountability (i) shall hold one or more hearings on or before the last session day during the fall veto session of 2004 to review recommendations relating to funding of early retirement incentives under this Section and (ii) shall file its report with the General Assembly on or before December 31, 2004 making its recommendations relating to funding of early retirement incentives under this Section; the

New matter indicated by italics - deletions by strikeout
Commission's report may contain both majority recommendations and minority recommendations. The System shall recalculate and recertify to the Governor by January 31, 2005 the amount of the required State contribution to the System for State fiscal year 2005 with respect to those incentives. The Pension Laws Commission (or its successor, the Commission on Government Forecasting and Accountability) shall determine and report to the General Assembly, on or before January 1, 2004 and annually thereafter through the year 2006, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early retirement of persons receiving early retirement incentives under this Section and (2) the net annual savings or cost to the State from the program of early retirement incentives created under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its reports under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive benefits under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive benefits under this Section, and (3) positions vacated by persons who elected to receive benefits under this Section that have not yet been refilled.

(i) The changes made to this Section by this amendatory Act of the 92nd General Assembly do not apply to persons who retired under this Section on or before May 1, 1992.

(Source: P.A. 93-632, eff. 2-1-04; 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05; 94-4, eff. 6-1-05.)

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)
Sec. 15-155. Employer contributions.

New matter indicated by italics - deletions by strikeout
(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).

(a-1) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $252,064,100.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.
Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article.

New matter indicated by italics - deletions by strikeout
and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses
of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings, determined on a full-time equivalent basis, exceeds the amount of his or her earnings with the same employer for the previous academic year, determined on a full-time equivalent basis, by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection (g), the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (h) or (i) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of subsection (h) or (i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually.
from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer’s receipt of the bill.

The employer contributions required under this subsection (g) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the participant begins receiving benefits under this Article.

(h) This subsection (h) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by this amendatory Act of the 94th General Assembly shall not require the System to refund any payments received before the effective date of this amendatory Act.

When assessing payment for any amount due under subsection (g), the System shall exclude The provisions of this subsection (g) do not apply to earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005 the effective date of this amendatory Act of the 94th General Assembly.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that: (i) in the case of overloads (A) the overload work is for the sole purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid and (B) the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant’s current salary rate and work schedule; and (ii) in the case of overtime, the overtime was necessary for the educational mission.

When assessing payment for any amount due under subsection (g), the System shall exclude any earnings increase resulting from (i) a promotion for which the employee moves from one classification to a

New matter indicated by italics - deletions by strikeout
higher classification under the State Universities Civil Service System, (ii) a promotion in academic rank for a tenured or tenure-track faculty position, or (iii) a promotion that the Illinois Community College Board has recommended in accordance with subsection (k) of this Section. These earnings increases shall be excluded only if the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions.

(i) When assessing payment for any amount due under subsection (g), the System shall exclude any salary increase described in subsection (h) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (g) of this Section.

(j) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by this amendatory Act of the 94th General Assembly for each employer.

(2) The dollar amount by which each employer’s contribution to the System was changed due to recalculations required by this amendatory Act of the 94th General Assembly.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by this amendatory Act of the 94th General Assembly.

(k) The Illinois Community College Board shall adopt rules for recommending lists of promotional positions submitted to the Board by
community colleges and for reviewing the promotional lists on an annual basis. When recommending promotional lists, the Board shall consider the similarity of the positions submitted to those positions recognized for State universities by the State Universities Civil Service System. The Illinois Community College Board shall file a copy of its findings with the System. The System shall consider the findings of the Illinois Community College Board when making determinations under this Section. The System shall not exclude any earnings increases resulting from a promotion when the promotion was not submitted by a community college. Nothing in this subsection (k) shall require any community college to submit any information to the Community College Board.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/15-168.1)

Sec. 15-168.1. Testimony and the production of records. The secretary of the Board shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents and records, including law enforcement records maintained by law enforcement agencies, in conjunction with the determination of employer payments required under subsection (g) of Section 15-155, a disability claim, an administrative review proceeding proceedings, or a felony forfeiture investigation. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State and shall be paid by the party seeking the subpoena. The Board may apply to any circuit court in the State for an order requiring compliance with a subpoena issued under this Section. Subpoenas issued under this Section shall be subject to applicable provisions of the Code of Civil Procedure.

(Source: P.A. 90-65, eff. 7-7-97; 90-511, eff. 8-22-97.)

(40 ILCS 5/16-128) (from Ch. 108 1/2, par. 16-128)

Sec. 16-128. Creditable service - required contributions.

(a) In order to receive the creditable service specified under subsection (b) of Section 16-127, a member is required to make the following contributions: (i) an amount equal to the contributions which would have been required had such service been rendered as a member under this System; (ii) for military service not immediately following

New matter indicated by italics - deletions by strikeout
employment and for service established under subdivision (b)(10) of Section 16-127, an amount determined by the Board to be equal to the employer's normal cost of the benefits accrued for such service; and (iii) interest from the date the contributions would have been due (or, in the case of a person establishing credit for military service under subdivision (b)(3) of Section 16-127, the date of first membership in the System, if that date is later) to the date of payment, at the following rate of interest, compounded annually: for periods prior to July 1, 1965, regular interest; from July 1, 1965 to June 30, 1977, 4% per year; on and after July 1, 1977, regular interest.

(b) In order to receive creditable service under paragraph (2) of subsection (b) of Section 16-127 for those who were not members on June 30, 1963, the minimum required contribution shall be $420 per year of service together with interest at 4% per year compounded annually from July 1, preceding the date of membership until June 30, 1977 and at regular interest compounded annually thereafter to the date of payment.

(c) In determining the contribution required in order to receive creditable service under paragraph (3) of subsection (b) of Section 16-127, the salary rate for the remainder of the school term in which a member enters military service shall be assumed to be equal to the member's salary rate at the time of entering military service. However, for military service not immediately following employment, the salary rate on the last date as a participating teacher prior to such military service, or on the first date as a participating teacher after such military service, whichever is greater, shall be assumed to be equal to the member's salary rate at the time of entering military service. For each school term thereafter, the member's salary rate shall be assumed to be 5% higher than the salary rate in the previous school term.

(d) In determining the contribution required in order to receive creditable service under paragraph (5) of subsection (b) of Section 16-127, a member's salary rate during the period for which credit is being established shall be assumed to be equal to the member's last salary rate immediately preceding that period.

New matter indicated by italics - deletions by strikeout
(d-5) For each year of service credit to be established under subsection (b-1) of Section 16-127, a member is required to contribute to the System (i) 16.5% of the annual salary rate during the first year of full-time employment as a teacher under this Article following the private school service, plus (ii) interest thereon from the date of first full-time employment as a teacher under this Article following the private school service to the date of payment, compounded annually, at the rate of 8.5% per year for periods before the effective date of this amendatory Act of the 92nd General Assembly, and for subsequent periods at a rate equal to the System's actuarially assumed rate of return on investments.

(d-10) For service credit established under paragraph (6) of subsection (b) of Section 16-127 for days granted by an employer in excess of the member's normal annual sick leave allotment, the employer is required to pay the normal cost of benefits based upon such service credit. This subsection (d-10) does not apply to sick leave granted to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005 (the effective date of Public Act 94-4) this amendatory Act of the 94th General Assembly. The employer contributions required under this subsection (d-10) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the teacher begins receiving benefits under this Article.

(e) Except for contributions under subsection (d-10), the contributions required under this Section may be made from the date the statement for such creditable service is issued until retirement date. All such required contributions must be made before any retirement annuity is granted.

(Source: P.A. 94-4, eff. 6-1-05.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)
Sec. 16-158. Contributions by State and other employing units.
(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to
meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

New matter indicated by italics - deletions by strikeout
If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

New matter indicated by italics - deletions by strikeout
Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.
(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

1. Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.

New matter indicated by italics - deletions by strikeout
(2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary. The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate amount of his or her salary with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to
the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill. The employer contributions required under this subsection (f) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the teacher begins receiving benefits under this Article.

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The
changes made by this amendatory Act of the 94th General Assembly shall not require the System to refund any payments received before the effective date of this amendatory Act.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005 the effective date of this amendatory Act of the 94th General Assembly.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.
When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculation required by the changes made to this Section by this amendatory Act of the 94th General Assembly for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculation required by this amendatory Act of the 94th General Assembly.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05.)

(40 ILCS 5/16-169.1)

Sec. 16-169.1. Testimony and the production of records. The secretary of the Board shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents and records, including law enforcement records maintained by law enforcement

New matter indicated by italics - deletions by strikeout
agencies, in conjunction with the determination of employer payments required under subsection (f) of Section 16-158, a disability claim, an administrative review proceeding, or a felony forfeiture investigation. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State and shall be paid by the party seeking the subpoena. The Board may apply to any circuit court in the State for an order requiring compliance with a subpoena issued under this Section. Subpoenas issued under this Section shall be subject to applicable provisions of the Code of Civil Procedure.

(Source: P.A. 90-448, eff. 8-16-97.)

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

Approved July 31, 2006.
Effective July 31, 2006.

PUBLIC ACT 94-1058
(Senate Bill No. 0585)

AN ACT concerning government.

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

Section 5. The Open Meetings Act is amended by changing Sections 1.02, 2.01, 2.05, and 2.06 and by adding Section 7 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)
Sec. 1.02. For the purposes of this Act:
"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages,

New matter indicated by italics - deletions by strikeout
incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities Planning Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act or an ethics commission acting under the State Officials and Employees Ethics Act.

(Source: P.A. 92-468, eff. 8-22-01; 93-617, eff. 12-9-03.)

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient and open to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (except one with jurisdiction limited to a specific geographic area that is less than statewide) is held simultaneously at one of its offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

New matter indicated by italics - deletions by strikeout
A quorum of members of a public body that is not a public body with statewide jurisdiction must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference.

(Source: P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/2.05) (from Ch. 102, par. 42.05)

Sec. 2.05. Recording meetings. Subject to the provisions of Section 8-701 of the Code of Civil Procedure "An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken", approved July 14, 1953, as amended, any person may record the proceedings at meetings required to be open by this Act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules to govern the right to make such recordings.

If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency or other tribunal, refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying, the authority holding the meeting shall prohibit such recording during the testimony of the witness. Nothing in this Section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure "An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken", approved July 14, 1953, as amended.

(Source: P.A. 82-378.)

(5 ILCS 120/2.06) (from Ch. 102, par. 42.06)

Sec. 2.06. Minutes.

(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed
meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

(1) the date, time and place of the meeting;
(2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
(3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

(b) The minutes of meetings open to the public shall be available for public inspection within 7 days of the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with the other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 7 days of the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.

(c) The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after:

(1) the public body approves the destruction of a particular recording; and
(2) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.

(d) Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The failure of a public body to strictly comply with the semi-annual review of closed session
written minutes, whether before or after the effective date of this amendatory Act of the 94th General Assembly, shall not cause the written minutes or related verbatim record to become public or available for inspection in any judicial proceeding, other than a proceeding involving an alleged violation of this Act, if the public body, within 60 days of discovering its failure to strictly comply with the technical requirements of this subsection, reviews the closed session minutes and determines and thereafter reports in open session that either (1) the need for confidentiality still exists as to all or part of the minutes or verbatim record, or (2) that the minutes or recordings or portions thereof no longer require confidential treatment and are available for public inspection.

(e) Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. In the case of a civil action brought to enforce this Act, the court, if the judge believes such an examination is necessary, must conduct such in camera examination of the verbatim record as it finds appropriate in order to determine whether there has been a violation of this Act. In the case of a criminal proceeding, the court may conduct an examination in order to determine what portions, if any, must be made available to the parties for use as evidence in the prosecution. Any such initial inspection must be held in camera. If the court determines that a complaint or suit brought for noncompliance under this Act is valid it may, for the purposes of discovery, redact from the minutes of the meeting closed to the public any information deemed to qualify under the attorney-client privilege. The provisions of this subsection do not supersede the privacy or confidentiality provisions of State or federal law.

(f) Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.
Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of public bodies with statewide jurisdiction or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies and public bodies with statewide jurisdiction, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body.

Approved July 31, 2006.
AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5-87. The Whistleblower Reward and Protection Act is amended by changing Section 3 as follows:

(740 ILCS 175/3) (from Ch. 127, par. 4103)
Sec. 3. False claims.
(a) Liability for certain acts. Any person who:
(1) knowingly presents, or causes to be presented, to an officer or employee of the State or a member of the Guard a false or fraudulent claim for payment or approval;
(2) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the State;
(3) conspires to defraud the State by getting a false or fraudulent claim allowed or paid;
(4) has possession, custody, or control of property or money used, or to be used, by the State and, intending to defraud the State or willfully to conceal the property, delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;
(5) authorized to make or deliver a document certifying receipt of property used, or to be used, by the State and, intending to defraud the State, makes or delivers the receipt without completely knowing that the information on the receipt is true;
(6) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the State, or a member of the Guard, who lawfully may not sell or pledge the property; or
(7) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money or property to the State, is liable to the State for a civil penalty of not less than $5,500 and not more than $11,000, plus 3 times the amount of damages which the State sustains because of the act of that person. A person violating this subsection (a) shall also be liable to the State for the costs of a civil action brought to recover any such penalty or damages.

(b) Knowing and knowingly defined. As used in this Section, the terms "knowing" and "knowingly" mean that a person, with respect to information:

(1) has actual knowledge of the information;
(2) acts in deliberate ignorance of the truth or falsity of the information; or
(3) acts in reckless disregard of the truth or falsity of the information, and no proof of specific intent to defraud is required.

(c) Claim defined. As used in this Section, "claim" includes any request or demand, whether under a contract or otherwise, for money or property which is made to a contractor, grantee, or other recipient if the State provides any portion of the money or property which is requested or demanded, or if the State will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded.

(d) Exclusion. This Section does not apply to claims, records, or statements made under the Illinois Income Tax Act.

(Source: P.A. 87-662.)

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

Approved July 31, 2006.
Effective July 31, 2006.
AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Private Business and Vocational Schools Act is amended by changing Sections 6 and 11 as follows:

(105 ILCS 425/6) (from Ch. 144, par. 141)

Sec. 6. Application for certificate - Contents. Every person, partnership or corporation doing business in Illinois desiring to obtain a certificate of approval shall make a signed and verified application to the Superintendent upon forms prepared and furnished by the Superintendent, which forms shall include the following information:

1. The legal title and name of the school, together with ownership and controlling officers, members, and managing employees.

2. The specific courses of instruction which will be offered, and the specific purposes of such instruction.

3. The place or places where such instruction will be given and a description of the physical and sanitary facilities thereof.

4. A written inspection report of approval by the State Fire Marshal or his designee for use of the premises as a school.

5. A specific listing of the equipment available for instruction in each course of instruction, with the maximum enrollment that such equipment will accommodate.

6. The names, addresses and current status of all schools of which each applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing, or, lost accreditation or licensing from any governmental body or accrediting agency.

7. The educational and teaching qualifications of instructors in each course and subject of instruction, and the teacher to student ratio established by rule by the superintendent pursuant to industry standards.

New matter indicated by italics - deletions by strikeout
and after soliciting and receiving comments by the schools in each industry; ©

7.1. The qualifications of administrators. ©

8. The financial resources available to establish and maintain the school, documented by a current balance sheet and income statement prepared and certified by an accountant or any such similar evidence as required by the Superintendent. ©

9. A continuous surety company bond, written by a company authorized to do business in this State, for the protection of the contractual rights including faithful performance of all contracts and agreements for students, their parents, guardians, or sponsors in a sum of up to $100,000, except that when the unearned prepaid tuition for Illinois students in the possession of the school, as annually determined by the Superintendent, exceeds $100,000 the bond shall be in an amount equal to the greatest amount of prepaid tuition in the school's possession. In lieu of a surety bond, an applicant may, with the advanced approval of the State Board of Education prior to January 1, 2007, deposit with the State Board of Education as security a certificate of deposit of any bank organized or transacting business in the United States in an amount equal to or greater than the amount of the required bond. The applicant must first satisfy the State Board of Education that the certificate of deposit is free and clear of all liens, pledges, security interests, and other encumbrances. The State Board of Education shall perfect a first priority security interest in the certificate of deposit to provide the protection required under this item 9. The certificate of deposit must be held and made payable in accordance with terms and provisions approved in advance by the State Board of Education and must be replaced by a bond meeting the requirements set forth in this item 9 within 180 days after the issuance of the certificate of approval to the applicant. Failure to replace the certificate of deposit with a continuous surety company bond shall result in revocation of the certificate of approval. ©

10. Annual reports reflecting teacher, equipment and curriculum evaluations. ©

New matter indicated by italics - deletions by strikeout
11. Copies of enrollment agreements and retail installment contracts to be used in Illinois.
12. Methods used to collect tuition and procedures for collecting delinquent payments.
13. Copies of all brochures, films, promotional material and written scripts, and media advertising and promotional literature that may be used to induce students to enroll in courses of instruction.
14. Evidence of liability insurance, in such form and amount as the Board shall from time to time prescribe pursuant to rules and regulations promulgated hereunder, to protect its students and employees at its places of business and at all classroom extensions including any work experience locations.
15. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; provided, that if the applicant is a partnership or a corporation, then such application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be.
16. If the evaluation of a particular course or facility requires the services of an expert not employed by the State Board of Education or if in the interest of expediting the approval, a school requests the State Board of Education to employ such an expert, the school shall reimburse the State Board of Education for the reasonable cost of such services.

(Source: P.A. 85-1382.)

(105 ILCS 425/11) (from Ch. 144, par. 146)
Sec. 11. Sales representative permits - Application - Contents - Fees - Separate permits.) Every sales representative representing a school, whether located in the State of Illinois or without, shall make application for a Sales Representative Permit to the Superintendent in writing upon forms prepared and furnished by the Superintendent. The sales representative shall be approved by the Superintendent prior to solicitation of students. Each application shall state the name of the school which the applicant will represent, contain evidence of the honesty, truthfulness, and
integrity of the applicant and shall be accompanied by the recommendation of two reputable persons, neither of whom shall be in the employ of the school or members of the applicant's immediate family, certifying that the applicant is truthful, honest, and of good reputation, and recommending that a permit as a sales representative be granted. The fee for an original permit as a sales representative shall be $100. The annual renewal fee shall be $50. A separate permit shall be obtained for each school represented by a sales representative.

In determining honesty, truthfulness and integrity under this Section, the Superintendent may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as a bar to approval unless a court or parole authority has determined that the applicant is not rehabilitated sufficiently to serve as a sales representative.

Each sales representative shall provide a continuous surety company bond for the protection of the contractual rights, including loss resulting from any fraud or misrepresentation used by the sales representative, of students, their parents, guardians or sponsors, in the penal sum of $2,000, except under exceptional circumstances up to $10,000, upon the order of the Superintendent. The surety company bond shall be written by a company authorized to do business in this State. In lieu of a surety bond, an applicant may, with the advanced approval of the State Board of Education prior to January 1, 2007, deposit with the State Board of Education as security a certificate of deposit of any bank organized or transacting business in the United States in an amount equal to or greater than the amount of the required bond. The applicant must first satisfy the State Board of Education that the certificate of deposit is free and clear of all liens, pledges, security interests, and other encumbrances. The State Board of Education shall perfect a first priority security interest in the certificate of deposit to provide the protection required under this paragraph. The certificate of deposit must be held and made payable in accordance with terms and provisions approved in advance by the State Board of Education and must be replaced by a bond meeting the requirements set forth in this paragraph within 180 days after the issuance of the Sales Representative Permit to the applicant. Failure to
replace the certificate of deposit with a continuous surety company bond shall result in revocation of the Sales Representative Permit.

(Source: P.A. 83-1484.)

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

Approved July 31, 2006.
Effective July 31, 2006.

PUBLIC ACT 94-1061
(Senate Bill No. 1183)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Parentage Act of 1984 is amended by changing Section 14 as follows:

(750 ILCS 45/14) (from Ch. 40, par. 2514)
(a) (1) The judgment shall contain or explicitly reserve provisions concerning any duty and amount of child support and may contain provisions concerning the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, which the court shall determine in accordance with the relevant factors set forth in the Illinois Marriage and Dissolution of Marriage Act and any other applicable law of Illinois, to guide the court in a finding in the best interests of the child. In determining custody, joint custody, removal, or visitation, the court shall apply the relevant standards of the Illinois Marriage and Dissolution of Marriage Act, including Section 609. Specifically, in determining the amount of any child support award, the court shall use the guidelines and standards set forth in subsection (a) of Section 505 and in Section 505.2 of the Illinois Marriage and Dissolution of Marriage Act. For purposes of Section 505 of the Illinois Marriage and Dissolution of Marriage Act, "net income" of the non-
custodial parent shall include any benefits available to that person under the Illinois Public Aid Code or from other federal, State or local government-funded programs. The court shall, in any event and regardless of the amount of the non-custodial parent's net income, in its judgment order the non-custodial parent to pay child support to the custodial parent in a minimum amount of not less than $10 per month, as long as such an order is consistent with the requirements of Title IV, Part D of the Social Security Act. In an action brought within 2 years after a child's birth, the judgment or order may direct either parent to pay the reasonable expenses incurred by either parent related to the mother's pregnancy and the delivery of the child. The judgment or order shall contain the father's social security number, which the father shall disclose to the court; however, failure to include the father's social security number on the judgment or order does not invalidate the judgment or order.

(2) If a judgment of parentage contains no explicit award of custody, the establishment of a support obligation or of visitation rights in one parent shall be considered a judgment granting custody to the other parent. If the parentage judgment contains no such provisions, custody shall be presumed to be with the mother; however, the presumption shall not apply if the father has had physical custody for at least 6 months prior to the date that the mother seeks to enforce custodial rights.

(b) The court shall order all child support payments, determined in accordance with such guidelines, to commence with the date summons is served. The level of current periodic support payments shall not be reduced because of payments set for the period prior to the date of entry of the support order. The Court may order any child support payments to be made for a period prior to the commencement of the action. In determining whether and the extent to which the payments shall be made for any prior period, the court shall consider all relevant facts, including the factors for determining the amount of support specified in the Illinois Marriage and Dissolution of Marriage Act and other equitable factors including but not limited to:

(1) The father's prior knowledge of the fact and circumstances of the child's birth.

New matter indicated by italics - deletions by strikeout
(2) The father's prior willingness or refusal to help raise or support the child.

(3) The extent to which the mother or the public agency bringing the action previously informed the father of the child's needs or attempted to seek or require his help in raising or supporting the child.

(4) The reasons the mother or the public agency did not file the action earlier.

(5) The extent to which the father would be prejudiced by the delay in bringing the action.

For purposes of determining the amount of child support to be paid for any period before the date the order for current child support is entered, there is a rebuttable presumption that the father's net income for the prior period was the same as his net income at the time the order for current child support is entered.

If (i) the non-custodial parent was properly served with a request for discovery of financial information relating to the non-custodial parent's ability to provide child support, (ii) the non-custodial parent failed to comply with the request, despite having been ordered to do so by the court, and (iii) the non-custodial parent is not present at the hearing to determine support despite having received proper notice, then any relevant financial information concerning the non-custodial parent's ability to provide child support that was obtained pursuant to subpoena and proper notice shall be admitted into evidence without the need to establish any further foundation for its admission.

(c) Any new or existing support order entered by the court under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder, each judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order. Each judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced. A lien arises by operation of law
against the real and personal property of the noncustodial parent for each installment of overdue support owed by the noncustodial parent.

(d) If the judgment or order of the court is at variance with the child's birth certificate, the court shall order that a new birth certificate be issued under the Vital Records Act.

(e) On request of the mother and the father, the court shall order a change in the child's name. After hearing evidence the court may stay payment of support during the period of the father's minority or period of disability.

(f) If, upon a showing of proper service, the father fails to appear in court, or otherwise appear as provided by law, the court may proceed to hear the cause upon testimony of the mother or other parties taken in open court and shall enter a judgment by default. The court may reserve any order as to the amount of child support until the father has received notice, by regular mail, of a hearing on the matter.

(g) A one-time charge of 20% is imposable upon the amount of past-due child support owed on July 1, 1988 which has accrued under a support order entered by the court. The charge shall be imposed in accordance with the provisions of Section 10-21 of the Illinois Public Aid Code and shall be enforced by the court upon petition.

(h) All orders for support, when entered or modified, shall include a provision requiring the non-custodial parent to notify the court and, in cases in which party is receiving child support enforcement services under Article X of the Illinois Public Aid Code, the Illinois Department of Healthcare and Family Services Public Aid, within 7 days, (i) of the name and address of any new employer of the non-custodial parent, (ii) whether the non-custodial parent has access to health insurance coverage through the employer or other group coverage and, if so, the policy name and number and the names of persons covered under the policy, and (iii) of any new residential or mailing address or telephone number of the non-custodial parent. In any subsequent action to enforce a support order, upon a sufficient showing that a diligent effort has been made to ascertain the location of the non-custodial parent, service of process or provision of notice necessary in the case may be made at the last known address of the

New matter indicated by italics - deletions by strikeout
non-custodial parent in any manner expressly provided by the Code of Civil Procedure or this Act, which service shall be sufficient for purposes of due process.

(i) An order for support shall include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of 18. However, if the child will not graduate from high school until after attaining the age of 18, then the termination date shall be no earlier than the earlier of the date on which the child's high school graduation will occur or the date on which the child will attain the age of 19. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. Nothing in this subsection shall be construed to prevent the court from modifying the order or terminating the order in the event the child is otherwise emancipated.

(i-5) If there is an unpaid arrearage or delinquency (as those terms are defined in the Income Withholding for Support Act) equal to at least one month's support obligation on the termination date stated in the order for support or, if there is no termination date stated in the order, on the date the child attains the age of majority or is otherwise emancipated, the periodic amount required to be paid for current support of that child immediately prior to that date shall automatically continue to be an obligation, not as current support but as periodic payment toward satisfaction of the unpaid arrearage or delinquency. That periodic payment shall be in addition to any periodic payment previously required for satisfaction of the arrearage or delinquency. The total periodic amount to be paid toward satisfaction of the arrearage or delinquency may be enforced and collected by any method provided by law for enforcement and collection of child support, including but not limited to income withholding under the Income Withholding for Support Act. Each order for support entered or modified on or after the effective date of this amendatory Act of the 93rd General Assembly must contain a statement notifying the parties of the requirements of this subsection. Failure to include the statement in the order for support does not affect the validity of the order or the operation of the provisions of this subsection with regard
to the order. This subsection shall not be construed to prevent or affect the establishment or modification of an order for support of a minor child or the establishment or modification of an order for support of a non-minor child or educational expenses under Section 513 of the Illinois Marriage and Dissolution of Marriage Act.

(j) An order entered under this Section shall include a provision requiring the obligor to report to the obligee and to the clerk of court within 10 days each time the obligor obtains new employment, and each time the obligor's employment is terminated for any reason. The report shall be in writing and shall, in the case of new employment, include the name and address of the new employer. Failure to report new employment or the termination of current employment, if coupled with nonpayment of support for a period in excess of 60 days, is indirect criminal contempt. For any obligor arrested for failure to report new employment bond shall be set in the amount of the child support that should have been paid during the period of unreported employment. An order entered under this Section shall also include a provision requiring the obligor and obligee parents to advise each other of a change in residence within 5 days of the change except when the court finds that the physical, mental, or emotional health of a party or that of a minor child, or both, would be seriously endangered by disclosure of the party's address.

(Source: P.A. 92-590, eff. 7-1-02; 92-876, eff. 6-1-03; 93-139, eff. 7-10-03; 93-1061, eff. 1-1-05; revised 12-15-05.)

Approved July 31, 2006.

PUBLIC ACT 94-1062
(Senate Bill No. 1827)

AN ACT concerning energy conservation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout
Section 5. The Local Government Energy Conservation Act is amended by adding Sections 3 and 4 and by changing Sections 5 and 10 as follows:

(50 ILCS 515/3 new)

Sec. 3. Applicable laws. Other State laws and related administrative requirements apply to this Act, including, but not limited to, the following laws and related administrative requirements: the Illinois Human Rights Act, the Prevailing Wage Act, the Public Construction Bond Act, the Public Works Preference Act, the Employment of Illinois Workers on Public Works Act, the Freedom of Information Act, the Open Meetings Act, the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, the Local Government Professional Services Selection Act, and the Contractor Unified License and Permit Bond Act.

(50 ILCS 515/4 new)

Sec. 4. Applicability. In order to protect the integrity of historic buildings, no provision of this Act shall be interpreted to require the implementation of energy conservation measures that conflict with respect to any property eligible for, nominated to, or entered on the National Register of Historic Places, pursuant to the National Historic Preservation Act of 1966, or the Illinois Register of Historic Places, pursuant to the Illinois Historic Preservation Act.

(50 ILCS 515/5)

Sec. 5. Definitions. As used in this Act, unless the context clearly requires otherwise:

"Energy conservation measure" means any improvement, repair, alteration, or betterment of any building or facility owned or operated by a unit of local government or any equipment, fixture, or furnishing to be added to or used in any such building or facility, subject to all applicable building codes, that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

(1) Insulation of the building structure or systems within the building.

New matter indicated by italics - deletions by strikeout
(2) Storm windows or doors, caulking or weatherstripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing, reductions in glass area, or other window and door system modifications that reduce energy consumption.

(3) Automated or computerized energy control systems.

(4) Heating, ventilating, or air conditioning system modifications or replacements.

(5) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable State or local building code for the lighting system after the proposed modifications are made.

(6) Energy recovery systems.

(7) Energy conservation measures that provide long-term operating cost reductions.

"Guaranteed energy savings contract" means a contract for: (i) the implementation of an energy audit, data collection, and other related analyses preliminary to the undertaking of energy conservation measures; (ii) the evaluation and recommendation of energy conservation measures; (iii) the implementation of one or more energy conservation measures; and (iv) the implementation of project monitoring and data collection to verify post-installation energy consumption and energy-related operating costs. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and that the savings are guaranteed to the extent necessary to pay the costs of the energy conservation measures.

"Qualified provider" means a person or business whose employees are experienced and trained in the design, implementation, or installation of energy conservation measures. The minimum training required for any person or employee under this paragraph shall be the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures. A qualified provider to whom the contract is

New matter indicated by italics - deletions by strikeout
awarded shall give a sufficient bond to the unit of local government for its faithful performance.

"Request for proposals" means a competitive selection achieved by negotiated procurement. The request for proposals shall be announced through at least one public notice, at least 14 days before the request date in a newspaper published in the territory comprising the unit of local government or, if no newspaper is published in that territory, in a newspaper of general circulation in the area of the unit of local government, from a unit of local government that will administer the program, requesting innovative solutions and proposals for energy conservation measures. Proposals submitted shall be sealed. The request for proposals shall include all of the following:

1. The name and address of the unit of local government.
2. The name, address, title, and phone number of a contact person.
3. Notice indicating that the unit of local government is requesting qualified providers to propose energy conservation measures through a guaranteed energy savings contract.
4. The date, time, and place where proposals must be received.
5. The evaluation criteria for assessing the proposals.
6. Any other stipulations and clarifications the unit of local government may require.

"Unit of local government" means a county, township, or municipality, or park district.

(Source: P.A. 88-173.)
(50 ILCS 515/10)

Sec. 10. Evaluation of proposal. Before entering into a guaranteed energy savings contract under Section 15, a unit of local government shall submit a request for proposals. The unit of local government shall evaluate any sealed proposal from a qualified provider. The evaluation shall analyze the estimates of all costs of installations, modifications, or remodeling, including, without limitation, costs of a pre-installation energy audit or analysis, design, engineering, installation, maintenance,
repairs, debt service, conversions to a different energy or fuel source, or post-installation project monitoring, data collection, and reporting. The evaluation shall include a detailed analysis of whether either the energy consumed or the operating costs, or both, will be reduced. If technical assistance is not available by a licensed architect or registered professional engineer on the unit of local government's staff, then the evaluation of the proposal shall be done by a registered professional engineer or architect who is retained by the unit of local government. Any licensed architect or registered professional engineer evaluating a proposal under this Section may not have any financial or contractual relationship with a qualified provider or other source that would constitute a conflict of interest. The unit of local government may pay a reasonable fee for evaluation of the proposal or include the fee as part of the payments made under Section 20. (Source: P.A. 88-173.)

Section 10. The Public University Energy Conservation Act is amended by adding Sections 3 and 4 and by changing Sections 5-10, 5-25, 10, 15, and 20 as follows:

(110 ILCS 62/3 new)

Sec. 3. Applicable laws. Other State laws and related administrative requirements apply to this Act, including, but not limited to, the following laws and related administrative requirements: the Illinois Human Rights Act, the Prevailing Wage Act, the Public Construction Bond Act, the Public Works Preference Act, the Employment of Illinois Workers on Public Works Act, the Freedom of Information Act, the Open Meetings Act, the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act, the Public Contract Fraud Act, the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, and the Public Works Employment Discrimination Act.

(110 ILCS 62/4 new)

Sec. 4. Applicability. In order to protect the integrity of historic buildings, no provision of this Act shall be interpreted to require the implementation of energy conservation measures that conflict with respect
to any property eligible for, nominated to, or entered on the National Register of Historic Places, pursuant to the National Historic Preservation Act of 1966, or the Illinois Register of Historic Places, pursuant to the Illinois Historic Preservation Act.

(110 ILCS 62/5-10)

Sec. 5-10. Energy conservation measure. "Energy conservation measure" means any improvement, repair, alteration, or betterment of any building or facility, subject to all applicable building codes, owned or operated by a public university or any equipment, fixture, or furnishing to be added to or used in any such building or facility that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

(1) Insulation of the building structure or systems within the building.

(2) Storm windows or doors, caulking or weatherstripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing, reductions in glass area, or other window and door system modifications that reduce energy consumption.

(3) Automated or computerized energy control systems.

(4) Heating, ventilating, or air conditioning system modifications or replacements.

(5) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable State or local building code for the lighting system after the proposed modifications are made.

(6) Energy recovery systems.

(7) Energy conservation measures that provide long-term operating cost reductions.

(Source: P.A. 90-486, eff. 8-17-97.)

(110 ILCS 62/5-25)
Sec. 5-25. Request for proposals. "Request for proposals" means a competitive selection achieved by negotiated procurement. The request for proposals shall be announced by the public university that will administer the program in the Illinois Public Higher Education Procurement Bulletin and through at least one public notice, at least 14 days before the request date, in a newspaper published in the county in which that public university is located, or if no newspaper is published in that county, in a newspaper of general circulation in the area of that county, requesting innovative solutions and proposals for energy conservation measures. Proposals submitted shall be sealed. The request for proposals shall include all of the following:

(1) The name and address of the public university that will administer the program.
(2) The name, address, title, and phone number of a contact person.
(3) Notice indicating that the public university is requesting qualified providers to propose energy conservation measures through a guaranteed energy savings contract.
(4) The date, time, and place where proposals must be received.
(5) The evaluation criteria for assessing the proposals.
(6) Any other stipulations and clarifications the public university may require.

(Source: P.A. 90-486, eff. 8-17-97.)

(110 ILCS 62/10)

Sec. 10. Evaluation of proposal. Before entering into a guaranteed energy savings contract under Section 15, a public university shall submit a request for proposals. The public university shall evaluate any sealed proposal from a qualified provider. The evaluation shall analyze the estimates of all costs of installations, modifications or remodeling, including, without limitation, costs of a pre-installation energy audit or analysis, design, engineering, installation, maintenance, repairs, debt service, conversions to a different energy or fuel source, or post-installation project monitoring, data collection, and reporting. The
evaluation shall include a detailed analysis of whether either the energy consumed or the operating costs, or both, will be reduced. If technical assistance is not available by a licensed architect or registered professional engineer on the staff of the public university, then the evaluation of the proposal shall be done by a registered professional engineer or architect, who is retained by the public university. Any licensed architect or registered professional engineer evaluating a proposal under this Section may not have any financial or contractual relationship with a qualified provider or other source that would constitute a conflict of interest. The public university may pay a reasonable fee for evaluation of the proposal or include the fee as part of the payments made under Section 20.

(Source: P.A. 90-486, eff. 8-17-97.)

(110 ILCS 62/15)

Sec. 15. Award of guaranteed energy savings contract. Sealed proposals must be opened by the public university's board of trustees or a designee of that board at a public opening at which the contents of the proposals must be announced. Each person or entity submitting a sealed proposal must receive at least 10 days notice of the time and place of the opening. The public university shall select the qualified provider that best meets the needs of the university district. The public university shall provide public notice of the meeting at which it proposes to award a guaranteed energy savings contract and of the names of the parties to the proposed contract and the purpose of the contract. The public notice shall be made at least 10 days prior to the meeting. After evaluating the proposals under Section 10, a public university may enter into a guaranteed energy savings contract with a qualified provider if it finds that the amount it would spend on the energy conservation measures recommended in the proposal would not exceed the amount to be saved in either energy or operational costs, or both, within a 20-year 10-year period from the date of installation, if the recommendations in the proposal are followed. Contracts let or awarded shall be published in the next available subsequent Illinois Public Higher Education Procurement Bulletin.

(Source: P.A. 90-486, eff. 8-17-97.)

New matter indicated by italics - deletions by strikeout
Sec. 20. Guarantee. The guaranteed energy savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed within 20 years the costs of the energy conservation measures. The qualified provider shall reimburse the public university for any shortfall of guaranteed energy savings projected in the contract. A qualified provider shall provide a sufficient bond to the public university for the installation and the faithful performance of all the measures included in the contract. The guaranteed energy savings contract may provide for payments over a period of time, not to exceed 20 years from the date of final installation of the measures.

(Source: P.A. 90-486, eff. 8-17-97.)

Section 15. The Public Community College Act is amended by adding Sections 1-3 and 1-4 and by changing Sections 5A-10, 5A-25, 5A-30, 5A-35, and 5A-40 as follows:

Sec. 1-3. Applicable laws. Other State laws and related administrative requirements apply to this Act, including, but not limited to, the following laws and related administrative requirements: the Illinois Human Rights Act, the Prevailing Wage Act, the Public Construction Bond Act, the Public Works Preference Act, the Employment of Illinois Workers on Public Works Act, the Freedom of Information Act, the Open Meetings Act, the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, the Local Government Professional Services Selection Act, and the Contractor Unified License and Permit Bond Act.

Sec. 1-4. Applicability. In order to protect the integrity of historic buildings, no provision of this Act shall be interpreted to require the implementation of energy conservation measures that conflict with respect to any property eligible for, nominated to, or entered on the National Register of Historic Places, pursuant to the National Historic

(110 ILCS 805/5A-10)

Sec. 5A-10. Energy conservation measure. "Energy conservation measure" means any improvement, repair, alteration, or betterment of any building or facility owned or operated by a community college district or any equipment, fixture, or furnishing to be added to or used in any such building or facility, subject to all applicable building codes, that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

   (1) Insulation of the building structure or systems within the building.
   (2) Storm windows or doors, caulking or weatherstripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing, reductions in glass area, or other window and door system modifications that reduce energy consumption.
   (3) Automated or computerized energy control systems.
   (4) Heating, ventilating, or air conditioning system modifications or replacements.
   (5) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable State or local building code for the lighting system after the proposed modifications are made.
   (6) Energy recovery systems.
   (7) Energy conservation measures that provide long-term operating cost reductions.

(Source: P.A. 88-173.)

(110 ILCS 805/5A-25)

Sec. 5A-25. Request for proposals. "Request for proposals" means a competitive selection achieved by negotiated procurement. The request for proposals shall be announced in the Illinois Procurement Bulletin and

New matter indicated by italics - deletions by strikeout
through at least one public notice, at least 14 + 0 days before the request date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district, by a community college district that will administer the program, requesting innovative solutions and proposals for energy conservation measures. Proposals submitted shall be sealed. The request for proposals shall include all of the following:

1. The name and address of the community college district.
2. The name, address, title, and phone number of a contact person.
3. Notice indicating that the community college district is requesting qualified providers to propose energy conservation measures through a guaranteed energy savings contract.
4. The date, time, and place where proposals must be received.
5. The evaluation criteria for assessing the proposals.
6. Any other stipulations and clarifications the community college district may require.

(Source: P.A. 88-173.)

(110 ILCS 805/5A-30)

Sec. 5A-30. Evaluation of proposal. Before entering into a guaranteed energy savings contract under Section 5A-35, a community college district shall submit a request for proposals. The community college district shall evaluate any sealed proposal from a qualified provider. The evaluation shall analyze the estimates of all costs of installations, modifications or remodeling, including, without limitation, costs of a pre-installation energy audit or analysis, design, engineering, installation, maintenance, repairs, debt service, conversions to a different energy or fuel source, or post-installation project monitoring, data collection, and reporting. The evaluation shall include a detailed analysis of whether either the energy consumed or the operating costs, or both, will be reduced. If technical assistance is not available by a licensed architect or registered professional engineer on the community college district staff,
then the evaluation of the proposal shall be done by a registered professional engineer or architect, who is retained by the community college district. *Any licensed architect or registered professional engineer evaluating a proposal under this Section may not have any financial or contractual relationship with a qualified provider or other source that would constitute a conflict of interest.* The community college district may pay a reasonable fee for evaluation of the proposal or include the fee as part of the payments made under Section 5A-40.

(Source: P.A. 88-173.)

(110 ILCS 805/5A-35)

Sec. 5A-35. Award of guaranteed energy savings contract. Sealed proposals must be opened by a member or employee of the community college board at a public opening at which the contents of the proposals must be announced. Each person or entity submitting a sealed proposal must receive at least 10 days notice of the time and place of the opening. The community college district shall select the qualified provider that best meets the needs of the district. The community college district shall provide public notice of the meeting at which it proposes to award a guaranteed energy savings contract of the names of the parties to the proposed contract and of the purpose of the contract. The public notice shall be made at least 10 days prior to the meeting. After evaluating the proposals under Section 5A-30, a community college district may enter into a guaranteed energy savings contract with a qualified provider if it finds that the amount it would spend on the energy conservation measures recommended in the proposal would not exceed the amount to be saved in either energy or operational costs, or both, within a 20-year period from the date of installation, if the recommendations in the proposal are followed. *Contracts let or awarded shall be published in the next available subsequent Illinois Procurement Bulletin.*

(Source: P.A. 88-173.)

(110 ILCS 805/5A-40)

Sec. 5A-40. Guarantee. The guaranteed energy savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed within 20

New matter indicated by italics - deletions by strikeout


+\theta years the costs of the energy conservation measures. The qualified provider shall reimburse the community college district for any shortfall of guaranteed energy savings projected in the contract. A qualified provider shall provide a sufficient bond to the community college district for the installation and the faithful performance of all the measures included in the contract. The guaranteed energy savings contract may provide for payments over a period of time, not to exceed 20 +\theta years from the date of final installation of the measures.

(Source: P.A. 88-173; 88-615, eff. 9-9-94.)

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

Approved July 31, 2006.
Effective July 31, 2006.

PUBLIC ACT 94-1063
(Senate Bill No. 2170)

AN ACT concerning business.

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

Section 5. The Nursing Home Care Act is amended by adding Section 2-217 as follows:

(210 ILCS 45/2-217 new)

Sec. 2-217. Order for transportation of resident by ambulance. If a facility orders transportation of a resident of the facility by ambulance, the facility must maintain a written record that shows (i) the name of the person who placed the order for that transportation and (ii) the medical reason for that transportation. The facility must maintain the record for a period of at least 3 years after the date of the order for transportation by ambulance.

Section 10. The Hospital Licensing Act is amended by adding Section 6.22 as follows:

(210 ILCS 85/6.22 new)

New matter indicated by italics - deletions by strikeout
Sec. 6.22. Arrangement for transportation of patient by ambulance. 

(a) In this Section:

"Ambulance service provider" means a Vehicle Service Provider as defined in the Emergency Medical Services (EMS) Systems Act who provides non-emergency transportation services by ambulance.

"Patient" means a person who is transported by an ambulance service provider.

(b) If a hospital arranges for transportation of a patient of the hospital by ambulance, the hospital must provide the ambulance service provider, prior to transport, a Physician Certification Statement formatted and completed in compliance with federal regulations or an equivalent form developed by the hospital. The Physician Certification Statement or equivalent form is not required prior to transport if a delay in transport can be expected to negatively affect the patient outcome.

(c) If a hospital is unable to provide a Physician Certification Statement or equivalent form, then the hospital shall provide to the patient a written notice and a verbal explanation of the written notice, which notice must meet all of the following requirements:

(1) The following caption must appear at the beginning of the notice in at least 14-point type: Notice to Patient Regarding Non-Emergency Ambulance Services.

(2) The notice must contain each of the following statements in at least 14-point type:

(A) The purpose of this notice is to help you make an informed choice about whether you want to be transported by ambulance because your medical condition does not meet medical necessity for transportation by an ambulance.

(B) Your insurance may not cover the charges for ambulance transportation.

(C) You may be responsible for the cost of ambulance transportation.

New matter indicated by italics - deletions by strikeout
The estimated cost of ambulance transportation is $(amount).

(3) The notice must be signed by the patient or by the patient's authorized representative. A copy shall be given to the patient and the hospital shall retain a copy.

(d) The notice set forth in subsection (c) of this Section shall not be required if a delay in transport can be expected to negatively affect the patient outcome.

(e) If a patient is physically or mentally unable to sign the notice described in subsection (c) of this Section and no authorized representative of the patient is available to sign the notice on the patient's behalf, the hospital must be able to provide documentation of the patient's inability to sign the notice and the unavailability of an authorized representative. In any case described in this subsection (e), the hospital shall be considered to have met the requirements of subsection (c) of this Section.

Approved July 31, 2006.

PUBLIC ACT 94-1064
(House Bill No. 4676)

AN ACT in relation to aging.

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

Section 5. The Elder Abuse and Neglect Act is amended by changing Sections 2, 3, 3.5, 4, 5, 8, 9, and 13 as follows:

(320 ILCS 20/2) (from Ch. 23, par. 6602)
Sec. 2. Definitions. As used in this Act, unless the context requires otherwise:

(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.

New matter indicated by italics - deletions by strikeout
Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, or neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

(c) "Director" means the Director of the Department.

(d) "Domestic living situation" means a residence where the eligible adult lives alone or with his or her family or a caregiver, or others, or a board and care home or other community-based unlicensed facility, but is not:

(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;
(2) A "life care facility" as defined in the Life Care Facilities Act;
(3) A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;
(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;
(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;

New matter indicated by italics - deletions by strikeout
(6) A "community residential alternative" as defined in the Community Residential Alternatives Licensing Act; and

(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;

(8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or

(9) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

(e) "Eligible adult" means a person 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself.

(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in: (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietetic and Nutrition Services Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nursing and Advanced Practice Nursing Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act of 1987, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and

New matter indicated by italics - deletions by strikeout
Clinical Professional Counselor Licensing Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential by a Christian Science Practitioner;

(5) field personnel of the Department of Healthcare and Family Services Public Aid, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

New matter indicated by italics - deletions by strikeout
(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, or financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred.

(Source: P.A. 92-16, eff. 6-28-01; 93-281 eff. 12-31-03; 93-300, eff. 1-1-04; revised 12-15-05.)

(320 ILCS 20/3) (from Ch. 23, par. 6603)
Sec. 3. Responsibilities.
(a) The Department shall establish, design and manage a program of response and services for persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, or financial exploitation, or self-neglect. The Department shall contract with or fund or, contract with and fund, regional administrative agencies, provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to this Act.

(b) Each regional administrative agency shall designate provider agencies within its planning and service area with prior approval by the Department on Aging, monitor the use of services, provide technical assistance to the provider agencies and be involved in program development activities.

(c) Provider agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently. Such assistance shall include but not be limited to receiving reports of alleged or suspected abuse, neglect, or financial exploitation, or self-neglect, conducting face-to-face assessments of such reported cases, determination of substantiated cases, referral of substantiated cases for necessary support services, referral of criminal conduct to law enforcement in accordance with Department guidelines, and provision of case work and follow-up services on substantiated cases.

(d) By January 1, 2008, the Department on Aging, in cooperation with an Elder Self-Neglect Steering Committee, shall by rule develop protocols, procedures, and policies for (i) responding to reports of possible self-neglect, (ii) protecting the autonomy, rights, privacy, and privileges of adults during investigations of possible self-neglect and consequential judicial proceedings regarding competency, (iii) collecting and sharing relevant information and data among the Department, provider agencies, regional administrative agencies, and relevant seniors, (iv) developing working agreements between provider agencies and law enforcement, where practicable, and (v) developing procedures for collecting data regarding incidents of self-neglect. The Elder Self-Neglect Steering Committee shall be comprised of one person selected by the Elder...
Abuse Advisory Committee of the Department on Aging; 3 persons selected, on the request of the Director of Aging, by State or regional organizations that advocate for the rights of seniors, at least one of whom shall be a legal assistance attorney who represents seniors in competency proceedings; 2 persons selected, on the request of the Director of Aging, by statewide organizations that represent social workers and other persons who provide direct intervention and care to housebound seniors who are likely to neglect themselves; an expert on geropsychiatry, appointed by the Secretary of Human Services; an expert on issues of physical health associated with seniors, appointed by the Director of Public Health; one representative of a law enforcement agency; one representative of the Chicago Department on Aging; and 3 other persons selected by the Director of Aging, including an expert from an institution of higher education who is familiar with the relevant areas of data collection and study.

(Source: P.A. 90-628, eff. 1-1-99.)

(320 ILCS 20/3.5)

Sec. 3.5. Other Responsibilities. The Department shall also be responsible for the following activities, contingent upon adequate funding:

(a) promotion of a wide range of endeavors for the purpose of preventing elder abuse, neglect, and financial exploitation, and self-neglect in both domestic and institutional settings, including, but not limited to, promotion of public and professional education to increase awareness of elder abuse, neglect, and financial exploitation, and self-neglect, to increase reports, and to improve response by various legal, financial, social, and health systems;

(b) coordination of efforts with other agencies, councils, and like entities, to include but not be limited to, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the Departments of Public Health, Public Aid, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, and other entities which may impact awareness of, and response to, elder abuse, neglect, and financial exploitation, and self-neglect;

New matter indicated by italics - deletions by strikeout
(c) collection and analysis of data;
(d) monitoring of the performance of regional administrative agencies and elder abuse provider agencies;
(e) promotion of prevention activities;
(f) establishing and coordinating establishment and coordination of
an aggressive training program on about the unique nature of elder abuse cases with other agencies, councils, and like entities, to include including but not be limited to the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Illinois Criminal Justice Information Authority, the State Departments of Public Health, Public Aid, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, and other entities that may impact awareness of; and response to; elder abuse, neglect, and financial exploitation, and self-neglect;
(g) solicitation of financial institutions for the purpose of making information available to the general public warning of financial exploitation of the elderly and related financial fraud or abuse, including such information and warnings available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution; and
(h) coordinating coordinating of efforts with utility and electric companies to send notices in utility bills to which explain to persons 60 years of age or older their elder rights regarding telemarketing and home repair fraud frauds.

(Source: P.A. 92-16, eff. 6-28-01; 93-300, eff. 1-1-04; 93-301, eff. 1-1-04; revised 1-23-04.)

(320 ILCS 20/4) (from Ch. 23, par. 6604)
Sec. 4. Reports of abuse or neglect.
(a) Any person who suspects the abuse, neglect, or financial exploitation, or self-neglect of an eligible adult may report this suspicion to an agency designated to receive such reports under this Act or to the Department.

New matter indicated by italics - deletions by strikeout
(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of dysfunction is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, board and care home, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with the provisions of this Act and may also notify the person in charge of the institution, facility, board and care home, or agency or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, board and care home, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.

(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment,
or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, or financial exploitation shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse or neglect under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order.

(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A)(22) of Section 22 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 23 of the Illinois Dental Practice Act. Any other mandated reporter required by this Act to report suspected abuse, neglect, or financial exploitation who willfully fails to report the same is guilty of a Class A misdemeanor.

(Source: P.A. 93-300, eff. 1-1-04; 93-301, eff. 1-1-04.)

(320 ILCS 20/5) (from Ch. 23, par. 6605)
Sec. 5. Procedure.

(a) A provider agency designated to receive reports of alleged or suspected abuse, neglect, or financial exploitation, or self-neglect under this Act shall, upon receiving such a report, conduct a face-to-face assessment with respect to such report, in accord with established law and Department protocols, procedures, and policies. Face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect. In the absence of sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect, the designated elder abuse provider agency shall refer all reports of self-neglect to the appropriate agency or agencies as designated by the Department for any follow-up. The assessment shall include, but not be limited to, a visit to the residence of the eligible adult who is the subject of the report and may include interviews or consultations with service agencies or individuals who may have knowledge of the eligible adult's circumstances. If, after the assessment, the provider agency determines that the case is substantiated it shall develop a service care plan for the eligible adult and may report its findings to the appropriate law enforcement agency in accord with established law and Department protocols, procedures, and policies. In developing the plan, the provider agency may consult with any other appropriate provider of services, and such providers shall be immune from civil or criminal liability on account of such acts. The plan shall include alternative suggested or recommended services which are appropriate to the needs of the eligible adult and which involve the least restriction of the eligible adult's activities commensurate with his or her needs. Only those services to which consent is provided in accordance with Section 9 of this Act shall be provided, contingent upon the availability of such services.

(b) A provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake.

New matter indicated by italics - deletions by strikeout
or any time during the case. Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.

(c) If any person other than the alleged victim refuses to allow the provider agency to begin an investigation, interferes with the provider agency's ability to conduct an investigation, or refuses to give access to an eligible adult, the appropriate law enforcement agency must be consulted regarding the investigation.

(Source: P.A. 90-628, eff. 1-1-99.)

(320 ILCS 20/8) (from Ch. 23, par. 6608)

Sec. 8. Access to records. All records concerning reports of elder abuse, neglect, and financial exploitation, or self-neglect and all records generated as a result of such reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. In accord with established law and Department protocols, procedures, and policies, access to such records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, or financial exploitation, or self-neglect as contained in such records, shall be provided, upon request, to the following persons and for the following persons:

(1) Department staff, provider agency staff, other aging network staff, and regional administrative agency staff, including staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency, in the furtherance of their responsibilities under this Act;

(2) A law enforcement agency investigating known or suspected elder abuse, neglect, or financial exploitation, or self-neglect. Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;

(3) A physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may
be abused, neglected, or financially exploited, or self-neglected or who has been referred to the Elder Abuse and Neglect Program;

(4) An eligible adult reported to be abused, neglected, or financially exploited, or self-neglected, or such adult's guardian unless such guardian is the abuser or the alleged abuser;

(5) In cases regarding elder abuse, neglect, or financial exploitation, a court or a guardian ad litem, upon its or his or her finding that access to such records may be necessary for the determination of an issue before the court. However, such access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it;

(5.5) In cases regarding self-neglect, a guardian ad litem;

(6) A grand jury, upon its determination that access to such records is necessary in the conduct of its official business;

(7) Any person authorized by the Director, in writing, for audit or bona fide research purposes;

(8) A coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, neglect, or financial exploitation, or self-neglect. The provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult; and

(9) Department of Professional Regulation staff and members of the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act by provider agency staff.

(Source: P.A. 89-387, eff. 8-20-95; 90-628, eff. 1-1-99.)

(320 ILCS 20/9) (from Ch. 23, par. 6609)

Sec. 9. Authority to consent to services.

(a) If an eligible adult consents to services being provided according to the service care plan, such services shall be arranged to meet the adult's needs, based upon the availability of resources to provide such services. If an adult withdraws his or her consent or refuses to accept such services, the services shall not be provided.

New matter indicated by italics - deletions by strikeout
(b) If it reasonably appears to the Department or other agency designated under this Act that a person is an eligible adult and lacks the capacity to consent to necessary services, including an assessment, the Department or other agency may seek the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such services.

(c) A guardian of the person of an eligible adult may consent to services being provided according to the service care plan. If a guardian withdraws his or her consent or refuses to allow services to be provided to the eligible adult, the Department, an agency designated under this Act, or the office of the Attorney General may request a court order seeking appropriate remedies, and may in addition request removal of the guardian and appointment of a successor guardian.

(d) If an emergency exists and the Department or other agency designated under this Act reasonably believes that a person is an eligible adult and lacks the capacity to consent to necessary services, the Department or other agency may request an ex parte order from the circuit court of the county in which the petitioner or respondent resides or in which the alleged abuse, neglect, or financial exploitation, or self-neglect occurred, authorizing an assessment of a report of alleged or suspected abuse, neglect, or financial exploitation, or self-neglect or the provision of necessary services, or both, including relief available under the Illinois Domestic Violence Act of 1986 in accord with established law and Department protocols, procedures, and policies. Petitions filed under this subsection shall be treated as expedited proceedings.

(e) Within 15 days after the entry of the ex parte emergency order, the order shall expire, or, if the need for assessment or services continues, the provider agency shall petition for the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such assessment or services or to protect the eligible adult from further harm.

(f) If the court enters an ex parte order under subsection (d) for an assessment of a report of alleged or suspected self-neglect, or for the provision of necessary services in connection with alleged or suspected

New matter indicated by italics - deletions by strikeout
self-neglect, or for both, the court, as soon as is practicable thereafter, shall appoint a guardian ad litem for the eligible adult who is the subject of the order, for the purpose of reviewing the reasonableness of the order. The guardian ad litem shall review the order and, if the guardian ad litem reasonably believes that the order is unreasonable, the guardian ad litem shall file a petition with the court stating the guardian ad litem's belief and requesting that the order be vacated.

(Source: P.A. 90-628, eff. 1-1-99.)

(320 ILCS 20/13)

Sec. 13. Access.

(a) In accord with established law and Department protocols, procedures, and policies, the designated provider agencies shall have access to eligible adults who have been reported or found to be victims of abuse, neglect, or financial exploitation, or self-neglect in order to assess the validity of the report, assess other needs of the eligible adult, and provide services in accordance with this Act.

(b) Where access to an eligible adult is denied, the Office of the Attorney General, the Department, or the provider agency may petition the court for an order to require appropriate access where:

(1) a caregiver or third party has interfered with the assessment or service plan, or

(2) the agency has reason to believe that the eligible adult is denying access because of coercion, extortion, or justifiable fear of future abuse, neglect, or financial exploitation.

(c) The petition for an order requiring appropriate access shall be afforded an expedited hearing in the circuit court.

(d) If the elder abuse provider agency has substantiated financial exploitation against an eligible adult, and has documented a reasonable belief that the eligible adult will be irreparably harmed as a result of the financial exploitation, the Office of the Attorney General, the Department, or the provider agency may petition for an order freezing the assets of the eligible adult. The petition shall be filed in the county or counties in which the assets are located. The court's order shall prohibit the sale, gifting, transfer, or wasting of the assets of the eligible adult, both real and

New matter indicated by italics - deletions by strikeout
personal, owned by, or vested in, the eligible adult, without the express permission of the court. The petition to freeze the assets of the eligible adult shall be afforded an expedited hearing in the circuit court.

(Source: P.A. 90-628, eff. 1-1-99.)

Section 99. Effective date. This Act takes effect January 1, 2007.
Approved August 1, 2006.

PUBLIC ACT 94-1065
(Senate Bill No. 0835)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Section 7-1-1 as follows:

(65 ILCS 5/7-1-1) (from Ch. 24, par. 7-1-1)

Sec. 7-1-1. Annexation of contiguous territory. Any territory that is not within the corporate limits of any municipality but is contiguous to a municipality may be annexed to the municipality as provided in this Article. For the purposes of this Article any territory to be annexed to a municipality shall be considered to be contiguous to the municipality notwithstanding that the territory is separated from the municipality by a strip parcel, railroad or public utility right-of-way, or former railroad right-of-way that has been converted to a recreational trail, but upon annexation the area included within that strip parcel, right-of-way, or former right-of-way shall not be considered to be annexed to the municipality. For purposes of this Section, "strip parcel" means a separation no wider than 30 feet between the territory to be annexed and the municipal boundary.

Except in counties with a population of more than 600,000 but less than 3,000,000, territory which is not contiguous to a municipality but is separated therefrom only by a forest preserve district, federal wildlife refuge, or open land or open space that is part of an open space program,

New matter indicated by italics - deletions by strikeout
as defined in Section 115-5 of the Township Code, may be annexed to the
municipality pursuant to Section 7-1-7 or 7-1-8, but only if the annexing
municipality can show that the forest preserve district, federal wildlife
refuge, open land, or open space creates an artificial barrier preventing the
annexation and that the location of the forest preserve district, federal
wildlife refuge, open land, or open space property prevents the orderly
natural growth of the annexing municipality. It shall be conclusively
presumed that the forest preserve district, federal wildlife refuge, open
land, or open space does not create an artificial barrier if the property
sought to be annexed is bounded on at least 3 sides by (i) one or more
other municipalities (other than the municipality seeking annexation
through the existing forest preserve district, federal wildlife refuge, open
land, or open space), (ii) forest preserve district property, federal wildlife
refuge, open land, or open space, or (iii) a combination of other
municipalities and forest preserve district property, federal wildlife refuge
property, open land, or open space. It shall also be conclusively presumed
that the forest preserve district, federal wildlife refuge, open land, or open
space does not create an artificial barrier if the municipality seeking
annexation is not the closest municipality within the county to the property
to be annexed. The territory included within such forest preserve district,
federal wildlife refuge, open land, or open space shall not be annexed to
the municipality nor shall the territory of the forest preserve district,
federal wildlife refuge, open land, or open space be subject to rights-of-
way for access or services between the parts of the municipality separated
by the forest preserve district, federal wildlife refuge, open land, or open
space without the consent of the governing body of the forest preserve
district or federal wildlife refuge. The changes made to this Section by this
amendatory Act of 91st General Assembly are declaratory of existing law
and shall not be construed as a new enactment.

In counties that are contiguous to the Mississippi River with
populations of more than 200,000 but less than 255,000, a municipality
that is partially located in territory that is wholly surrounded by the
Mississippi River and a canal, connected at both ends to the Mississippi
River and located on property owned by the United States of America,

New matter indicated by italics - deletions by strikeout
may annex noncontiguous territory in the surrounded territory under Sections 7-1-7, 7-1-8, or 7-1-9 if that territory is separated from the municipality by property owned by the United States of America, but that federal property shall not be annexed without the consent of the federal government.

For the purposes of this Article, any territory to be annexed to a municipality that is located in a county with more than 500,000 inhabitants shall be considered to be contiguous to the municipality if only a river and a national heritage corridor separate the territory from the municipality. Upon annexation, no river or national heritage corridor shall be considered annexed to the municipality.

When any land proposed to be annexed is part of any Fire Protection District or of any Public Library District and the annexing municipality provides fire protection or a public library, as the case may be, the Trustees of each District shall be notified in writing by certified or registered mail before any court hearing or other action is taken for annexation. The notice shall be served 10 days in advance. An affidavit that service of notice has been had as provided by this Section must be filed with the clerk of the court in which the annexation proceedings are pending or will be instituted or, when no court proceedings are involved, with the recorder for the county where the land is situated. No annexation of that land is effective unless service is had and the affidavit filed as provided in this Section.

The new boundary shall extend to the far side of any adjacent highway and shall include all of every highway within the area annexed. These highways shall be considered to be annexed even though not included in the legal description set forth in the petition for annexation. When any land proposed to be annexed includes any highway under the jurisdiction of any township, the Township Commissioner of Highways and the Board of Town Trustees shall be notified in writing by certified or registered mail before any court hearing or other action is taken for annexation. In the event that a municipality fails to notify the Township Commissioner of Highways and the Board of Town Trustees of the annexation of an area within the township, the municipality shall

New matter indicated by italics - deletions by strikeout
reimburse that township for any loss or liability caused by the failure to give notice. If any municipality has annexed any area before October 1, 1975, and the legal description in the petition for annexation did not include the entire adjacent highway, any such annexation shall be valid and any highway adjacent to the area annexed shall be considered to be annexed notwithstanding the failure of the petition to annex to include the description of the entire adjacent highway.

Any annexation, disconnection and annexation, or disconnection under this Article of any territory must be reported by certified or registered mail by the corporate authority initiating the action to the election authorities having jurisdiction in the territory and the post office branches serving the territory within 30 days of the annexation, disconnection and annexation, or disconnection.

Failure to give notice to the required election authorities or post office branches will not invalidate the annexation or disconnection. For purposes of this Section "election authorities" means the county clerk where the clerk acts as the clerk of elections or the clerk of the election commission having jurisdiction.

No annexation, disconnection and annexation, or disconnection under this Article of territory having electors residing therein made (1) before any primary election to be held within the municipality affected thereby and after the time for filing petitions as a candidate for nomination to any office to be chosen at the primary election or (2) within 60 days before any general election to be held within the municipality shall be effective until the day after the date of the primary or general election, as the case may be.

For the purpose of this Section, a toll highway or connection between parcels via an overpass bridge over a toll highway shall not be considered a deterrent to the definition of contiguous territory.

When territory is proposed to be annexed by court order under this Article, the corporate authorities or petitioners initiating the action shall notify each person who pays real estate taxes on property within that territory unless the person is a petitioner. The notice shall be served by certified or registered mail, return receipt requested, at least 20 days before

New matter indicated by italics - deletions by strikeout
a court hearing or other court action. If the person who pays real estate taxes on the property is not the owner of record, then the payor shall notify the owner of record of the proposed annexation.
(Source: P.A. 93-1098, eff. 1-1-06; 94-361, eff. 1-1-06.)

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

Approved August 1, 2006.
Effective August 1, 2006.

PUBLIC ACT 94-1066
(Senate Bill No. 0998)

AN ACT concerning health.

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

Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Sections 2-107, 2-107.1, and 3-209 and by adding Section 2-107.3 as follows:

(405 ILCS 5/2-107) (from Ch. 91 1/2, par. 2-107)
Sec. 2-107. Refusal of services; informing of risks.
(a) An adult recipient of services or the recipient's guardian, if the recipient is under guardianship, and the recipient's substitute decision maker, if any, must be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication. If such services are refused, they shall not be given unless such services are necessary to prevent the recipient from causing serious and imminent physical harm to the recipient or others and no less restrictive alternative is available. The facility director shall inform a recipient, guardian, or substitute decision maker, if any, who refuses such services of alternate services available and the risks of such alternate services.

New matter indicated by italics - deletions by strikeout
services, as well as the possible consequences to the recipient of refusal of such services.

(b) Authorized involuntary treatment may be given under this Section for up to 24 hours only if the circumstances leading up to the need for emergency treatment are set forth in writing in the recipient's record.

(c) Authorized involuntary treatment may not be continued unless the need for such treatment is redetermined at least every 24 hours based upon a personal examination of the recipient by a physician or a nurse under the supervision of a physician and the circumstances demonstrating that need are set forth in writing in the recipient's record.

(d) Authorized involuntary treatment may not be administered under this Section for a period in excess of 72 hours, excluding Saturdays, Sundays, and holidays, unless a petition is filed under Section 2-107.1 and the treatment continues to be necessary under subsection (a) of this Section. Once the petition has been filed, treatment may continue in compliance with subsections (a), (b), and (c) of this Section until the final outcome of the hearing on the petition.

(e) The Department shall issue rules designed to insure that in State-operated mental health facilities authorized involuntary treatment is administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. The facility director of each mental health facility not operated by the State shall issue rules designed to insure that in that facility authorized involuntary treatment is administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. Such rules shall be available for public inspection and copying during normal business hours.

(f) The provisions of this Section with respect to the emergency administration of authorized involuntary treatment do not apply to facilities licensed under the Nursing Home Care Act.

(g) Under no circumstances may long-acting psychotropic medications be administered under this Section.

New matter indicated by italics - deletions by strikeout
(h) Whenever psychotropic medication is refused pursuant to subsection (a) of this Section at least once that day, the physician shall determine and state in writing the reasons why the recipient did not meet the criteria for involuntary treatment under subsection (a) and whether the recipient meets the standard for authorized involuntary treatment under Section 2-107.1 of this Code. If the physician determines that the recipient meets the standard for authorized involuntary treatment under Section 2-107.1, the facility director or his or her designee shall petition the court for authorized involuntary treatment pursuant to that Section unless the facility director or his or her designee states in writing in the recipient's record why the filing of such a petition is not warranted. This subsection (h) applies only to State-operated mental health facilities.

(i) The Department shall conduct annual trainings for all physicians and registered nurses working in State-operated mental health facilities on the appropriate use of emergency authorized involuntary treatment, standards for its use, and the methods of authorization under this Section.

(Source: P.A. 90-538, eff. 12-1-97; 91-726, eff. 6-2-00.)

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

Sec. 2-107.1. Administration of authorized involuntary treatment upon application to a court.

(a) An adult recipient of services and the recipient's guardian, if the recipient is under guardianship, and the substitute decision maker, if any, shall be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication.

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, authorized involuntary treatment may be administered to an adult recipient of services without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of authorized involuntary treatment to a recipient of

New matter indicated by italics - deletions by strikeout
services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them via facsimile machine to the respondent or other party. Upon receipt of the petition and notice, the party served, or the person delivering the petition and notice to the party served, shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service.

The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the authorized involuntary treatment sought to be administered, but only where the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to
any party (i) upon a showing that the continuance is needed in order to adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Authorized involuntary treatment shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present. In determining whether a person meets the criteria specified in the following paragraphs (A) through (G), the court may consider evidence of the person's history of serious violence, repeated past pattern of specific behavior, actions related to the person's illness, or past outcomes of various treatment options.:

(A) That the recipient has a serious mental illness or developmental disability.

(B) That because of said mental illness or developmental disability, the recipient currently exhibits any one of the following: (i) deterioration of his or her ability to function, as compared to the recipient's ability to function prior to the current onset of symptoms of the
mental illness or disability for which treatment is presently sought, (ii) suffering, or (iii) threatening behavior.

(C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms.

(D) That the benefits of the treatment outweigh the harm.

(E) That the recipient lacks the capacity to make a reasoned decision about the treatment.

(F) That other less restrictive services have been explored and found inappropriate.

(G) If the petition seeks authorization for testing and other procedures, that such testing and procedures are essential for the safe and effective administration of the treatment.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of authorized involuntary treatment is filed at least 15 days prior to the expiration of the prior order, and if any continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the authorized involuntary treatment under the standards and procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this Section.

New matter indicated by italics - deletions by strikeout
order shall also specify the medications and the anticipated range of dosages that have been authorized and may include a list of any alternative medications and range of dosages deemed necessary.

(b) A guardian may be authorized to consent to the administration of authorized involuntary treatment to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of authorized involuntary treatment to a non-objecting recipient under Article Xla of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of authorized involuntary treatment to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, authorized involuntary treatment may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act.

(f) The Department shall conduct annual trainings for physicians and registered nurses working in State-operated mental health facilities on the appropriate use of authorized involuntary treatment, standards for its use, and the preparation of court petitions under this Section.

(Source: P.A. 92-16, eff. 6-28-01; 93-573, eff. 8-21-03.)

(405 ILCS 5/2-107.3 new)

Sec. 2-107.3. Reports. Each facility director of a State-operated mental health facility shall prepare a quarterly report stating the number of persons who were determined to meet the standard for authorized involuntary treatment but for whom it was determined that the filing of such a petition was not warranted as provided for in subsection (h) of Section 2-107 of this Code and the reasons for each such determination. The Department shall prepare and publish an annual report summarizing the information received under this Section. The Department's report shall include the data from each facility filing such a report and shall separately report the data from each such facility, identified by facility.

(405 ILCS 5/3-209) (from Ch. 91 1/2, par. 3-209)
Sec. 3-209. Within three days of admission under this Chapter, a treatment plan shall be prepared for each recipient of service and entered into his or her record. The plan shall include an assessment of the recipient's treatment needs, a description of the services recommended for treatment, the goals of each type of element of service, an anticipated timetable for the accomplishment of the goals, and a designation of the qualified professional responsible for the implementation of the plan. The plan shall include a written assessment of whether or not the recipient is in need of psychotropic medications. The plan shall be reviewed and updated as the clinical condition warrants, but not less than every 30 days. (Source: P.A. 81-920.)

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

Approved August 1, 2006.
Effective August 1, 2006.

PUBLIC ACT 94-1067
(Senate Bill No. 1279)

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Procurement Code is amended by changing Section 15-25 and by adding Sections 45-67 and 45-70 as follows:

(30 ILCS 500/15-25)

(a) Invitations for bids. Notice of each and every contract that is offered, including renegotiated contracts and change orders, shall be published in the Bulletin. The applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least the date first offered, the date submission of offers is due, the location that offers are to be submitted to, the purchasing State agency, the responsible State purchasing officer, a
brief purchase description, the method of source selection, and information of how to obtain a comprehensive purchase description and any disclosure and contract forms, and encouragement to prospective vendors to hire qualified veterans, as defined by Section 45-67 of this Code, and Illinois residents discharged from any Illinois adult correctional center.

(b) Contracts let or awarded. Notice of each and every contract that is let or awarded, including renegotiated contracts and change orders, shall be published in the next available subsequent Bulletin, and the applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least all of the information specified in subsection (a) as well as the name of the successful responsible bidder or offeror, the contract price, the number of unsuccessful responsive bidders, and any other disclosure specified in any Section of this Code.

(c) Emergency purchase disclosure. Any chief procurement officer, State purchasing officer, or designee exercising emergency purchase authority under this Code shall publish a written description and reasons and the total cost, if known, or an estimate if unknown and the name of the responsible chief procurement officer and State purchasing officer, and the business or person contracted with for all emergency purchases in the next timely, practicable Bulletin.

(d) Other required disclosure. The applicable chief procurement officer shall provide by rule for the organized publication of all other disclosure required in other Sections of this Code in a timely manner.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/45-67 new)

Sec. 45-67. Encouragement to hire qualified veterans. A chief procurement officer may, as part of any solicitation, encourage prospective vendors to consider hiring qualified veterans and to notify them of any available financial incentives or other advantages associated with hiring such persons. In establishing internal guidelines in furtherance of this Section, the Department of Central Management Services may work with an interagency advisory committee consisting of representatives from the Department of Veterans Affairs, the Department

New matter indicated by italics - deletions by strikeout
of Employment Security, the Department of Commerce and Economic Opportunity, and the Department of Revenue and consisting of 8 members of the General Assembly, 2 of whom are appointed by the Speaker of the House of Representatives, 2 of whom are appointed by the President of the Senate, 2 of whom are appointed by the Minority Leader of the House of Representatives, and 2 of whom are appointed by the Minority Leader of the Senate.

For the purposes of this Section, "qualified veteran" means an Illinois resident who: (i) was a member of the Armed Forces of the United States, a member of the Illinois National Guard, or a member of any reserve component of the Armed Forces of the United States; (ii) served on active duty in connection with Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; and (iii) was honorably discharged.

The Department of Central Management Services must report to the Governor and to the General Assembly by December 31 of each year on the activities undertaken by chief procurement officers and the Department of Central Management Services to encourage prospective vendors to consider hiring qualified veterans. The report must include the number of vendors who have hired qualified veterans.

(30 ILCS 500/45-70 new)

Sec. 45-70. Encouragement to hire ex-offenders. A chief procurement officer may, as part of any solicitation, encourage prospective vendors to consider hiring Illinois residents discharged from any Illinois adult correctional center, in appropriate circumstances, and to notify them of any available financial incentives or other advantages associated with hiring such persons. In establishing internal guidelines in furtherance of this Section, the Department of Central Management Services may work with an interagency advisory committee consisting of representatives from the Department of Corrections, the Department of Employment Security, the Department of Juvenile Justice, the Department of Commerce and Economic Opportunity, and the Department of Revenue and consisting of 8 members of the General Assembly, 2 of whom are appointed by the Speaker of the House of Representatives, 2 of whom are

New matter indicated by italics - deletions by strikeout
appointed by the President of the Senate, 2 of whom are appointed by the Minority Leader of the House of Representatives, and 2 of whom are appointed by the Minority Leader of the Senate.

The Department of Central Management Services must report to the Governor and to the General Assembly by December 31 of each year on the activities undertaken by chief procurement officers and the Department of Central Management Services to encourage prospective vendors to consider hiring Illinois residents who have been discharged from an Illinois adult correctional center. The report must include the number of vendors who have hired Illinois residents who have been discharged from any Illinois adult correctional center.

Section 10. The Illinois Income Tax Act is amended by adding Sections 216 and 217 as follows:

(35 ILCS 5/216 new)
Sec. 216. Credit for wages paid to ex-felons.
(a) For each taxable year beginning on or after January 1, 2007, each taxpayer is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act in an amount equal to 5% of qualified wages paid by the taxpayer during the taxable year to one or more Illinois residents who are qualified ex-offenders. The total credit allowed to a taxpayer with respect to each qualified ex-offender may not exceed $600 for all taxable years. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(b) For purposes of this Section, "qualified wages":

(1) includes only wages that are subject to federal unemployment tax under Section 3306 of the Internal Revenue Code, without regard to any dollar limitation contained in that Section;

New matter indicated by italics - deletions by strikeout
(2) does not include any amounts paid or incurred by an employer for any period to any qualified ex-offender for whom the employer receives federally funded payments for on-the-job training of that qualified ex-offender for that period; and

(3) includes only wages attributable to service rendered during the one-year period beginning with the day the qualified ex-offender begins work for the employer.

If the taxpayer has received any payment from a program established under Section 482(e)(1) of the federal Social Security Act with respect to a qualified ex-offender, then, for purposes of calculating the credit under this Section, the amount of the qualified wages paid to that qualified ex-offender must be reduced by the amount of the payment.

(c) For purposes of this Section, "qualified ex-offender" means any person who:

(1) is an eligible offender, as defined under Section 5-5.5-5 of the Unified Code of Corrections;

(2) was sentenced to a period of incarceration in an Illinois adult correctional center; and

(3) was hired by the taxpayer within one year after being released from an Illinois adult correctional center.

(d) In no event shall a credit under this Section reduce the taxpayer's liability to less than zero. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset a liability, the earlier credit shall be applied first.

Sec. 217. Credit for wages paid to qualified veterans.

(a) For each taxable year beginning on or after January 1, 2007, each taxpayer is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act in an amount equal to 5%, but in no event to exceed $600, of the gross wages paid by the taxpayer to a qualified veteran in the course of that veteran's sustained employment

New matter indicated by italics - deletions by strikeout
during the taxable year. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(b) For purposes of this Section:

"Qualified veteran" means an Illinois resident who: (i) was a member of the Armed Forces of the United States, a member of the Illinois National Guard, or a member of any reserve component of the Armed Forces of the United States; (ii) served on active duty in connection with Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; (iii) has provided, to the taxpayer, documentation showing that he or she was honorably discharged; and (iv) was initially hired by the taxpayer on or after January 1, 2007.

"Sustained employment" means a period of employment that is not less than 185 days during the taxable year.

(c) In no event shall a credit under this Section reduce the taxpayer's liability to less than zero. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset a liability, the earlier credit shall be applied first.

Section 15. The Unified Code of Corrections is amended by changing Sections 3-2-2, 5-5-5, and 5-5.5-5 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)
(Text of Section before amendment by P.A. 94-696)
Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

New matter indicated by italics - deletions by strikeout
(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

New matter indicated by italics - deletions by strikeout
(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a

New matter indicated by italics - deletions by strikeout
facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of

New matter indicated by italics - deletions by strikeout
the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of

New matter indicated by italics - deletions by strikeout
the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(1-5) In a confidential annual report to the Governor, the Department shall identify all inmate gangs by specifying each current gang's name, population and allied gangs. The Department shall further specify the number of top leaders identified by the Department for each gang during the past year, and the measures taken by the Department to segregate each leader from his or her gang and allied gangs. The Department shall further report the current status of leaders identified and segregated in previous years. All leaders described in the report shall be identified by inmate number or other designation to enable tracking, auditing, and verification without revealing the names of the leaders. Because this report contains law enforcement intelligence information collected by the Department, the report is confidential and not subject to public disclosure.

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of good conduct credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

New matter indicated by italics - deletions by strikeout
(p) To exchange information with the Department of Human Services and the Illinois Department of Healthcare and Family Services Public Aid for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

1. The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.
2. Participants shall be required to maintain employment.
3. Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.
4. Each participant shall:
   - provide restitution to victims in accordance with any court order;
   - provide financial support to his dependents; and
   - make appropriate payments toward any other court-ordered obligations.
5. Each participant shall complete community service in addition to employment.
(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) To enter into intergovernmental cooperation agreements under which minors adjudicated delinquent and committed to the Department of Corrections, Juvenile Division, may participate in a county juvenile impact incarceration program established under Section 3-6039 of the Counties Code.

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony,
in furtherance of streetgang related activity both within and outside of the Department of Corrections. "Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of
a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

(Source: P.A. 92-444, eff. 1-1-02; 92-712, eff. 1-1-03; 93-839, eff. 7-30-04; revised 12-15-05.)

(Text of Section after amendment by P.A. 94-696)

Sec. 3-2-2. Powers and Duties of the Department.

1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

   a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

   b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate

New matter indicated by italics - deletions by strikeout
treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a
structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

New matter indicated by italics - deletions by strikeout
(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers,

New matter indicated by italics - deletions by strikeout
and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) In a confidential annual report to the Governor, the Department shall identify all inmate gangs by specifying each current gang's name, population and allied gangs. The Department

New matter indicated by italics - deletions by strikeout
shall further specify the number of top leaders identified by the Department for each gang during the past year, and the measures taken by the Department to segregate each leader from his or her gang and allied gangs. The Department shall further report the current status of leaders identified and segregated in previous years. All leaders described in the report shall be identified by inmate number or other designation to enable tracking, auditing, and verification without revealing the names of the leaders. Because this report contains law enforcement intelligence information collected by the Department, the report is confidential and not subject to public disclosure.

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of good conduct credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Illinois Department of Healthcare and Family Services Public Aid for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

New matter indicated by italics - deletions by strikeout
Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:
   (A) provide restitution to victims in accordance with any court order;
   (B) provide financial support to his dependents; and
   (C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance;

New matter indicated by italics - deletions by strikeout
and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

New matter indicated by italics - deletions by strikeout
As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

(Source: P.A. 93-839, eff. 7-30-04; 94-696, eff. 6-1-06; revised 12-15-05.)

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

Sec. 5-5-5. Loss and Restoration of Rights.

(a) Conviction and disposition shall not entail the loss by the defendant of any civil rights, except under this Section and Sections 29-6 and 29-10 of The Election Code, as now or hereafter amended.

New matter indicated by italics - deletions by strikeout
(b) A person convicted of a felony shall be ineligible to hold an office created by the Constitution of this State until the completion of his sentence.

(c) A person sentenced to imprisonment shall lose his right to vote until released from imprisonment.

(d) On completion of sentence of imprisonment or upon discharge from probation, conditional discharge or periodic imprisonment, or at any time thereafter, all license rights and privileges granted under the authority of this State which have been revoked or suspended because of conviction of an offense shall be restored unless the authority having jurisdiction of such license rights finds after investigation and hearing that restoration is not in the public interest. This paragraph (d) shall not apply to the suspension or revocation of a license to operate a motor vehicle under the Illinois Vehicle Code.

(e) Upon a person's discharge from incarceration or parole, or upon a person's discharge from probation or at any time thereafter, the committing court may enter an order certifying that the sentence has been satisfactorily completed when the court believes it would assist in the rehabilitation of the person and be consistent with the public welfare. Such order may be entered upon the motion of the defendant or the State or upon the court's own motion.

(f) Upon entry of the order, the court shall issue to the person in whose favor the order has been entered a certificate stating that his behavior after conviction has warranted the issuance of the order.

(g) This Section shall not affect the right of a defendant to collaterally attack his conviction or to rely on it in bar of subsequent proceedings for the same offense.

(h) No application for any license specified in subsection (i) of this Section granted under the authority of this State shall be denied by reason of an eligible offender who has obtained a certificate of relief from disabilities, as defined in Article 5.5 of this Chapter, having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when the finding is based upon
the fact that the applicant has previously been convicted of one or more criminal offenses, unless:

(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license sought; or

(2) the issuance of the license would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

In making such a determination, the licensing agency shall consider the following factors:

(1) the public policy of this State, as expressed in Article 5.5 of this Chapter, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses;

(2) the specific duties and responsibilities necessarily related to the license being sought;

(3) the bearing, if any, the criminal offenses or offenses for which the person was previously convicted will have on his or her fitness or ability to perform one or more such duties and responsibilities;

(4) the time which has elapsed since the occurrence of the criminal offense or offenses;

(5) the age of the person at the time of occurrence of the criminal offense or offenses;

(6) the seriousness of the offense or offenses;

(7) any information produced by the person or produced on his or her behalf in regard to his or her rehabilitation and good conduct, including a certificate of relief from disabilities issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified in the certificate; and

(8) the legitimate interest of the licensing agency in protecting property, and the safety and welfare of specific individuals or the general public.

(i) A certificate of relief from disabilities shall be issued only for a license or certification issued under the following Acts:

New matter indicated by italics - deletions by strikeout
(1) the Animal Welfare Act; except that a certificate of relief from disabilities may not be granted to provide for the issuance or restoration of a license under the Animal Welfare Act for any person convicted of violating Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane Care for Animals Act or Section 26-5 of the Criminal Code of 1961;

(2) the Illinois Athletic Trainers Practice Act;

(3) the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985;

(4) the Boiler and Pressure Vessel Repairer Regulation Act;

(5) the Professional Boxing Act;

(6) the Illinois Certified Shorthand Reporters Act of 1984;

(7) the Illinois Farm Labor Contractor Certification Act;

(8) the Interior Design Title Act;

(9) the Illinois Professional Land Surveyor Act of 1989;

(10) the Illinois Landscape Architecture Act of 1989;

(11) the Marriage and Family Therapy Licensing Act;

(12) the Private Employment Agency Act;

(13) the Professional Counselor and Clinical Professional Counselor Licensing Act;

(14) the Real Estate License Act of 2000;

(15) the Illinois Roofing Industry Licensing Act;

(16) the Professional Engineering Practice Act of 1989;

(17) the Water Well and Pump Installation Contractor's License Act; and

(18) the Electrologist Licensing Act;

(19) the Auction License Act;

(20) Illinois Architecture Practice Act of 1989;

(21) the Dietetic and Nutrition Services Practice Act;

(22) the Environmental Health Practitioner Licensing Act;

(23) the Funeral Directors and Embalmers Licensing Code;

(24) the Land Sales Registration Act of 1999;

(25) the Professional Geologist Licensing Act;

New matter indicated by italics - deletions by strikeout
(26) the Illinois Public Accounting Act; and

(Source: P.A. 93-207, eff. 1-1-04; 93-914, eff. 1-1-05.)

(730 ILCS 5/5-5.5-5)
Sec. 5-5.5-5. Definitions and rules of construction. In this Article:
"Eligible offender" means a person who has been convicted of a crime or of an offense that is not a crime of violence as defined in Section 2 of the Crime Victims Compensation Act, a Class X or a nonprobationable offense, or a violation of Article 11 or Article 12 of the Criminal Code of 1961, but who has not been convicted more than twice of a felony.

"Felony" means a conviction of a felony in this State, or of an offense in any other jurisdiction for which a sentence to a term of imprisonment in excess of one year, was authorized.

For the purposes of this Article the following rules of construction apply:

(i) two or more convictions of felonies charged in separate counts of one indictment or information shall be deemed to be one conviction;

(ii) two or more convictions of felonies charged in two or more indictments or informations, filed in the same court prior to entry of judgment under any of them, shall be deemed to be one conviction; and

(iii) a plea or a verdict of guilty upon which a sentence of probation, conditional discharge, or supervision has been imposed shall be deemed to be a conviction.

(Source: P.A. 93-207, eff. 1-1-04.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 1, 2006.
Effective August 1, 2006.

PUBLIC ACT 94-1068
(Senate Bill No. 1625)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Finance Authority Act is amended by changing Section 845-5 as follows:
(20 ILCS 3501/845-5)
Sec. 845-5. The Authority may not have outstanding at any one time bonds for any of its corporate purposes in an aggregate principal amount exceeding $25,200,000,000, $24,000,000,000, excluding bonds issued to refund the bonds of the Authority or bonds of the Predecessor Authorities.
(Source: P.A. 93-205, eff. 1-1-04; 93-1101, eff. 3-31-05.)
Section 99. Effective date. This Act takes effect upon becoming law.

Approved August 1, 2006.
Effective August 1, 2006.
AN ACT concerning the Metropolitan Water Reclamation District. Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Section 4 as follows:

(70 ILCS 2605/4) (from Ch. 42, par. 323)

Sec. 4. The commissioners elected under this Act constitute a board of commissioners for the district by which they are elected, which board of commissioners is the corporate authority of the sanitary district, and, in addition to all other powers specified in this Act, shall establish the policies and goals of the sanitary district. The general superintendent, in addition to all other powers specified in this Act, shall manage and control all the affairs and property of the sanitary district and shall regularly report to the Board of Commissioners on the activities of the sanitary district in executing the policies and goals established by the board. At the regularly scheduled meeting of odd numbered years following the induction of new commissioners the board of commissioners shall elect from its own number a president and a vice-president to serve in the absence of the president, and the chairman of the committee on finance. The board shall provide by rule when a vacancy occurs in the office of the president, vice-president, or the chairman of the committee on finance and the manner of filling such vacancy.

The board shall appoint from outside its own number the general superintendent and treasurer for the district.

The general superintendent must be a resident of the sanitary district and a citizen of the United States. He must be selected solely upon

New matter indicated by italics - deletions by strikeout
his administrative and technical qualifications and without regard to his political affiliations.

In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of the general superintendent, or treasurer, the board of commissioners may appoint an acting officer from outside its own number, to perform the duties and responsibilities of the office during the term of the absence or vacancy.

The general superintendent with the advice and consent of the board of commissioners, shall appoint the chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, and director of information technology. These constitute the heads of the Department of Engineering, Maintenance and Operations, Personnel, Purchasing, Finance, Law, Research and Development, and Information Technology, respectively. No other departments or heads of departments may be created without subsequent amendment to this Act. All such department heads are under the direct supervision of the general superintendent.

The director of personnel must be qualified under Section 4.2a of this Act.

The purchasing agent must be selected in accordance with Section 11.16 of this Act.

In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, or director of information technology, the general superintendent shall appoint an acting officer to perform the duties and responsibilities of the office during the term of the absence or vacancy. Any such officers appointed in an acting capacity are under the direct supervision of the general superintendent.

New matter indicated by italics - deletions by strikeout
All appointive officers and acting officers shall give bond as may be required by the board.

The general superintendent, treasurer, acting general superintendent and acting treasurer hold their offices at the pleasure of the board of commissioners.

The acting chief engineer, acting chief of maintenance and operations, acting purchasing agent, acting director of personnel, acting clerk, acting attorney, acting director of research and development, and acting director of information technology hold their offices at the pleasure of the general superintendent.

The chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, and director of information technology may be removed from office for cause by the general superintendent. Prior to removal, such officers are entitled to a public hearing before the general superintendent at which hearing they may be represented by counsel. Before the hearing, the general superintendent shall notify the board of commissioners of the date, time, place and nature of the hearing.

In addition to the attorney appointed by the general superintendent, the board of commissioners may appoint from outside its own number an attorney, or retain counsel, to advise the board of commissioners with respect to its powers and duties and with respect to legal questions and matters of policy for which the board of commissioners is responsible.

The general superintendent is the chief administrative officer of the district, has supervision over and is responsible for all administrative and operational matters of the sanitary district including the duties of all employees which are not otherwise designated by law, and is the appointing authority as specified in Section 4.11 of this Act.
The board, through the budget process, shall set fix the compensation of all the officers and employees of the sanitary district. Any incumbent of the office of president may appoint an administrative aide which appointment remains in force during his incumbency unless revoked by the president.

Effective upon the election in January, 1985 of the president and vice-president of the board of commissioners and the chairman of the committee on finance, the annual salary of the president shall be $37,500 and shall be increased to $39,500 in January, 1987, $41,500 in January, 1989, $50,000 in January, 1991, and $60,000 in January, 2001; the annual salary of the vice-president shall be $35,000 and shall be increased to $37,000 in January, 1987, $39,000 in January, 1989, $45,000 in January, 1991, and $55,000 in January, 2001; the annual salary of the chairman of the committee on finance shall be $32,500 and shall be increased to $34,500 in January, 1987, $36,500 in January, 1989, $45,000 in January, 1991, and $55,000 in January, 2001.

The annual salaries of the other members of the Board shall be as follows:

For the three members elected in November, 1980, $26,500 per annum for the first two years of the term; $28,000 per annum for the next two years of the term and $30,000 per annum for the last two years.

For the three members elected in November, 1982, $28,000 per annum for the first two years of the term and $30,000 per annum thereafter.

For members elected in November, 1984, $30,000 per annum.

For the three members elected in November, 1986, $32,000 for each of the first two years of the term, $34,000 for each of the next two years and $36,000 for the last two years;
For three members elected in November, 1988, $34,000 for each of the first two years of the term and $36,000 for each year thereafter.


For members elected in November, 2000 and thereafter, $50,000.

Notwithstanding the other provisions of this Section, the board, prior to January 1, 2007 and with a two-thirds vote, may increase the annual rate of compensation at a separate flat amount for each of the following: the president, the vice-president, the chairman of the committee on finance, and the other members; the increased annual rate of compensation shall apply to all such officers and members whose terms as members of the board commence after the increase in compensation is adopted by the board.

The board of commissioners has full power to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of the board of commissioners and the corporation and for carrying into effect the object for which the sanitary district is formed. All ordinances, orders, rules, resolutions and regulations passed by the board of commissioners must, before they take effect, be approved by the president of the board of commissioners. If he approves thereof, he shall sign them, and such as he does not approve he shall return to the board of commissioners with his objections in writing at the next regular meeting of the board of commissioners occurring after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance. If the veto extends to a part of such ordinance, the residue takes effect. If the president of such board of commissioners fails to return any ordinance, order, rule, resolution or regulation with his objections thereto in the time required, he is deemed to have approved it,
and it takes effect accordingly. Upon the return of any ordinance, order, rule, resolution, or regulation by the president, the vote by which it was passed must be reconsidered by the board of commissioners, and if upon such reconsideration two-thirds of all the members agree by yeas and nays to pass it, it takes effect notwithstanding the president's refusal to approve thereof.

It is the policy of this State that all powers granted, either expressly or by necessary implication, by this Act or any other Illinois statute to the District may be exercised by the District notwithstanding effects on competition. It is the intention of the General Assembly that the "State action exemption" to the application of federal antitrust statutes be fully available to the District to the extent its activities are authorized by law as stated herein.

(Source: P.A. 91-722, eff. 6-2-00.)

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

Sent to the Governor June 1, 2006.
Vetoed by the Governor July 31, 2006.
Effective November 29, 2006.
research and development, assistant director of information technology, 
*assistant director of personnel*, comptroller, assistant treasurer, assistant 
purchasing agent and laborers, shall be subjected to examination, which 
shall be public and competitive with limitations specified in the rules of 
the Director as to residence, age, sex, health, habits, moral character and 
qualifications to perform the duties of the office or place to be filled, 
which qualifications shall be prescribed in advance of such examination. 
Such examinations shall be practical in their character, and shall relate to 
those matters which will fairly test the relative capacity of the persons 
examined to discharge the duties of the position to which they seek to be 
appointed, and may include tests of physical qualifications and health and 
when appropriate, of manual skill. No question in any examination shall 
relate to political or religious opinions or affiliations. The Director shall 
control all examinations, and may, whenever an examination is to take 
place, designate a suitable number of persons to be special examiners and 
it shall be the duty of such special examiners to conduct such 
examinations as the Director may direct, and to make return and report 
thereof to him; and he may at any time substitute any other person in the 
place of any one so selected; and he may himself, at any time, act as such 
special examiner, and without appointing other special examiners. The 
Director shall, by rule, provide for and shall hold sufficient number of 
examinations to provide a sufficient number of eligibles on the register for 
each grade of position in the classified civil service, and if any place in the 
classified civil service shall become vacant, to which there is no person 
eligible for appointment, he shall hold an examination for such position 
and repeat the same, if necessary, until a vacancy is filled in accordance 
with the provisions of this Act.

Eligible registers shall remain in force for 3 years, except the 
eligible register for laborers which shall remain in force for 4 years and 
except the eligible registers for student programs and entry level 
ingineering positions which, in the Director's discretion, may remain in 
force for one year.

Examinations for an eligible list for each position in the classified 
service above mentioned shall be held at least once in 3 years and at least
annually for student programs and entry level engineering positions if the Director has limited the duration of the registers for those positions to one year, unless the Director determines that such examinations are not necessary because no vacancy exists.

To help defray expenses of examinations, the sanitary district may, but need not, charge a fee to each applicant who desires to take a civil service examination provided for by this Act. The amount of such fees shall be set by the corporate authority of the sanitary district. Such fees shall be deposited in the corporate fund of the district.

(Source: P.A. 92-726, eff. 7-25-02.)

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

Passed in the General Assembly April 4, 2006.
Sent to the Governor May 3, 2006.
Vetoed by the Governor June 30, 2006.
Effective November 29, 2006.

PUBLIC ACT 94-1071
(Senate Bill No. 2477)

AN ACT concerning education.

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

Section 5. The Public Building Commission Act is amended by changing Section 3 as follows:

Sec. 3. The following terms, wherever used, or referred to in this Act, mean unless the context clearly requires a different meaning:
(a) "Commission" means a Public Building Commission created pursuant to this Act.
(b) "Commissioner" or "Commissioners" means a Commissioner or Commissioners of a Public Building Commission.

New matter indicated by italics - deletions by strikeout
(c) "County seat" means a city, village or town which is the county seat of a county.

(d) "Municipality" means any city, village or incorporated town of the State of Illinois.

(e) "Municipal corporation" includes a county, city, village, town, (including a county seat), park district, school district in a county of 3,000,000 or more population, board of education of a school district in a county of 3,000,000 or more population, sanitary district, airport authority contiguous with the County Seat as of July 1, 1969 and any other municipal body or governmental agency of the State, and until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, but does not include a school district in a county of less than 3,000,000 population, a board of education of a school district in a county of less than 3,000,000 population, or a community college district in a county of less than 3,000,000 population, except that until July 1, 2011, a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a Commission prior to 1993, and its board of education, are included.

(f) "Governing body" includes a city council, county board, or any other body or board, by whatever name it may be known, charged with the governing of a municipal corporation.

(g) "Presiding officer" includes the mayor or president of a city, village or town, the presiding officer of a county board, or the presiding officer of any other board or commission, as the case may be.

(h) "Oath" means oath or affirmation.

(i) "Building" means an improvement to real estate to be made available for use by a municipal corporation for the furnishing of governmental services to its citizens, together with any land or interest in land necessary or useful in connection with the improvement.

(Source: P.A. 88-304.)

Passed in the General Assembly April 11, 2006.

New matter indicated by italics - deletions by strikeout

PUBLIC ACT 94-1072
(Senate Bill No. 1268)

AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Minimum Wage Law is amended by changing Sections 4 and 6 as follows:
(820 ILCS 105/4) (from Ch. 48, par. 1004)
Sec. 4. (a)(1) Every employer shall pay to each of his employees in every occupation wages of not less than $2.30 per hour or in the case of employees under 18 years of age wages of not less than $1.95 per hour, except as provided in Sections 5 and 6 of this Act, and on and after January 1, 1984, every employer shall pay to each of his employees in every occupation wages of not less than $2.65 per hour or in the case of employees under 18 years of age wages of not less than $2.25 per hour, and on and after October 1, 1984 every employer shall pay to each of his employees in every occupation wages of not less than $3.00 per hour or in the case of employees under 18 years of age wages of not less than $2.55 per hour, and on or after July 1, 1985 every employer shall pay to each of his employees in every occupation wages of not less than $3.35 per hour or in the case of employees under 18 years of age wages of not less than $2.85 per hour, and from January 1, 2004 through December 31, 2004 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $5.50 per hour, and from on and after January 1, 2005 through June 30, 2007 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $6.50 per hour, and

New matter indicated by italics - deletions by strikeout
from July 1, 2007 through June 30, 2008 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $7.50 per hour, and from July 1, 2008 through June 30, 2009 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $7.75 per hour, and from July 1, 2009 through June 30, 2010 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $8.00 per hour, and on and after July 1, 2010 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $8.25 per hour.

(2) Unless an employee's wages are reduced under Section 6, then in lieu of the rate prescribed in item (1) of this subsection (a), an employer may pay an employee who is 18 years of age or older, during the first 90 consecutive calendar days after the employee is initially employed by the employer, a wage that is not more than 50¢ less than the wage prescribed in item (1) of this subsection (a).

(3) At no time shall the wages paid to any employee under 18 years of age be more than 50¢ less than the wage required to be paid to employees who are at least 18 years of age under item (1) of this subsection (a).

(b) No employer shall discriminate between employees on the basis of sex or mental or physical handicap, except as otherwise provided in this Act by paying wages to employees at a rate less than the rate at which he pays wages to employees for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (1) a seniority system; (2) a merit system; (3) a system which measures earnings by quantity or quality of production; or (4) a differential based on any other factor other than sex or mental or physical handicap, except as otherwise provided in this Act.

(c) Every employer of an employee engaged in an occupation in which gratuities have customarily and usually constituted and have been
recognized as part of the remuneration for hire purposes is entitled to an allowance for gratuities as part of the hourly wage rate provided in Section 4, subsection (a) in an amount not to exceed 40% of the applicable minimum wage rate. The Director shall require each employer desiring an allowance for gratuities to provide substantial evidence that the amount claimed, which may not exceed 40% of the applicable minimum wage rate, was received by the employee in the period for which the claim of exemption is made, and no part thereof was returned to the employer.

(d) No camp counselor who resides on the premises of a seasonal camp of an organized not-for-profit corporation shall be subject to the adult minimum wage if the camp counselor (1) works 40 or more hours per week, and (2) receives a total weekly salary of not less than the adult minimum wage for a 40-hour week. If the counselor works less than 40 hours per week, the counselor shall be paid the minimum hourly wage for each hour worked. Every employer of a camp counselor under this subsection is entitled to an allowance for meals and lodging as part of the hourly wage rate provided in Section 4, subsection (a), in an amount not to exceed 25% of the minimum wage rate.

(e) A camp counselor employed at a day camp of an organized not-for-profit corporation is not subject to the adult minimum wage if the camp counselor is paid a stipend on a onetime or periodic basis and, if the camp counselor is a minor, the minor's parent, guardian or other custodian has consented in writing to the terms of payment before the commencement of such employment.

(Source: P.A. 93-581, eff. 1-1-04.)

(820 ILCS 105/6) (from Ch. 48, par. 1006)

Sec. 6. (a) For any occupation, the Director may provide by regulation for the employment in that occupation of learners at such wages lower than the minimum wage provided in items (1) and (3) of Section 4, subsection (a) of Section 4 as the Director may find appropriate to prevent curtailment of opportunities for employment and to safeguard the minimum wage rate of this Act.

(b) Where the Director has provided by regulation for the employment of learners, such regulations are subject to provisions

New matter indicated by italics - deletions by strikeout
hereinafter set forth and to such additional terms and conditions as may be established in supplemental regulations applicable to the employment of learners in particular industries.

(c) In any occupation, every employer may pay a subminimum wage to learners during their period of learning. However, under no circumstances, may an employer pay a learner a wage less than 70% of the minimum wage rate provided in item (1) of Section 4, subsection (a) of Section 4 of this Act for employees 18 years of age or older.

(d) No person is deemed a learner in any occupation for which he has completed the required training; and in no case may a person be deemed a learner in that occupation after 6 months of such training, except where the Director finds, after investigation, that for the particular occupation a minimum of proficiency cannot be acquired in 6 months.

(Source: P.A. 81-1144.)


PUBLIC ACT 94-1073
(Senate Bill No. 2340)

AN ACT concerning elections.

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

Section 5. The Election Code is amended by changing Section 24C-12 as follows:

(10 ILCS 5/24C-12)

Sec. 24C-12. Procedures for Counting and Tallying of Ballots. In an election jurisdiction where a Direct Recording Electronic Voting System is used, the following procedures for counting and tallying the ballots shall apply:

Before the opening of the polls, the judges of elections shall assemble the voting equipment and devices and turn the equipment on.

New matter indicated by italics - deletions by strikeout
The judges shall, if necessary, take steps to activate the voting devices and counting equipment by inserting into the equipment and voting devices appropriate data cards containing passwords and data codes that will select the proper ballot formats selected for that polling place and that will prevent inadvertent or unauthorized activation of the poll-opening function. Before voting begins and before ballots are entered into the voting devices, the judges of election shall cause to be printed a record of the following: the election's identification data, the device's unit identification, the ballot's format identification, the contents of each active candidate register by office and of each active public question register showing that they contain all zero votes, all ballot fields that can be used to invoke special voting options, and other information needed to ensure the readiness of the equipment and to accommodate administrative reporting requirements. The judges must also check to be sure that the totals are all zeros in the counting columns and in the public counter affixed to the voting devices.

After the judges have determined that a person is qualified to vote, a voting device with the proper ballot to which the voter is entitled shall be enabled to be used by the voter. The ballot may then be cast by the voter by marking by appropriate means the designated area of the ballot for the casting of a vote for any candidate or for or against any public question. The voter shall be able to vote for any and all candidates and public measures appearing on the ballot in any legal number and combination and the voter shall be able to delete, change or correct his or her selections before the ballot is cast. The voter shall be able to select candidates whose names do not appear upon the ballot for any office by entering electronically as many names of candidates as the voter is entitled to select for each office.

Upon completing his or her selection of candidates or public questions, the voter shall signify that voting has been completed by activating the appropriate button, switch or active area of the ballot screen associated with end of voting. Upon activation, the voting system shall record an image of the completed ballot, increment the proper ballot position registers, and shall signify to the voter that the ballot has been cast.
cast. Upon activation, the voting system shall also print a permanent paper record of each ballot cast as defined in Section 24C-2 of this Code. This permanent paper record shall (i) be printed in a clear, readily readable format that can be easily reviewed by the voter for completeness and accuracy and (ii) either be self-contained within the voting device or be deposited by the voter into a secure ballot box. No permanent paper record shall be removed from the polling place except by election officials as authorized by this Article. All permanent paper records shall be preserved and secured by election officials in the same manner as paper ballots and shall be available as an official record for any recount, redundant count, or verification or retabulation of the vote count conducted with respect to any election in which the voting system is used. The voter shall exit the voting station and the voting system shall prevent any further attempt to vote until it has been properly re-activated. If a voting device has been enabled for voting but the voter leaves the polling place without casting a ballot, 2 judges of election, one from each of the 2 major political parties, shall spoil the ballot.

Throughout the election day and before the closing of the polls, no person may check any vote totals for any candidate or public question on the voting or counting equipment. Such equipment shall be programmed so that no person may reset the equipment for reentry of ballots unless provided the proper code from an authorized representative of the election authority.

The precinct judges of election shall check the public register to determine whether the number of ballots counted by the voting equipment agrees with the number of voters voting as shown by the applications for ballot. If the same do not agree, the judges of election shall immediately contact the offices of the election authority in charge of the election for further instructions. If the number of ballots counted by the voting equipment agrees with the number of voters voting as shown by the application for ballot, the number shall be listed on the "Statement of Ballots" form provided by the election authority.

Except as otherwise provided in this Section, the totals for all candidates and propositions shall be tabulated; and 4 copies of a

New matter indicated by italics - deletions by strikeout
"Certificate of Results" shall be printed by the automatic tabulating equipment; one copy shall be posted in a conspicuous place inside the polling place; and every effort shall be made by the judges of election to provide a copy for each authorized pollwatcher or other official authorized to be present in the polling place to observe the counting of ballots; but in no case shall the number of copies to be made available to pollwatchers be fewer than 4, chosen by lot by the judges of election. In addition, sufficient time shall be provided by the judges of election to the pollwatchers to allow them to copy information from the copy which has been posted.

Until December 31, 2007, in elections at which fractional cumulative votes are cast for candidates, the tabulation of those fractional cumulative votes may be made by the election authority at its central office location, and 4 copies of a "Certificate of Results" shall be printed by the automatic tabulation equipment and shall be posted in 4 conspicuous places at the central office location where those fractional cumulative votes have been tabulated.

If instructed by the election authority, the judges of election shall cause the tabulated returns to be transmitted electronically to the offices of the election authority via modem or other electronic medium.

The precinct judges of election shall select a bi-partisan team of 2 judges, who shall immediately return the ballots in a sealed container, along with all other election materials and equipment as instructed by the election authority; provided, however, that such container must first be sealed by the election judges with filament tape or other approved sealing devices provided for the purpose in a manner that the ballots cannot be removed from the container without breaking the seal or filament tape and disturbing any signatures affixed by the election judges to the container. The election authority shall keep the office of the election authority, or any receiving stations designated by the authority, open for at least 12 consecutive hours after the polls close or until the ballots and election material and equipment from all precincts within the jurisdiction of the election authority have been returned to the election authority. Ballots and election materials and equipment returned to the office of the election authority which are not signed and sealed as required by law shall not be
accepted by the election authority until the judges returning the ballots make and sign the necessary corrections. Upon acceptance of the ballots and election materials and equipment by the election authority, the judges returning the ballots shall take a receipt signed by the election authority and stamped with the time and date of the return. The election judges whose duty it is to return any ballots and election materials and equipment as provided shall, in the event the ballots, materials or equipment cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

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

Approved December 26, 2006.
Effective December 26, 2006.

PUBLIC ACT 94-1074
(Senate Bill No. 3088)

AN ACT in relation to revenue.

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

Section 1. Findings; purpose; validation.

(a) The General Assembly finds and declares that:

(1) Public Act 88-669, effective November 29, 1994, amended provisions relating to revenue in the following Acts: the Illinois Income Tax Act, the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, the Cigarette Tax Act, the Cigarette Use Tax Act, the Longtime Owner-Occupant Property Tax Relief Act, the Motor Fuel Tax Law, the Messages Tax Act, the Gas Revenue Tax Act, the Public Utilities Revenue Tax Act, the Telecommunications Excise Tax Act, the Liquor Control Act of 1934, and the Illinois

New matter indicated by italics - deletions by strikeout
Vehicle Code. Public Act 88-669 also contained other provisions, including an amendment to the Property Tax Code.


(b) The purpose of this Act is to re-enact most of the provisions relating to revenue that were affected by Public Act 88-669 and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is not intended to supersede any other Public Act that amends the provisions re-enacted in this Act. The re-enacted material is shown in this Act as existing text (i.e., without underscoring) and may include changes made by subsequent amendments. The re-enacted material may also include revisory changes; the revisory changes are shown by striking and underscoring.

(c) The re-enactment of provisions by this Act is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions re-enacted by this Act, as those provisions were set forth in Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution.

(e) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

Section 5. The Illinois Income Tax Act is amended by re-enacting Sections 203, 502, 506.5, and 1301 and re-enacting and changing Section 917 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)
Sec. 203. Base income defined.
(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

   (A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

   (B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

   (C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

   (D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

   (D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a

New matter indicated by italics - deletions by strikeout
medical care savings account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-16) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-17) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that foreign person's business activity outside the United States is 80%
or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

New matter indicated by italics - deletions by strikeout
(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-18) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received

New matter indicated by italics - deletions by strikeout
by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade marks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a

New matter indicated by italics - deletions by strikeout
preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-20) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College

New matter indicated by italics - deletions by strikeout
Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B);
and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a),
402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and
railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance
of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been
deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued

New matter indicated by italics - deletions by strikeout
to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2004, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). For taxable years beginning on or after January 1, 2005, a maximum of $10,000 contributed in the taxable year to (i) a College Savings Pool account under Section 16.5 of the State Treasurer Act or (ii) the Illinois Prepaid Tuition Trust Fund, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction
(30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(BB) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle;

New matter indicated by italics - deletions by strikeout
(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-13), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-14), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section

New matter indicated by italics - deletions by strikeout
203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

   (A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

   (B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

   (C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

   (D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

   (E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income.
under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the
taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

New matter indicated by italics - deletions by strikeout
(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the
application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(b)(2)(E-12) of this Act. As used in this

New matter indicated by italics - deletions by strikeout
subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a
contract or agreement that reflects arm's-length terms; or
   (iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

   Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

   and by deducting from the total so obtained the sum of the following amounts:

   (F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

   (G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

   (H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

   (I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)

New matter indicated by italics - deletions by strikeout
(2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an

New matter indicated by italics - deletions by strikeout
amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall
be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for

New matter indicated by italics - deletions by strikeout
the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;
(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

New matter indicated by italics - deletions by strikeout
(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for
intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, $600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, $300; and (iii) any other trust, $100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E)
of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;
(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(G-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a

New matter indicated by italics - deletions by strikeout
member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and

New matter indicated by italics - deletions by strikeout
terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross

New matter indicated by italics - deletions by strikeout
income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred,
the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency

New matter indicated by italics - deletions by strikeout
or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(1) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts
substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European

New matter indicated by italics - deletions by strikeout
insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus

New matter indicated by italics - deletions by strikeout
depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(U) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the
addition modification required to be made for the same taxable year under Section 203(c)(2)(G-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(V) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

New matter indicated by italics - deletions by strikeout
(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-7) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the

New matter indicated by italics - deletions by strikeout
foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

New matter indicated by italics - deletions by strikeout
(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and

(D-8) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the
taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a

New matter indicated by italics - deletions by strikeout
preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

New matter indicated by italics - deletions by strikeout
(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and

New matter indicated by italics - deletions by strikeout
832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the
taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code;

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property;

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer
that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable
income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

New matter indicated by italics - deletions by strikeout
(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b)(2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for

New matter indicated by italics - deletions by strikeout
which there is in effect a federal election to opt out of the
provisions of the Subchapter S Revision Act of 1982 and
have applied instead the prior federal Subchapter S rules as
in effect on July 1, 1982, the taxable income of such
corporation determined in accordance with the federal
Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership,
taxable income determined in accordance with Section 703
of the Internal Revenue Code, except that taxable income
shall take into account those items which are required by
Section 703(a)(1) to be separately stated but which would
be taken into account by an individual in calculating his
taxable income.

(3) Recapture of business expenses on disposition of asset
or business. Notwithstanding any other law to the contrary, if in
prior years income from an asset or business has been classified as
business income and in a later year is demonstrated to be non-
business income, then all expenses, without limitation, deducted in
such later year and in the 2 immediately preceding taxable years
related to that asset or business that generated the non-business
income shall be added back and recaptured as business income in
the year of the disposition of the asset or business. Such amount
shall be apportioned to Illinois using the greater of the
apportionment fraction computed for the business under Section
304 of this Act for the taxable year or the average of the
apportionment fractions computed for the business under Section
304 of this Act for the taxable year and for the 2 immediately
preceding taxable years.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to
in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount
equal to:

(A) The sum of the pre-August 1, 1969 appreciation
amounts (to the extent consisting of gain reportable under

New matter indicated by italics - deletions by strikeout
the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.
(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; 93-812, eff. 7-26-04; 93-840, eff. 7-30-04; revised 10-12-04.)

(35 ILCS 5/502) (from Ch. 120, par. 5-502)

Sec. 502. Returns and notices.

(a) In general. A return with respect to the taxes imposed by this Act shall be made by every person for any taxable year:

(1) for which such person is liable for a tax imposed by this Act, or

(2) in the case of a resident or in the case of a corporation which is qualified to do business in this State, for which such person is required to make a federal income tax return, regardless of whether such person is liable for a tax imposed by this Act. However, this paragraph shall not require a resident to make a return if such person has an Illinois base income of the basic amount in Section 204(b) or less and is either claimed as a dependent on another person's tax return under the Internal Revenue Code of 1986, or is claimed as a dependent on another person's tax return under this Act.

New matter indicated by italics - deletions by strikeout
(b) Fiduciaries and receivers.

(1) Decedents. If an individual is deceased, any return or notice required of such individual under this Act shall be made by his executor, administrator, or other person charged with the property of such decedent.

(2) Individuals under a disability. If an individual is unable to make a return or notice required under this Act, the return or notice required of such individual shall be made by his duly authorized agent, guardian, fiduciary or other person charged with the care of the person or property of such individual.

(3) Estates and trusts. Returns or notices required of an estate or a trust shall be made by the fiduciary thereof.

(4) Receivers, trustees and assignees for corporations. In a case where a receiver, trustee in bankruptcy, or assignee, by order of a court of competent jurisdiction, by operation of law, or otherwise, has possession of or holds title to all or substantially all the property or business of a corporation, whether or not such property or business is being operated, such receiver, trustee, or assignee shall make the returns and notices required of such corporation in the same manner and form as corporations are required to make such returns and notices.

(c) Joint returns by husband and wife.

(1) Except as provided in paragraph (3), if a husband and wife file a joint federal income tax return for a taxable year they shall file a joint return under this Act for such taxable year and their liabilities shall be joint and several, but if the federal income tax liability of either spouse is determined on a separate federal income tax return, they shall file separate returns under this Act.

(2) If neither spouse is required to file a federal income tax return and either or both are required to file a return under this Act, they may elect to file separate or joint returns and pursuant to such election their liabilities shall be separate or joint and several.

(3) If either husband or wife is a resident and the other is a nonresident, they shall file separate returns in this State on such

New matter indicated by italics - deletions by strikeout
forms as may be required by the Department in which event their tax liabilities shall be separate; but they may elect to determine their joint net income and file a joint return as if both were residents and in such case, their liabilities shall be joint and several.

(4) Innocent spouses.

(A) However, for tax liabilities arising and paid prior to August 13, 1999, an innocent spouse shall be relieved of liability for tax (including interest and penalties) for any taxable year for which a joint return has been made, upon submission of proof that the Internal Revenue Service has made a determination under Section 6013(e) of the Internal Revenue Code, for the same taxable year, which determination relieved the spouse from liability for federal income taxes. If there is no federal income tax liability at issue for the same taxable year, the Department shall rely on the provisions of Section 6013(e) to determine whether the person requesting innocent spouse abatement of tax, penalty, and interest is entitled to that relief.

(B) For tax liabilities arising on and after August 13, 1999 or which arose prior to that date, but remain unpaid as of that date, if an individual who filed a joint return for any taxable year has made an election under this paragraph, the individual's liability for any tax shown on the joint return shall not exceed the individual's separate return amount and the individual's liability for any deficiency assessed for that taxable year shall not exceed the portion of the deficiency properly allocable to the individual. For purposes of this paragraph:

(i) An election properly made pursuant to Section 6015 of the Internal Revenue Code shall constitute an election under this paragraph, provided that the election shall not be effective until the individual has notified the Department of the

New matter indicated by italics - deletions by strikeout
election in the form and manner prescribed by the Department.

(ii) If no election has been made under Section 6015, the individual may make an election under this paragraph in the form and manner prescribed by the Department, provided that no election may be made if the Department finds that assets were transferred between individuals filing a joint return as part of a scheme by such individuals to avoid payment of Illinois income tax and the election shall not eliminate the individual's liability for any portion of a deficiency attributable to an error on the return of which the individual had actual knowledge as of the date of filing.

(iii) In determining the separate return amount or portion of any deficiency attributable to an individual, the Department shall follow the provisions in subsections (c) and (d) of Section 6015 of the Internal Revenue Code.

(iv) In determining the validity of an individual's election under subparagraph (ii) and in determining an electing individual's separate return amount or portion of any deficiency under subparagraph (iii), any determination made by the Secretary of the Treasury, by the United States Tax Court on petition for review of a determination by the Secretary of the Treasury, or on appeal from the United States Tax Court under Section 6015 of the Internal Revenue Code regarding criteria for eligibility or under subsection (d) of Section 6015 of the Internal Revenue Code regarding the allocation of any item of income, deduction, payment, or credit between an individual making the federal election and that individual's spouse shall be conclusively

New matter indicated by italics - deletions by strikeout
presumed to be correct. With respect to any item that is not the subject of a determination by the Secretary of the Treasury or the federal courts, in any proceeding involving this subsection, the individual making the election shall have the burden of proof with respect to any item except that the Department shall have the burden of proof with respect to items in subdivision (ii).

(v) Any election made by an individual under this subsection shall apply to all years for which that individual and the spouse named in the election have filed a joint return.

(vi) After receiving a notice that the federal election has been made or after receiving an election under subdivision (ii), the Department shall take no collection action against the electing individual for any liability arising from a joint return covered by the election until the Department has notified the electing individual in writing that the election is invalid or of the portion of the liability the Department has allocated to the electing individual. Within 60 days (150 days if the individual is outside the United States) after the issuance of such notification, the individual may file a written protest of the denial of the election or of the Department's determination of the liability allocated to him or her and shall be granted a hearing within the Department under the provisions of Section 908. If a protest is filed, the Department shall take no collection action against the electing individual until the decision regarding the protest has become final under subsection (d) of Section 908 or, if administrative review of the Department's decision
is requested under Section 1201, until the decision of the court becomes final.

(d) Partnerships. Every partnership having any base income allocable to this State in accordance with section 305(c) shall retain information concerning all items of income, gain, loss and deduction; the names and addresses of all of the partners, or names and addresses of members of a limited liability company, or other persons who would be entitled to share in the base income of the partnership if distributed; the amount of the distributive share of each; and such other pertinent information as the Department may by forms or regulations prescribe. The partnership shall make that information available to the Department when requested by the Department.

(e) For taxable years ending on or after December 31, 1985, and before December 31, 1993, taxpayers that are corporations (other than Subchapter S corporations) having the same taxable year and that are members of the same unitary business group may elect to be treated as one taxpayer for purposes of any original return, amended return which includes the same taxpayers of the unitary group which joined in the election to file the original return, extension, claim for refund, assessment, collection and payment and determination of the group's tax liability under this Act. This subsection (e) does not permit the election to be made for some, but not all, of the purposes enumerated above. For taxable years ending on or after December 31, 1987, corporate members (other than Subchapter S corporations) of the same unitary business group making this subsection (e) election are not required to have the same taxable year.

For taxable years ending on or after December 31, 1993, taxpayers that are corporations (other than Subchapter S corporations) and that are members of the same unitary business group shall be treated as one taxpayer for purposes of any original return, amended return which includes the same taxpayers of the unitary group which joined in filing the original return, extension, claim for refund, assessment, collection and payment and determination of the group's tax liability under this Act.

(f) The Department may promulgate regulations to permit nonresident individual partners of the same partnership, nonresident
Subchapter S corporation shareholders of the same Subchapter S corporation, and nonresident individuals transacting an insurance business in Illinois under a Lloyds plan of operation, and nonresident individual members of the same limited liability company that is treated as a partnership under Section 1501 (a)(16) of this Act, to file composite individual income tax returns reflecting the composite income of such individuals allocable to Illinois and to make composite individual income tax payments. The Department may by regulation also permit such composite returns to include the income tax owed by Illinois residents attributable to their income from partnerships, Subchapter S corporations, insurance businesses organized under a Lloyds plan of operation, or limited liability companies that are treated as partnership under Section 1501(a)(16) of this Act, in which case such Illinois residents will be permitted to claim credits on their individual returns for their shares of the composite tax payments. This paragraph of subsection (f) applies to taxable years ending on or after December 31, 1987.

For taxable years ending on or after December 31, 1999, the Department may, by regulation, also permit any persons transacting an insurance business organized under a Lloyds plan of operation to file composite returns reflecting the income of such persons allocable to Illinois and the tax rates applicable to such persons under Section 201 and to make composite tax payments and shall, by regulation, also provide that the income and apportionment factors attributable to the transaction of an insurance business organized under a Lloyds plan of operation by any person joining in the filing of a composite return shall, for purposes of allocating and apportioning income under Article 3 of this Act and computing net income under Section 202 of this Act, be excluded from any other income and apportionment factors of that person or of any unitary business group, as defined in subdivision (a)(27) of Section 1501, to which that person may belong.

(g) The Department may adopt rules to authorize the electronic filing of any return required to be filed under this Section.

(Source: P.A. 91-541, eff. 8-13-99; 91-913, eff. 1-1-01; 92-846, eff. 8-23-02.)

New matter indicated by italics - deletions by strikeout
(35 ILCS 5/506.5)

Sec. 506.5. Returns based on substitute W-2 forms. For a taxpayer who has received wages from an employer in Illinois, loses or was not provided a W-2 form, is unable to obtain a duplicate W-2 form from the employer, and subsequently obtains a substitute W-2 form from the Internal Revenue Service, it shall be presumed that tax was withheld under Article 7 of this Act in an appropriate amount based on the number of withholding exemptions used to determine the federal income tax withholding for the taxpayer if (i) the substitute W-2 form indicates the appropriate amount of federal taxes withheld, (ii) the taxpayer files a copy of the substitute W-2 form with his or her Illinois income tax return, and (iii) the taxpayer provides a mailing address to which any correspondence or refund, if any, may be sent.

(Source: P.A. 88-669, eff. 11-29-94.)

(35 ILCS 5/917) (from Ch. 120, par. 9-917)

Sec. 917. Confidentiality and information sharing.

(a) Confidentiality. Except as provided in this Section, all information received by the Department from returns filed under this Act, or from any investigation conducted under the provisions of this Act, shall be confidential, except for official purposes within the Department or pursuant to official procedures for collection of any State tax or pursuant to an investigation or audit by the Illinois State Scholarship Commission of a delinquent student loan or monetary award or enforcement of any civil or criminal penalty or sanction imposed by this Act or by another statute imposing a State tax, and any person who divulges any such information in any manner, except for such purposes and pursuant to order of the Director or in accordance with a proper judicial order, shall be guilty of a Class A misdemeanor. However, the provisions of this paragraph are not applicable to information furnished to (i) the Department of Healthcare and Family Services (formerly Department of Public Aid), State's Attorneys, and the Attorney General for child support enforcement purposes and (ii) a licensed attorney representing the taxpayer where an appeal or a protest has been filed on behalf of the taxpayer. If it is

New matter indicated by italics - deletions by strikeout
necessary to file information obtained pursuant to this Act in a child
support enforcement proceeding, the information shall be filed under seal.

(b) Public information. Nothing contained in this Act shall prevent
the Director from publishing or making available to the public the names
and addresses of persons filing returns under this Act, or from publishing
or making available reasonable statistics concerning the operation of the
tax wherein the contents of returns are grouped into aggregates in such a
way that the information contained in any individual return shall not be
disclosed.

(c) Governmental agencies. The Director may make available to
the Secretary of the Treasury of the United States or his delegate, or the
proper officer or his delegate of any other state imposing a tax upon or
measured by income, for exclusively official purposes, information
received by the Department in the administration of this Act, but such
permission shall be granted only if the United States or such other state, as
the case may be, grants the Department substantially similar privileges.
The Director may exchange information with the Illinois Department of
Healthcare and Family Services Public Aid and the Department of Human
Services (acting as successor to the Department of Public Aid under the
Department of Human Services Act) for the purpose of verifying sources
and amounts of income and for other purposes directly connected with the
administration of this Act and the Illinois Public Aid Code. The Director
may exchange information with the Director of the Department of
Employment Security for the purpose of verifying sources and amounts of
income and for other purposes directly connected with the administration
of this Act and Acts administered by the Department of Employment
Security. The Director may make available to the Illinois Workers' Compensating Commission information regarding employers for the
purpose of verifying the insurance coverage required under the Workers' Compensating Act and Workers' Occupational Diseases Act. The Director
may exchange information with the Illinois Department on Aging for the
purpose of verifying sources and amounts of income for purposes directly
related to confirming eligibility for participation in the programs of

New matter indicated by italics - deletions by strikeout
benefits authorized by the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to file returns under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes, for the limited purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State information that a corporation which has been issued a certificate of incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay
any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. For taxable years ending on or after December 31, 1987, the Director may make available to the Director or principal officer of any Department of the State of Illinois, information that a person employed by such Department has failed to file returns under this Act or pay the tax, penalty and interest shown therein. For purposes of this paragraph, the word "Department" shall have the same meaning as provided in Section 3 of the State Employees Group Insurance Act of 1971.

(d) The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

(e) Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization

New matter indicated by italics - deletions by strikeout
made by the taxpayer, by an authorized representative of the taxpayer, or, in the case of information related to a joint return, by the spouse filing the joint return with the taxpayer.

(Source: P.A. 93-25, eff. 6-20-03; 93-721, eff. 1-1-05; 93-835; eff. 7-29-04; 93-841, eff. 7-30-04; revised 12-15-05.)

(35 ILCS 5/1301) (from Ch. 120, par. 13-1301)

Sec. 1301. Willful and Fraudulent Acts. Any person who is subject to the provisions of this Act and who willfully fails to file a return, or who files a fraudulent return, or who willfully attempts in any other manner to evade or defeat any tax imposed by this Act or the payment thereof, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Act, shall, in addition to other penalties, be guilty of a Class 4 felony for the first offense and a Class 3 felony for each subsequent offense. Any person who is subject to this Act and who willfully violates any rule or regulation of the Department for the administration and enforcement of this Act or who fails to keep books and records as required in this Act is, in addition to other penalties, guilty of a Class A misdemeanor. Any person whose commercial domicile or whose residence is in this State and who is charged with a violation under this Section shall be tried in the county where his commercial domicile or his residence is located unless he asserts a right to be tried in another venue. A prosecution for any act in violation of this Section may be commenced at any time within 5 years of the commission of that act.

(Source: P.A. 88-480; 88-669, eff. 11-29-94.)

Section 10. The Use Tax Act is amended by re-enacting Section 2 and re-enacting and changing Section 9 as follows:

(35 ILCS 105/2) (from Ch. 120, par. 439.2)

Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed

New matter indicated by italics - deletions by strikeout
to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as
an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any
other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or on account of the seller's tax liability under Section 8-11-1 of the Illinois Municipal Code, as heretofore and hereafter amended, or on account of the seller's tax liability under the "County Retailers' Occupation Tax Act". Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order

New matter indicated by italics - deletions by strikeout
serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a
construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer...
to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 92-213, eff. 1-1-02.)

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

New matter indicated by italics - deletions by strikeout
Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department

New matter indicated by italics - deletions by strikeout
for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term
"average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a
return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters was.

New matter indicated by italics - deletions by strikeout
quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

New matter indicated by italics - deletions by strikeout
If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department
does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling
price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer

New matter indicated by italics - deletions by strikeout
determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form
in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the
preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as

New matter indicated by italics - deletions by strikeout
the case may be, of the moneys received by the Department and required to
be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day

New matter indicated by italics - deletions by strikeout
of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>119,000,000</td>
</tr>
<tr>
<td>2008</td>
<td>126,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>132,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>139,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>146,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>153,000,000</td>
</tr>
<tr>
<td>2013</td>
<td>161,000,000</td>
</tr>
<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
<tr>
<td>2015</td>
<td>179,000,000</td>
</tr>
<tr>
<td>2016</td>
<td>189,000,000</td>
</tr>
<tr>
<td>2017</td>
<td>199,000,000</td>
</tr>
<tr>
<td>2018</td>
<td>210,000,000</td>
</tr>
<tr>
<td>2019</td>
<td>221,000,000</td>
</tr>
<tr>
<td>2020</td>
<td>233,000,000</td>
</tr>
<tr>
<td>2021</td>
<td>246,000,000</td>
</tr>
<tr>
<td>2022</td>
<td>260,000,000</td>
</tr>
<tr>
<td>2023 and</td>
<td>275,000,000</td>
</tr>
</tbody>
</table>

each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.

New matter indicated by italics - deletions by strikeout
Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to
the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(126x655) 

(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. A serviceman need not remit that part of any tax

New matter indicated by italics - deletions by strikeout
collected by him to the extent that he is required to pay and does pay the
tax imposed by the Service Occupation Tax Act with respect to his sale of
service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the
twentieth day of each calendar month, such serviceman shall file a return
for the preceding calendar month in accordance with reasonable Rules and
Regulations to be promulgated by the Department. Such return shall be
filed on a form prescribed by the Department and shall contain such
information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly
basis. If so required, a return for each calendar quarter shall be filed on or
before the twentieth day of the calendar month following the end of such
calendar quarter. The taxpayer shall also file a return with the Department
for each of the first two months of each calendar quarter, on or before the
twentieth day of the following calendar month, stating:
  1. The name of the seller;
  2. The address of the principal place of business from
     which he engages in business as a serviceman in this State;
  3. The total amount of taxable receipts received by him
during the preceding calendar month, including receipts from
     charge and time sales, but less all deductions allowed by law;
  4. The amount of credit provided in Section 2d of this Act;
  5. The amount of tax due;
  5-5. The signature of the taxpayer; and
  6. Such other reasonable information as the Department
     may require.

If a taxpayer fails to sign a return within 30 days after the proper
notice and demand for signature by the Department, the return shall be
considered valid and any amount shown to be due on the return shall be
deemed assessed.

Beginning October 1, 1993, a taxpayer who has an average
monthly tax liability of $150,000 or more shall make all payments
required by rules of the Department by electronic funds transfer.
Beginning October 1, 1994, a taxpayer who has an average monthly tax
liability of $100,000 or more shall make all payments required by rules of
the Department by electronic funds transfer. Beginning October 1, 1995, a
taxpayer who has an average monthly tax liability of $50,000 or more shall
make all payments required by rules of the Department by electronic funds
transfer. Beginning October 1, 2000, a taxpayer who has an annual tax
liability of $200,000 or more shall make all payments required by rules of
the Department by electronic funds transfer. The term "annual tax liability"
shall be the sum of the taxpayer's liabilities under this Act, and under all
other State and local occupation and use tax laws administered by the
Department, for the immediately preceding calendar year. The term "average
monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax
laws administered by the Department, for the immediately preceding
calendar year divided by 12. Beginning on October 1, 2002, a taxpayer
who has a tax liability in the amount set forth in subsection (b) of Section
2505-210 of the Department of Revenue Law shall make all payments
required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department
shall notify all taxpayers required to make payments by electronic funds
transfer. All taxpayers required to make payments by electronic funds
transfer shall make those payments for a minimum of one year beginning
on October 1.

Any taxpayer not required to make payments by electronic funds
transfer may make payments by electronic funds transfer with the
permission of the Department.

All taxpayers required to make payment by electronic funds
transfer and any taxpayers authorized to voluntarily make payments by
electronic funds transfer shall make those payments in the manner
authorized by the Department.

The Department shall adopt such rules as are necessary to
effectuate a program of electronic funds transfer and the requirements of
this Section.

If the serviceman is otherwise required to file a monthly return and
if the serviceman's average monthly tax liability to the Department does

New matter indicated by italics - deletions by strikeout
not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

New matter indicated by italics - deletions by strikeout
Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois

New matter indicated by italics - deletions by strikeout
Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 
3.8% thereof shall be paid into the Build Illinois Fund; provided, however, 
that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as 
the case may be, of the moneys received by the Department and required to 
be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' 
Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the 
Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, 
such Acts being hereinafter called the "Tax Acts" and such aggregate of 
2.2% or 3.8%, as the case may be, of moneys being hereinafter called the 
"Tax Act Amount", and (2) the amount transferred to the Build Illinois 
Fund from the State and Local Sales Tax Reform Fund shall be less than 
the Annual Specified Amount (as defined in Section 3 of the Retailers' 
Occupation Tax Act), an amount equal to the difference shall be 
immediately paid into the Build Illinois Fund from other moneys received 
by the Department pursuant to the Tax Acts; and further provided, that if 
on the last business day of any month the sum of (1) the Tax Act Amount 
required to be deposited into the Build Illinois Bond Account in the Build 
Illinois Fund during such month and (2) the amount transferred during 
such month to the Build Illinois Fund from the State and Local Sales Tax 
Reform Fund shall have been less than 1/12 of the Annual Specified 
Amount, an amount equal to the difference shall be immediately paid into 
the Build Illinois Fund from other moneys received by the Department 
pursuant to the Tax Acts; and, further provided, that in no event shall the 
payments required under the preceding proviso result in aggregate 
payments into the Build Illinois Fund pursuant to this clause (b) for any 
fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the 
Annual Specified Amount for such fiscal year; and, further provided, that 
the amounts payable into the Build Illinois Fund under this clause (b) shall 
be payable only until such time as the aggregate amount on deposit under 
each trust indenture securing Bonds issued and outstanding pursuant to the 
Build Illinois Bond Act is sufficient, taking into account any future 
investment income, to fully provide, in accordance with such indenture, 
for the defeasance of or the payment of the principal of, premium, if any, 
and interest on the Bonds secured by such indenture and on any Bonds
expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers’ Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>119,000,000</td>
</tr>
<tr>
<td>2008</td>
<td>126,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>132,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>139,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>146,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>153,000,000</td>
</tr>
<tr>
<td>2013</td>
<td>161,000,000</td>
</tr>
<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
<tr>
<td>2015</td>
<td>179,000,000</td>
</tr>
<tr>
<td>2016</td>
<td>189,000,000</td>
</tr>
<tr>
<td>2017</td>
<td>199,000,000</td>
</tr>
<tr>
<td>2018</td>
<td>210,000,000</td>
</tr>
<tr>
<td>2019</td>
<td>221,000,000</td>
</tr>
<tr>
<td>2020</td>
<td>233,000,000</td>
</tr>
<tr>
<td>2021</td>
<td>246,000,000</td>
</tr>
<tr>
<td>2022</td>
<td>260,000,000</td>
</tr>
<tr>
<td>2023 and</td>
<td>275,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Exposition Authority Act,
but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

All remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

New matter indicated by italics - deletions by strikeout
As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 92-12, eff. 7-1-01; 92-208, eff. 8-2-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; revised 10-15-03.)

Section 20. The Service Occupation Tax Act is amended by re-enacting Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)
Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return

New matter indicated by italics - deletions by strikeout
shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any

New matter indicated by italics - deletions by strikeout
original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a

New matter indicated by italics - deletions by strikeout
taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall

New matter indicated by italics - deletions by strikeout
also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue
realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department.

New matter indicated by italics - deletions by strikeout
pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount

New matter indicated by italics - deletions by strikeout
requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>119,000,000</td>
</tr>
<tr>
<td>2008</td>
<td>126,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>132,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>139,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>146,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>153,000,000</td>
</tr>
<tr>
<td>2013</td>
<td>161,000,000</td>
</tr>
<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
<tr>
<td>2015</td>
<td>179,000,000</td>
</tr>
<tr>
<td>2016</td>
<td>189,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
2017 199,000,000  
2018 210,000,000  
2019 221,000,000  
2020 233,000,000  
2021 246,000,000  
2022 260,000,000  
2023 and 275,000,000  
each fiscal year  
thereafter that bonds  
are outstanding under  
Section 13.2 of the  
Metropolitan Pier and  
Exposition Authority Act,  
but not after fiscal year 2042.  

Beginning July 20, 1993 and in each month of each fiscal year  
thereafter, one-eighth of the amount requested in the certificate of the  
Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under  
subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under  
this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.  

Subject to payment of amounts into the Build Illinois Fund and the  
McCormick Place Expansion Project Fund pursuant to the preceding  
paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the  
predicting month from the 6.25% general rate on the selling price of tangible personal property.  

Subject to payment of amounts into the Build Illinois Fund and the  
McCormick Place Expansion Project Fund pursuant to the preceding  
paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.  

New matter indicated by italics - deletions by strikeout
paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, payroll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under

New matter indicated by italics - deletions by strikeout
this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

New matter indicated by italics - deletions by strikeout
Section 25. The Retailers' Occupation Tax Act is amended by re-enacting Sections 3 and 11 as follows:

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

New matter indicated by italics - deletions by strikeout
If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;

New matter indicated by italics - deletions by strikeout
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due; and

6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or
manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

New matter indicated by italics - deletions by strikeout
Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarterly annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his

New matter indicated by italics - deletions by strikeout
returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

New matter indicated by italics - deletions by strikeout
Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not
due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user

New matter indicated by italics - deletions by strikeout
may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the
case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the

New matter indicated by italics - deletions by strikeout
taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month

New matter indicated by italics - deletions by strikeout
of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or

New matter indicated by italics - deletions by strikeout
27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest

New matter indicated by italics - deletions by strikeout
liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic

New matter indicated by italics - deletions by strikeout
beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received

New matter indicated by italics - deletions by strikeout
by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Specified Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>$54,800,000</td>
</tr>
<tr>
<td>1987</td>
<td>$76,650,000</td>
</tr>
<tr>
<td>1988</td>
<td>$80,480,000</td>
</tr>
<tr>
<td>1989</td>
<td>$88,510,000</td>
</tr>
<tr>
<td>1990</td>
<td>$115,330,000</td>
</tr>
<tr>
<td>1991</td>
<td>$145,470,000</td>
</tr>
<tr>
<td>1992</td>
<td>$182,730,000</td>
</tr>
<tr>
<td>1993</td>
<td>$206,520,000;</td>
</tr>
</tbody>
</table>

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and

New matter indicated by italics - deletions by strikeout
on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$0</td>
</tr>
<tr>
<td>1994</td>
<td>53,000,000</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>58,000,000</td>
</tr>
<tr>
<td>1996</td>
<td>61,000,000</td>
</tr>
<tr>
<td>1997</td>
<td>64,000,000</td>
</tr>
<tr>
<td>1998</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1999</td>
<td>71,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>75,000,000</td>
</tr>
<tr>
<td>2001</td>
<td>80,000,000</td>
</tr>
<tr>
<td>2002</td>
<td>93,000,000</td>
</tr>
<tr>
<td>2003</td>
<td>99,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>103,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>108,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>113,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>119,000,000</td>
</tr>
<tr>
<td>2008</td>
<td>126,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>132,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>139,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>146,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>153,000,000</td>
</tr>
<tr>
<td>2013</td>
<td>161,000,000</td>
</tr>
<tr>
<td>2014</td>
<td>170,000,000</td>
</tr>
<tr>
<td>2015</td>
<td>179,000,000</td>
</tr>
<tr>
<td>2016</td>
<td>189,000,000</td>
</tr>
<tr>
<td>2017</td>
<td>199,000,000</td>
</tr>
<tr>
<td>2018</td>
<td>210,000,000</td>
</tr>
<tr>
<td>2019</td>
<td>221,000,000</td>
</tr>
<tr>
<td>2020</td>
<td>233,000,000</td>
</tr>
<tr>
<td>2021</td>
<td>246,000,000</td>
</tr>
<tr>
<td>2022</td>
<td>260,000,000</td>
</tr>
<tr>
<td>2023 and</td>
<td>275,000,000</td>
</tr>
<tr>
<td></td>
<td>each fiscal year</td>
</tr>
<tr>
<td></td>
<td>thereafter that bonds</td>
</tr>
<tr>
<td></td>
<td>are outstanding under</td>
</tr>
<tr>
<td></td>
<td>Section 13.2 of the</td>
</tr>
<tr>
<td></td>
<td>Metropolitan Pier and</td>
</tr>
</tbody>
</table>

New matter indicated by italics - deletions by strikeout
Exposition Authority Act,
but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to

New matter indicated by italics - deletions by strikeout
the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

   (i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

   (ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the

New matter indicated by italics - deletions by strikeout
information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must
be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01; 92-484, eff. 8-23-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; 93-22, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-926, eff. 8-12-04; 93-1057, eff. 12-2-04; revised 12-6-04.)

(35 ILCS 120/11) (from Ch. 120, par. 450)

Sec. 11. All information received by the Department from returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of
persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any village that does not levy any real property taxes for village operations and that receives more than 60% of its general corporate revenue from taxes under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The Department's furnishing of information derived from a taxpayer's return or from an investigation conducted under this Act to the surety on a taxpayer's bond that has been furnished to the Department under this Act, either to provide notice to such surety of its potential liability under the bond or, in order to support the Department's demand for payment from such surety under the bond, is an official purpose within the meaning of this Section.

The furnishing upon request of information obtained by the Department from returns filed under this Act or investigations conducted under this Act to the Illinois Liquor Control Commission for official use is deemed to be an official purpose within the meaning of this Section.

Notice to a surety of potential liability shall not be given unless the taxpayer has first been notified, not less than 10 days prior thereto, of the Department's intent to so notify the surety.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

Where an appeal or a protest has been filed on behalf of a taxpayer, the furnishing upon request of the attorney for the taxpayer of returns filed

New matter indicated by italics - deletions by strikeout
by the taxpayer and information related thereto under this Act is deemed to
be an official purpose within the meaning of this Section.

The furnishing of financial information to a home rule unit or non-
home rule unit that has imposed a tax similar to that imposed by this Act
pursuant to its home rule powers or the successful passage of a public
referendum by a majority of the registered voters of the community, or to
any village that does not levy any real property taxes for village operations
and that receives more than 60% of its general corporate revenue from
taxes under the Use Tax Act, the Service Use Tax Act, the Service
Occupation Tax Act, and the Retailers' Occupation Tax Act, upon request
of the Chief Executive thereof, is an official purpose within the meaning
of this Section, provided the home rule unit, non-home rule unit with
referendum approval, or village that does not levy any real property taxes
for village operations and that receives more than 60% of its general
corporate revenue from taxes under the Use Tax Act, the Service Use Tax
Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax
Act agrees in writing to the requirements of this Section.

For a village that does not levy any real property taxes for village
operations and that receives more than 60% of its general corporate
revenue from taxes under the Use Tax Act, Service Use Tax Act, Service
Occupation Tax Act, and Retailers' Occupation Tax Act, the officers
eligible to receive information from the Department of Revenue under this
Section are the village manager and the chief financial officer of the
village.

Information so provided shall be subject to all confidentiality
provisions of this Section. The written agreement shall provide for
reciprocity, limitations on access, disclosure, and procedures for
requesting information.

The Department may make available to the Board of Trustees of
any Metro East Mass Transit District information contained on transaction
reporting returns required to be filed under Section 3 of this Act that report
sales made within the boundary of the taxing authority of that Metro East
Mass Transit District, as provided in Section 5.01 of the Local Mass
Transit District Act. The disclosure shall be made pursuant to a written

New matter indicated by italics - deletions by strikeout
agreement between the Department and the Board of Trustees of a Metro East Mass Transit District, which is an official purpose within the meaning of this Section. The written agreement between the Department and the Board of Trustees of a Metro East Mass Transit District shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information. Information so provided shall be subject to all confidentiality provisions of this Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to collect and remit Illinois Use tax on sales into Illinois, or any tax under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. The Director may make available to units of local government and school districts that require bidder and contractor certifications, as set forth in Sections 50-11 and 50-12 of the Illinois Procurement Code, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to collect and remit Illinois Use tax on sales into Illinois, file returns under this Act, or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this Section, an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this Section, the term "voting security" means a security

New matter indicated by italics - deletions by strikeout
that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes for the limited purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State information that a limited liability company, which has filed articles of organization with the Secretary of State, or corporation which has been issued a certificate of incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

New matter indicated by italics - deletions by strikeout
The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 93-25, eff. 6-20-03; 93-939, eff. 8-13-04.)

Section 30. The Cigarette Tax Act is amended by re-enacting Section 10b as follows:

(35 ILCS 130/10b) (from Ch. 120, par. 453.10b)
Sec. 10b. All information received by the Department from returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class A misdemeanor.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so that the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

New matter indicated by italics - deletions by strikeout
The furnishing of financial information to a home rule unit with a population in excess of 2,000,000 that has imposed a tax similar to that imposed by this Act under its home rule powers, upon request of the Chief Executive of the home rule unit, is an official purpose within the meaning of this Section, provided the home rule unit agrees in writing to the requirements of this Section. Information so provided is subject to all confidentiality provisions of this Section. The written agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance
of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 90-491, eff. 1-1-98.)

Section 35. The Cigarette Use Tax Act is amended by re-enacting Section 20 as follows:

(35 ILCS 135/20) (from Ch. 120, par. 453.50)

Sec. 20. All information received by the Department from returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class A misdemeanor.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so that the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The furnishing of financial information to a home rule unit with a population in excess of 2,000,000 that has imposed a tax similar to that

New matter indicated by italics - deletions by strikeout
imposed by this Act under its home rule powers, upon request of the Chief Executive of the home rule unit, is an official purpose within the meaning of this Section, provided the home rule unit agrees in writing to the requirements of this Section. Information so provided is subject to all confidentiality provisions of this Section. The written agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of

New matter indicated by italics - deletions by strikeout
Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer. (Source: P.A. 90-491, eff. 1-1-98.)

Section 45. The Longtime Owner-Occupant Property Tax Relief Act is amended by re-enacting Section 20 as follows:

(35 ILCS 250/20)
Sec. 20. Conditions of deferral or exemption.
(a) Any deferral or exemption of payment of an increase in real property taxes granted under this Act shall be limited to real property that meets both of the following conditions:

(1) The property is owned and occupied by a longtime owner-occupant.
(2) The property is the principal residence and domicile of the longtime owner-occupant.

The corporate authorities of a county, by ordinance or resolution, may impose additional criteria for qualifying for a deferral or exemption under this Act including, but not limited to, (i) requiring the owner-occupant to have owned and occupied the same dwelling place as principal residence and domicile for a period of more than 10 years, (ii) establishing age criteria for eligibility of an owner-occupant, and (iii) establishing income criteria for eligibility of an owner-occupant. A deferral or exemption, or combination thereof, under an ordinance or resolution adopted pursuant to this Act, may not exceed $20,000 in equalized assessed value per tax year.

(b) No penalties or interest shall accrue on the portion of any deferral granted under this Act.

(c) Except as provided in subsection (d) of Section 15, school districts and municipalities within a county to which this Act applies may determine whether financial need, age, or both, of the longtime owner-occupant shall be used to determine eligibility. (Source: P.A. 93-715, eff. 7-12-04.)

New matter indicated by italics - deletions by strikeout
Section 50. The Motor Fuel Tax Law is amended by re-enacting Sections 1.16, 13a.3, 13a.4, 13a.5, 13a.6, 15, and 16 as follows:

(35 ILCS 505/1.16) (from Ch. 120, par. 417.16)

Sec. 1.16. "Commercial motor vehicle" means a motor vehicle used, designed, or maintained for the transportation of persons or property and either having 2 axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,793 kilograms, or having 3 or more axles regardless of weight, or that is used in combination, when the weight of the combination exceeds 26,000 pounds or 11,793 kilograms gross vehicle weight or registered gross vehicle weight, except for motor vehicles operated by this State or the United States, recreational vehicles, school buses, and commercial motor vehicles operated solely within this State for which all motor fuel is purchased within this State. Vehicles that are exempted from registration, but are required to be registered for operations in other jurisdictions may apply for a motor fuel use tax license and decal under the provisions of the International Fuel Tax Agreement referenced in Section 14a of this Act.

(Source: P.A. 88-480; 88-669, eff. 11-29-94.)

(35 ILCS 505/13a.3) (from Ch. 120, par. 429a3)

Sec. 13a.3. Every person holding a valid unrevoked motor fuel use tax license issued under Section 13a.4 of this Act shall, on or before the last day of the month next succeeding any calendar quarter, file with the Department a report, in such form as the Department may by rule or regulation prescribe, setting forth a statement of the number of miles traveled in every jurisdiction and in this State during the previous calendar quarter, the number of gallons and type of reportable motor fuel consumed on the highways of every jurisdiction and of this State, and the total number of gallons and types of tax paid fuel purchased within every jurisdiction during said previous calendar quarter. A motor carrier who purchases motor fuel in this State who pays a tax thereon under any section of the Motor Fuel Tax Law other than Sections 13a, 13a.1, 13a.2 and 13a.3, and who does not apply for a refund under Section 13 of the Motor Fuel Tax Law, shall receive a gallon for gallon credit against his liability under Sections 13a, 13a.1, 13a.2 and 13a.3 hereof. The rate under

New matter indicated by italics - deletions by strikeout
Section 2 of this Act shall apply to each gallon of motor fuel used by such motor carrier on the highways of Illinois during the previous calendar quarter in excess of the motor fuel purchased in Illinois during such previous calendar quarter.

The rate under subsection (2) of Section 13a of this Act shall apply to each gallon of motor fuel used by such motor carrier on the highways of Illinois during the previous calendar quarter. For purposes of the preceding paragraphs "used" shall be determined as provided in Section 13a.2 of this Act.

For such motor fuel consumed during the previous calendar quarter, said tax shall be payable on the last day of the month next succeeding such previous calendar quarter and shall bear interest at the rate of 1% per month or fraction of month until paid. Motor carriers required to file bonds under Section 13a.4 of this Act shall make tax payments to the Department by certified check.

Reports not filed by the due date shall be considered late and any taxes due considered delinquent. The licensee may be assessed a penalty of $50 or 10% of the delinquent taxes, whichever is greater, for failure to file a report, or for filing a late report, or for underpayment of taxes due.

As to each gallon of motor fuel purchased in Illinois by such motor carrier during the previous calendar quarter in excess of the number of gallons of motor fuel used by such motor carrier on the highways of Illinois during such previous calendar quarter, the taxpayer may take a credit for the current calendar quarter or the Department may issue a credit memorandum or refund to such motor carrier for any tax imposed by Part (a) of Section 13a of this Act paid on each such gallon. If a credit is given, the credit memorandum shall be carried over to offset liabilities of the licensee until the credit is fully offset or until 8 calendar quarters pass after the end of the calendar quarter in which the credit accrued, whichever occurs sooner.

A motor carrier who purchases motor fuel in this State shall be entitled to a refund under this Section or a credit against all his liabilities under Sections 13a, 13a.1, 13a.2 and 13a.3 hereof for taxes imposed by the Use Tax Act, the Retailers' Occupation Tax Act, the Municipal Retailers'
Occupation Tax Act and the County Retailers' Occupation Tax Act on such motor fuel at a rate equal to that established by subsection (2) of Section 13a of this Act, provided that such taxes have been paid by the taxpayer and such taxes have been charged to the motor carrier claiming the credit or refund.

(Source: P.A. 87-205; 88-480; 88-669, eff. 11-29-94.)

(35 ILCS 505/13a.4) (from Ch. 120, par. 429a4)

Sec. 13a.4. Except as provided in Section 13a.5 of this Act, no motor carrier shall operate in Illinois without first securing a motor fuel use tax license and decals from the Department or a motor fuel use tax license and decals issued under the International Fuel Tax Agreement by any member jurisdiction. Application for such license and decals shall be made annually to the Department on forms prescribed by the Department. The application shall be under oath, and shall contain such information as the Department deems necessary. The Department, for cause, may require an applicant to post a bond on a form to be approved by and with a surety or sureties satisfactory to the Department conditioned upon such applicant paying to the State of Illinois all monies becoming due by reason of the sale or use of motor fuel by the applicant, together with all penalties and interest thereon. If a bond is required, it shall be equal to at least twice the estimated average tax liability of a quarterly return. The Department shall fix the penalty of such bond in each case taking into consideration the amount of motor fuel expected to be used by such applicant and the penalty fixed by the Department shall be such as, in its opinion, will protect the State of Illinois against failure to pay the amount hereinafter provided on motor fuel used. No person who is in default to the State for monies due under this Act for the sale, distribution or use of motor fuel shall receive such a license or decal.

Upon receipt of the application for license in proper form, and upon payment of any required $100 reinstatement fee, and upon approval by the Department of the bond furnished by the applicant, the Department may issue to such applicant a license which allows the operation of commercial motor vehicles in Illinois, and decals for each commercial motor vehicle operating in Illinois. Prior to January 1, 1985, motor fuel

New matter indicated by italics - deletions by strikeout
use tax licenses shall be conspicuously displayed in the cab of each commercial motor vehicle operating in Illinois. After January 1, 1986, motor fuel use tax licenses shall be carried in the cab of each commercial motor vehicle operating in Illinois.

The Department shall, by regulation, provide for the use of reproductions of original motor fuel use tax licenses in lieu of issuing multiple original motor fuel use tax licenses to licensees.

On and after January 1, 1985, external motor fuel tax decals shall be conspicuously displayed on the passenger side of each commercial motor vehicle propelled by motor fuel operating in Illinois, except buses, which may display such devices on the driver's side of the vehicle. Beginning with the effective date of this amendatory Act of 1993 or the membership of the State of Illinois in the International Fuel Tax Agreement, whichever is later, the decals issued to the licensee shall be placed on both exterior sides of the cab. In the case of transporters, manufacturers, dealers, or driveway operations, the decals need not be permanently affixed but may be temporarily displayed in a visible manner on the exterior sides of the cab. Failure to display the decals in the required locations may subject the vehicle operator to the purchase of a trip permit and a citation. Such motor fuel tax decals shall be issued by the Department and remain valid for a period of 2 calendar years, beginning January 1, 1985. The decals shall expire at the end of the regular 2 year issuance period, with new decals required to be displayed at that time. Beginning January 1, 1993, the motor fuel decals shall be issued by the Department and remain valid for a period of one calendar year. The decals shall expire at the end of the regular one year issuance period, with new decals required to be displayed at that time. Decals shall be no larger than 3 inches by 3 inches. Prior to January 1, 1993, a fee of $7.50 shall be charged by the Department for each decal issued prior to and during the 2 calendar years such decal is valid. Beginning January 1, 1993, a fee of $3.75 shall be charged by the Department for each decal issued prior to and during the calendar year such decal is valid. Beginning January 1, 1994, $3.75 shall be charged for a set of 2 decals. The Department may also prescribe procedures for the issuance of replacement decals, with a

New matter indicated by italics - deletions by strikeout
maximum fee of $2 for each set of replacement decals issued. The transfer of decals from one vehicle to another vehicle or from one motor carrier to another motor carrier is prohibited. The fees paid for the decals issued under this Section shall be deposited in the Motor Fuel Tax Fund, and may be appropriated to the Department for administration of this Section and enforcement of the tax imposed by Section 13a of this Act.

To avoid duplicate reporting of mileage and payment of any tax arising therefrom under Section 13a.3 of this Act, the Department shall, by regulation, provide for the allocation between lessors and lessees of the same commercial motor vehicle or vehicles of the responsibility as a motor carrier for the reporting of mileage and the liability for tax arising under Section 13a.3 of this Act, and for registration, furnishing of bond, carrying of motor fuel use tax licenses, and display of decals under this Section, and for all other duties imposed upon motor carriers by this Act. (Source: P.A. 87-879; 88-480; 88-669, eff. 11-29-94.)

(35 ILCS 505/13a.5) (from Ch. 120, par. 429a5)

Sec. 13a.5. As to a commercial motor vehicle operated in Illinois in the course of interstate traffic by a motor carrier not holding a motor fuel use tax license issued under this Act, a single trip permit authorizing operation of such commercial motor vehicle for a single trip through the State of Illinois, or from a point on the border of this State to a point within and return to the border may be issued by the Department or its agents after proper application. The fee for each single trip permit shall be $20 and such single trip permit shall be valid for a period of 72 hours. This fee shall be in lieu of the tax required by Section 13a of this Act, all reports required by Section 13a.3 of this Act, and the registration, decal display and furnishing of bond required by Section 13a.4 of this Act. Rules or regulations promulgated by the Department under this Section shall provide for reasonable and proper limitations and restrictions governing application for and issuance and use of, single trip permits, so as to preclude evasion of the license requirement in Section 13a.4. (Source: P.A. 88-194; 88-480; 88-669, eff. 11-29-94; 88-670, eff. 12-2-94; 89-399, eff. 8-20-95.)

(35 ILCS 505/13a.6) (from Ch. 120, par. 429a6)

New matter indicated by italics - deletions by strikeout
Sec. 13a.6. In addition to any other penalties imposed by this Act:

(a) If a commercial motor vehicle is found operating in Illinois (i) without displaying decals required by Section 13a.4 of this Act, or in lieu thereof only for the period specified on the temporary permit, a valid 30-day International Fuel Tax Agreement temporary permit, (ii) without carrying a motor fuel use tax license as required by Section 13a.4 of this Act, (iii) without carrying a single trip permit, when applicable, as provided in Section 13a.5 of this Act, or (iv) with a revoked motor fuel use tax license, the operator is guilty of a petty offense and must pay a minimum of $75. For each subsequent occurrence, the operator must pay a minimum of $150.

When a commercial motor vehicle is found operating in Illinois with a revoked motor fuel use tax license, the vehicle shall be placed out of service and not allowed to operate in Illinois until the motor fuel use tax license is reinstated.

(b) If a commercial motor vehicle is found to be operating in Illinois without a valid motor fuel use tax license and without properly displaying decals required by Section 13a.4 or without a valid single trip permit when required by Section 13a.5 of this Act or a valid 30-day International Fuel Tax Agreement temporary permit, the person required to obtain a license or permit under Section 13a.4 or 13a.5 of this Law must pay a minimum of $1,000 as a penalty. For each subsequent occurrence, the person must pay a minimum of $2,000 as a penalty.

All penalties received under this Section shall be deposited into the Tax Compliance and Administration Fund.

Improper use of the motor fuel use tax license, single trip permit, or decals provided for in this Section may be cause for revocation of the license.

For purposes of this Section, "motor fuel use tax license" means (i) a motor fuel use tax license issued by the Department or by any member jurisdiction under the International Fuel Tax Agreement, or (ii) a valid 30-day International Fuel Tax Agreement temporary permit.

(35 ILCS 505/15) (from Ch. 120, par. 431)
Sec. 15. 1. Any person who knowingly acts as a distributor of motor fuel or supplier of special fuel, or receiver of fuel without having a license so to do, or who knowingly fails or refuses to file a return with the Department as provided in Section 2b, Section 5, or Section 5a of this Act, or who knowingly fails or refuses to make payment to the Department as provided either in Section 2b, Section 6, Section 6a, or Section 7 of this Act, shall be guilty of a Class 3 felony. Each day any person knowingly acts as a distributor of motor fuel, supplier of special fuel, or receiver of fuel without having a license so to do or after such a license has been revoked, constitutes a separate offense.

2. Any person who acts as a motor carrier without having a valid motor fuel use tax license, issued by the Department or by a member jurisdiction under the provisions of the International Fuel Tax Agreement, or a valid single trip permit is guilty of a Class A misdemeanor for a first offense and is guilty of a Class 4 felony for each subsequent offense. Any person (i) who fails or refuses to make payment to the Department as provided in Section 13a.1 of this Act or in the International Fuel Tax Agreement referenced in Section 14a, or (ii) who fails or refuses to make the quarterly return as provided in Section 13a.3 is guilty of a Class 4 felony; and for each subsequent offense, such person is guilty of a Class 3 felony.

3. In case such person acting as a distributor, receiver, supplier, or motor carrier is a corporation, then the officer or officers, agent or agents, employee or employees, of such corporation responsible for any act of such corporation, or failure of such corporation to act, which acts or failure to act constitutes a violation of any of the provisions of this Act as enumerated in paragraphs 1 and 2 of this Section, shall be punished by such fine or imprisonment, or by both such fine and imprisonment as provided in those paragraphs.

3.5. Any person who knowingly enters false information on any supporting documentation required to be kept by Section 6 or 6a of this Act is guilty of a Class 3 felony.
3.7. Any person who knowingly attempts in any manner to evade or defeat any tax imposed by this Act or the payment of any tax imposed by this Act is guilty of a Class 2 felony.

4. Any person who refuses, upon demand, to submit for inspection, books and records, or who fails or refuses to keep books and records in violation of Section 12 of this Act, or any distributor, receiver, or supplier who violates any reasonable rule or regulation adopted by the Department for the enforcement of this Act is guilty of a Class A misdemeanor. Any person who acts as a blender in violation of Section 3 of this Act or who having transported reportable motor fuel within Section 7b of this Act fails to make the return required by that Section, is guilty of a Class 4 felony.

5. Any person licensed under Section 13a.4, 13a.5, or the International Fuel Tax Agreement who: (a) fails or refuses to keep records and books, as provided in Section 13a.2 or as required by the terms of the International Fuel Tax Agreement, (b) refuses upon demand by the Department to submit for inspection and examination the records required by Section 13a.2 of this Act or by the terms of the International Fuel Tax Agreement, or (c) violates any reasonable rule or regulation adopted by the Department for the enforcement of this Act, is guilty of a Class A misdemeanor.

6. Any person who makes any false return or report to the Department as to any material fact required by Sections 2b, 5, 5a, 7, 13, or 13a.3 of this Act or by the International Fuel Tax Agreement is guilty of a Class 2 felony.

7. A prosecution for any violation of this Section may be commenced anytime within 5 years of the commission of that violation. A prosecution for tax evasion as set forth in paragraph 3.7 of this Section may be prosecuted any time within 5 years of the commission of the last act in furtherance of evasion. The running of the period of limitations under this Section shall be suspended while any proceeding or appeal from any proceeding relating to the quashing or enforcement of any grand jury or administrative subpoena issued in connection with an investigation of the violation of any provision of this Act is pending.

New matter indicated by italics - deletions by strikeout
8. Any person who provides false documentation required by any Section of this Act is guilty of a Class 4 felony.
9. Any person filing a fraudulent application or order form under any provision of this Act is guilty of a Class A misdemeanor. For each subsequent offense, the person is guilty of a Class 4 felony.
10. Any person who acts as a motor carrier and who fails to carry a manifest as provided in Section 5.5 is guilty of a Class A misdemeanor. For each subsequent offense, the person is guilty of a Class 4 felony.
11. Any person who knowingly sells or attempts to sell dyed diesel fuel for highway use or for use by recreational-type watercraft on the waters of this State is guilty of a Class 4 felony. For each subsequent offense, the person is guilty of a Class 2 felony.
12. Any person who knowingly possesses dyed diesel fuel for highway use or for use by recreational-type watercraft on the waters of this State is guilty of a Class A misdemeanor. For each subsequent offense, the person is guilty of a Class 4 felony.
13. Any person who sells or transports dyed diesel fuel without the notice required by Section 4e shall pay the following penalty:
   First occurrence................................................................. $500
   Second and each occurrence thereafter.................. $1,000
14. Any person who owns, operates, or controls any container, storage tank, or facility used to store or distribute dyed diesel fuel without the notice required by Section 4f shall pay the following penalty:
   First occurrence................................................................. $500
   Second and each occurrence thereafter.................. $1,000
15. If a motor vehicle required to be registered for highway purposes is found to have dyed diesel fuel within the ordinary fuel tanks attached to the motor vehicle or if a recreational-type watercraft on the waters of this State is found to have dyed diesel fuel within the ordinary fuel tanks attached to the watercraft, the operator shall pay the following penalty:
   First occurrence................................................................. $2,500
   Second and each occurrence thereafter.................. $5,000

New matter indicated by italics - deletions by strikeout
16. Any licensed motor fuel distributor or licensed supplier who sells or attempts to sell dyed diesel fuel for highway use or for use by recreational-type watercraft on the waters of this State shall pay the following penalty:

First occurrence............................... $ 5,000
Second and each occurrence thereafter........ $10,000

17. Any person who knowingly sells or distributes dyed diesel fuel without the notice required by Section 4e is guilty of a petty offense. For each subsequent offense, the person is guilty of a Class A misdemeanor.

18. Any person who knowingly owns, operates, or controls any container, storage tank, or facility used to store or distribute dyed diesel fuel without the notice required by Section 4f is guilty of a petty offense. For each subsequent offense the person is guilty of a Class A misdemeanor.

For purposes of this Section, dyed diesel fuel means any dyed diesel fuel whether or not dyed pursuant to Section 4d of this Law.

Any person aggrieved by any action of the Department under item 13, 14, 15, or 16 of this Section may protest the action by making a written request for a hearing within 60 days of the original action. If the hearing is not requested in writing within 60 days, the original action is final.

All penalties received under items 13, 14, 15, and 16 of this Section shall be deposited into the Tax Compliance and Administration Fund.

(Source: P.A. 91-173, eff. 1-1-00; 92-30, eff. 7-1-01; 92-232, eff. 8-2-01; 92-651, eff. 7-11-02.)

(35 ILCS 505/16) (from Ch. 120, par. 432)

Sec. 16. The Department may, after 5 days' notice, revoke the distributor's, receiver's, or supplier's license or permit of any person (1) who does not operate as a distributor, receiver, supplier (a) under Sections 1.2, 1.14, or 1.20, (2) who violates any provision of this Act or any rule or regulation promulgated by the Department under Section 14 of this Act, or (3) who refuses to allow any inspection or test authorized by this Law.

Any person whose returns for 2 or more consecutive months do not show sufficient taxable sales to indicate an active business as a distributor,

New matter indicated by italics - deletions by strikeout
receiver, or supplier shall be deemed to not be operating as a distributor, receiver, or supplier as defined in Sections 1.2, 1.14 or 1.20.

The Department may, after 5 days notice, revoke any distributor's, receiver's, or supplier's license of a person who is registered as a reseller of motor fuel pursuant to Section 2a or 2c of the Retailers' Occupation Tax Act and who fails to collect such prepaid tax on invoiced gallons of motor fuel sold or who fails to deliver a statement of tax paid to the purchaser or to the Department as required by Sections 2d and 2e of the Retailers' Occupation Tax Act.

The Department may, on notice given by registered mail, cancel a Blender's Permit for any violation of any provisions of this Act or for noncompliance with any rule or regulation made by the Department under Section 14 of this Act.

The Department, upon complaint filed in the circuit court, may, by injunction, restrain any person who fails or refuses to comply with the provisions of this Act from acting as a blender or distributor of motor fuel, supplier of special fuel, or receiver of fuel in this State.

The Department may revoke the motor fuel use tax license of a motor carrier registered under Section 13a.4, or that is required to be registered under the terms of the International Fuel Tax Agreement, that violates any provision of this Act or any rule promulgated by the Department under Sections 14 or 14a of this Act. Motor fuel use tax licenses that have been revoked are subject to a $100 reinstatement fee.

Licensees registered or required to be registered under Section 13a.4, or persons required to obtain single trip permits under Section 13a.5, may protest any action or audit finding made by the Department by making a written request for a hearing within 30 days after service of the notice of the original action or finding. If the hearing is not requested within 30 days in writing, the original finding or action is final. Once a hearing has been properly requested, the Department shall give at least 20 days written notice of the time and place of the hearing.

(Source: P.A. 91-173, eff. 1-1-00.)

Section 55. The Messages Tax Act is amended by re-enacting Section 11 as follows:

New matter indicated by italics - deletions by strikeout
Sec. 11. All information received by the Department from returns filed under this Act, or from any investigations conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Provided, that nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of taxpayers filing returns under this Act, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

And provided, that nothing contained in this Act shall prevent the Director from making available to the United States Government or any officer or agency thereof, for exclusively official purposes, information received by the Department in the administration of this Act.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be

New matter indicated by italics - deletions by strikeout
made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 90-491, eff. 1-1-98.)

Section 60. The Gas Revenue Tax Act is amended by re-enacting Section 11 as follows:

(35 ILCS 615/11) (from Ch. 120, par. 467.26)

Sec. 11. All information received by the Department from returns filed under this Act, or from any investigations conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Provided, that nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of taxpayers filing returns under this Act, or from publishing or

New matter indicated by italics - deletions by strikeout
making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

And provided, that nothing contained in this Act shall prevent the Director from making available to the United States Government or any officer or agency thereof, for exclusively official purposes, information received by the Department in the administration of this Act.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit
deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.
(Source: P.A. 90-491, eff. 1-1-98.)

Section 65. The Public Utilities Revenue Act is amended by re-enacting Section 11 as follows:

Sec. 11. All information received by the Department from returns filed under this Act, or from any investigations conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Provided, that nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of taxpayers filing returns under this Act, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

And provided, that nothing contained in this Act shall prevent the Director from making available to the United States Government or any officer or agency thereof, for exclusively official purposes, information received by the Department in the administration of this Act.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related

New matter indicated by italics - deletions by strikeout
thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

New matter indicated by italics - deletions by strikeout
(Source: P.A. 90-491, eff. 1-1-98.)

Section 70. The Telecommunications Excise Tax Act is amended by re-enacting Section 15 as follows:

(35 ILCS 630/15) (from Ch. 120, par. 2015)

Sec. 15. Confidential information. All information received by the Department from returns filed under this Article, or from any investigations conducted under this Article, shall be confidential, except for official purposes, and any person who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Provided, that nothing contained in this Article shall prevent the Director from publishing or making available to the public the names and addresses of retailers or taxpayers filing returns under this Article, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

And provided, that nothing contained in this Article shall prevent the Director from making available to the United States Government or the government of any other state, or any officer or agency thereof, for exclusively official purposes, information received by the Department in the administration of this Article, if such other governmental agency agrees to divulge requested tax information to the Department.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Article is deemed to be an official purpose within the meaning of this Section.

The furnishing of financial information to a municipality that has imposed a tax under the Simplified Municipal Telecommunications Tax Act, upon request of the chief executive thereof, is an official purpose within the meaning of this Section, provided that the municipality agrees in writing to the requirements of this Section. Information so provided shall be subject to all confidentiality provisions of this Section. The

New matter indicated by italics - deletions by strikeout
written agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 92-526, eff. 1-1-03.)

Section 80. The Liquor Control Act of 1934 is amended by re-enacting Section 8-9 as follows:

(235 ILCS 5/8-9) (from Ch. 43, par. 163e)

Sec. 8-9. Tax information; confidentiality. All information received by the Department from returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person who divulges any such information in

New matter indicated by italics - deletions by strikeout
any manner, except in accordance with a proper judicial order or as otherwise provided by law, shall be guilty of a Class B misdemeanor.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so that the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The furnishing upon request of information obtained by the Department from returns filed under this Act or investigations conducted under this Act to the Illinois Liquor Control Commission for official use is deemed to be an official purpose within the meaning of this Section.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The furnishing of financial information to a home rule unit with a population in excess of 2,000,000 that has imposed a tax similar to that imposed by this Act under its home rule powers, upon request of the Chief Executive of the home rule unit, is an official purpose within the meaning of this Section, provided the home rule unit agrees in writing to the requirements of this Section. Information so provided is subject to all confidentiality provisions of this Section. The written agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

(Source: P.A. 90-491, eff. 1-1-98.)

New matter indicated by italics - deletions by strikeout
Section 85. The Illinois Vehicle Code is amended by re-enacting Sections 11-1419.01, 11-1419.02, and 11-1419.03 as follows:

(625 ILCS 5/11-1419.01) (from Ch. 95 1/2, par. 11-1419.01)

Sec. 11-1419.01. Operating without a valid single trip permit. If a single trip permit is required by Section 13a.5 of the Motor Fuel Tax Law, a motor carrier shall not operate in Illinois without a single trip permit issued by the Department of Revenue or its agents.

If a commercial motor vehicle is found operating in Illinois without displaying a required valid single trip permit, the operator is guilty of a petty offense as provided in Section 13a.6 of the Motor Fuel Tax Law.
(Source: P.A. 88-669, eff. 11-29-94; 89-399, eff. 8-20-95.)

(625 ILCS 5/11-1419.02) (from Ch. 95 1/2, par. 11-1419.02)

Sec. 11-1419.02. Failure to display a valid motor fuel use tax license.

(a) If required by Section 13a.4 of the Motor Fuel Tax Law, every valid motor fuel use tax license, or an authorized reproduction, shall at all times be carried in the cab of the vehicle. The operator shall display the license or reproduction upon demand of a police officer or agent of the Department of Revenue. An operator who fails to display a valid motor fuel use tax license is guilty of a petty offense as provided in Section 13a.6 of the Motor Fuel Tax Law.

(b) As used in this Section:

"Display" means the manual surrender of the motor fuel use tax license into the hands of the demanding officer or agent for inspection.

"Motor fuel use tax license" means a motor fuel use tax license issued by the Department of Revenue or by any member jurisdiction under the International Fuel Tax Agreement, or a valid 30 day International Fuel Tax Agreement temporary permit.
(Source: P.A. 88-669, eff. 11-29-94; 89-399, eff. 8-20-95.)

(625 ILCS 5/11-1419.03)

Sec. 11-1419.03. Failure to Display Valid External Motor Fuel Use Tax Decals.

(a) Except as provided in the Motor Fuel Tax Law, a motor carrier shall not operate or cause to be operated a commercial motor vehicle upon

New matter indicated by italics - deletions by strikeout
the highways of this State unless there is properly affixed to that commercial vehicle 2 valid external motor use tax decals required by Section 13a.4 of the Motor Fuel Tax Law. An operator who operates a commercial motor vehicle without 2 properly displayed valid external motor fuel use tax decals is guilty of a petty offense as provided in Section 13a.6 of the Motor Fuel Tax Law. A valid 30-day International Fuel Tax Agreement temporary permit may be displayed instead of decals during the temporary period specified on the permit.

(b) As used in this Section:

"Properly displayed" means 2 motor fuel use tax decals, one placed on each side of the exterior of the cab. In the case of transporters, manufacturers, dealers, or driveaway operations, the decals need not be permanently affixed but may be temporarily displayed in a visible manner on the exterior sides of the cab.

"Commercial motor vehicle" means a motor vehicle used, designed, or maintained for the transportation of people or property and either having 2 axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,793 kilograms, or having 3 or more axles regardless of weight, or that is used in combination, when the weight of the combination exceeds 26,000 pounds or 11,793 kilograms gross vehicle weight or registered gross vehicle weight except for motor vehicles operated by this State or the United States, recreational vehicles, school buses, and commercial motor vehicles operated solely within this State for which all motor fuel is purchased within this State.

"Motor carrier" means any person who operates or causes to be operated any commercial motor vehicle on any highway within this State.

(Source: P.A. 88-669, eff. 11-29-94; 89-399, eff. 8-20-95.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

New matter indicated by italics - deletions by strikeout
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 15, 2006.
Approved December 26, 2006.
Effective December 26, 2006.

PUBLIC ACT 94-1075
(Senate Bill No. 2608)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Regulatory Sunset Act is amended by changing Sections 4.17 and 4.18 as follows:
(5 ILCS 80/4.17)
Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:
The Environmental Health Practitioner Licensing Act.
(Source: P.A. 94-754, eff. 5-10-06; 94-787, eff. 5-19-06; 94-870, eff. 6-16-06; 94-956, eff. 6-27-06; revised 8-3-06.)
(5 ILCS 80/4.18)
(a) The following Acts are repealed on January 1, 2008:
The Acupuncture Practice Act.
The Home Medical Equipment and Services Provider License Act.
The Nursing and Advanced Practice Nursing Act.
The Illinois Speech-Language Pathology and Audiology Practice Act.

New matter indicated by italics - deletions by strikeout
The Marriage and Family Therapy Licensing Act.
The Nursing Home Administrators Licensing and Disciplinary Act.
The Structural Pest Control Act.

(b) The following Acts are repealed on December 31, 2008:
The Environmental Health Practitioner Licensing Act.

(Source: P.A. 94-754, eff. 5-10-06.)

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

Approved December 29, 2006.
Effective December 29, 2006.

PUBLIC ACT 94-1076
(Senate Bill No 2917)

AN ACT concerning insurance.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.17 and by adding Section 4.27 as follows:

(5 ILCS 80/4.17)
Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:
The Boiler and Pressure Vessel Repairer Regulation Act.
The Structural Pest Control Act.
Articles II, III, IV, V, V 1/2, VI, VIIA, VIIb, VIIc, XVII,
The Clinical Psychologist Licensing Act.

New matter indicated by italics - deletions by strikeout
The Environmental Health Practitioner Licensing Act.
(Source: P.A. 92-837, eff. 8-22-02.)

(5 ILCS 80/4.27 new)

Sec. 4.27. Act repealed on January 1, 2017. The following are repealed on January 1, 2017:


Section 10. The Illinois Insurance Code is amended by changing Section 229.4a and by adding Section 356z.8 as follows:

(215 ILCS 5/229.4a)

(Section scheduled to be repealed on July 1, 2007)

Sec. 229.4a. Standard Non-forfeiture Law for Individual Deferred Annuities.

(1) Title. This Section shall be known as the Standard Nonforfeiture Law for Individual Deferred Annuities.

(2) Applicability. This Section shall not apply to any reinsurance, group annuity purchased under a retirement plan or plan of deferred compensation established or maintained by an employer (including a partnership or sole proprietorship) or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under Section 408 of the Internal Revenue Code, as now or hereafter amended, premium deposit fund, variable annuity, investment annuity, immediate annuity, any deferred annuity contract after annuity payments have commenced, or reversionary annuity, nor to any contract which shall be delivered outside this State through an agent or other representative of the company issuing the contract.

(3) Nonforfeiture Requirements.

(A) In the case of contracts issued on or after the operative date of this Section as defined in subsection (13), no contract of annuity, except as stated in subsection (2), shall be delivered or issued for delivery in this State unless it contains in substance the following provisions, or corresponding provisions which in the opinion of the Director of Insurance are at least as favorable to the

New matter indicated by italics - deletions by strikeout
contract holder, upon cessation of payment of considerations under the contract:

(i) That upon cessation of payment of considerations under a contract, or upon the written request of the contract owner, the company shall grant a paid-up annuity benefit on a plan stipulated in the contract of such value as is specified in subsections (5), (6), (7), (8) and (10);

(ii) If a contract provides for a lump sum settlement at maturity, or at any other time, that upon surrender of the contract at or prior to the commencement of any annuity payments, the company shall pay in lieu of a paid-up annuity benefit a cash surrender benefit of such amount as is specified in subsections (5), (6), (8) and (10). The company may reserve the right to defer the payment of the cash surrender benefit for a period not to exceed 6 months after demand therefor with surrender of the contract after making written request and receiving written approval of the Director. The request shall address the necessity and equitability to all policyholders of the deferral;

(iii) A statement of the mortality table, if any, and interest rates used calculating any minimum paid-up annuity, cash surrender, or death benefits that are guaranteed under the contract, together with sufficient information to determine the amounts of the benefits; and

(iv) A statement that any paid-up annuity, cash surrender or death benefits that may be available under the contract are not less than the minimum benefits required by any statute of the state in which the contract is delivered and an explanation of the manner in which the benefits are altered by the existence of any additional amounts credited by the company to the contract, any indebtedness to the company on the contract or any prior withdrawals from or partial surrenders of the contract.

New matter indicated by italics - deletions by strikeout
(B) Notwithstanding the requirements of this Section, a deferred annuity contract may provide that if no considerations have been received under a contract for a period of 2 full years and the portion of the paid-up annuity benefit at maturity on the plan stipulated in the contract arising from prior considerations paid would be less than $20 monthly, the company may at its option terminate the contract by payment in cash of the then present value of the portion of the paid-up annuity benefit, calculated on the basis on the mortality table, if any, and interest rate specified in the contract for determining the paid-up annuity benefit, and by this payment shall be relieved of any further obligation under the contract.

(4) Minimum values. The minimum values as specified in subsections (5), (6), (7), (8) and (10) of any paid-up annuity, cash surrender or death benefits available under an annuity contract shall be based upon minimum nonforfeiture amounts as defined in this subsection.

(A)(i) The minimum nonforfeiture amount at any time at or prior to the commencement of any annuity payments shall be equal to an accumulation up to such time at rates of interest as indicated in subdivision (4)(B) of the net considerations (as hereinafter defined) paid prior to such time, decreased by the sum of paragraphs (a) through (d) below:

(a) Any prior withdrawals from or partial surrenders of the contract accumulated at rates of interest as indicated in subdivision (4)(B);

(b) An annual contract charge of $50, accumulated at rates of interest as indicated in subdivision (4)(B);

(c) Any premium tax paid by the company for the contract, accumulated at rates of interest as indicated in subdivision (4)(B); and

(d) The amount of any indebtedness to the company on the contract, including interest due and accrued.

(ii) The net considerations for a given contract year used to define the minimum nonforfeiture amount shall be an amount

New matter indicated by italics - deletions by strikeout
equal to 87.5% of the gross considerations, credited to the contract during that contract year.

(B) The interest rate used in determining minimum nonforfeiture amounts shall be an annual rate of interest determined as the lesser of 3% per annum and the following, which shall be specified in the contract if the interest rate will be reset:

(i) The five-year Constant Maturity Treasury Rate reported by the Federal Reserve as of a date, or average over a period, rounded to the nearest 1/20th of one percent, specified in the contract no longer than 15 months prior to the contract issue date or redetermination date under subdivision (4)(B)(iv);

(ii) Reduced by 125 basis points;

(iii) Where the resulting interest rate is not less than 1%; and

(iv) The interest rate shall apply for an initial period and may be redetermined for additional periods. The redetermination date, basis and period, if any, shall be stated in the contract. The basis is the date or average over a specified period that produces the value of the 5-year Constant Maturity Treasury Rate to be used at each redetermination date.

(C) During the period or term that a contract provides substantive participation in an equity indexed benefit, it may increase the reduction described in subdivision (4)(B)(ii) above by up to an additional 100 basis points to reflect the value of the equity index benefit. The present value at the contract issue date, and at each redetermination date thereafter, of the additional reduction shall not exceed market value of the benefit. The Director may require a demonstration that the present value of the additional reduction does not exceed the market value of the benefit. Lacking such a demonstration that is acceptable to the Director, the Director may disallow or limit the additional reduction.

New matter indicated by italics - deletions by strikeout
(D) The Director may adopt rules to implement the provisions of subdivision (4)(C) and to provide for further adjustments to the calculation of minimum nonforfeiture amounts for contracts that provide substantive participation in an equity index benefit and for other contracts that the Director determines adjustments are justified.

(5) Computation of Present Value. Any paid-up annuity benefit available under a contract shall be such that its present value on the date annuity payments are to commence is at least equal to the minimum nonforfeiture amount on that date. Present value shall be computed using the mortality table, if any, and the interest rates specified in the contract for determining the minimum paid-up annuity benefits guaranteed in the contract.

(6) Calculation of Cash Surrender Value. For contracts that provide cash surrender benefits, the cash surrender benefits available prior to maturity shall not be less than the present value as of the date of surrender of that portion of the maturity value of the paid-up annuity benefit that would be provided under the contract at maturity arising from considerations paid prior to the time of cash surrender reduced by the amount appropriate to reflect any prior withdrawals from or partial surrenders of the contract, such present value being calculated on the basis of an interest rate not more than 1% higher than the interest rate specified in the contract for accumulating the net considerations to determine maturity value, decreased by the amount of any indebtedness to the company on the contract, including interest due and accrued, and increased by any existing additional amounts credited by the company to the contract. In no event shall any cash surrender benefit be less than the minimum nonforfeiture amount at that time. The death benefit under such contracts shall be at least equal to the cash surrender benefit.

(7) Calculation of Paid-up Annuity Benefits. For contracts that do not provide cash surrender benefits, the present value of any paid-up annuity benefit available as a nonforfeiture option at any time prior to maturity shall not be less than the present value of that portion of the maturity value of the paid-up annuity benefit provided under the contract.
arising from considerations paid prior to the time the contract is surrendered in exchange for, or changed to, a deferred paid-up annuity, such present value being calculated for the period prior to the maturity date on the basis of the interest rate specified in the contract for accumulating the net considerations to determine maturity value, and increased by any additional amounts credited by the company to the contract. For contracts that do not provide any death benefits prior to the commencement of any annuity payments, present values shall be calculated on the basis of such interest rate and the mortality table specified in the contract for determining the maturity value of the paid-up annuity benefit. However, in no event shall the present value of a paid-up annuity benefit be less than the minimum nonforfeiture amount at that time.

(8) Maturity Date. For the purpose of determining the benefits calculated under subsections (6) and (7), in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates, the maturity date shall be deemed to be the latest date for which election shall be permitted by the contract, but shall not be deemed to be later than the anniversary of the contract next following the annuitant's seventieth birthday or the tenth anniversary of the contract, whichever is later.

(9) Disclosure of Limited Death Benefits. A contract that does not provide cash surrender benefits or does not provide death benefits at least equal to the minimum nonforfeiture amount prior to the commencement of any annuity payments shall include a statement in a prominent place in the contract that such benefits are not provided.

(10) Inclusion of Lapse of Time Considerations. Any paid-up annuity, cash surrender or death benefits available at any time, other than on the contract anniversary under any contract with fixed scheduled considerations, shall be calculated with allowance for the lapse of time and the payment of any scheduled considerations beyond the beginning of the contract year in which cessation of payment of considerations under the contract occurs.
(11) Proration of Values; Additional Benefits. For a contract which provides, within the same contract by rider or supplemental contract provision, both annuity benefits and life insurance benefits that are in excess of the greater of cash surrender benefits or a return of the gross considerations with interest, the minimum nonforfeiture benefits shall be equal to the sum of the minimum nonforfeiture benefits for the annuity portion and the minimum nonforfeiture benefits, if any, for the life insurance portion computed as if each portion were a separate contract. Notwithstanding the provisions of subsections (5), (6), (7), (8) and (10), additional benefits payable in the event of total and permanent disability, as reversionary annuity or deferred reversionary annuity benefits, or as other policy benefits additional to life insurance, endowment and annuity benefits, and considerations for all such additional benefits, shall be disregarded in ascertaining the minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits that may be required under this Section. The inclusion of such benefits shall not be required in any paid-up benefits, unless the additional benefits separately would require minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits.

(12) Rules. The Director may adopt rules to implement the provisions of this Section.

(13) Effective Date. After the effective date of this amendatory Act of the 93rd General Assembly, a company may elect to apply its provisions to annuity contracts on a contract form-by-contract form basis before July 1, 2006. In all other instances, this Section shall become operative with respect to annuity contracts issued by the company on or after July 1, 2006.

(14) (Blank) This Section is repealed on July 1, 2007.

(Source: P.A. 93-873, eff. 8-6-04.)

Sec. 356z.8. Multiple sclerosis preventative physical therapy. A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 94th General Assembly must provide coverage for medically necessary preventative physical therapy for

New matter indicated by italics - deletions by strikeout
insureds diagnosed with multiple sclerosis. For the purposes of this Section, "preventative physical therapy" means physical therapy that is prescribed by a physician licensed to practice medicine in all of its branches for the purpose of treating parts of the body affected by multiple sclerosis, but only where the physical therapy includes reasonably defined goals, including, but not limited to, sustaining the level of function the person has achieved, with periodic evaluation of the efficacy of the physical therapy against those goals. The coverage required under this Section shall be subject to the same deductible, coinsurance, waiting period, cost sharing limitation, treatment limitation, calendar year maximum, or other limitations as provided for other physical or rehabilitative therapy benefits covered by the policy.

Section 15. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 355m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;
(2) a corporation organized under the laws of this State; or
(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements

New matter indicated by italics - deletions by strikeout
in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.
(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

   (i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

   (ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may

New matter indicated by italics - deletions by strikeout
agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(Source: P.A. 92-764, eff. 1-1-03; 93-102, eff. 1-1-04; 93-261, eff. 1-1-04; 93-477, eff. 8-8-03; 93-529, eff. 8-14-03; 93-853, eff. 1-1-05; 93-1000, eff. 1-1-05; revised 10-14-04.)

Section 20. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356r, 356t, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

(Source: P.A. 92-130, eff. 7-20-01; 92-440, eff. 8-17-01; 92-651, eff. 7-11-02; 92-764, eff. 1-1-03; 93-102, eff. 1-1-04; 93-529, eff. 8-14-03; 93-853, eff. 1-1-05; 93-1000, eff. 1-1-05; revised 10-14-04.)

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

New matter indicated by italics - deletions by strikeout
Approved December 29, 2006.
Effective December 29, 2006.

PUBLIC ACT 94-1077
(House Bill No. 4344)

AN ACT concerning transportation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title and statement of agreement. This Act may be cited as the Midwest Interstate Passenger Rail Compact Act. This State and the other states contracting under this compact solemnly agree to the terms of this compact.

Section 5. Statement of purpose. The purposes of this compact are, through joint or cooperative action:

(1) to promote development and implementation of improvements to intercity passenger rail service in the Midwest;
(2) to coordinate interaction among Midwestern state elected officials and their designees on passenger rail issues;
(3) to promote development and implementation of long-range plans for high speed rail passenger service in the Midwest and among other regions of the United States;
(4) to work with the public and private sectors at the federal, state, and local levels to ensure coordination among the various entities having an interest in passenger rail service and to promote Midwestern interests regarding passenger rail; and
(5) to support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

Section 10. Establishment of Commission. To further the purposes of the compact, a Commission is created to carry out the duties specified in this compact.

Section 15. Commission membership.

New matter indicated by italics - deletions by strikeout.
(a) The manner of appointment of Commission members, terms of office consistent with the terms of this compact, provisions for removal and suspension, and manner of appointment to fill vacancies shall be determined by each party state pursuant to its laws, but each commissioner shall be a resident of the state of appointment. Commission members shall serve without compensation from the Commission.

(b) The Commission shall consist of 4 resident members of each state as follows:

(1) the Governor or the Governor's designee, who shall serve during the tenure of office of the Governor, or until a successor is named;

(2) one member of the private sector, who shall be appointed by the Governor and shall serve during the tenure of office of the Governor or until a successor is named;

(3) one member of the House of Representatives, appointed by the Speaker of the House; and

(4) one member of the Senate, appointed by the President of the Senate.

(c) All vacancies shall be filled in accordance with the laws of the appointing states. Any commissioner appointed to fill a vacancy shall serve until the end of the incomplete term. Each member state shall have equal voting privileges, as determined by the Commission bylaws.

Section 20. Powers and duties of the Commission.

(a) The duties of the Commission are to:

(1) advocate for the funding and authorization necessary to make passenger rail improvements a reality for the region;

(2) identify and seek to develop ways that states can form partnerships, including with rail industry and labor, to implement improved passenger rail in the region;

(3) seek development of a long-term, interstate plan for high speed rail passenger service implementation;

(4) cooperate with other agencies, regions, and entities to ensure that the Midwest is adequately represented and integrated into national plans for passenger rail development;

New matter indicated by italics - deletions by strikeout.
(5) adopt bylaws governing the activities and procedures of the Commission and addressing, among other subjects: the powers and duties of officers, the voting rights of Commission members, voting procedures, Commission business, and any other purposes necessary to fulfill the duties of the Commission;

(6) expend such funds as required to carry out the powers and duties of the Commission; and

(7) report on the activities of the Commission to the legislatures and governor of the member states on an annual basis.

(b) In addition to its exercise of these duties, the Commission is empowered to:

(1) provide multi-state advocacy necessary to implement passenger rail systems or plans, as approved by the Commission;

(2) work with local elected officials, economic development planning organizations, and similar entities to raise the visibility of passenger rail service benefits and needs;

(3) educate other state officials, federal agencies, other elected officials, and the public on the advantages of passenger rail as an integral part of an intermodal transportation system in the region;

(4) work with federal agency officials and Members of Congress to ensure the funding and authorization necessary to develop a long-term, interstate plan for high speed rail passenger service implementation;

(5) make recommendations to member states;

(6) if requested by each state participating in a particular project and under the terms of a formal agreement approved by the participating states and the Commission, implement or provide oversight for specific rail projects;

(7) establish an office and hire staff as necessary;

(8) contract for or provide services;

(9) assess dues, in accordance with the terms of this compact;

(10) conduct research; and

New matter indicated by italics - deletions by strikeout.
Section 25. Officers.

(a) The Commission shall annually elect from among its members:
   (1) a chair;
   (2) a vice-chair, who may not be a resident of the state represented by the chair; and
   (3) others as approved in the Commission bylaws.

(b) The officers shall perform such functions and exercise such powers as specified in the Commission bylaws.

Section 30. Meetings and Commission administration. The Commission shall meet at least once in each calendar year, and at such other times as may be determined by the Commission. Commission business shall be conducted in accordance with the procedures and voting rights specified in the bylaws.

Section 35. Finance.

(a) Except as otherwise provided for, the moneys necessary to finance the general operations of the Commission in carrying forth its duties, responsibilities, and powers as stated in this Compact shall be appropriated to the Commission by the compacting states, when authorized by the respective legislatures, by equal apportionment among the compacting states. Nothing in this compact shall be construed to commit a member state to participate in financing a rail project except as provided by law of a member state.

(b) The Commission may accept, for any of its purposes and functions, donations, gifts, grants, and appropriations of money, equipment, supplies, materials, and services from the federal government, from any party state, or from any department, agency, or municipality of any party state, or from any institution, person, firm, or corporation.

(c) All expenses incurred by the Commission in executing the duties imposed upon it by this compact shall be paid by the Commission out of the funds available to it. The Commission shall not issue any debt instrument.

(d) The Commission shall submit to the officer designated by the laws of each party state, periodically as required by the laws of each party state, a budget of its actual past and estimated future expenditures.

New matter indicated by italics - deletions by strikeout.
Section 40. Enactment; effective date; amendments.
(a) The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin are eligible to join this compact. Upon approval of the Commission, according to its bylaws, other states may also be declared eligible to join the compact.
(b) As to any eligible party state, except as provided in subsection (c), this compact shall become effective when its legislature shall have enacted the compact into law.
(c) This compact shall not become initially effective until enacted into law by any 3 party states incorporating the provisions of this compact into the laws of those states. Amendments to the compact shall become effective upon their enactment by the legislatures of all compacting states.

Section 45. Withdrawal; default; termination.
(a) Withdrawal from this compact shall be by enactment of a statute repealing the compact and shall take effect one year after the effective date of that statute. A withdrawing state shall be liable for any obligations which it may have incurred prior to the effective date of withdrawal.
(b) If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this compact, all rights, privileges, and benefits conferred by this compact or agreements under this compact shall be suspended from the effective date of default as fixed by the Commission, and the Commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless the default shall be remedied under the stipulations and within the time period set forth by the Commission, this compact may be terminated with respect to the defaulting state by affirmative vote of a majority of the other Commission members. Any defaulting state may be reinstated, upon vote of the Commission, by performing all acts and obligations as stipulated by the Commission.

Section 50. Construction and severability.
(a) The provisions of this compact entered into under this Act shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States, or if the applicability of this compact to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability of this compact to any government, agency, person, or circumstance shall not be affected.

(b) If this compact entered into under this Act shall be held contrary to the constitution of any compacting state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact entered into under this Act shall be liberally construed to effectuate the purposes of this compact.

Effective June 1, 2007.

PUBLIC ACT 94-1078
(Senate Bill No. 0380)

AN ACT concerning education.

WHEREAS, Oswego Community Unit School District Number 308 has experienced an extremely rapid increase in the size of its student population; since 2003, the size of the district's student population has increased from 8,600 to 14,100 and is expected to exceed 27,000 by the 2011-2012 school year; in order to meet the needs of its current and future students, the school district must be able to construct new facilities and improve its existing facilities; additional bonding authority, subject to referendum approval, is needed to finance these capital projects; at the general election held on November 7, 2006, the voters of the district approved the following proposition:

Shall the Board of Education of Oswego Community Unit School District Number 308, Kendall, Kane and Will Counties, Illinois, build and equip one new high school building, four new junior

New matter indicated by italics - deletions by strikeout.
high school buildings, eight new elementary school buildings, an early childhood building, a maintenance building, a transportation facility and additions to existing school buildings, alter, repair, equip and provide technology improvements to existing school buildings, acquire and improve school sites and issue the bonds of said School District to the amount of $450,000,000 for the purpose of paying the costs thereof?; and

WHEREAS, Lincoln-Way Community High School District Number 210 has experienced an extremely rapid increase in the size of its student population; the size of the district's student population has increased from 4,475 in the 1998-1999 school year to 6,632 in the 2005-2006 school year and is expected to exceed 8,400 by the 2009-2010 school year; in order to meet the needs of its current and future students, the school district must be able to construct new facilities and improve its existing facilities; additional bonding authority, subject to referendum approval, is needed to finance these capital projects; at the general primary election held on March 21, 2006, the voters of the district approved the following proposition:

Shall the Board of Education of Lincoln-Way Community High School District 210, Will County, Illinois, improve the sites of and build and equip two high school buildings, improve the sites and alter, repair and equip the Lincoln-Way Central and East High School Buildings and issue bonds of said School District to the amount of $225,000,000 for the purpose of paying the costs thereof?; and

WHEREAS, Ford Heights School District 169 serves the educational needs of one of the poorest communities in the nation; the Ford Motor Company is the largest single property taxpayer within the District, and it owns property that comprises at least 20% of the equalized assessed value in the District; the Ford Motor Company has realized reductions of its property's equalized assessed valuation of at least 40% between the 2000 and 2005 taxable years; the District has, consequently, lost property tax revenues due to tax refunds of $2,700,000 over the past

New matter indicated by italics - deletions by strikeout.
several years; it is projected that the District will run out of operating funds entirely as early as January 2007, and it will be forced to lay off approximately 30 of its 65 teachers; this financial crisis endangers the quality of education received by the children of the District and it threatens the health, safety, and welfare of the citizens; therefore

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

Section 5. The Property Tax Code is amended by changing Sections 18-185 and 18-190.5 as follows:

(35 ILCS 200/18-185)
Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:
"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.
"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.
"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.
"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

New matter indicated by italics - deletions by strikeout.
"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment

New matter indicated by italics - deletions by strikeout.
of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; and (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are

New matter indicated by italics - deletions by strikeout.
for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; and (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.
"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of

New matter indicated by italics - deletions by strikeout.
this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter’s pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local

New matter indicated by italics - deletions by strikeout.
government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park

New matter indicated by italics - deletions by strikeout.
districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-215 through 18-230.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the

New matter indicated by italics - deletions by strikeout.
assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized

New matter indicated by italics - deletions by strikeout.
assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in

New matter indicated by italics - deletions by strikeout.
the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided.

(Source: P.A. 93-601, eff. 1-1-04; 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; 93-689, eff. 7-1-04; 93-690, eff. 7-1-04; 93-1049, eff. 11-17-04; 94-974, eff. 6-30-06; 94-976, eff. 6-30-06; revised 8-3-06.)

(35 ILCS 200/18-190.5)
Sec. 18-190.5. School districts. The requirements of Section 18-190 of this Code for a direct referendum on the imposition of a new or increased tax rate do not apply to tax levies that are not included in the aggregate extension for those taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213 of this Code) pursuant to clauses clause (m) and (q) of Section 18-185 of this Code.

(Source: P.A. 92-547, eff. 6-13-02.)

Section 10. The Illinois Municipal Code is amended by changing Section 8-11-1.2 as follows:

(65 ILCS 5/8-11-1.2) (from Ch. 24, par. 8-11-1.2)
Sec. 8-11-1.2. Definition. As used in Sections 8-11-1.3, 8-11-1.4 and 8-11-1.5 of this Act:
(a) "Public infrastructure" means municipal roads and streets, access roads, bridges, and sidewalks; waste disposal systems; and water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities. For purposes of referenda authorizing the imposition of taxes by the City of DuQuoin under Sections 8-11-1.3, 8-11-1.4, and 8-11-1.5 of this Act that are approved in November, 2002, or for purposes of referenda authorizing the imposition of taxes by the Village of Forsyth under Sections 8-11-1.3, 8-11-1.4, and 8-11-1.5 of this Act that are approved after the effective date of this amendatory Act of the 94th General Assembly, "public infrastructure" shall also include public schools.

New matter indicated by italics - deletions by strikeout.
(b) "Property tax relief" means the action of a municipality to reduce the levy for real estate taxes or avoid an increase in the levy for real estate taxes that would otherwise have been required. Property tax relief or the avoidance of property tax must uniformly apply to all classes of property.

(Source: P.A. 91-51, eff. 6-30-99; 92-739, eff. 1-1-03; 92-815, eff. 8-21-02; revised 9-10-02.)

Section 15. The School Code is amended by changing Sections 5-1 and 19-1 and by adding Section 17-9.02 as follows:

(105 ILCS 5/5-1) (from Ch. 122, par. 5-1)

Sec. 5-1. County school units.

(a) The territory in each county, exclusive of any school district governed by any special act which requires the district to appoint its own school treasurer, shall constitute a county school unit. County school units of less than 2,000,000 inhabitants shall be known as Class I county school units and the office of township trustees, where existing on July 1, 1962, in such units shall be abolished on that date and all books and records of such former township trustees shall be forthwith thereafter transferred to the county board of school trustees. County school units of 2,000,000 or more inhabitants shall be known as Class II county school units and shall retain the office of township trustees unless otherwise provided in subsection (b) or (c).

(b) Notwithstanding subsections (a) and (c), the school board of any elementary school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of a high school district, and the school board of any high school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of an elementary school district, may, whenever the territory of such school district forms a part of a Class II county school unit, by proper resolution withdraw such school district from the jurisdiction and authority of the trustees of schools of the township in which such school district is located and from the jurisdiction and authority of the township treasurer in such Class II county school unit;

New matter indicated by italics - deletions by strikeout.
provided that the school board of any such school district shall, upon the adoption and passage of such resolution, thereupon elect or appoint its own school treasurer as provided in Section 8-1. Upon the adoption and passage of such resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in such township shall no longer have or exercise any powers and duties with respect to the school district governed by such school board or with respect to the school business, operations or assets of such school district; and (2) all books and records of the township trustees relating to the school business and affairs of such school district shall be transferred and delivered to the school board of such school district. Upon the effective date of this amendatory Act of 1993, the legal title to, and all right, title and interest formerly held by the township trustees in any school buildings and school sites used and occupied by the school board of such school district for school purposes, that legal title, right, title and interest thereafter having been transferred to and vested in the regional board of school trustees under P.A. 87-473 until the abolition of that regional board of school trustees under P.A. 87-969, shall be deemed transferred by operation of law to and shall vest in the school board of that school district.

Notwithstanding subsections (a) and (c), the school boards of Oak Park & River Forest District 200, Oak Park Elementary School District 97, and River Forest School District 90 may, by proper resolution, withdraw from the jurisdiction and authority of the trustees of schools of Proviso and Cicero Townships and the township treasurer, provided that the school board shall, upon the adoption and passage of the resolution, elect or appoint its own school treasurer as provided in Section 8-1 of this Code. Upon the adoption and passage of the resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in the township or townships shall no longer have or exercise any powers or duties with respect to the school district or with respect to the school business, operations, or assets of the school district; (2) all books and records of the trustees of schools and all moneys, securities, loanable funds, and other assets relating to the school business

New matter indicated by italics - deletions by strikeout.
and affairs of the school district shall be transferred and delivered to the school board; and (3) all legal title to and all right, title, and interest formerly held by the trustees of schools in any common school lands, school buildings, or school sites used and occupied by the school board and all rights of property and causes of action pertaining to or constituting a part of the common school lands, buildings, or sites shall be deemed transferred by operation of law to and shall vest in the school board.

(c) Notwithstanding the provisions of subsection (a), the offices of township treasurer and trustee of schools of any township located in a Class II county school unit shall be abolished as provided in this subsection if all of the following conditions are met:

(1) During the same 30 day period, each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished gives written notice by certified mail, return receipt requested to the township treasurer and trustees of schools of that township of the date of a meeting of the school board, to be held not more than 90 nor less than 60 days after the date when the notice is given, at which meeting the school board is to consider and vote upon the question of whether there shall be submitted to the electors of the school district a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the notices given under this paragraph to the township treasurer and trustees of schools of a township shall be deemed sufficient or in compliance with the requirements of this paragraph unless all of those notices are given within the same 30 day period.

(2) Each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished, by the affirmative vote of at least 5 members of the school board at a school board meeting of
which notice is given as required by paragraph (1) of this subsection, adopts a resolution requiring the secretary of the school board to certify to the proper election authorities for submission to the electors of the school district at the next consolidated election in accordance with the general election law a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the resolutions adopted under this paragraph by any elementary or unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall be deemed in compliance with the requirements of this paragraph or sufficient to authorize submission of the proposition to abolish those offices to a referendum of the electors in any such school district unless all of the school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township adopt such a resolution in accordance with the provisions of this paragraph.

(3) The school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished submit a proposition to abolish the offices of township treasurer and trustee of schools of that township to the electors of their respective school districts at the same consolidated election in accordance with the general election law, the ballot in each such district to be in substantially the following form:

```
-------------------------------------------------------------
OFFICIAL BALLOT
Shall the offices of township                              YES
      treasurer and                                       --------------
      trustee of
      schools of Township .....                           NO
Range ..... be abolished?
```

New matter indicated by italics - deletions by strikeout.
(4) At the consolidated election at which the proposition to abolish the offices of township treasurer and trustee of schools of a township is submitted to the electors of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustee of schools of that township, a majority of the electors voting on the proposition in each such elementary and unit school district votes in favor of the proposition as submitted to them.

If in each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished a majority of the electors in each such district voting at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township votes in favor of the proposition as submitted to them, the proposition shall be deemed to have passed; but if in any such elementary or unit school district a majority of the electors voting on that proposition in that district fails to vote in favor of the proposition as submitted to them, then notwithstanding the vote of the electors in any other such elementary or unit school district on that proposition the proposition shall not be deemed to have passed in any of those elementary or unit school districts, and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless in each of those elementary and unit school districts remaining subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township proceedings are again initiated to abolish those offices and all of the proceedings and conditions prescribed in paragraphs (1) through (4) of this subsection are repeated and met in each of those elementary and unit school districts.

Notwithstanding the foregoing provisions of this Section or any other provision of the School Code, the offices of township treasurer and trustee of schools of a township that has a population of less than 200,000 and that contains a unit school district and is located in a Class II county

New matter indicated by italics - deletions by strikeout.
school unit shall also be abolished as provided in this subsection if all of the conditions set forth in paragraphs (1), (2), and (3) of this subsection are met and if the following additional condition is met:

The electors in all of the school districts subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall vote at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township. If a majority of the electors in all of the school districts combined voting on the proposition vote in favor of the proposition, then the proposition shall be deemed to have passed; but if a majority of the electors voting on the proposition in all of the school district fails to vote in favor of the proposition as submitted to them, then the proposition shall not be deemed to have passed and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless and until the proceedings detailed in paragraphs (1) through (3) of this subsection and the conditions set forth in this paragraph are met.

If the proposition to abolish the offices of township treasurer and trustee of schools of a township is deemed to have passed at the consolidated election as provided in this subsection, those offices shall be deemed abolished by operation of law effective on January 1 of the calendar year immediately following the calendar year in which that consolidated election is held, provided that if after the election, the trustees of schools by resolution elect to abolish the offices of township treasurer and trustee of schools effective on July 1 immediately following the election, then the offices shall be abolished on July 1 immediately following the election. On the date that the offices of township treasurer and trustee of schools of a township are deemed abolished by operation of law, the school board of each elementary and unit school district and the school board of each high school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices are abolished: (i) shall appoint its own

New matter indicated by italics - deletions by strikeout.
school treasurer as provided in Section 8-1; and (ii) unless the term of the contract of a township treasurer expires on the date that the office of township treasurer is abolished, shall pay to the former township treasurer its proportionate share of any aggregate compensation that, were the office of township treasurer not abolished at that time, would have been payable to the former township treasurer after that date over the remainder of the term of the contract of the former township treasurer that began prior to but ends after that date. In addition, on the date that the offices of township treasurer and trustee of schools of a township are deemed abolished as provided in this subsection, the school board of each elementary school, high school and unit school district that until that date is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township shall be deemed by operation of law to have agreed and assumed to pay and, when determined, shall pay to the Illinois Municipal Retirement Fund a proportionate share of the unfunded liability existing in that Fund at the time these offices are abolished in that calendar year for all annuities or other benefits then or thereafter to become payable from that Fund with respect to all periods of service performed prior to that date as a participating employee in that Fund by persons serving during those periods of service as a trustee of schools, township treasurer or regular employee in the office of the township treasurer of that township. That unfunded liability shall be actuarially determined by the board of trustees of the Illinois Municipal Retirement Fund, and the board of trustees shall thereupon notify each school board required to pay a proportionate share of that unfunded liability of the aggregate amount of the unfunded liability so determined. The amount so paid to the Illinois Municipal Retirement Fund by each of those school districts shall be credited to the account of the township in that Fund. For each elementary school, high school and unit school district under the jurisdiction and authority of a township treasurer and trustees of schools of a township in which those offices are abolished as provided in this subsection, each such district's proportionate share of the aggregate compensation payable to the former township treasurer as provided in this paragraph and each such district's proportionate share of the aggregate amount of the unfunded liability

New matter indicated by italics - deletions by strikeout.
payable to the Illinois Municipal Retirement Fund as provided in this
paragraph shall be computed in accordance with the ratio that the number
of pupils in average daily attendance in each such district as reported in
schedules prepared under Section 24-19 for the school year last ending
prior to the date on which the offices of township treasurer and trustee of
schools of that township are abolished bears to the aggregate number of
pupils in average daily attendance in all of those districts as so reported for
that school year.

Upon abolition of the offices of township treasurer and trustee of
schools of a township as provided in this subsection: (i) the regional board
of school trustees, in its corporate capacity, shall be deemed the successor
in interest to the former trustees of schools of that township with respect to
the common school lands and township loanable funds of the township;
(ii) all right, title and interest existing or vested in the former trustees of
schools of that township in the common school lands and township
loanable funds of the township, and all records, moneys, securities and
other assets, rights of property and causes of action pertaining to or
constituting a part of those common school lands or township loanable
funds, shall be transferred to and deemed vested by operation of law in the
regional board of school trustees, which shall hold legal title to, manage
and operate all common school lands and township loanable funds of the
township, receive the rents, issues and profits therefrom, and have and
exercise with respect thereto the same powers and duties as are provided
by this Code to be exercised by regional boards of school trustees when
acting as township land commissioners in counties having at least 220,000
but fewer than 2,000,000 inhabitants; (iii) the regional board of school
trustees shall select to serve as its treasurer with respect to the common
school lands and township loanable funds of the township a person from
time to time also serving as the appointed school treasurer of any school
district that was subject to the jurisdiction and authority of the township
treasurer and trustees of schools of that township at the time those offices
were abolished, and the person selected to also serve as treasurer of the
regional board of school trustees shall have his compensation for services
in that capacity fixed by the regional board of school trustees, to be paid

New matter indicated by italics - deletions by strikeout.
from the township loanable funds, and shall make to the regional board of school trustees the reports required to be made by treasurers of township land commissioners, give bond as required by treasurers of township land commissioners, and perform the duties and exercise the powers of treasurers of township land commissioners; (iv) the regional board of school trustees shall designate in the manner provided by Section 8-7, insofar as applicable, a depositary for its treasurer, and the proceeds of all rents, issues and profits from the common school lands and township loanable funds of that township shall be deposited and held in the account maintained for those purposes with that depositary and shall be expended and distributed therefrom as provided in Section 15-24 and other applicable provisions of this Code; and (v) whenever there is vested in the trustees of schools of a township at the time that office is abolished under this subsection the legal title to any school buildings or school sites used or occupied for school purposes by any elementary school, high school or unit school district subject to the jurisdiction and authority of those trustees of school at the time that office is abolished, the legal title to those school buildings and school sites shall be deemed transferred by operation of law to and invested in the school board of that school district, in its corporate capacity Section 7-28, the same to be held, sold, exchanged leased or otherwise transferred in accordance with applicable provisions of this Code.

Notwithstanding Section 2-3.25g of this Code, a waiver of a mandate established under this Section may not be requested.

(Source: P.A. 91-269, eff. 7-23-99; 92-448, eff. 8-21-01.)

(105 ILCS 5/17-9.02 new)


(a) Notwithstanding any other provisions of this Article and in addition to the methods provided by other Sections of this Article for increasing the rate of tax levied for any school purpose, Ford Heights School District 169 may levy a supplemental tax for the 2006, 2007, and 2008 taxable years.

New matter indicated by italics - deletions by strikeout.
(b) The supplemental tax authorized by this Section is levied upon all the taxable property of the school district at its value as equalized or assessed by the Department of Revenue for each of the years in which the levy is made. The supplemental tax is in addition to all other taxes that the district may levy for any school purpose for the years in which the levy is made.

(c) For each year that it is levied, the supplemental tax must be levied at a rate not exceeding that which, when applied to the equalized assessed value of all taxable property in the district for that year in which the levy is made, is sufficient to yield that amount of tax revenue that is equal to $1,067,000 for a total of $3,201,000 for all taxable years that the tax is levied.

(d) The supplemental tax authorized by this Section must be levied by proper resolution of the school board and without referendum. A certified copy of the resolution levying the supplemental tax, signed by the president and clerk or secretary of the school board, must be filed in the office of the county clerk, and it is, then, the duty of the county clerk to extend the supplemental tax. The supplemental tax must be extended and collected in like manner as all other taxes of the school district, but the supplemental tax must be separately identified by the collectors.

(e) Ford Heights School District 169 may use the proceeds from the supplemental tax for any purpose for which the district is authorized to make expenditures.

(105 ILCS 5/19-1) (from Ch. 122, par. 19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last
assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such

New matter indicated by italics - deletions by strikeout.
election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

New matter indicated by italics - deletions by strikeout.
(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district

New matter indicated by italics - deletions by strikeout.
pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

New matter indicated by italics - deletions by strikeout.
(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in

New matter indicated by italics - deletions by strikeout.
excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

New matter indicated by italics - deletions by strikeout.
(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;
(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;
(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and
(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;
(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;
(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

New matter indicated by italics - deletions by strikeout.
(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the
equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;
(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;
(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and
(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;
(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;
(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and
(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

New matter indicated by italics - deletions by strikeout.
(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

New matter indicated by italics - deletions by strikeout.
The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3

New matter indicated by italics - deletions by strikeout.
months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.
(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed $450,000,000, but only if all of the following conditions are met:

New matter indicated by italics - deletions by strikeout.
(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district’s statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed $225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

New matter indicated by italics - deletions by strikeout.
(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district’s statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04; 93-1045, eff. 10-15-04; 94-234, eff. 7-1-06; 94-721, eff. 1-6-06; 94-952, eff. 6-27-06; 94-1019, eff. 7-10-06; revised 8-3-06.)

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

Sent to the Governor December 29, 2006.
Vetoed by the Governor January 5, 2007.

New matter indicated by italics - deletions by strikeout.
AN ACT concerning finance.

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

Section 5. The Illinois Procurement Code is amended by adding Section 25-75 as follows:

Sec. 25-75. Purchase of motor vehicles.

(a) Beginning on the effective date of this amendatory Act of the 94th General Assembly, all gasoline-powered vehicles purchased from State funds must be flexible fuel vehicles. Beginning July 1, 2007, all gasoline-powered vehicles purchased from State funds must be flexible fuel or fuel efficient hybrid vehicles. For purposes of this Section, "flexible fuel vehicles" are automobiles or light trucks that operate on either gasoline or E-85 (85% ethanol, 15% gasoline) fuel and "Fuel efficient hybrid vehicles" are automobiles or light trucks that use a gasoline or diesel engine and an electric motor to provide power and gain at least a 20% increase in combined US-EPA city-highway fuel economy over the equivalent or most-similar conventionally-powered model.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly, any vehicle purchased from State funds that is fueled by diesel fuel shall be certified by the manufacturer to run on 5% biodiesel (B5) fuel.

(c) The Chief Procurement Officer may determine that certain vehicle procurements are exempt from this Section based on intended use or other reasonable considerations such as health and safety of Illinois citizens.

Section 10. The Alternate Fuels Act is amended by changing Section 30 as follows:

New matter indicated by italics - deletions by strikeout.
Sec. 30. Rebate program. Beginning January 1, 1997, and as long as funds are available, each owner of an alternate fuel vehicle shall be eligible to apply for a rebate. Beginning July 1, 2005, each owner of a vehicle using domestic renewable fuel is eligible to apply for a fuel cost differential rebate under subsection (c) of this Section. The Agency shall cause rebates to be issued under the provisions of this Act. An owner may apply for only one of 3 types of rebates with regard to an individual alternate fuel vehicle: (i) a conversion cost rebate, (ii) an OEM differential cost rebate, or (iii) a fuel cost differential rebate. Only one rebate may be issued with regard to a particular alternate fuel vehicle during the life of that vehicle. A rebate shall not exceed $4,000 per vehicle. Over the life of this rebate program, an owner of an alternate fuel vehicle or a vehicle using domestic renewable fuel may not receive rebates for more than 150 vehicles per location or for 300 vehicles in total.

(a) A conversion cost rebate may be issued to an owner or his or her designee in order to reduce the cost of converting a conventional vehicle to an alternate fuel vehicle. Conversion of a conventional vehicle to alternate fuel capability must take place in Illinois for the owner to be eligible for the conversion cost rebate. Amounts spent by applicants within a calendar year may be claimed on a rebate application submitted during that calendar year. Approved conversion cost rebates applied for during or after calendar year 1997 shall be 80% of all approved conversion costs claimed and documented. Approval of conversion cost rebates may continue after calendar year 2002, if funds are still available. An applicant may include on an application submitted in 1997 all amounts spent within that calendar year on the conversion, even if the expenditure occurred before promulgation of the Agency rules.

(b) An OEM differential cost rebate may be issued to an owner or his or her designee in order to reduce the cost differential between a conventional vehicle or engine and the same vehicle or engine, produced by an original equipment manufacturer, that has the capability to use alternate fuels.

A new OEM vehicle or engine must be purchased in Illinois and must either be an alternate fuel vehicle or used in an alternate fuel vehicle,
respectively, for the owner to be eligible for an OEM differential cost rebate. Large vehicles, over 8,500 pounds gross vehicle weight, purchased outside Illinois are eligible for an OEM differential cost rebate if the same or a comparable vehicle is not available for purchase in Illinois. Amounts spent by applicants within a calendar year may be claimed on a rebate application submitted during that calendar year.

Approved OEM differential cost rebates applied for during or after calendar year 1997 shall be 80% of all approved cost differential claimed and documented. Approval of OEM differential cost rebates may continue after calendar year 2002, if funds are still available. An applicant may include on an application submitted in 1997 all amounts spent within that calendar year on OEM equipment, even if the expenditure occurred before promulgation of the Agency rules.

(c) A fuel cost differential rebate may be issued to an owner or his or her designee in order to reduce the cost differential between conventional fuels and domestic renewable fuels or alternate fuels purchased to operate an alternate fuel vehicle. The fuel cost differential shall be based on a 3-year life cycle cost analysis developed by the Agency by rulemaking. The rebate shall apply to and be payable during a consecutive 3-year period commencing on the date the application is approved by the Agency. Approved fuel cost differential rebates may be applied for during or after calendar year 1997 and approved rebates shall be 80% of the cost differential for a consecutive 3-year period. Approval of fuel cost differential rebates may continue after calendar year 2002 if funds are still available.

Twenty-five percent of the amount that is appropriated under Section 40 to be used to fund programs authorized by this Section during calendar year 2001 shall be designated to fund fuel cost differential rebates. If the total dollar amount of approved fuel cost differential rebate applications as of July 1, 2001 is less than the amount designated for that calendar year, the balance of designated funds shall be immediately available to fund any rebate authorized by this Section and approved in the calendar year.

New matter indicated by italics - deletions by strikeout.
An approved fuel cost differential rebate shall be paid to an owner in 3 annual installments on or about the anniversary date of the approval of the application. Owners receiving a fuel cost differential rebate shall be required to demonstrate, through recordkeeping, the use of domestic renewable fuels during the 3-year period commencing on the date the application is approved by the Agency. If the vehicle ceases to be registered to the original applicant owner, a prorated installment shall be paid to that owner or the owner's designee and the remainder of the rebate shall be canceled.

(d) Vehicles owned by the federal government or vehicles registered in a state outside Illinois are not eligible for rebates.

(Source: P.A. 94-62, eff. 6-20-05.)

Passed in the General Assembly November 15, 2006.
Effective June 1, 2007.

PUBLIC ACT 94-1080
(House Bill No. 4342)

AN ACT concerning property.

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

Section 5. The Mobile Home Park Act is amended by adding Section 9.15 and changing Section 21 as follows:

(210 ILCS 115/9.15 new)

Sec. 9.15. Fire safety. All private water supply systems and hydrants for fire safety purposes in existence on the effective date of this amendatory Act of the 94th General Assembly shall be maintained in operable condition and good repair as defined by the State Fire Marshal or mobile home park licensing agency. A mobile home park that does not have a private water supply system and hydrants shall have an agreement, approved by the State Fire Marshal or licensing agency in consultation with the municipal fire department or the local fire protection district, to provide an adequate and reliable water supply for fire mitigation needs.

New matter indicated by italics - deletions by strikeout.
Nothing in this Section shall be construed to mandate a mobile home park, constructed prior to 1998, to install new water supply systems or hydrants for fire safety purposes.

Each mobile home park shall be inspected annually pursuant to the applicable mobile home park fire protection standards by the municipal fire department or fire protection district that has jurisdictional responsibility for responding to a fire call in that park. As used in this Section, "applicable mobile home park fire protection standards" means (i) in the case of a home rule unit, the fire protection standards ordinance of the municipality or fire protection district that has jurisdictional responsibility for responding to a fire call in that park or (ii) if there is no ordinance or in the case of a non-home rule unit, the rules adopted by the Office of the State Fire Marshal for fire safety in mobile home parks. If, upon inspection, the municipal fire department or fire protection district finds that a park does not meet the applicable fire protection standards, the municipal fire department or fire protection district shall give within 5 working days of the inspection a written notice of violation to the licensee and to the Department of Public Health of any violation or required modification or repair. The licensee has 30 days after receipt of the written notice to correct the violation or make the required modification or repair. Not less than 30 days after the licensee's receipt of the notice, the municipal fire department or fire protection district shall reinspect the park and issue a written reinspection report to the licensee and to the Department of Public Health concerning the status of the licensee's compliance with the notice and whether any violation still exists. If the municipal fire department or fire protection district determines on reinspection that a licensee has made a good faith and substantial effort to comply with the notice but that compliance is not complete, the municipal fire department or fire protection district may grant the licensee an extension of time for compliance, as they deem fit, by a written notice of extension of time for compliance issued within 5 working days after the reinspection that identifies what remains to be corrected, modified, or repaired and a date by which compliance must be achieved. If an extension is granted, the municipal fire department or fire protection

New matter indicated by italics - deletions by strikeout.
district shall make another inspection within 10 days after the date set for compliance and issue a final written report to the licensee and the Department of Public Health concerning the status of the licensee's compliance with the notice, written report, and written notice of extension of time for compliance and whether a violation still exists. If a licensee fails to cure the violation or comply with the requirements stated in the notice of violation, or if a written notice of extension of time for compliance is issued and the final written report states that a violation still exists, the municipal fire department or fire protection district shall notify the Department of Public Health of the licensee's failure to comply with the notice of violation and the written report and shall deliver to the Department for purposes of enforcement under this Section copies of all written notices and reports concerning the violation.

Upon receipt of the written reports concerning the violation, the Department shall issue to the licensee a notice of intent to assess civil penalties in the amount of $500 per day, per violation for non-compliance with the written notice of violation issued by the municipal fire department or fire protection district and provide the licensee with the opportunity for an administrative hearing pursuant to the provisions of Section 22 of this Act.

Notwithstanding the foregoing provisions of this Section, the enforcement of home rule ordinances and regulations shall be by the appropriate local authorities, including local public health departments, municipal attorneys, and State’s Attorneys.

A home rule unit may not regulate the legal rights, remedies, and obligations of a licensee under this Section in a manner less restrictive than the regulation by the State of fire safety in a mobile home park under this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and function exercised by the State.

This Section does not apply to any mobile home park located within a home rule county if the home rule county actively regulates mobile home parks.

(210 ILCS 115/21) (from Ch. 111 1/2, par. 731)

New matter indicated by italics - deletions by strikeout.
Sec. 21. The Department shall enforce the provisions of this Act and the rules and regulations adopted pursuant thereto affecting health, sanitation, water supply, sewage, garbage, fire safety, and waste disposal, and the Department shall inspect, at least once each year, each mobile home park and all the accommodations and facilities therewith. Such officials or officers are hereby granted the power and authority to enter upon the premises of such parks at any time for the purposes herein set forth.

The Department may issue rules and regulations to carry out the provisions of this Act. Such rules may contain provisions for the Department to grant a waiver to a mobile home park, if the intent and purpose of the Act are met.

The Department is empowered to assess civil penalties for violations of Section 9.15 of this Act. Civil penalties in the amount of $500 per day, per violation shall be assessed for non-compliance with the written notice of violation issued by a municipal fire department or fire protection district. An additional civil penalty of $500 per day of violation shall be assessed against a licensee who knowingly rents or offers for rent a mobile home or mobile home site without taking appropriate corrective action to remedy a notice of violation issued by a municipal fire department or fire protection district. The first day of violation for purposes of assessing a fine shall be the date of the licensee's receipt of the written report following the reinspection, if the written report states that a violation still exists. If a written notice of extension of time for compliance is issued and the final written report states that a violation still exists, the first day of violation for purposes of assessing a fine shall be the date of the licensee's receipt of the final written report. The Department shall deposit all fees and fines collected under this Act into the Facility Licensing Fund. Moneys in the Fund, subject to appropriation, shall be used for the enforcement of this Act.

In the administration and enforcement of this Act, the Department may designate and use full-time city or county health departments as its agents in making inspections and investigations.

(Source: P.A. 85-565.)

New matter indicated by italics - deletions by strikeout.
AN ACT concerning emergency management.

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

Section 5. The Illinois Emergency Management Agency Act is amended by changing Section 4 as follows:

(20 ILCS 3305/4) (from Ch. 127, par. 1054)

Sec. 4. Definitions. As used in this Act, unless the context clearly indicates otherwise, the following words and terms have the meanings ascribed to them in this Section:

"Coordinator" means the staff assistant to the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision.

"Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, or acts of domestic terrorism.

"Emergency Management" means the efforts of the State and the political subdivisions to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery.

"Emergency Services and Disaster Agency" means the agency by this name, by the name Emergency Management Agency, or by any other

New matter indicated by italics - deletions by strikeout.
name that is established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions, the State and federal governments.

"Emergency Operations Plan" means the written plan of the State and political subdivisions describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters and shall include plans that take into account the needs of those individuals with household pets and service animals following a major disaster or emergency.

"Emergency Services" means the coordination of functions by the State and its political subdivision, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair, and alleviate injury and damage resulting from any natural or technological causes. These functions include, without limitation, fire fighting services, police services, emergency aviation services, medical and health services, HazMat and technical rescue teams, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken or threatened areas, emergency assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life or property.

"Exercise" means a planned event realistically simulating a disaster, conducted for the purpose of evaluating the political subdivision's coordinated emergency management capabilities, including, but not limited to, testing the emergency operations plan.

"HazMat team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to hazardous materials emergencies and that is primarily designed for emergency response to chemical or biological terrorism, radiological emergencies, hazardous material spills, releases, or fires, or other contamination events.
"Illinois Emergency Management Agency" means the agency established by this Act within the executive branch of State Government responsible for coordination of the overall emergency management program of the State and with private organizations, political subdivisions, and the federal government. Illinois Emergency Management Agency also means the State Emergency Response Commission responsible for the implementation of Title III of the Superfund Amendments and Reauthorization Act of 1986.

"Mobile Support Team" means a group of individuals designated as a team by the Governor or Director to train prior to and to be dispatched, if the Governor or the Director so determines, to aid and reinforce the State and political subdivision emergency management efforts in response to a disaster.

"Municipality" means any city, village, and incorporated town.

"Political Subdivision" means any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000.

"Principal Executive Officer" means chair of the county board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established under Section 7 of the Emergency Interim Executive Succession Act.

"Public health emergency" means an occurrence or imminent threat of an illness or health condition that:

(a) is believed to be caused by any of the following:
   (i) bioterrorism;
   (ii) the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin;
   (iii) a natural disaster;
   (iv) a chemical attack or accidental release; or
   (v) a nuclear attack or accident; and
(b) poses a high probability of any of the following harms:

New matter indicated by italics - deletions by strikeout.
(i) a large number of deaths in the affected population;
(ii) a large number of serious or long-term disabilities in the affected population; or
(iii) widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

"Technical rescue team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to building collapse, high angle rescue, and other specialized rescue emergencies and that is primarily designated for emergency response to technical rescue events.

(Source: P.A. 93-249, eff. 7-22-03; 94-334, eff. 1-1-06.)
Effective June 1, 2007.

PUBLIC ACT 94-1082
(Senate Bill No. 0205)

AN ACT concerning regulation.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Illinois Speech-Language Pathology and Audiology Practice Act is amended by changing Section 8.1 as follows:
(225 ILCS 110/8.1)
(Section scheduled to be repealed on January 1, 2008)
Sec. 8.1. Temporary license. On and after July 1, 2005, a person who has met the requirements of items (a) through (e) of Section 8 and intends to undertake supervised professional experience as a speech-language pathologist, as required by subsection (f) of Section 8 and the rules adopted by the Department, must first obtain a temporary license from the Department. A temporary license may be issued by the Department only to an applicant pursuing licensure as a speech-language

New matter indicated by italics - deletions by strikeout.
pathologist in this State. A temporary license shall be issued to an applicant upon receipt of the required fee as set forth by rule and documentation on forms prescribed by the Department certifying that his or her professional experience will be supervised by a licensed speech-language pathologist. A temporary license shall be issued for a period of 12 months and may be renewed only once for good cause shown.

A person who has completed the course and clinical curriculum required to receive a master's degree in speech-language pathology, as minimally required under subsection (d) of Section 8 of this Act for a license to practice speech-language pathology, but who has not yet been conferred the master's degree, may make application to the Department for a temporary license under this Section and may begin his or her supervised professional experience as a speech-language pathologist without a temporary license for 120 days from the date of application or until disposition of the license application by the Department, whichever is sooner.

(Source: P.A. 93-112, eff. 1-1-04; 93-1060, eff. 12-23-04.)

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


B. "Benefits" shall have the meaning provided in the Unemployment Insurance Act.

C. "Bond" means any type of revenue obligation, including, without limitation, fixed rate, variable rate, auction rate or similar bond, note, certificate, or other instrument, including, without limitation, an interest rate exchange agreement, an interest rate lock agreement, a currency exchange agreement, a forward payment conversion agreement, an agreement to provide payments based on levels of or changes in interest rates or currency exchange rates, an agreement to exchange cash flows or a series of payments, an option, put, or call to hedge payment, currency, interest rate, or other exposure, payable from and secured by a pledge of Fund Building Receipts collected pursuant to the Unemployment Insurance Act, and all interest and other earnings upon such amounts held in the Master Bond Fund, to the extent provided in the proceedings authorizing the obligation.

D. "Bond Administrative Expenses" means expenses and fees incurred to administer and issue, upon a conversion of any of the Bonds from one mode to another and from taxable to tax-exempt, the Bonds issued pursuant to this Act, including fees for paying agents, trustees, financial advisors, underwriters, remarketing agents, attorneys and for other professional services necessary to ensure compliance with applicable state or federal law.

E. "Bond Obligations" means the principal of a Bond and any premium and interest on a Bond issued pursuant to this Act, together with any amount owed under a related Credit Agreement.

F. "Credit Agreement" means, without limitation, a loan agreement, a revolving credit agreement, an agreement establishing a line of credit, a letter of credit, notes, municipal bond insurance, standby bond purchase agreements, surety bonds, remarketing agreements and the like, by which the Department may borrow funds to pay or redeem or purchase and hold its bonds, agreements for the purchase or remarketing of bonds or

New matter indicated by italics - deletions by strikeout.
any other agreement that enhances the marketability, security, or creditworthiness of a Bond issued under this Act.

1. Such Credit Agreement shall provide the following:
   a. The choice of law for the obligations of a financial provider may be made for any state of these United States, but the law which shall apply to the Bonds shall be the law of the State of Illinois, and jurisdiction to enforce such Credit Agreement as against the Department shall be exclusively in the courts of the State of Illinois or in the applicable federal court having jurisdiction and located within the State of Illinois.
   b. Any such Credit Agreement shall be fully enforceable as a valid and binding contract as and to the extent provided by applicable law.

2. Without limiting the foregoing, such Credit Agreement, may include any of the following:
   a. Interest rates on the Bonds may vary from time to time depending upon criteria established by the Director, which may include, without limitation:
      (i) A variation in interest rates as may be necessary to cause the Bonds to be remarketed from time to time at a price equal to their principal amount plus any accrued interest;
      (ii) Rates set by auctions; or
      (iii) Rates set by formula.
   b. A national banking association, bank, trust company, investment banker or other financial institution may be appointed to serve as a remarketing agent in that connection, and such remarketing agent may be delegated authority by the Department to determine interest rates in accordance with criteria established by the Department.
   c. Alternative interest rates or provisions may apply during such times as the Bonds are held by the financial providers or similar persons or entities providing a Credit

New matter indicated by italics - deletions by strikeout.
Agreement for those Bonds and, during such times, the interest on the Bonds may be deemed not exempt from income taxation under the Internal Revenue Code for purposes of State law, as contained in the Bond Authorization Act, relating to the permissible rate of interest to be borne thereon.

d. Fees may be paid to the financial providers or similar persons or entities providing a Credit Agreement, including all reasonably related costs, including therein costs of enforcement and litigation (all such fees and costs being financial provider payments) and financial provider payments may be paid, without limitation, from proceeds of the Bonds being the subject of such agreements, or from Bonds issued to refund such Bonds, provided that such financial provider payments shall be made subordinate to the payments on the Bonds.

e. The Bonds need not be held in physical form by the financial providers or similar persons or entities providing a Credit Agreement when providing funds to purchase or carry the Bonds from others but may be represented in uncertificated form in the Credit Agreement.

f. The debt or obligation of the Department represented by a Bond tendered for purchase to or otherwise made available to the Department thereupon acquired by either the Department or a financial provider shall not be deemed to be extinguished for purposes of State law until cancelled by the Department or its agent.

g. Such Credit Agreement may provide for acceleration of the principal amounts due on the Bonds.


H. "Director" means the Director of the Illinois Department of Employment Security.

New matter indicated by italics - deletions by strikeout.
I. "Fund Building Rates" are those rates imposed pursuant to Section 1506.3 of the Unemployment Insurance Act.

J. "Fund Building Receipts" shall have the meaning provided in the Unemployment Insurance Act and includes earnings on such receipts.

K. "Master Bond Fund" shall mean, for any particular issuance of Bonds under this Act, the fund established for the deposit of Fund Building Receipts upon or prior to the issuance of Bonds under this Act, and during the time that any Bonds are outstanding under this Act and from which the payment of Bond Obligations and the related Bond Administrative Expenses incurred in connection with such Bonds shall be made. That portion of the Master Bond Fund containing the Required Fund Building Receipts Amount shall be irrevocably pledged to the timely payment of Bond Obligations and Bond Administrative Expenses due on any Bonds issued pursuant to this Act and any Credit Agreement entered in connection with the Bonds. The Master Bond Fund shall be held separate and apart from all other State funds. Moneys in the Master Bond Fund shall not be commingled with other State funds, but they shall be deposited as required by law and maintained in a separate account on the books of a savings and loan association, bank or other qualified financial institution. All interest earnings on amounts within the Master Bond Fund shall accrue to the Master Bond Fund. The Master Bond Fund may include such funds and accounts as are necessary for the deposit of bond proceeds, Fund Building Receipts, payment of principal, interest, administrative expenses, costs of issuance, in the case of bonds which are exempt from Federal taxation, rebate payments, and such other funds and accounts which may be necessary for the implementation and administration of this Act. The Director shall be liable on her or his general official bond for the faithful performance of her or his duties as custodian of the Master Bond Fund. Such liability on her or his official bond shall exist in addition to the liability upon any separate bond given by her or him. All sums recovered for losses sustained by the Master Bond Fund shall be deposited into the Fund.

New matter indicated by italics - deletions by strikeout.
The Director shall report quarterly in writing to the Employment Security Advisory Board concerning the actual and anticipated deposits into and expenditures and transfers made from the Master Bond Fund.

L. "Required Fund Building Receipts Amount" means the aggregate amount of Fund Building Receipts required to be maintained in the Master Bond Fund as set forth in Section 4I of this Act.

(Source: P.A. 93-634, eff. 1-1-04.)

(30 ILCS 440/4)

Sec. 4. Authority to Issue Revenue Bonds.

A. The Department shall have the continuing power to borrow money for the purpose of carrying out the following:

1. To reduce or avoid the need to borrow or obtain a federal advance under Section 1201, et seq., of the Social Security Act (42 U.S.C. Section 1321), as amended, or any similar federal law; or

2. To refinance a previous advance received by the Department with respect to the payment of Benefits; or

3. To refinance, purchase, redeem, refund, advance refund or defease (including, any combination of the foregoing) any outstanding Bonds issued pursuant to this Act; or

4. To fund a surplus in Illinois' account in the Unemployment Trust Fund of the United States Treasury. Paragraphs 1, 2 and 4 are inoperative on and after January 1, 2010.

B. As evidence of the obligation of the Department to repay money borrowed for the purposes set forth in Section 4A above, the Department may issue and dispose of its interest bearing revenue Bonds and may also, from time-to-time, issue and dispose of its interest bearing revenue Bonds to purchase, redeem, refund, advance refund or defease (including, any combination of the foregoing) any Bonds at maturity or pursuant to redemption provisions or at any time before maturity. The Director, in consultation with the Department's Employment Security Advisory Board, shall have the power to direct that the Bonds be issued. Bonds may be issued in one or more series and under terms and conditions as needed in furtherance of the purposes of this Act. The Illinois Finance Authority shall provide any technical, legal, or administrative services if and when

New matter indicated by italics - deletions by strikeout.
requested by the Director and the Employment Security Advisory Board with regard to the issuance of Bonds. Such Bonds shall be issued in the name of the State of Illinois for the benefit of the Department and shall be executed by the Director. In case any Director whose signature appears on any Bond ceases (after attaching his or her signature) to hold that office, her or his signature shall nevertheless be valid and effective for all purposes.

C. No Bonds shall be issued without the Director's written certification that, based upon a reasonable financial analysis, the issuance of Bonds is reasonably expected to:

   (i) Result in a savings to the State as compared to the cost of borrowing or obtaining an advance under Section 1201, et seq., Social Security Act (42 U.S.C. Section 1321), as amended, or any similar federal law;
   (ii) Result in terms which are advantageous to the State through refunding, advance refunding or other similar restructuring of outstanding Bonds; or
   (iii) Allow the State to avoid an anticipated deficiency in the State's account in the Unemployment Trust Fund of the United States Treasury by funding a surplus in the State's account in the Unemployment Trust Fund of the United States Treasury.

D. All such Bonds shall be payable from Fund Building Receipts. Bonds may also be paid from (i) to the extent allowable by law, from monies in the State's account in the Unemployment Trust Fund of the United States Treasury; and (ii) to the extent allowable by law, a federal advance under Section 1201, et seq., of the Social Security Act (42 U.S.C. Section 1321); and (iii) proceeds of Bonds and receipts from related credit and exchange agreements to the extent allowed by this Act and applicable legal requirements.

E. The maximum principal amount of the Bonds, when combined with the outstanding principal of all other Bonds issued pursuant to this Act, shall not at any time exceed $1,400,000,000, excluding all of the outstanding principal of any other Bonds issued pursuant to this Act for

New matter indicated by italics - deletions by strikeout.
which payment has been irrevocably provided by refunding or other manner of defeasance. It is the intent of this Act that the outstanding Bond authorization limits provided for in this Section 4E shall be revolving in nature, such that the amount of Bonds outstanding that are not refunded or otherwise defeased shall be included in determining the maximum amount of Bonds authorized to be issued pursuant to the Act.

F. Such Bonds and refunding Bonds issued pursuant to this Act may bear such date or dates, may mature at such time or times not exceeding 10 years from their respective dates of issuance, and may bear interest at such rate or rates not exceeding the maximum rate authorized by the Bond Authorization Act, as amended and in effect at the time of the issuance of the Bonds.

G. The Department may enter into a Credit Agreement pertaining to the issuance of the Bonds, upon terms which are not inconsistent with this Act and any other laws, provided that the term of such Credit Agreement shall not exceed the term of the Bonds, plus any time period necessary to cure any defaults under such Credit Agreement.

H. Interest earnings paid to holders of the Bonds shall not be exempt from income taxes imposed by the State.

I. While any Bond Obligations are outstanding or anticipated to come due as a result of Bonds expected to be issued in either or both of the 2 immediately succeeding calendar quarters, the Department shall collect and deposit Fund Building Receipts into the Master Bond Fund in an amount necessary to satisfy the Required Fund Building Receipts Amount prior to expending Fund Building Receipts for any other purpose. The Required Fund Building Receipts Amount shall be that amount necessary to ensure the marketability of the Bonds, which shall be specified in the Bond Sale Order executed by the Director in connection with the issuance of the Bonds.

J. Holders of the Bonds shall have a first and priority claim on all Fund Building Receipts in the Master Bond Fund in parity with all other holders of the Bonds, provided that such claim may be subordinated to the provider of any Credit Agreement for any of the Bonds.
K. To the extent that Fund Building Receipts in the Master Bond Fund are not otherwise needed to satisfy the requirements of this Act and the instruments authorizing the issuance of the Bonds, such monies shall be used by the Department, in such amounts as determined by the Director to do any one or a combination either or both of the following:

1. To purchase, refinance, redeem, refund, advance refund or defease (or any combination of the foregoing) outstanding Bonds, to the extent such action is legally available and does not impair the tax exempt status of any of the Bonds which are, in fact, exempt from Federal income taxation; or

2. As a deposit in the State's account in the Unemployment Trust Fund of the United States Treasury; or

3. As a deposit into the Special Programs Fund provided for under Section 2107 of the Unemployment Insurance Act.

L. The Director shall determine the method of sale, type of bond, bond form, redemption provisions and other terms of the Bonds that, in the Director's judgment, best achieve the purposes of this Act and effect the borrowing at the lowest practicable cost, provided that those determinations are not inconsistent with this Act or other applicable legal requirements. Those determinations shall be set forth in a document entitled "Bond Sale Order" acceptable, in form and substance, to the attorney or attorneys acting as bond counsel for the Bonds in connection with the rendering of opinions necessary for the issuance of the Bonds and executed by the Director.

(Source: P.A. 93-634, eff. 1-1-04.)

Section 10. The Unemployment Insurance Act is amended by changing Sections 2100 and 2101 and by adding Sections 2101.1 and 2107 as follows:

(820 ILCS 405/2100) (from Ch. 48, par. 660)
Sec. 2100. Handling of funds - Bond - Accounts.

A. All contributions and payments in lieu of contributions collected under this Act, including but not limited to fund building receipts, together with any interest thereon; all penalties collected pursuant to this Act; any property or securities acquired through the use thereof; all

New matter indicated by italics - deletions by strikeout.
moneys advanced to this State's account in the unemployment trust fund pursuant to the provisions of Title XII of the Social Security Act, as amended; all moneys directed for transfer from the Master Bond Fund to this State's account in the unemployment trust fund; all moneys received from the Federal government as reimbursements pursuant to Section 204 of the Federal-State Extended Unemployment Compensation Act of 1970, as amended; all moneys credited to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended; and all earnings of such property or securities and any interest earned upon any such moneys shall be paid or turned over to and held by the Director, as ex-officio custodian of the clearing account, the unemployment trust fund account and the benefit account, and by the State Treasurer, as ex-officio custodian of the special administrative account, separate and apart from all public moneys or funds of this State, as hereinafter provided. Such moneys shall be administered by the Director exclusively for the purposes of this Act.

No such moneys shall be paid or expended except upon the direction of the Director in accordance with such regulations as he shall prescribe pursuant to the provisions of this Act.

The State Treasurer shall be liable on his general official bond for the faithful performance of his duties in connection with the moneys in the special administrative account provided for under this Act. Such liability on his official bond shall exist in addition to the liability upon any separate bond given by him. All sums recovered for losses sustained by the account shall be deposited in that account.

The Director shall be liable on his general official bond for the faithful performance of his duties in connection with the moneys in the clearing account, the benefit account and unemployment trust fund account provided for under this Act. Such liability on his official bond shall exist in addition to the liability upon any separate bond given by him. All sums recovered for losses sustained by any one of the accounts shall be deposited in the account that sustained such loss.

The Treasurer shall maintain for such moneys a special administrative account. The Director shall maintain for such moneys 3

New matter indicated by italics - deletions by strikeout.
separate accounts: a clearing account, a benefit account and an unemployment trust fund account. All moneys payable under this Act (except moneys requisitioned from this State's account in the unemployment trust fund and deposited in the benefit account and moneys directed for deposit into the Special Programs Fund provided for under Section 2107), including but not limited to moneys directed for transfer from the Master Bond Fund to this State's account in the unemployment trust fund, upon receipt thereof by the Director, shall be immediately deposited in the clearing account; provided, however, that, except as is otherwise provided in this Section, interest and penalties shall not be deemed a part of the clearing account but shall be transferred immediately upon clearance thereof to the special administrative account.

After clearance thereof, all other moneys in the clearing account shall be immediately deposited by the Director with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to the Federal Social Security Act, as amended, except fund building receipts, which shall be deposited into the Master Bond Fund. The benefit account shall consist of all moneys requisitioned from this State's account in the unemployment trust fund. The moneys in the benefit account shall be expended in accordance with regulations prescribed by the Director and solely for the payment of benefits, refunds of contributions, interest and penalties under the provisions of the Act, the payment of health insurance in accordance with Section 410 of this Act, and the transfer or payment of funds to any Federal or State agency pursuant to reciprocal arrangements entered into by the Director under the provisions of Section 2700E, except that moneys credited to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, shall be used exclusively as provided in subsection B. For purposes of this Section only, to the extent allowed by applicable legal requirements, the payment of benefits includes but is not limited to the payment of principal on any bonds issued pursuant to the Illinois Unemployment Insurance Trust Fund Financing Act, exclusive of any interest or administrative expenses in connection with the

New matter indicated by italics - deletions by strikeout.
bonds. The Director shall, from time to time, requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to the State's account therein, as he deems necessary solely for the payment of such benefits, refunds, and funds, for a reasonable future period. The Director, as ex-officio custodian of the benefit account, which shall be kept separate and apart from all other public moneys, shall issue his checks for the payment of such benefits, refunds, health insurance and funds solely from the moneys so received into the benefit account. However, after January 1, 1987, no check shall be drawn on such benefit account unless at the time of drawing there is sufficient money in the account to pay the check. The Director shall retain in the clearing account an amount of interest and penalties equal to the amount of interest and penalties to be refunded from the benefit account. After clearance thereof, the amount so retained shall be immediately deposited by the Director, as are all other moneys in the clearing account, with the Secretary of the Treasury of the United States. If, at any time, an insufficient amount of interest and penalties is available for retention in the clearing account, no refund of interest or penalties shall be made from the benefit account until a sufficient amount is available for retention and is so retained, or until the State Treasurer, upon the direction of the Director, transfers to the Director a sufficient amount from the special administrative account, for immediate deposit in the benefit account.

Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates of and may be utilized for authorized expenditures during succeeding periods, or, in the discretion of the Director, shall be redeposited with the Secretary of the Treasury of the United States to the credit of the State's account in the unemployment trust fund.

Moneys in the clearing, benefit and special administrative accounts shall not be commingled with other State funds but they shall be deposited as required by law and maintained in separate accounts on the books of a savings and loan association or bank.

New matter indicated by italics - deletions by strikeout.
No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended.

B. Moneys credited to the account of this State in the unemployment trust fund by the Secretary of the Treasury of the United States pursuant to Section 903 of the Social Security Act may be requisitioned from this State's account and used as authorized by Section 903. Any interest required to be paid on advances under Title XII of the Social Security Act shall be paid in a timely manner and shall not be paid, directly or indirectly, by an equivalent reduction in contributions or payments in lieu of contributions from amounts in this State's account in the unemployment trust fund. Such moneys may be requisitioned and used for the payment of expenses incurred for the administration of this Act, but only pursuant to a specific appropriation by the General Assembly and only if the expenses are incurred and the moneys are requisitioned after the enactment of an appropriation law which:

1. Specifies the purpose or purposes for which such moneys are appropriated and the amount or amounts appropriated therefor;
2. Limits the period within which such moneys may be obligated to a period ending not more than 2 years after the date of the enactment of the appropriation law; and
3. Limits the amount which may be obligated during any fiscal year to an amount which does not exceed the amount by which (a) the aggregate of the amounts transferred to the account of this State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts used by this State pursuant to this Act and charged against the amounts transferred to the account of this State.

For purposes of paragraph (3) above, amounts obligated for administrative purposes pursuant to an appropriation shall be chargeable against transferred amounts at the exact time the obligation is entered into. The appropriation, obligation, and expenditure or other disposition of

New matter indicated by italics - deletions by strikeout.
money appropriated under this subsection shall be accounted for in accordance with standards established by the United States Secretary of Labor.

Moneys appropriated as provided herein for the payment of expenses of administration shall be requisitioned by the Director as needed for the payment of obligations incurred under such appropriation. Upon requisition, such moneys shall be deposited with the State Treasurer, who shall hold such moneys, as ex-officio custodian thereof, in accordance with the requirements of Section 2103 and, upon the direction of the Director, shall make payments therefrom pursuant to such appropriation. Moneys so deposited shall, until expended, remain a part of the unemployment trust fund and, if any will not be expended, shall be returned promptly to the account of this State in the unemployment trust fund.

C. The Governor is authorized to apply to the United States Secretary of Labor for an advance or advances to this State's account in the unemployment trust fund pursuant to the conditions set forth in Title XII of the Federal Social Security Act, as amended. The amount of any such advance may be repaid from this State's account in the unemployment trust fund.

D. The Director shall annually on or before the first day of March report in writing to the Employment Security Advisory Board concerning the deposits into and expenditures from this State's account in the Unemployment Trust Fund.

(Source: P.A. 93-634, eff. 1-1-04.)

(820 ILCS 405/2101) (from Ch. 48, par. 661)

Sec. 2101. Special administrative account. Except as provided in Section 2100, all interest and penalties collected pursuant to this Act shall be deposited in the special administrative account. The amount in this account in excess of $100,000 on the close of business of the last day of each calendar quarter shall be immediately transferred to this State's account in the unemployment trust fund. However, subject to Section 2101.1, such funds shall not be transferred where it is determined by the Director that it is necessary to accumulate funds in the account in order to

New matter indicated by italics - deletions by strikeout.
have sufficient funds to pay interest that may become due under the terms of Section 1202 (b) of the Federal Social Security Act, as amended, upon advances made to the Illinois Unemployment Insurance Trust Fund under Title XII of the Federal Social Security Act or where it is determined by the Director that it is necessary to accumulate funds in the special administrative account in order to have sufficient funds to expend for any other purpose authorized by this Section. The moneys available in the special administrative account shall be expended upon the direction of the Director whenever it appears to him that such expenditure is necessary for:

A. 1. The proper administration of this Act and no Federal funds are available for the specific purpose for which such expenditure is to be made, provided the moneys are not substituted for appropriations from Federal funds, which in the absence of such moneys would be available and provided the monies are appropriated by the General Assembly.

2. The proper administration of this Act for which purpose appropriations from Federal funds have been requested but not yet received, provided the special administrative account will be reimbursed upon receipt of the requested Federal appropriation.

B. To the extent possible, the repayment to the fund established for financing the cost of administration of this Act of moneys found by the Secretary of Labor of the United States of America, or other appropriate Federal agency, to have been lost or expended for purposes other than, or in amounts in excess of, those found necessary by the Secretary of Labor, or other appropriate Federal agency, for the administration of this Act.

C. The payment of refunds or adjustments of interest or penalties, paid pursuant to Sections 901 or 2201.

D. The payment of interest on refunds of erroneously paid contributions, penalties and interest pursuant to Section 2201.1.

E. The payment or transfer of interest or penalties to any Federal or State agency, pursuant to reciprocal arrangements entered into by the Director under the provisions of Section 2700E.

F. The payment of any costs incurred, pursuant to Section 1700.1.

G. Beginning January 1, 1989, for the payment for the legal services authorized by subsection B of Section 802, up to $1,000,000 per

New matter indicated by italics - deletions by strikeout.
year for the representation of the individual claimants and up to $1,000,000 per year for the representation of "small employers".

H. The payment of any fees for collecting past due contributions, payments in lieu of contributions, penalties, and interest shall be paid (without an appropriation) from interest and penalty monies received from collection agents that have contracted with the Department under Section 2206 to collect such amounts, provided however, that the amount of such payment shall not exceed the amount of past due interest and penalty collected.

I. The payment of interest that may become due under the terms of Section 1202 (b) of the Federal Social Security Act, as amended, for advances made to the Illinois Unemployment Insurance Trust Fund.

The Director shall annually on or before the first day of March report in writing to the Employment Security Advisory Board concerning the expenditures made from the special administrative account and the purposes for which funds are being accumulated.

If Federal legislation is enacted which will permit the use by the Director of some part of the contributions collected or to be collected under this Act, for the financing of expenditures incurred in the proper administration of this Act, then, upon the availability of such contributions for such purpose, the provisions of this Section shall be inoperative and interest and penalties collected pursuant to this Act shall be deposited in

and be deemed a part of the clearing account. In the event of the enactment of the foregoing Federal legislation, and within 90 days after the date upon which contributions become available for expenditure for costs of administration, the total amount in the special administrative account shall be transferred to the clearing account, and after clearance thereof shall be deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to the Federal Social Security Act, as amended.

(Source: P.A. 85-956; 85-1009.)

(820 ILCS 405/2101.1 new)
Sec. 2101.1. Mandatory transfers. Notwithstanding any other provision in Section 2101 to the contrary, no later than June 30, 2007, an amount equal to at least $1,400,136 but not to exceed $7,000,136 shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund. No later than June 30, 2008, and June 30 of each of the three immediately succeeding calendar years, there shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund an amount at least equal to the lesser of $1,400,000 or the unpaid principal. For purposes of this Section, the unpaid principal is the difference between $7,000,136 and the sum of amounts, excluding interest, previously transferred pursuant to this Section. In addition to the amounts otherwise specified in this Section, each transfer shall include a payment of any interest accrued pursuant to this Section through the end of the immediately preceding calendar quarter for which the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund. Interest pursuant to this Section shall accrue daily beginning on January 1, 2007, and be calculated on the basis of the unpaid principal as of the beginning of the day. The rate at which the interest shall accrue for each calendar day within a calendar quarter shall equal the quotient obtained by dividing the yield for that quarter for state accounts in the Unemployment Trust Fund as published by the federal Department of the Treasury by the total number of calendar days within that quarter. Interest accrued but not yet due at the time the unpaid principal is paid in full shall be transferred within 30 days after the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund for all quarters for which interest has accrued pursuant to this Section but not yet been paid. A transfer required pursuant to this Section in a fiscal year of this State shall occur before any transfer made with respect to that same fiscal year from the special administrative account to the Title III Social Security and Employment Fund.

(820 ILCS 405/2107 new)

Sec. 2107. Special Programs Fund. The Special Programs Fund shall be held separate and apart from all public moneys or funds of this

New matter indicated by italics - deletions by strikeout.
State. All moneys that may be received by the State for the payment of trade readjustment allowances or alternative trade adjustment assistance for older workers under the Trade Act of 1974, as amended, or disaster unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, or for the payment of any other benefits where the Department will pay the benefits as an agent of the United States Department of Labor or its successor agency pursuant to federal law (except benefits payable through the State's account in the federal Unemployment Trust Fund established and maintained pursuant to the federal Social Security Act, as amended), shall be deposited into the Special Programs Fund, together with any moneys that may otherwise be directed for deposit into that Fund. No such moneys shall be paid or expended except upon the direction of the Director who, as ex officio custodian of the Special Programs Fund, shall expend such moneys only in accordance with the directions of the United States Department of Labor or its successor agency, as an agent of the United States Department of Labor or its successor agency. Moneys in the Special Programs Fund shall not be commingled with other State funds, but they shall be deposited as required by law and maintained in a separate account on the books of a savings and loan association, bank, or other qualified financial institution. All interest earnings on amounts within the Special Programs Fund shall accrue to the Special Programs Fund. The Director shall be liable on her or his general official bond for the faithful performance of her or his duties in connection with the moneys in the Special Programs Fund. Such liability on her or his official bond shall exist in addition to the liability upon any separate bond given by her or him. All sums recovered for losses sustained by the Special Programs Fund shall be deposited into the Fund.

This amendatory Act of the 94th General Assembly is not intended to alter processes or requirements with respect to the Special Programs Fund from those in existence immediately prior to the effective date of this amendatory Act of the 94th General Assembly.

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

New matter indicated by italics - deletions by strikeout.
AN ACT concerning employment.

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

Section 5. The Employee Blood Donation Leave Act is amended by changing Section 10 as follows:

(820 ILCS 149/10)

Sec. 10. Paid leave for blood donation; administration.

(a) On request, a participating employee subject to this Act may be entitled to blood donation leave with pay.

(b) An employee may use up to one hour, or more if authorized by the employer or a collective bargaining agreement, to donate blood every 56 days in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally recognized standards.

(c) A participating employee may use the leave authorized in subsection (b) of this Section only after obtaining approval from the employer.

(d) The Department must adopt rules governing blood donation leave, including rules that (i) establish conditions and procedures for requesting and approving leave and (ii) require medical documentation of the proposed blood donation before leave is approved by the employer.

(Source: P.A. 94-33, eff. 1-1-06.)

Effective June 1, 2007.

New matter indicated by italics - deletions by strikeout.
AN ACT concerning drilling operations.

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

Section 5. The Regulatory Sunset Act is amended by changing Sections 4.18 and 4.26 as follows:

(5 ILCS 80/4.18)
Sec. 4.18. Acts repealed January 1, 2008. The following Acts are repealed on January 1, 2008:

The Acupuncture Practice Act.
The Home Medical Equipment and Services Provider License Act.
The Nursing and Advanced Practice Nursing Act.
The Illinois Speech-Language Pathology and Audiology Practice Act.
The Marriage and Family Therapy Licensing Act.
The Nursing Home Administrators Licensing and Disciplinary Act.
The Structural Pest Control Act.

(Source: P.A. 94-754, eff. 5-10-06.)

(5 ILCS 80/4.26)
Sec. 4.26. Acts Act repealed on January 1, 2016. The following Acts are repealed on January 1, 2016:

The Illinois Athletic Trainers Practice Act.
The Illinois Roofing Industry Licensing Act.
The Illinois Dental Practice Act.
The Collection Agency Act.
The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985.

New matter indicated by italics - deletions by strikeout.
The Respiratory Care Practice Act.
The Hearing Instrument Consumer Protection Act.
The Professional Geologist Licensing Act.

*The Illinois Petroleum Education and Marketing Act.*

(Source: P.A. 94-246, eff. 1-1-06; 94-254, eff. 7-19-05; 94-409, eff. 12-31-05; 94-414, eff. 12-31-05; 94-451, eff. 12-31-05; 94-523, eff. 1-1-06; 94-527, eff. 12-31-05; 94-651, eff. 1-1-06; 94-708, eff. 12-5-05; revised 12-8-05.)

Section 10. The Illinois Petroleum Education and Marketing Act is amended by changing Sections 5, 10, 15, 30, 35, and 45 and by adding Section 27 as follows:

(225 ILCS 728/5)

(Section scheduled to be repealed on January 1, 2008)

Sec. 5. Definitions. As used in this Act:

"Board" means the Illinois Petroleum Resources Board.

"Department" means the Department of Natural Resources.

"First purchaser" means any person who buys Illinois crude oil or Illinois gas.

"Interest owner" means a person who owns or possesses an interest in the gross production of oil or gas produced from a well in Illinois.

"Person" means an individual, group of individuals, partnership, corporation, association, limited liability company, cooperative, or any other entity or an employee of the entity.

"Producer" means a person who produces oil and gas or who derives a majority of his or her oil and gas income from working interest.

"Qualified producer association" means an entity that is organized and operating within the State and that represents oil and gas producers on a Statewide basis.

(Source: P.A. 92-610, eff. 7-1-02.)

(225 ILCS 728/10)

(Section scheduled to be repealed on January 1, 2008)

Sec. 10. Illinois Petroleum Resources Board.

New matter indicated by italics - deletions by strikeout.
(a) There is hereby created until January 1, 2016, the Illinois Petroleum Resources Board, which shall be subject to the provisions of the Regulatory Sunset Act. The purpose of the Board is to coordinate a program designed to demonstrate to the general public the importance of the Illinois oil and gas exploration and production industry, to encourage the wise and efficient use of energy, to promote environmentally sound production methods and technologies, to develop existing supplies of State oil and gas resources, and to support research and educational activities concerning the oil and gas exploration and production industry.

(b) The Board shall be composed of 12 members to be appointed as follows:

(1) Through December 31, 2006, by the Governor. The Governor shall make appointments from a list of names submitted by qualified producer associations, of which 10 shall be oil and gas producers.

(2) Beginning January 1, 2007, all appointments shall be made by the qualified producer associations.

(c) A member of the Board shall:

(1) be at least 25 years of age;
(2) be a resident of the State of Illinois; and
(3) have at least 5 years of active experience in the oil industry.

(d) Members shall serve for a term of 3 years, except that of the initial appointments, 4 members shall serve for one year, 4 members for 2 years, and 4 members for 3 years.

(e) Vacancies shall be filled for the unexpired term of office in the same manner as the original appointment.

(f) The Board shall, at its first meeting, elect one of its members as chairperson, who shall preside over meetings of the Board and perform other duties that may be required by the Board. The first meeting of the Board shall be called by the Governor.

(g) No member of the Board shall receive a salary or reimbursement for duties performed as a member of the Board, except that

New matter indicated by italics - deletions by strikeout.
members are eligible to receive reimbursement for travel expenses incurred in the performance of Board duties.
(Source: P.A. 92-610, eff. 7-1-02; 92-651, eff. 7-11-02; revised 8-12-02.)
(225 ILCS 728/15)
(Section scheduled to be repealed on January 1, 2008)
Sec. 15. Board powers and duties. The Board shall have the following powers and duties:

(1) To administer and enforce the provisions of this Act.
(2) To establish an office for the Board within the State of Illinois.
(3) To elect a chairperson and any other officers that may be necessary to direct the operations of the Board.
(4) To employ personnel as shall be deemed necessary to carry out the purpose and provisions of this Act and to prescribe their duties and fix their compensation.
(5) To receive and administer all assessments, donations, grants, contributions, and gifts received by the Board pursuant to this Act and to deposit them into accounts maintained by the Board the Petroleum Resources Revolving Fund.
(6) To annually establish priorities and approve a prepared or disapprove the budget consistent with estimated resources of the Board.
(7) To adopt rules as it deems necessary to carry out the provisions of this Act.
(8) To enter into contracts or agreements for studies, research projects, experimental work, supplies, or other services to carry out the purposes of this Act and to incur those expenses necessary to carry out those purposes. A contract or agreement entered into under this item shall provide that:

(A) the person entering the contract or agreement on behalf of the Board shall develop and submit to the Board a plan or project together with a budget that shows estimated costs to be incurred for the plan or project; and

New matter indicated by italics - deletions by strikeout.
(B) the person entering the contract or agreement shall keep accurate records of all of its transactions, account for funds received and expended, and make periodic reports to the Board of activities conducted and other reports that the Board may require.

(9) To keep accurate records of all financial transactions performed pursuant to this Act. These records shall be audited annually by an independent auditor who is a certified public accountant and has been selected by the Board, and an annual report shall be compiled and made available to any interest owner and filed with the Department presented to the Governor.

(10) To cooperate with any private, local, state, or national commission, organization, agency, or group and to make contracts and agreements for joint programs beneficial to the oil and gas industry.

(11) To accept donations, grants, contributions, and gifts from any public or private source and deposit them into accounts maintained by the Board the Petroleum Resources Revolving Fund.

(12) To keep an accurate record of all assessments collected.

(Source: P.A. 90-614, eff. 7-10-98.)

Sec. 27. Petroleum Resources Revolving Fund abolished; moneys and assets transferred to Board. On January 1, 2007, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall pay the remaining balance in the Petroleum Revolving Fund to the Board. Upon the completion of this payment, the Fund is abolished, and any future deposits due to the Fund and any outstanding obligations or liabilities of the Fund pass to the Board. In addition, ownership of all assets in the possession of the Board that are property of the State shall be transferred to the Board.

(225 ILCS 728/30)

(Section scheduled to be repealed on January 1, 2008)

New matter indicated by italics - deletions by strikeout.
Sec. 30. Assessment on oil and gas production.

(a) To fund the activities of the Illinois Petroleum Resources Board, an assessment shall be levied in the amount of one-tenth of 1% of gross revenues of oil and gas produced from each well in the State of Illinois.

(b) The assessment levied by subsection (a) of this Section shall be deducted from the proceeds of production and collected by the first purchaser. The assessment, which is imposed on the interest owner, shall be remitted to the Board by the first purchaser on an assessment form provided by the Board, along with any other requested production records in compliance with assessment payments and enforcement provisions of this Act and rules adopted by the Board. The remittance and specified data shall be delivered to the Board no later than the 15th day of each month following the end of the month in which the assessment was collected. The Board shall deposit the assessment into accounts, operating or reserve, to be used as authorized by this Act and a tax return filed no later than the 15th day of each month following the end of the month in which the assessment was collected. To defray the costs of receiving and depositing the assessments levied by this Section, the Department of Revenue shall retain $750 per month of the assessments received for deposit into the Tax Compliance and Administration Fund. The remaining moneys received by the Department of Revenue pursuant to this Section shall be deposited into the Illinois Petroleum Resources Revolving Fund.

(c) The Board shall be responsible for taking appropriate legal actions to collect any assessment which is not paid or is not properly paid.

(Source: P.A. 92-610, eff. 7-1-02.)
(225 ILCS 728/35)
(Section scheduled to be repealed on January 1, 2008)

Sec. 35. Refunds.

(a) Any person subject to the assessment levied by Section 30 of this Act may request a refund as provided in this Section of the assessment paid on production for the preceding calendar year. Upon compliance with the provisions of this Section and rules adopted by the Board to implement

New matter indicated by italics - deletions by strikeout.
this Section, the Board shall refund to each person requesting a refund the amount of the assessment paid by or on behalf of the person during the preceding calendar year. Refunds made to producers will include interest earned at the rate equal to the average United States Treasury bill rate of the preceding calendar year as documented from government sources certified by the State Treasurer.

(b) The request for a refund of the assessment paid on production for the preceding calendar year must be made during the first 3 calendar months following the calendar year for which the refund is requested. Failure to request a refund during this period shall terminate the right of any person to receive a refund for the assessment paid on production for the preceding calendar year. The Board shall give notice of the availability of the refund through press releases or another means it deems appropriate.

(c) Each person requesting a refund shall execute an affidavit showing the amount of refund requested and demonstrating that the affiant was the interest owner of the production for which the refund is requested. The Board may verify the accuracy of the request for refund.

(d) No entity or person requesting a refund under this Section shall be eligible to serve or have a representative serve as a member of the Board.

(225 ILCS 728/45)

Sec. 45. Use of funds.

(a) All interest earned on moneys received by the Board shall be the property of the Board in the Petroleum Resources Revolving Fund and shall remain in the Fund.

(b) The Board shall not utilize any funds collected under Section 30 of this Act for the purpose of influencing government action or policy, with the exception of recommending amendments to this Act.

(30 ILCS 105/5.482 rep.)

Section 90. The State Finance Act is amended by repealing Section 5.482.

New matter indicated by italics - deletions by strikeout.
Section 95. The Illinois Petroleum Education and Marketing Act is amended by repealing Section 25.

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


PUBLIC ACT 94-1086
(Senate Bill No. 2185)

AN ACT concerning revenue.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Property Tax Code is amended by changing Sections 10-245 and 15-143 and by adding Division 15 to Article 10 as follows:

(35 ILCS 200/10-245)
Sec. 10-245. Method of valuation of low-income housing projects. Notwithstanding Section 1-55 and except in counties with a population of more than 200,000 that classify property for the purposes of taxation, to determine 33 and one-third percent of the fair cash value of any low-income housing project developed under the Section 515 program or that qualifies for the low-income housing tax credit under Section 42 of the Internal Revenue Code, in assessing the project, local assessment officers must consider the actual or probable net operating income attributable to the property project, using a vacancy rate of not more than 5%, capitalized at normal market rates. The interest rate to be used in developing the normal market value capitalization rate shall be one that reflects the prevailing cost of cash for other types of commercial real estate in the geographic market in which the low-income housing project is located.
(Source: P.A. 93-533, eff. 1-1-04; 93-755, eff. 7-16-04.)
(35 ILCS 200/Art. 10 Div. 15 heading new)

New matter indicated by italics - deletions by strikeout.
DIVISION 15. SUPPORTIVE LIVING FACILITIES
(35 ILCS 200/10-390 new)
Sec. 10-390. Valuation of supportive living facilities.
(a) Notwithstanding Section 1-55, to determine the fair cash value of any supportive living facility established under Section 5-5.01a of the Illinois Public Aid Code, in assessing the facility, a local assessment officer must use the income capitalization approach.
(b) When assessing supportive living facilities, the local assessment officer may not consider:
   (1) payments from Medicaid for services provided to residents of supportive living facilities when such payments constitute income that is attributable to services and not attributable to the real estate; or
   (2) payments by a resident of a supportive living facility for services that would be paid by Medicaid if the resident were Medicaid-eligible, when such payments constitute income that is attributable to services and not attributable to real estate.
(35 ILCS 200/15-143)
Sec. 15-143. Metropolitan Water Reclamation Districts in counties with a population greater than 3,000,000.
(a) All property that is located in a county with a population greater than 3,000,000 and that is owned by a metropolitan water reclamation district in a county with a population greater than 3,000,000 is exempt. Any such property leased to an entity that is not exempt shall remain exempt, and the leasehold interest of the lessee shall be assessed under Section 9-195 of this Code. The changes made by this amendatory Act of the 93rd General Assembly are declaratory of existing law.
(b) Property that is owned by a metropolitan water reclamation district in a county with a population greater than 3,000,000 is exempt, and the leasehold interest is exempt, if the property is:
   (1) located in Will County; and
   (2) leased to the Will County Forest Preserve District for a de minimis amount for use for public purposes.
(Source: P.A. 93-767, eff. 7-20-04.)

New matter indicated by italics - deletions by strikeout.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 15, 2006.

PUBLIC ACT 94-1087
(Senate Bill No. 2427)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Controlled Substances Act is amended by changing Sections 201, 206, and 218 as follows:

(720 ILCS 570/201) (from Ch. 56 1/2, par. 1201)
Sec. 201. (a) The Department shall carry out the provisions of this Article. The Department or its successor agency may add substances to or delete or reschedule all controlled substances in the Schedules of Sections 204, 206, 208, 210 and 212 of this Act. In making a determination regarding the addition, deletion, or rescheduling of a substance, the Department shall consider the following:

(1) the actual or relative potential for abuse;
(2) the scientific evidence of its pharmacological effect, if known;
(3) the state of current scientific knowledge regarding the substance;
(4) the history and current pattern of abuse;
(5) the scope, duration, and significance of abuse;
(6) the risk to the public health;
(7) the potential of the substance to produce psychological or physiological dependence;
(8) whether the substance is an immediate precursor of a substance already controlled under this Article;

New matter indicated by italics - deletions by strikeout.
(9) the immediate harmful effect in terms of potentially fatal dosage; and
(10) the long-range effects in terms of permanent health impairment.
(b) (Blank).
(c) (Blank).
(d) If any substance is scheduled, rescheduled, or deleted as a controlled substance under Federal law and notice thereof is given to the Department, the Department shall similarly control the substance under this Act after the expiration of 30 days from publication in the Federal Register of a final order scheduling a substance as a controlled substance or rescheduling or deleting a substance, unless within that 30 day period the Department objects, or a party adversely affected files with the Department substantial written objections objecting to inclusion, rescheduling, or deletion. In that case, the Department shall publish the reasons for objection or the substantial written objections and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the Department shall publish its decision, by means of a rule, which shall be final unless altered by statute. Upon publication of objections by the Department, similar control under this Act whether by inclusion, rescheduling or deletion is stayed until the Department publishes its ruling.
(e) The Department shall by rule exclude any non-narcotic substances from a schedule if such substance may, under the Federal Food, Drug, and Cosmetic Act, be lawfully sold over the counter without a prescription.
(f) (Blank) The sale, delivery, distribution, and possession of a drug product containing dextromethorphan shall be in accordance with Section 218 of this Act.
(g) Authority to control under this section does not extend to distilled spirits, wine, malt beverages, or tobacco as those terms are defined or used in the Liquor Control Act and the Tobacco Products Tax Act.

New matter indicated by italics - deletions by strikeout.
(h) Persons registered with the Drug Enforcement Administration to manufacture or distribute controlled substances shall maintain adequate security and provide effective controls and procedures to guard against theft and diversion, but shall not otherwise be required to meet the physical security control requirements (such as cage or vault) for Schedule V controlled substances containing pseudoephedrine or Schedule II controlled substances containing dextromethorphan.

(Source: P.A. 94-800, eff. 1-1-07; revised 8-3-06.)

(720 ILCS 570/206) (from Ch. 56 1/2, par. 1206)

Sec. 206. (a) The controlled substances listed in this Section are included in Schedule II.

(b) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiates, and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextropropoxyphene, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

(i) Raw Opium;
(ii) Opium extracts;
(iii) Opium fluid extracts;
(iv) Powdered opium;
(v) Granulated opium;
(vi) Tincture of opium;
(vii) Codeine;
(viii) Ethylmorphine;
(ix) Etorphine Hydrochloride;
(x) Hydrocodone;
(xi) Hydromorphone;
(xii) Metopon;
(xiii) Morphine;

New matter indicated by italics - deletions by strikeout.
(xiv) Oxycodone;
(xv) Oxymorphone;
(xvi) Thebaine;
(xvii) Thebain-derived butorphanol.
(xviii) Dextromethorphan, except drug products that may be dispensed pursuant to a prescription order of a practitioner and are sold in compliance with the safety and labeling standards as set forth by the United States Food and Drug Administration, or drug products containing dextromethorphan that are sold in solid, tablet, liquid, capsule, powder, thin film, or gel form and which are formulated, packaged, and sold in dosages and concentrations for use as an over-the-counter drug product. For the purposes of this Section, "over-the-counter drug product" means a drug that is available to consumers without a prescription and sold in compliance with the safety and labeling standards as set forth by the United States Food and Drug Administration subject to Section 218 of this Act.

(2) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1), but not including the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, isomer, salt of an isomer, derivative, or preparation of coca leaves including cocaine or ecegonine, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecegonine (for the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers);

New matter indicated by italics - deletions by strikeout.
(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy).

(c) Unless specifically excepted or unless listed in another schedule any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextorphan excepted:

(1) Alfentanil;
(1.1) Carfentanil;
(2) Alphaprodine;
(3) Anileridine;
(4) Bezitramide;
(5) Bulk Dextropropoxyphene (non-dosage forms);
(6) Dihydrocodeine;
(7) Diphenoxylate;
(8) Fentanyl;
(9) Sufentanil;
(9.5) Remifentanil;
(10) Isomethadone;
(11) Levomethorphan;
(12) Levorphanol (Levorphan);
(13) Metazocine;
(14) Methadone;
(15) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl-1-butane;
(16) Moramide-Intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
(17) Pethidine (meperidine);
(18) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
(19) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

New matter indicated by italics - deletions by strikeout.
(20) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
(21) Phenazocine;
(22) Piminodine;
(23) Racemethorphan;
(24) Racemorphan;
(25) Levo-alphacetylmethadol (some other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM).
(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:
   (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
   (2) Methamphetamine, its salts, isomers, and salts of its isomers;
   (3) Phenmetrazine and its salts;
   (4) Methylphenidate.
(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
   (1) Amobarbital;
   (2) Secobarbital;
   (3) Pentobarbital;
   (4) Pentazocine;
   (5) Phencyclidine;
   (6) Glutethimide;
   (7) (Blank).
(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

New matter indicated by italics - deletions by strikeout.
(1) Immediate precursor to amphetamine and methamphetamine:
   (i) Phenylacetone
   Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.
(2) Immediate precursors to phencyclidine:
   (i) 1-phenylcyclohexylamine;
   (ii) 1-piperidinocyclohexanecarbonitrile (PCC).
(3) Nabilone.

(Source: P.A. 94-800, eff. 1-1-07.)

(720 ILCS 570/218)
Sec. 218. Dextromethorphan.
  (a) (Blank) A drug product containing dextromethorphan may not be sold, delivered, distributed, or possessed except in accordance with the prescription requirements of Sections 309, 312, and 313 of this Act.
  (b) Possession of a drug product containing dextromethorphan in violation of this Act Section is a Class 4 felony. The sale, delivery, distribution, or possession with intent to sell, deliver, or distribute a drug product containing dextromethorphan in violation of this Act Section is a Class 2 felony.
  (c) (Blank) This Section does not apply to a drug product containing dextromethorphan that is sold in solid, tablet, liquid, capsule, powder, thin film, or gel form and which is formulated, packaged, and sold in dosages and concentrations for use as an over-the-counter drug product. For the purposes of this Section, "over-the-counter drug product" means a drug that is available to consumers without a prescription and sold in compliance with the safety and labeling standards as set forth by the United States Food and Drug Administration.

(Source: P.A. 94-800, eff. 1-1-07.)

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


New matter indicated by italics - deletions by strikeout.
PUBLIC ACT 94-1088
(Senate Bill No. 1195)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Good Samaritan Act is amended by changing Section 67 as follows:

(745 ILCS 49/67)
Sec. 67. First aid providers; exemption for first aid. Any person who is currently certified in first aid by the American Red Cross, or the American Heart Association, or the National Safety Council and who in good faith provides first aid without fee to any person shall not, as a result of his or her acts or omissions, except willful and wanton misconduct on the part of the person in providing the aid, be liable to a person to whom such aid is provided for civil damages.

The provisions of this Section shall not apply to any health care facility as defined in Section 8-2001 of the Code of Civil Procedure or to any practitioner as defined in Section 8-2003 of the Code of Civil Procedure providing services in a hospital or health care facility.
(Source: P.A. 94-825, eff. 7-1-06.)

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


PUBLIC ACT 94-1089
(House Bill No. 1896)

AN ACT concerning civil law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

New matter indicated by italics - deletions by strikeout.
Section 5. Upon the payment of the sum of $1 to the State of Illinois, and subject to the conditions set forth in Section 10 of this Act, the Secretary of Transportation is authorized to convey to the Village of Justice by quitclaim deed all right, title, and interest of the State of Illinois in and to certain property known as that part of the East Half of the Southwest Quarter of Section 26, Township 38 North, Range 12 East of the Third Principal Meridian, lying South of the North 40.00 feet thereof, lying East of the West 33.00 feet thereof and lying northwesterly of the Northwesterly line of Archer Avenue by Document Number 12731415. Excepting thereof that portion described as follows: Beginning at the south most corner of the above described property; thence North 40 degrees 06 minutes 31 seconds East a distance of 188.34 feet along the Northwesterly line of Archer Avenue to the East most corner of the aforesaid property thence North 89 degrees 28 minutes 17 seconds West a distance of 1.58 feet along the South line of 75th Street to a point; thence South 39 degrees 49 minutes 25 seconds West a distance of 186.99 feet to a point on the East line of 86th Avenue; thence South 00 degrees 24 minutes 04 seconds West a distance of 0.45 feet to the point of beginning, all in Cook County, Illinois, known as IDOT Excess Parcel No. OZZ0916 and generally described as a triangular parcel, the Southernmost point being the intersection of Archer Avenue (Illinois 171) and 86th Avenue, then running North along 86th Avenue approximately 144.71 feet, then running perpendicularly East approximately 118.75 feet, and then running southwesterly along Archer Avenue approximately 186.99 feet to the southernmost point, said parcel containing 0.197 acre (8595.51 square feet) more or less.

Section 10. The quit claim deed shall state on its face and the conveyance shall be subject to the condition that if the property is no longer used for public purposes, then title shall revert without further action to the Illinois Department of Transportation, State of Illinois.

Section 15. The Secretary of Transportation shall obtain a certified copy of this Act within 60 days after its effective date and shall record the certified document in the Recorder's Office in the county in which the land is located.

New matter indicated by italics - deletions by strikeout.
Section 99. Effective date. This Act takes effect upon becoming law.


PUBLIC ACT 94-1090
(House Bill No. 4173)

AN ACT concerning elections.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Election Code is amended by changing Sections 7-10.2, 7-17, 8-8.1, 10-5.1, and 16-3 as follows:

(10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)
Sec. 7-10.2. In the designation of the name of a candidate on a petition for nomination or certificate of nomination the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition or certificate for that office, whichever is applicable, then (i) the candidate's name on the petition or certificate must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity

New matter indicated by italics - deletions by strikeout.
of marriage to assume a former surname. No other designation such as a political slogan, as defined by Section 7-17, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/7-17) (from Ch. 46, par. 7-17)
Sec. 7-17. Candidate ballot name procedures.

(a) Each election authority in each county shall cause to be printed upon the general primary ballot of each party for each precinct in his jurisdiction the name of each candidate whose petition for nomination or for committeeman has been filed in the office of the county clerk, as herein provided; and also the name of each candidate whose name has been certified to his office by the State Board of Elections, and in the order so certified, except as hereinafter provided.

It shall be the duty of the election authority to cause to be printed upon the consolidated primary ballot of each political party for each precinct in his jurisdiction the name of each candidate whose name has been certified to him, as herein provided and which is to be voted for in such precinct.

(b) In the designation of the name of a candidate on the primary ballot the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition for nomination, nomination papers, or certificate of nomination for that office, whichever is applicable, then (i) the candidate's name on the primary ballot must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition, papers, or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i)

New matter indicated by italics - deletions by strikeout.
and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation such as a political slogan, title, or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman. For purposes of this Section, a "political slogan" is defined as any word or words expressing or connoting a position, opinion, or belief that the candidate may espouse, including but not limited to, any word or words conveying any meaning other than that of the personal identity of the candidate. A candidate may not use a political slogan as part of his or her name on the ballot, notwithstanding that the political slogan may be part of the candidate's name.

(c) The State Board of Elections, a local election official, or an election authority shall remove any candidate's name designation from a ballot that is inconsistent with subsection (b) of this Section. In addition, the State Board of Elections, a local election official, or an election authority shall not certify to any election authority any candidate name designation that is inconsistent with subsection (b) of this Section.

(d) If the State Board of Elections, a local election official, or an election authority removes a candidate's name designation from a ballot under subsection (c) of this Section, then the aggrieved candidate may seek appropriate relief in circuit court.

(10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

Sec. 8-8.1. In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If

New matter indicated by italics - deletions by strikeout.
a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition for that office, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation such as a political slogan, title, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)  
Sec. 10-5.1. In the designation of the name of a candidate on a certificate of nomination or nomination papers the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the certificate of nomination or nomination papers for that office, whichever is applicable, then (i) the candidate's name on the certificate or papers must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the certificate or paper must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i)

New matter indicated by italics - deletions by strikeout.
and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation such as a political slogan, title, or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

Sec. 16-3. (a) The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot, except as is provided in Sections 16-6.1 and 21-1.01 of this Act and except as otherwise provided in this Act with respect to the odd year regular elections and the emergency referenda; all nominations of any political party being placed under the party appellation or title of such party as designated in the certificates of nomination or petitions. The names of all independent candidates shall be printed upon the ballot in a column or columns under the heading "independent" arranged under the names or titles of the respective offices for which such independent candidates shall have been nominated and so far as practicable, the name or names of any independent candidate or candidates for any office shall be printed upon the ballot opposite the name or names of any candidate or candidates for the same office contained in any party column or columns upon said ballot. The ballot shall contain no other names, except that in cases of electors for President and Vice-President of the United States, the names of the candidates for President and Vice-President may be added to the party designation and words calculated to aid the voter in his choice of candidates may be added, such as "Vote for one," "Vote for three." When an electronic voting system is used which utilizes a ballot label booklet,
the candidates and questions shall appear on the pages of such booklet in the order provided by this Code; and, in any case where candidates for an office appear on a page which does not contain the name of any candidate for another office, and where less than 50% of the page is utilized, the name of no candidate shall be printed on the lowest 25% of such page. On the back or outside of the ballot, so as to appear when folded, shall be printed the words "Official Ballot", followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing cannot be read. However, ballots for use at the nonpartisan and consolidated elections may be printed on different color paper, except blue paper, whenever necessary or desirable to facilitate distinguishing between ballots for different political subdivisions. In the case of nonpartisan elections for officers of a political subdivision, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution providing the form of government therefor requires otherwise, the column listing such nonpartisan candidates shall be printed with no appellation or circle at its head. The party appellation or title, or the word "independent" at the head of any column provided for independent candidates, shall be printed in letters not less than one-fourth of an inch in height and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed, provided, however, that no such circle shall be printed at the head of any column or columns provided for such independent candidates. The names of candidates shall be printed in letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which a name of a candidate is printed a square shall be printed, the sides of which shall be not less than one-fourth of an inch in length. However, the names of the candidates for Governor and Lieutenant Governor on the same ticket shall be printed within a bracket and a single square shall be printed in front of the bracket. The list of candidates of the several parties and any such list of independent candidates shall be placed in separate columns on the ballot in such order as the election authorities charged with

New matter indicated by italics - deletions by strikeout.
the printing of the ballots shall decide; provided, that the names of the candidates of the several political parties, certified by the State Board of Elections to the several county clerks shall be printed by the county clerk of the proper county on the official ballot in the order certified by the State Board of Elections. Any county clerk refusing, neglecting or failing to print on the official ballot the names of candidates of the several political parties in the order certified by the State Board of Elections, and any county clerk who prints or causes to be printed upon the official ballot the name of a candidate, for an office to be filled by the Electors of the entire State, whose name has not been duly certified to him upon a certificate signed by the State Board of Elections shall be guilty of a Class C misdemeanor.

(b) When an electronic voting system is used which utilizes a ballot card, on the inside flap of each ballot card envelope there shall be printed a form for write-in voting which shall be substantially as follows:

WRITE-IN VOTES

(See card of instructions for specific information. Duplicate form below by hand for additional write-in votes.)

Title of Office

( ) ____________________________

Name of Candidate

(c) When an electronic voting system is used which uses a ballot sheet, the instructions to voters on the ballot sheet shall refer the voter to the card of instructions for specific information on write-in voting. Below each office appearing on such ballot sheet there shall be a provision for the casting of a write-in vote.

(d) When such electronic system is used, there shall be printed on the back of each ballot card, each ballot card envelope, and the first page of the ballot label when a ballot label is used, the words "Official Ballot," followed by the number of the precinct or other precinct identification, which may be stamped, in lieu thereof and, as applicable, the number and name of the township, ward or other election district for which the ballot card, ballot card envelope, and ballot label are prepared, the date of the
election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The back of the ballot card shall also include a method of identifying the ballot configuration such as a listing of the political subdivisions and districts for which votes may be cast on that ballot, or a number code identifying the ballot configuration or color coded ballots, except that where there is only one ballot configuration in a precinct, the precinct identification, and any applicable ward identification, shall be sufficient. Ballot card envelopes used in punch card systems shall be of paper through which no writing or punches may be discerned and shall be of sufficient length to enclose all voting positions. However, the election authority may provide ballot card envelopes on which no precinct number or township, ward or other election district designation, or election date are preprinted, if space and a preprinted form are provided below the space provided for the names of write-in candidates where such information may be entered by the judges of election. Whenever an election authority utilizes ballot card envelopes on which the election date and precinct is not preprinted, a judge of election shall mark such information for the particular precinct and election on the envelope in ink before tallying and counting any write-in vote written thereon. If some method of insuring ballot secrecy other than an envelope is used, such information must be provided on the ballot itself.

(e) In the designation of the name of a candidate on the ballot, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition for nomination, nomination papers, or certificate of nomination for that office, whichever is applicable, then (i) the candidate's name on the ballot must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition, papers, or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of

New matter indicated by italics - deletions by strikeout.
those names was changed; failure to meet these requirements shall be
grounds for denying certification of the candidate's name for the ballot or
removing the candidate's name from the ballot, as appropriate, but these
requirements do not apply to name changes resulting from adoption to
assume an adoptive parent's or parents' surname, marriage to assume a
spouse's surname, or dissolution of marriage or declaration of invalidity
of marriage to assume a former surname. No other designation such as a
political slogan, title, or degree or nickname suggesting or implying
possession of a title, degree or professional status, or similar information
may be used in connection with the candidate's surname, except that the
title "Mrs." may be used in the case of a married woman. For purposes of
this Section, a "political slogan" is defined as any word or words
expressing or connoting a position, opinion, or belief that the candidate
may espouse, including but not limited to, any word or words conveying
any meaning other than that of the personal identity of the candidate. A
candidate may not use a political slogan as part of his or her name on the
ballot, notwithstanding that the political slogan may be part of the
candidate's name.

(f) The State Board of Elections, a local election official, or an
election authority shall remove any candidate's name designation from a
ballot that is inconsistent with subsection (e) of this Section. In addition,
the State Board of Elections, a local election official, or an election
authority shall not certify to any election authority any candidate name
designation that is inconsistent with subsection (e) of this Section.

(g) If the State Board of Elections, a local election official, or an
election authority removes a candidate's name designation from a ballot
under subsection (f) of this Section, then the aggrieved candidate may seek
appropriate relief in circuit court.

Where voting machines or electronic voting systems are used, the
provisions of this Section may be modified as required or authorized by
Article 24 or Article 24A, whichever is applicable.

Nothing in this Section shall prohibit election authorities from
using or reusing ballot card envelopes which were printed before the
effective date of this amendatory Act of 1985.
AN ACT concerning local government.

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

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

New matter indicated by italics - deletions by strikeout.
(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout.
(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around

New matter indicated by italics - deletions by strikeout.
buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of
the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

   (B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

   (C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

   (D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

New matter indicated by italics - deletions by strikeout.
(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

New matter indicated by italics - deletions by strikeout.
(C) The area, prior to its designation, is subject to
(i) chronic flooding that adversely impacts on real property
in the area as certified by a registered professional engineer
or appropriate regulatory agency or (ii) surface water that
discharges from all or a part of the area and contributes to
flooding within the same watershed, but only if the
redevelopment project provides for facilities or
improvements to contribute to the alleviation of all or part
of the flooding.

(D) The area consists of an unused or illegal
disposal site containing earth, stone, building debris, or
similar materials that were removed from construction,
demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less
than 50 nor more than 100 acres and 75% of which is
vacant (notwithstanding that the area has been used for
commercial agricultural purposes within 5 years prior to the
designation of the redevelopment project area), and the area
meets at least one of the factors itemized in paragraph (1)
of this subsection, the area has been designated as a town or
village center by ordinance or comprehensive plan adopted
prior to January 1, 1982, and the area has not been
developed for that designated purpose.

(F) The area qualified as a blighted improved area
immediately prior to becoming vacant, unless there has
been substantial private investment in the immediately
surrounding area.

(b) For any redevelopment project area that has been designated
pursuant to this Section by an ordinance adopted prior to November 1,
1999 (the effective date of Public Act 91-478), "conservation area" shall
have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any
improved area within the boundaries of a redevelopment project area
located within the territorial limits of the municipality in which 50% or
more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

New matter indicated by italics - deletions by strikeout.
(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

New matter indicated by italics - deletions by strikeout.
(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

New matter indicated by italics - deletions by strikeout.
(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation

New matter indicated by italics - deletions by strikeout.
Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts".

For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts.
Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs
within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the

New matter indicated by italics - deletions by strikeout.
contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and

New matter indicated by italics - deletions by strikeout.
10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(1) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no
redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

New matter indicated by italics - deletions by strikeout.
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the

New matter indicated by italics - deletions by strikeout.
payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

New matter indicated by italics - deletions by strikeout.
(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

New matter indicated by italics - deletions by strikeout.
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
-DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or

New matter indicated by italics - deletions by strikeout.
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:
(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:
(TT) if the ordinance was adopted on November 20, 1989 by the Village of South Holland.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be

New matter indicated by italics - deletions by strikeout.
not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be
exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed,
and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail
to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no

New matter indicated by italics - deletions by strikeout.
charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

New matter indicated by italics - deletions by strikeout.
(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for
which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the

New matter indicated by italics - deletions by strikeout.
most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the

New matter indicated by italics - deletions by strikeout.
boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and
by the value of any physical improvements made to the schools by the municipality or developer; and
(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph

New matter indicated by italics - deletions by strikeout.
(7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its

New matter indicated by italics - deletions by strikeout.
claim for reimbursement before the municipality shall be required
to approve or make the payment to the library district. If the library
district fails to provide the information during this period in any
year, it shall forfeit any claim to reimbursement for that year.
Library districts may adopt a resolution waiving the right to all or a
portion of the reimbursement otherwise required by this paragraph
(7.7). By acceptance of such reimbursement, the library district
shall forfeit any right to directly or indirectly set aside, modify, or
contest in any manner whatsoever the establishment of the
redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality
determines that relocation costs shall be paid or is required to make
payment of relocation costs by federal or State law or in order to
satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational
education or career education, including but not limited to courses
in occupational, semi-technical or technical fields leading directly
to employment, incurred by one or more taxing districts, provided
that such costs (i) are related to the establishment and maintenance
of additional job training, advanced vocational education or career
education programs for persons employed or to be employed by
employers located in a redevelopment project area; and (ii) when
incurred by a taxing district or taxing districts other than the
municipality, are set forth in a written agreement by or among the
municipality and the taxing district or taxing districts, which
agreement describes the program to be undertaken, including but
not limited to the number of employees to be trained, a description
of the training and services to be provided, the number and type of
positions available or to be available, itemized costs of the program
and sources of funds to pay for the same, and the term of the
agreement. Such costs include, specifically, the payment by
community college districts of costs pursuant to Sections 3-37, 3-
38, 3-40 and 3-40.1 of the Public Community College Act and by

New matter indicated by italics - deletions by strikeout.
school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and
(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).
(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households.

New matter indicated by italics - deletions by strikeout.
income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low

New matter indicated by italics - deletions by strikeout.
and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is
directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the
base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted

New matter indicated by italics - deletions by strikeout.
therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly

New matter indicated by italics - deletions by strikeout.
approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

1. If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of

New matter indicated by italics - deletions by strikeout.
the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an

New matter indicated by italics - deletions by strikeout.
adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels
must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

New matter indicated by italics - deletions by strikeout.
(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

New matter indicated by italics - deletions by strikeout.
(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

New matter indicated by italics - deletions by strikeout.
(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

New matter indicated by italics - deletions by strikeout.
On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

New matter indicated by italics - deletions by strikeout.
(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to

New matter indicated by italics - deletions by strikeout.
the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States

New matter indicated by italics - deletions by strikeout.
Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

New matter indicated by italics - deletions by strikeout.
(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising.

New matter indicated by italics - deletions by strikeout.
from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with

New matter indicated by italics - deletions by strikeout.
a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts

New matter indicated by italics - deletions by strikeout.
prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002;

New matter indicated by italics - deletions by strikeout.
50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of

New matter indicated by italics - deletions by strikeout.
the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new

New matter indicated by italics - deletions by strikeout.
employees to be employed in the operation of the facilities to be developed; and
(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.
The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:
(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.
(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.
(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is

New matter indicated by italics - deletions by strikeout.
adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or
(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at

New matter indicated by italics - deletions by strikeout.
least $250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

New matter indicated by italics - deletions by strikeout.
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Alton, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or

New matter indicated by italics - deletions by strikeout.
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
(PP) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or
(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or
(VV) if the ordinance was adopted on November 20, 1989 by the Village of South Holland.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

New matter indicated by italics - deletions by strikeout.
A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the
provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project

New matter indicated by italics - deletions by strikeout.
area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove

New matter indicated by italics - deletions by strikeout.
more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a

New matter indicated by italics - deletions by strikeout.
redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

New matter indicated by italics - deletions by strikeout.
(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

New matter indicated by italics - deletions by strikeout.
(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students
enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than

New matter indicated by italics - deletions by strikeout.
$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

   (i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

   (ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

   (iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following

New matter indicated by italics - deletions by strikeout.
restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted

New matter indicated by italics - deletions by strikeout.
housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2%
of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the

New matter indicated by italics - deletions by strikeout.
munici
pality,
are set forth in a written agreement by or among the
municipality and the taxing district or taxing districts, which
agreement describes the program to be undertaken, including but
not limited to the number of employees to be trained, a description
of the training and services to be provided, the number and type of
positions available or to be available, itemized costs of the program
and sources of funds to pay for the same, and the term of the
agreement. Such costs include, specifically, the payment by
community college districts of costs pursuant to Sections 3-37, 3-
38, 3-40 and 3-40.1 of the Public Community College Act and by
school districts of costs pursuant to Sections 10-22.20a and 10-
23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the
construction, renovation or rehabilitation of a redevelopment
project provided that:

    (A) such costs are to be paid directly from the
        special tax allocation fund established pursuant to this Act;
    (B) such payments in any one year may not exceed
        30% of the annual interest costs incurred by the redeveloper
        with regard to the redevelopment project during that year;
    (C) if there are not sufficient funds available in the
        special tax allocation fund to make the payment pursuant to
        this paragraph (11) then the amounts so due shall accrue
        and be payable when sufficient funds are available in the
        special tax allocation fund;
    (D) the total of such interest payments paid pursuant
        to this Act may not exceed 30% of the total (i) cost paid or
        incurred by the redeveloper for the redevelopment project
        plus (ii) redevelopment project costs excluding any
        property assembly costs and any relocation costs incurred
        by a municipality pursuant to this Act; and
    (E) the cost limits set forth in subparagraphs (B) and
        (D) of paragraph (11) shall be modified for the financing of
        rehabilitated or new housing units for low-income

New matter indicated by italics - deletions by strikeout.
households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted

New matter indicated by italics - deletions by strikeout.
by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

New matter indicated by italics - deletions by strikeout.
(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen,

New matter indicated by italics - deletions by strikeout.
other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until

New matter indicated by italics - deletions by strikeout.
September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording

New matter indicated by italics - deletions by strikeout.
during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)
(Text of Section before amendment by P.A. 94-702 and 94-711)
Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance

New matter indicated by italics - deletions by strikeout.
authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following:

New matter indicated by italics - deletions by strikeout.
(a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

New matter indicated by italics - deletions by strikeout.
If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

New matter indicated by italics - deletions by strikeout.
A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were

New matter indicated by italics - deletions by strikeout.
authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by

New matter indicated by italics - deletions by strikeout.
the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on November 20, 1989 by the Village of South Holland and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such

New matter indicated by italics - deletions by strikeout.
obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1004, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in

New matter indicated by italics - deletions by strikeout.
direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations

New matter indicated by italics - deletions by strikeout.
which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

New matter indicated by italics - deletions by strikeout.
In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment

New matter indicated by italics - deletions by strikeout.
project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985,

New matter indicated by italics - deletions by strikeout.
or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) (TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) (UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on November 20, 1989 by the Village of South Holland and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal

New matter indicated by italics - deletions by strikeout.
ordinance under subsection (n) of Section 11-74.4-3, the last maturity of
the refunding obligations shall not be expressed to mature later than the
date on which the redevelopment project area is terminated or December
31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule
powers or other legislative authority the proceeds of which are pledged to
pay for redevelopment project costs, the municipality may, if it has
followed the procedures in conformance with this division, retire said
obligations from funds in the special tax allocation fund in amounts and in
such manner as if such obligations had been issued pursuant to the
provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act
shall not be regarded as indebtedness of the municipality issuing such
obligations or any other taxing district for the purpose of any limitation
imposed by law.

Section 95. No acceleration or delay. Where this Act makes
changes in a statute that is represented in this Act by text that is not yet or
no longer in effect (for example, a Section represented by multiple
versions), the use of that text does not accelerate or delay the taking effect
of (i) the changes made by this Act or (ii) provisions derived from any
other Public Act.

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

PUBLIC ACT 94-1092
(House Bill No. 5475)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)
(Text of Section before amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so

New matter indicated by italics - deletions by strikeout.
serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for

New matter indicated by italics - deletions by strikeout.
interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by

New matter indicated by italics - deletions by strikeout.
inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban

New matter indicated by italics - deletions by strikeout.
Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste,
hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the

New matter indicated by italics - deletions by strikeout.
redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of

New matter indicated by italics - deletions by strikeout.
buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper

New matter indicated by italics - deletions by strikeout.
window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the
development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

New matter indicated by italics - deletions by strikeout.
(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by
retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the

New matter indicated by italics - deletions by strikeout.
Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not

New matter indicated by italics - deletions by strikeout.
those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

New matter indicated by italics - deletions by strikeout.
(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

New matter indicated by italics - deletions by strikeout.
Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment

New matter indicated by italics - deletions by strikeout.
plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-
74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in

New matter indicated by italics - deletions by strikeout.
subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or

(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or

(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

New matter indicated by italics - deletions by strikeout.
(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
(L) if the ordinance was adopted in September 1988 by Sauk Village, or
(M) if the ordinance was adopted in October 1993 by Sauk Village, or
(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
(O) if the ordinance was adopted in March 1991 by the City of Centreville, or
(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or

New matter indicated by italics - deletions by strikeout.
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
-DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
-EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
-FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
-GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
-HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
-II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
-JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
-KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
-LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
-MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
-NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
-OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
-PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or:
QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:

New matter indicated by italics - deletions by strikeout.
(RR) (ΩΩ) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:

(TT) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14

New matter indicated by italics - deletions by strikeout.
but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would

New matter indicated by italics - deletions by strikeout.
result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income

New matter indicated by italics - deletions by strikeout.
and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

New matter indicated by italics - deletions by strikeout.
(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a

New matter indicated by italics - deletions by strikeout.
municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

New matter indicated by italics - deletions by strikeout.
(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

New matter indicated by italics - deletions by strikeout.
(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

   (i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less

New matter indicated by italics - deletions by strikeout.
than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School

New matter indicated by italics - deletions by strikeout.
Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

New matter indicated by italics - deletions by strikeout.
Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects.

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

New matter indicated by italics - deletions by strikeout.
The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph.
(7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

New matter indicated by italics - deletions by strikeout.
(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and
(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).
(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from

New matter indicated by italics - deletions by strikeout.
other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs.

New matter indicated by italics - deletions by strikeout.
associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable

New matter indicated by italics - deletions by strikeout.
finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to
cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

New matter indicated by italics - deletions by strikeout.
(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment

New matter indicated by italics - deletions by strikeout.
of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

   (A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis

New matter indicated by italics - deletions by strikeout.
determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and

New matter indicated by italics - deletions by strikeout.
ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

New matter indicated by italics - deletions by strikeout.
(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which

New matter indicated by italics - deletions by strikeout.
information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

   (A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

   (B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

   (C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

   (D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

   (E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as

New matter indicated by italics - deletions by strikeout.
having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that

New matter indicated by italics - deletions by strikeout.
discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

New matter indicated by italics - deletions by strikeout.
(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate

New matter indicated by italics - deletions by strikeout.
natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.
(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair

New matter indicated by italics - deletions by strikeout.
overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service
Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the

New matter indicated by italics - deletions by strikeout.
period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of $500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those
municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first $100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of $100,000 but not exceeding $500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of $500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State

New matter indicated by italics - deletions by strikeout.
Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational
activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time...
and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in

New matter indicated by italics - deletions by strikeout.
which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or

(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or

(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

New matter indicated by italics - deletions by strikeout.
(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
(L) if the ordinance was adopted in September 1988 by Sauk Village, or
(M) if the ordinance was adopted in October 1993 by Sauk Village, or
(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
(O) if the ordinance was adopted in March 1991 by the City of Centreville, or
(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or
(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or
(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or

New matter indicated by italics - deletions by strikeout.
(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
(QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or:

(RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or

(SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or:

(TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or:

(UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or:

(VV) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be

New matter indicated by italics - deletions by strikeout.
not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be
exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed,
and shall identify the type, location, and cost of the housing, and
(iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact
study required by paragraph (5) shall be incorporated in the
redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan
shall be adopted, nor an existing plan amended, nor shall
residential housing that is occupied by households of low-income
and very low-income persons in currently existing redevelopment
project areas be removed after November 1, 1999 unless the
redevelopment plan provides, with respect to inhabited housing
units that are to be removed for households of low-income and
very low-income persons, affordable housing and relocation
assistance not less than that which would be provided under the
federal Uniform Relocation Assistance and Real Property
Acquisition Policies Act of 1970 and the regulations under that
Act, including the eligibility criteria. Affordable housing may be
either existing or newly constructed housing. For purposes of this
paragraph (7), "low-income households", "very low-income
households", and "affordable housing" have the meanings set forth
in the Illinois Affordable Housing Act. The municipality shall
make a good faith effort to ensure that this affordable housing is
located in or near the redevelopment project area within the
municipality.

(8) On and after November 1, 1999, if, after the adoption of
the redevelopment plan for the redevelopment project area, any
municipality desires to amend its redevelopment plan to remove
more inhabited residential units than specified in its original
redevelopment plan, that change shall be made in accordance with
the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to
November 1, 1999, the redevelopment plan may be amended
without further joint review board meeting or hearing, provided
that the municipality shall give notice of any such changes by mail

New matter indicated by italics - deletions by strikeout.
to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no

New matter indicated by italics - deletions by strikeout.
charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

New matter indicated by italics - deletions by strikeout.
(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for

New matter indicated by italics - deletions by strikeout.
which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the

New matter indicated by italics - deletions by strikeout.
most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than $5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than $5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the

New matter indicated by italics - deletions by strikeout.
boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and

New matter indicated by italics - deletions by strikeout.
by the value of any physical improvements made to the schools by the municipality or developer; and
(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph

New matter indicated by italics - deletions by strikeout.
(7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed $120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its

New matter indicated by italics - deletions by strikeout.
claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by

New matter indicated by italics - deletions by strikeout.
school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-
income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low

New matter indicated by italics - deletions by strikeout.
and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is

New matter indicated by italics - deletions by strikeout.
directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the
base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted

New matter indicated by italics - deletions by strikeout.
therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

   (t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

   (u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

   (v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly.
approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-26-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7) 
(Text of Section before amendment by P.A. 94-702 and 94-711) 
Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus"

New matter indicated by italics - deletions by strikeout.
funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and

New matter indicated by italics - deletions by strikeout.
conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the

New matter indicated by italics - deletions by strikeout.
question at the next general, State or municipal election. If it appears upon
the canvass of the election by the corporate authorities that a majority of
electors voting upon the question voted in favor thereof, the ordinance
shall be in effect, but if a majority of the electors voting upon the question
are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the
obligations shall contain a recital that they are issued pursuant to this
Division, which recital shall be conclusive evidence of their validity and of
the regularity of their issuance.

In the event the municipality authorizes issuance of obligations
pursuant to this Section secured by the full faith and credit of the
municipality, the ordinance authorizing the obligations may provide for
the levy and collection of a direct annual tax upon all taxable property
within the municipality sufficient to pay the principal thereof and interest
thereon as it matures, which levy may be in addition to and exclusive of
the maximum of all other taxes authorized to be levied by the
municipality, which levy, however, shall be abated to the extent that
monies from other sources are available for payment of the obligations and
the municipality certifies the amount of said monies available to the
county clerk.

A certified copy of such ordinance shall be filed with the county
clerk of each county in which any portion of the municipality is situated,
and shall constitute the authority for the extension and collection of the
taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or
in part, obligations theretofore issued by such municipality under the
authority of this Act, whether at or prior to maturity, provided however,
that the last maturity of the refunding obligations shall not be expressed to
mature later than December 31 of the year in which the payment to the
municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of
this Act is to be made with respect to ad valorem taxes levied in the
twenty-third calendar year after the year in which the ordinance approving
the redevelopment project area is adopted if the ordinance was adopted on
or after January 15, 1981, not later than December 31 of the year in which

New matter indicated by italics - deletions by strikeout.
the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or

New matter indicated by italics - deletions by strikeout.
(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) (Theta) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (RR) (Theta) if the ordinance was adopted

New matter indicated by italics - deletions by strikeout.
on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park, and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in

New matter indicated by italics - deletions by strikeout.
the area, by revenues as specified by Section 11-74.4-8a and other revenue
designated by the municipality. A municipality may in the ordinance
pledge all or any part of the funds in and to be deposited in the special tax
allocation fund created pursuant to Section 11-74.4-8 to the payment of the
redevelopment project costs and obligations. Any pledge of funds in the
special tax allocation fund shall provide for distribution to the taxing
districts and to the Illinois Department of Revenue of moneys not required,
pledged, earmarked, or otherwise designated for payment and securing of
the obligations and anticipated redevelopment project costs and such
excess funds shall be calculated annually and deemed to be "surplus"
funds. In the event a municipality only applies or pledges a portion of the
funds in the special tax allocation fund for the payment or securing of
anticipated redevelopment project costs or of obligations, any such funds
remaining in the special tax allocation fund after complying with the
requirements of the application or pledge, shall also be calculated annually
and deemed "surplus" funds. All surplus funds in the special tax allocation
fund shall be distributed annually within 180 days after the close of the
municipality's fiscal year by being paid by the municipal treasurer to the
County Collector, to the Department of Revenue and to the municipality in
direct proportion to the tax incremental revenue received as a result of an
increase in the equalized assessed value of property in the redevelopment
project area, tax incremental revenue received from the State and tax
incremental revenue received from the municipality, but not to exceed as
to each such source the total incremental revenue received from that
source. The County Collector shall thereafter make distribution to the
respective taxing districts in the same manner and proportion as the most
recent distribution by the county collector to the affected districts of real
property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality
may in addition to obligations secured by the special tax allocation fund
pledge for a period not greater than the term of the obligations towards
payment of such obligations any part or any combination of the following:
(a) net revenues of all or part of any redevelopment project; (b) taxes
levied and collected on any or all property in the municipality; (c) the full

New matter indicated by italics - deletions by strikeout.
faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day

New matter indicated by italics - deletions by strikeout.
period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

New matter indicated by italics - deletions by strikeout.
A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on

New matter indicated by italics - deletions by strikeout.
June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or

New matter indicated by italics - deletions by strikeout.
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) (OO) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) (OO) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) (PP) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) (OO) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) (OO) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park, and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

New matter indicated by italics - deletions by strikeout.
(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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


PUBLIC ACT 94-1093
(Senate Bill No. 0821)

AN ACT concerning local government.

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

Section 1. Short title. This Act may be cited as the Riverdale Development Authority Act.

Section 5. Purpose. The purpose of this Act is to facilitate and promote the redevelopment of vacant and underutilized brownfield property located adjacent to and between CSX's Barr Yard and IHB's Blue Island Yard, and to enhance the economic benefits generated by the former uses of the property with development that will attract new residences and businesses and create new and better housing and job opportunities within the area.

New matter indicated by italics - deletions by strikeout.
Section 10. Definitions. In this Act words and phrases have the meanings set forth in this Section.

"Authority" means the Riverdale Development Authority created by this Act.

"Board" means the Board of Directors of the Authority.

"Costs incurred in connection with the development, construction, acquisition, or improvement of a project" means: the cost of purchase and construction of all lands and related improvements, together with the equipment and other property, rights, easements, and franchises acquired that are deemed necessary for the construction; the costs of environmental suits, studies and analyses and subsequent clean-up activities necessary to qualify the area as needing no further remediation; financing charges; interest costs with respect to revenue bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 36 months thereafter; engineering and legal expenses; the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the project in operation.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its revenue bonds, notes, or other evidences of indebtedness for the development, construction, acquisition, or improvement of a project.

"Governmental agency" means any federal, State, county or local governmental body, and any agency or instrumentality thereof, corporate or otherwise.

"Lease agreement" means an agreement under which a project acquired by the Authority by purchase, gift, or lease is leased to any person or governmental agency that will use or cause the project to be used as a project upon terms providing for lease
rental payments at least sufficient to pay when due the lessee's pro rata share of all principal and interest and premium, if any, on any revenue bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority, and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with such other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement by which the Authority agrees to loan the proceeds of its revenue bonds, notes, or other evidences of indebtedness issued with respect to a project to any person or governmental agency that will use or cause the project to be used as a project upon terms providing for loan repayment installments at least sufficient to pay when due the borrower's pro rata share of all principal of and interest and premium, if any, on any revenue bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority, and providing for other matters as may be deemed advisable by the Authority.

"Person" includes without limitation an individual, corporation, partnership, unincorporated association, and any other legal entity, including a trustee, receiver, assignee, or personal representative of the entity.

"Project" means an industrial, commercial, freight-oriented or residential project or any combination thereof provided that all uses shall fall within one of those categories, including but not limited to one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or any land, buildings, machinery, or equipment comprising an addition to or renovation, rehabilitation, or improvement of any existing capital project. Any project shall automatically include all site improvements and new construction

New matter indicated by italics - deletions by strikeout.
involving sidewalks, sewers, landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking, and similar facilities, parking facilities, railroad roadbed, track, trestle, depot, terminal, intermodal facilities, switching and signaling equipment, or related equipment and other improvements necessary or convenient thereto, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment, and disposal facilities, open spaces, streets, highways, and runways.

"Revenue bond" or "bond" means any bond issued by the Authority under the supervision of the Illinois Finance Authority, the principal and interest of which are payable solely from revenues or income derived from any project or activity of the Authority.

"Terminal" means a public place, station, or depot for receiving and delivering passengers, baggage, mail, freight, or express matter and any combination thereof in connection with the transportation of persons and property on land.

"Terminal facilities" means all land, buildings, structures, improvements, equipment, and appliances useful in the operation of public warehouse, storage, and transportation facilities and industrial, manufacturing, or commercial activities for the accommodation of or in connection with commerce by land.

Section 15. Creation of Authority; Board members; officers.
(a) The Riverdale Development Authority is created as a political subdivision, body politic, and municipal corporation.
(b) The jurisdiction of the Authority shall extend over the approximately 1,200 acres (1.87 sq. miles), more or less, of largely industrial, commercial and residential property located between and adjacent to the CSX's Barr Yard and IHB's Blue Island Yard, exclusive of those yards and other rail lines and utility property, but including: the property generally bounded by I-57 on the west; east along Jackson Street and Indian Boundary Line to Halsted Avenue; south on Halsted to
Forestview Avenue continuing east to the Norfolk Southern Railway; north along the Norfolk Southern Railway to the Little Calumet River, east along the River to the northeastern tip of the peninsula crossing the River at the height of 130th Street to the Canadian National-Illinois Central Railroad property line continuing south along the rail line and crossing the River again; east along the River to Indiana Avenue; south to 136th Street; west on 136th Street to the Norfolk Southern Railway then northwest to the northern boundary of Mohawk Park at the height of Blue Island-Riverdale Road and thence west on Blue Island-Riverdale Road to the eastern edge of the Commonwealth Edison easement at the height of Stewart Avenue and then south on Stewart Avenue to 142nd Street; west on 142nd Street continuing along the southern boundary of the IHB Blue Island Yard following this boundary line west to I-57.

(c) The governing and administrative powers of the Authority shall be vested in its Board of Directors consisting of 5 members, 3 of whom shall be appointed by the Mayor of Riverdale and 2 of whom shall be appointed by the Governor. All persons appointed as members of the Board shall have recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, business management, real estate, community development, organized labor, or civic, community, or neighborhood organization.

(d) The terms of the 5 initial appointees to the Authority shall commence 30 days after the effective date of this Act. Of the 5 appointees initially appointed (i) one of Riverdale's appointees and one of the Governor's appointees shall be appointed to serve terms expiring on the third Monday in January, 2009; (ii) one of Riverdale's appointees shall be appointed to serve a term expiring on the third Monday in January, 2010; and (iii) one of Riverdale's appointees and 1 of the Governor's appointees shall be appointed to serve terms expiring on the third Monday in January, 2011. All successors shall be appointed by the original appointing authority and hold office for a term of 4 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies shall be filled for the
remainder of the term. Each member appointed to the Board shall serve until his or her successor is appointed and qualified.

(e) The Chairperson of the Board shall be elected by the Board annually from among its members.

(f) The appointing authority may remove any member of the Board in case of incompetency, neglect of duty, or malfeasance in office.

(g) Members of the Board shall serve without compensation for their services as members but may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(h) The Board may appoint an Executive Director who shall have a background in administration, planning, real estate, economic development, finance, or law. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the Board, and shall receive compensation fixed by the Board. The Executive Director shall attend all meetings of the Board; however, no action of the Board or the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Board may engage the services of such other agents and employees, including planners, attorneys, appraisers, engineers, accountants, credit analysts and other consultants, and may prescribe their duties and fix their compensation.

(i) The Board shall meet on the call of its Chairperson or upon written notice of 3 members of the Board.

(j) All official acts of the Authority shall require the affirmative vote of at least 3 of the members of the Board present and voting at a meeting of the Board.

Section 20. Responsibilities of the Authority. It is the duty of the Authority to promote development within its territorial jurisdiction. The Authority shall use the powers conferred on it by this Act to assist in the planning, development, acquisition, construction and marketing of

New matter indicated by italics - deletions by strikeout.
residential, industrial, commercial, or freight-oriented projects within its territorial jurisdiction.

(a) The Authority shall have the power to undertake joint planning for property within its territorial jurisdiction that identifies and addresses its development, transportation, transit, zoning, workforce, and environmental priorities and objectives.

(b) The Authority shall have the power to assemble and prepare parcels for development.

(c) The Authority shall have the power to oversee environmental studies and remediation necessary to identify and remove any hazards or toxins that impede development.

(d) The Authority shall have the power to develop, construct, and improve, either under its own direction or through collaboration with any approved applicant, or to acquire through purchase or otherwise any project, using for that purpose the proceeds derived from its sale of revenue bonds, notes, or other evidences of indebtedness or governmental loans or grants, and to hold title in the name of the Authority to those projects.

(e) The Authority shall have the power to market the Riverdale Development to prospective developers and businesses.

(f) The Authority shall make its best effort to annex parcels of unincorporated property that are subject to the jurisdiction of the Authority to a contiguous municipality named in subsection (c) of Section 15.

(g) The Authority shall maintain relations with local residents, industries, businesses, nonprofit organizations, elected and appointed officials, other government and private entities as well as any other interested parties in the course of achieving its objectives and exercising its powers.

Section 25. Powers. The Authority possesses all powers of a body corporate necessary and convenient to accomplish the purpose of this Act, including without limitation the following:

New matter indicated by italics - deletions by strikeout.
(a) to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;

(b) to sue and be sued;

(c) to employ agents and employees necessary to carry out its purposes;

(d) to have, use, and alter a common seal;

(e) to adopt all needful ordinances, resolutions, bylaws, rules, and regulations for the conduct of its business and affairs and for the management and use of the projects developed, constructed, acquired, and improved in furtherance of its purposes;

(f) to designate the fiscal year for the Authority;

(g) to accept and expend appropriations;

(h) to have and exercise all powers and be subject to all duties usually incident to boards of directors of corporations;

(i) to acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property from any person, the State of Illinois, any municipal corporation, any unit of local government, the government of the United States, any agency or instrumentality of the United States, any body politic, or any county, whether the property is improved for the purposes of any prospective project or unimproved, useful and necessary to fulfill the purposes of the Authority;

(j) to acquire title to any project with respect to which it exercises its authority;

(k) to engage in any activity or operation, including brownfield remediation, that is incidental to and in furtherance of efficient operation to accomplish the Authority's primary purpose;

(l) to acquire, own, construct, lease, operate, and maintain, within its corporate limits, terminals and terminal facilities and to fix and collect just, reasonable, and nondiscriminatory charges for the use of those facilities;

New matter indicated by italics - deletions by strikeout.
(m) to collect fees and charges in connection with its loans, commitments, and services;
(n) to use the charges and fees collected as authorized under paragraphs (l) and (m) of this Section to defray the reasonable expenses of the Authority and to pay the principal and interest of any revenue bonds issued by the Authority;
(o) to borrow money and issue revenue bonds, notes, or other evidences of indebtedness under the supervision of the Illinois Finance Authority, as set forth under Section 825-13 of the Illinois Finance Authority Act;
(p) to apply for and accept grants, loans or appropriations from the federal government; the State of Illinois, including the Illinois Environmental Protection Agency; and the Village of Riverdale;
(q) to accept donations, contributions, capital grants or gifts from individuals, associations and private corporations in aid of any purposes of this Act and to enter into agreements in connection therewith;
(r) to enter into intergovernmental agreements with the State of Illinois, the County of Cook, the Illinois Finance Authority, the United States government, any agency or instrumentality of the United States, any unit of local government located within the territory of the Authority, or any other unit of government to the extent allowed by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act;
(s) to petition any federal, State, municipal or local authority, and any unit of local government having jurisdiction in the premises for the adoption and execution of any physical improvement, change in method or system of handling freight, warehousing, docking, lightering, and transfer of freight which, in the opinion of the Authority, is designed to improve the handling of commerce in and through its territorial jurisdiction or improve terminal or transportation facilities therein;

New matter indicated by italics - deletions by strikeout.
(t) to enter into agreements with businesses, form public-private partnership entities and appropriate funds to such entities as needed to achieve the purpose of this Act; and

(u) to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois, and agencies or personnel of any unit of local government.

Section 30. Limitations. If any of the Authority's powers are exercised within the jurisdiction limits of any municipality, then all of the ordinances of that municipality remain in full force and effect and are controlling.

The Authority shall not issue any revenue bonds relating to the financing of a project located within the planning and subdivision control jurisdiction of any municipality or county unless: (1) notice, including a description of the proposed project and the financing therefor, is submitted to the corporate authorities of the municipality or, in the case of a proposed project in an unincorporated area, to the county board; and (2) the corporate authorities do not or, in the case of an unincorporated area, the county board does not, adopt a resolution disapproving the project within 45 days after receipt of the notice.

Section 35. Revenue Bonds.

(a) The Authority shall have the continuing power to issue revenue bonds, notes, or other evidences of indebtedness in an aggregate amount not to exceed $200,000,000 for the purpose of developing, constructing, acquiring, or improving projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority, for entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority, for acquiring and improving any property necessary and useful in connection therewith, and for the purposes of the Employee Ownership Assistance Act. The bonds must be issued under the supervision of the Illinois Finance Authority, as set forth under Section 825-13 of the Illinois Finance Authority Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time issue and dispose of its interest bearing

New matter indicated by italics - deletions by strikeout.
revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any revenue bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such revenue bonds, notes, or other evidences of indebtedness shall be payable solely from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes, including, when so provided by ordinance of the Authority authorizing the issuance of revenue bonds or notes. The revenue bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium as is stated on the face thereof, may be authenticated in such manner, and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any revenue bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of such revenue bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of any such revenue bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin such corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any such contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of the revenue bonds or premium, if any, as the same become due, a civil

New matter indicated by italics - deletions by strikeout.
action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the revenue bonds on which such default of payment exists or by an indenture trustee acting on behalf of such holders. Delivery of a summons and a copy of the complaint to the Chairperson of the Board shall constitute sufficient service to give the circuit court jurisdiction of the subject matter of such a suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any such revenue bonds, notes, or other evidences of indebtedness and in the absence of any express recital on the face of any such revenue bond, note, or other evidence of indebtedness that it is nonnegotiable, all such revenue bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any such revenue bonds, notes, or other evidences of indebtedness, temporary revenue bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such revenue bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance thereof and the issuance of any additional revenue bonds, notes, or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any such mortgage or trust agreement by the Authority may be by mandamus proceedings in the appropriate circuit court to compel the performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) The revenue bonds or notes shall be secured as provided in the authorizing ordinance which may, notwithstanding any other provision of this Act, include in addition to any other security a specific pledge or

New matter indicated by italics - deletions by strikeout.
assignment of and lien on or security interest in any or all revenues or money of the Authority from whatever source which may by law be used for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of such revenue bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the revenue bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such revenue bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of revenue bonds or notes issued pursuant to this Section.

(h) Under no circumstances shall any bonds issued by the Authority or any other obligation of the Authority be or become an indebtedness or obligation of the State of Illinois or of any other political subdivision of or municipality within the State, nor shall any such bond or obligation be or become an indebtedness of the Authority within the purview of any constitutional limitation or provision, and it shall be plainly stated on the face of each bond that it does not constitute such an indebtedness or obligation but is payable solely from the revenues or income as aforesaid.

(i) For the purpose of financing a project pursuant to this Act, the Authority shall be authorized to apply for an allocation of tax-exempt bond financing authorization provided by Section 11143 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, as well as financing available under any other federal law or program.

New matter indicated by italics - deletions by strikeout.
Section 40. Designation of depository. The Authority shall biennially designate a national or State bank or banks as depositories of its money. Those depositories shall be designated only within the State and upon condition that bonds approved as to form and surety by the Authority and at least equal in amount to the maximum sum expected to be on deposit at any one time shall be first given by the depositories to the Authority, those bonds to be conditioned for the safekeeping and prompt repayment of the deposits. When any of the funds of the Authority shall be deposited by the treasurer in any such depository, the treasurer and the sureties on his official bond shall, to that extent, be exempt from liability for the loss of any of the deposited funds by reason of the failure, bankruptcy, or any other act or default of the depository. However, the Authority may accept assignments of collateral by any depository of its funds to secure the deposits to the same extent and conditioned in the same manner as assignments of collateral are permitted by law to secure deposits of the funds of any city.

Section 45. Reports. The Authority shall, annually, submit a report of its finances to the Auditor General. The Authority shall, annually, submit a report of its activities to the Governor and to the General Assembly.

Section 50. Abolition of the Authority. The Authority is abolished upon the last to occur of the following: (1) the expiration of the 15-year period that begins on the effective date of this Act; or (2) one year after the date that all revenue bonds, notes, and other evidences of indebtedness of the Authority have been fully paid and discharged or otherwise provided for. Upon the abolition of the Authority, all of its rights and property shall pass to and be vested in the municipal government in which it is located.

Section 900. The Illinois Finance Authority Act is amended by adding Section 825-13 as follows:

(20 ILCS 3501/825-13 new)


New matter indicated by italics - deletions by strikeout.
(a) All bond issuances of the Riverdale Development Authority are subject to supervision, management, control, and approval of the Authority.

(b) All bonds issued by the Riverdale Development Authority under the supervision of the Authority are subject to the terms and conditions that are set forth in the Riverdale Development Authority Act.

(c) The bonds issued by the Riverdale Development Authority under the supervision of the Authority are not debts of the Authority or of the State.

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

Approved January 26, 2007

PUBLIC ACT 94-1094
(Senate Bill No. 2684)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 103-5 as follows:
(725 ILCS 5/103-5) (from Ch. 38, par. 103-5)
Sec. 103-5. Speedy trial.
(a) Every person in custody in this State for an alleged offense shall be tried by the court having jurisdiction within 120 days from the date he was taken into custody unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. Delay shall be considered to be agreed to by the defendant unless he or she objects to the delay by making a written

New matter indicated by italics - deletions by strikeout.
demand for trial or an oral demand for trial on the record. *The provisions of this subsection (a) do not apply to a person on bail or recognizance for an offense but who is in custody for a violation of his or her parole or mandatory supervised release for another offense.*

The 120-day term must be one continuous period of incarceration. In computing the 120-day term, separate periods of incarceration may not be combined. If a defendant is taken into custody a second (or subsequent) time for the same offense, the term will begin again at day zero.

(b) Every person on bail or recognizance shall be tried by the court having jurisdiction within 160 days from the date defendant demands trial unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. The defendant's failure to appear for any court date set by the court operates to waive the defendant's demand for trial made under this subsection.

For purposes of computing the 160 day period under this subsection (b), every person who was in custody for an alleged offense and demanded trial and is subsequently released on bail or recognizance and demands trial, shall be given credit for time spent in custody following the making of the demand while in custody. Any demand for trial made under this subsection (b) shall be in writing; and in the case of a defendant not in custody, the demand for trial shall include the date of any prior demand made under this provision while the defendant was in custody.

(c) If the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days. If the court determines that the State has exercised without success due diligence to obtain results of DNA testing that is material to the case and that there are reasonable grounds to believe that such results may be obtained at a later day, the court may

New matter indicated by italics - deletions by strikeout.
continue the cause on application of the State for not more than an additional 120 days.

(d) Every person not tried in accordance with subsections (a), (b) and (c) of this Section shall be discharged from custody or released from the obligations of his bail or recognizance.

(e) If a person is simultaneously in custody upon more than one charge pending against him in the same county, or simultaneously demands trial upon more than one charge pending against him in the same county, he shall be tried, or adjudged guilty after waiver of trial, upon at least one such charge before expiration relative to any of such pending charges of the period prescribed by subsections (a) and (b) of this Section. Such person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which judgment relative to the first charge thus prosecuted is rendered pursuant to the Unified Code of Corrections or, if such trial upon such first charge is terminated without judgment and there is no subsequent trial of, or adjudication of guilt after waiver of trial of, such first charge within a reasonable time, the person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which such trial is terminated; if either such period of 160 days expires without the commencement of trial of, or adjudication of guilt after waiver of trial of, any of such remaining charges thus pending, such charge or charges shall be dismissed and barred for want of prosecution unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness for trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal; provided, however, that if the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days.

(f) Delay occasioned by the defendant shall temporarily suspend for the time of the delay the period within which a person shall be tried as

New matter indicated by italics - deletions by strikeout.
prescribed by subsections (a), (b), or (e) of this Section and on the day of expiration of the delay the said period shall continue at the point at which it was suspended. Where such delay occurs within 21 days of the end of the period within which a person shall be tried as prescribed by subsections (a), (b), or (e) of this Section, the court may continue the cause on application of the State for not more than an additional 21 days beyond the period prescribed by subsections (a), (b), or (e). This subsection (f) shall become effective on, and apply to persons charged with alleged offenses committed on or after, March 1, 1977.

(Source: P.A. 90-705, eff. 1-1-99; 91-123, eff. 1-1-00.)

Section 10. The County Jail Act is amended by changing Section 5 as follows:

(730 ILCS 125/5) (from Ch. 75, par. 105)
Sec. 5. Costs of maintaining prisoners.
(a) Except as provided in subsections (b) and (c), all costs of maintaining persons committed for violations of Illinois law, shall be the responsibility of the county. Except as provided in subsection (b), all costs of maintaining persons committed under any ordinance or resolution of a unit of local government, including medical costs, is the responsibility of the unit of local government enacting the ordinance or resolution, and arresting the person.

(b) If a person who is serving a term of mandatory supervised release for a felony and has violated mandatory supervised release for that felony is incarcerated in a county jail pending the resolution of the violation of mandatory supervised release, the Illinois Department of Corrections shall pay the county in which that jail is located one-half of the cost of incarceration, as calculated by the Governor's Office of Management and Budget and the county's chief financial officer, for each day that the person remains in the county jail after notice of the incarceration is given to the Illinois Department of Corrections by the county, provided that (i) the Illinois Department of Corrections has issued a warrant for an alleged violation of mandatory supervised release by the person; (ii) if the person is incarcerated on a new charge, unrelated to the offense for which he or she is on mandatory supervised release, there has

New matter indicated by italics - deletions by strikeout.
been a court hearing at which bail has been set on the new charge; (iii) the county has notified the Illinois Department of Corrections that the person is incarcerated in the county jail, which notice shall not be given until the bail hearing has concluded, if the person is incarcerated on a new charge; and (iv) the person remains incarcerated in the county jail for more than 48 hours after the notice has been given to the Department of Corrections by the county. Calculation of the per diem cost shall be agreed upon prior to the passage of the annual State budget.

(c) If a person who is serving a term of mandatory supervised release is incarcerated in a county jail, following an arrest on a warrant issued by the Illinois Department of Corrections, solely for violation of a condition of mandatory supervised release and not on any new charges for a new offense, then the Illinois Department of Corrections shall pay the medical costs incurred by the county in securing treatment for that person, for any injury or condition other than one arising out of or in conjunction with the arrest of the person or resulting from the conduct of county personnel, while he or she remains in the county jail on the warrant issued by the Illinois Department of Corrections.

(Source: P.A. 94-678, eff. 1-1-06.)

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


PUBLIC ACT 94-1095
(House Bill No. 4977)

AN ACT concerning public utilities.

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

Section 5. The Public Utilities Act is amended by adding Article XX as follows:

(220 ILCS 5/Art. XX heading new)

New matter indicated by italics - deletions by strikeout.
ARTICLE XX. RETAIL ELECTRIC COMPETITION  
(220 ILCS 5/20-101 new)  
Sec. 20-101. This Article may be cited as the Retail Electric Competition Act of 2006.  
(220 ILCS 5/20-102 new)  
Sec. 20-102. Findings and intent.  
(a) A competitive wholesale electricity market alone will not deliver the full benefits of competition to Illinois consumers. For Illinois consumers to receive products, prices and terms tailored to meet their needs, a competitive wholesale electricity market must be closely linked to a competitive retail electric market.  
(b) To date, as a result of the Electric Service Customer Choice and Rate Relief Law of 1997, thousands of large Illinois commercial and industrial consumers have experienced the benefits of a competitive retail electricity market. Alternative electric retail suppliers actively compete to supply electricity to large Illinois commercial and industrial consumers with attractive prices, terms, and conditions.  
(c) A competitive retail electric market does not yet exist for residential and small commercial consumers. As a result, millions of residential and small commercial consumers in Illinois are faced with escalating heating and power bills and are unable to shop for alternatives to the rates demanded by the State’s incumbent electric utilities.  
(d) The General Assembly reiterates its findings from the Electric Service Customer Choice and Rate Relief Law of 1997 that the Illinois Commerce Commission should promote the development of an effectively competitive retail electricity market that operates efficiently and benefits all Illinois consumers.  
(220 ILCS 5/20-105 new)  
Sec. 20-105. Definitions. In this Article:  
"Director" means the Director of the Office of Retail Market Development.  
"Office" means the Office of Retail Market Development.  
(220 ILCS 5/20-110 new)  

New matter indicated by italics - deletions by strikeout.
Sec. 20-110. Office of Retail Market Development. Within 90 days after the effective date of this amendatory Act of the 94th General Assembly, subject to appropriation, the Commission shall establish an Office of Retail Market Development and employ on its staff a Director of Retail Market Development to oversee the Office. The Director shall have authority to employ or otherwise retain at least 2 professionals dedicated to the task of actively seeking out ways to promote retail competition in Illinois to benefit all Illinois consumers.

The Office shall actively seek input from all interested parties and shall develop a thorough understanding and critical analyses of the tools and techniques used to promote retail competition in other states.

The Office shall monitor existing competitive conditions in Illinois, identify barriers to retail competition for all customer classes, and actively explore and propose to the Commission and to the General Assembly solutions to overcome identified barriers. The Director may include municipal aggregation of customers and creating and designing customer choice programs as tools for retail market development. Solutions proposed by the Office to promote retail competition must also promote safe, reliable, and affordable electric service.

On or before June 30 of each year, the Director shall submit a report to the Commission, the General Assembly, and the Governor, that details specific accomplishments achieved by the Office in the prior 12 months in promoting retail electric competition and that suggests administrative and legislative action necessary to promote further improvements in retail electric competition.

(220 ILCS 5/20-120 new)

Sec. 20-120. Residential and small commercial retail electric competition. Within 12 months after the effective date of this amendatory Act of the 94th General Assembly, the Director shall conduct research, gather input from all interested parties and develop and present to the Commission, the General Assembly, and the Governor a detailed plan designed to promote, in the most expeditious manner possible, retail electric competition for residential and small commercial electricity consumers while maintaining safe, reliable, and affordable service.

New matter indicated by italics - deletions by strikeout.
Interested parties shall be given the opportunity to review the plan and provide written comments regarding the plan prior to its submission to the Commission, the General Assembly, and the Governor. Any written comments received by the Office shall be posted on the Commission's website. The final plan submitted to the Commission, the General Assembly, and the Governor must include summaries of any written comments and must also be posted on the Commission's website.

To the extent the plan calls for Commission action, the Commission shall initiate any proceeding or proceedings called for in the final plan within 60 days after receipt of the final plan and complete those proceedings within 11 months after their initiation.

Nothing in this Section shall prevent the Commission from acting earlier to remove identified barriers to retail electric competition for residential and small commercial consumers.

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

Approved February 2, 2007.
Clinton counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 14 members including, as ex officio members, the Director of the Department of Commerce and Economic Opportunity Community Affairs, or his or her designee, and the Director of the Department of Central Management Services, or his or her designee. The other 12 members of the Authority shall be designated "public members", 6 of whom shall be appointed by the Governor with the advice and consent of the Senate, 2 of whom shall be appointed by the county board chairman of Madison County, 2 of whom shall be appointed by the county board chairman of St. Clair County, one of whom shall be appointed by the county board chairman of Bond County, and one of whom shall be appointed by the county board chairman of Clinton County.

All public members shall reside within the territorial jurisdiction of this Act. Eight members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 4 members appointed by the county board chairmen.

(c) The terms of all members of the Authority shall begin 30 days after the effective date of this Act. Of the 8 public members appointed pursuant to this Act, 3 shall serve until the third Monday in January, 1988, 3 shall serve until the third Monday in January, 1989, and 2 shall serve until the third Monday in January, 1990. The public members initially appointed under this amendatory Act of the 94th General Assembly shall serve until the third Monday in January, 2008. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the

New matter indicated by italics - deletions by strikeout.
remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting members for appointment by the Governor. Non-voting members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. Non-voting members shall serve at the pleasure of the Board. All non-voting members may attend

New matter indicated by italics - deletions by strikeout.
meetings of the Board and shall be reimbursed as provided in subsection (c).

(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the city of East St. Louis and on the economic development of the riverfront within the territorial jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Act, shall serve at the pleasure of the Board and shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 93-602, eff. 11-18-03; revised 12-6-03.)

Sec. 5. All official acts of the Authority shall require the approval of at least 8 members. It shall be the duty of the Authority to promote development within the geographic confines of Madison, Bond, Clinton, and St. Clair counties. The Authority shall use the powers herein conferred upon it to assist in the development, construction and acquisition of industrial, commercial, housing or residential projects within Madison, Bond, Clinton, and St. Clair counties.

(Source: P.A. 85-591.)

Certified By The Governor February 2, 2007.
Effective June 1, 2007.

New matter indicated by italics - deletions by strikeout.
AN ACT concerning finance.

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

Section 5. The Local Government Professional Services Selection Act is amended by changing Section 5 as follows:

(50 ILCS 510/5) (from Ch. 85, par. 6405)

Sec. 5. Evaluation Selection Procedure. A political subdivision shall, unless it has a satisfactory relationship for services with one or more firms, evaluate the firms submitting letters of interest, taking into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness to meet time and budget requirements, location, workload of the firm, and such other qualifications-based factors as the political subdivision may determine in writing are applicable. The political subdivision may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. In no case shall a political subdivision, prior to selecting a firm for negotiation under Section 7, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation.

(Source: P.A. 85-854.)

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

Approved February 2, 2007.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 27-6 as follows:

(105 ILCS 5/27-6) (from Ch. 122, par. 27-6)

Sec. 27-6. Courses in physical education required; special activities.

(a) Pupils enrolled in the public schools and State universities engaged in preparing teachers shall be required to engage daily during the school day, except on block scheduled days for those public schools engaged in block scheduling, in courses of physical education for such periods as are compatible with the optimum growth and developmental needs of individuals at the various age levels except when appropriate excuses are submitted to the school by a pupil's parent or guardian or by a person licensed under the Medical Practice Act of 1987 and except as provided in subsection (b) of this Section.

Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act of 1987, prevents their participation in the courses provided for normal children.

(b) A school board is authorized to excuse pupils enrolled in grades 11 and 12 from engaging in physical education courses if those pupils request to be excused for any of the following reasons: (1) for ongoing participation in an interscholastic athletic program; (2) to enroll in academic classes which are required for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or (3) to enroll in academic classes which are required for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate. A school board may also excuse pupils in grades

New matter indicated by italics - deletions by strikeout.
9 through 12 enrolled in a marching band program for credit from engaging in physical education courses if those pupils request to be excused for ongoing participation in such marching band program. In addition, a pupil school board may excuse pupils in any of grades 3 through 12 who is eligible for special education may be excused if the pupil’s parent or guardian agrees that the pupil must utilize the time set aside for physical education to receive special education support and services or, if there is no agreement, the individualized education program team for the pupil determines that the pupil must utilize the time set aside for physical education to receive special education support and services, which agreement or determination must be made a part of the individualized education program. However, a pupil requiring adapted physical education must receive that service in accordance with the individualized education program developed for the pupil. A school board may also excuse pupils in grades 9 through 12 enrolled in a Reserve Officer's Training Corps (ROTC) program sponsored by the school district from engaging in physical education courses. School boards which choose to exercise this authority shall establish a policy to excuse pupils on an individual basis.

(c) The provisions of this Section are subject to the provisions of Section 27-22.05.

(Source: P.A. 94-189, eff. 7-12-05; 94-198, eff. 1-1-06; 94-200, eff. 7-12-05; revised 8-19-05.)

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

Passed in the General Assembly November 15, 2006
Approved February 2, 2007.

PUBLIC ACT 94-1099
(Senate Bill No. 2772)

AN ACT concerning business.

New matter indicated by italics - deletions by strikeout.
PUBLIC ACT 94-1099

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

Section 5. The Business Corporation Act of 1983 is amended by changing Section 2.35 as follows:

(805 ILCS 5/2.35) (from Ch. 32, par. 2.35)

Sec. 2.35. Meetings of the board of directors of a residential cooperative corporation containing 24 or more units shall be open to any residential shareholder, except for the portion of any meeting held (i) to discuss litigation when an action against or on behalf of the corporation has been filed and is pending in a court or administrative tribunal, or when the board of directors finds that such an action is probable or imminent, (ii) to consider information regarding appointment, employment or dismissal of an employee, or (iii) to discuss violations of rules and regulations of the corporation by a residential shareholder. Any residential shareholder may record by tape, film or other means the proceedings at such meetings or portions thereof required to be open by this Section. The board may prescribe reasonable rules and regulations to govern the right to make such recordings. Notice of such meetings shall be mailed or delivered at least 48 hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice pursuant to the articles of incorporation, bylaws, or other instrument before the meeting is convened. Copies of notices of meetings of the board of directors shall be posted in entranceways, elevators, or other conspicuous places in the residential cooperative at least 48 hours prior to the meeting of the board of directors. If there is no common entranceway for 7 or more apartments, the board of directors may designate one or more locations in the proximity of such units where the notices of meetings shall be posted. For purposes of this Section, "meeting of the board of directors" means any gathering of a quorum of the members of the board of directors of the residential cooperative held for the purpose of discussing business of the cooperative. The provisions of this Section shall apply to any residential cooperative containing 24 or more units situated in the State of Illinois regardless of where such cooperative may be incorporated.

(Source: P.A. 92-638, eff. 1-1-03.)

New matter indicated by italics - deletions by strikeout.
Section 10. The General Not For Profit Corporation Act of 1986 is amended by changing Section 108.21 as follows:

(805 ILCS 105/108.21) (from Ch. 32, par. 108.21)

Sec. 108.21. Meetings of the board of directors of a not-for-profit homeowners association or residential cooperative not-for-profit corporation containing 24 or more units shall be open to any member, except for the portion of any meeting held (i) to discuss litigation when an action against or on behalf of the corporation has been filed and is pending in a court or administrative tribunal, or when the board of directors finds that such an action is probable or imminent, (ii) to consider information regarding appointment, employment or dismissal of an employee, or (iii) to discuss violations of rules and regulations of the corporation by a residential shareholder. Any member may record by tape, film or other means the proceedings at such meetings or portions thereof required to be open by this Section. The board may prescribe reasonable rules and regulations to govern the right to make such recordings. Notice of such meetings shall be mailed or delivered at least 48 hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice pursuant to the articles of incorporation, bylaws, other instrument before the meeting is convened. Copies of notices of meetings of the board of directors shall be posted in entranceways, elevators, or other conspicuous places in the residential cooperative at least 48 hours prior to the meeting of the board of directors. If there is no common entranceway for 7 or more units apartments, the board of directors may designate one or more locations in the proximity of such units where the notices of meetings shall be posted. For purposes of this Section, "meeting of the board of directors" means any gathering of a quorum of the members of the board of directors of the residential cooperative held for the purpose of discussing business of the homeowners association or cooperative. The provisions of this Section shall apply to any homeowners association or residential cooperative containing 24 or more units situated in the State of Illinois regardless of where it such cooperative may be incorporated.

(Source: P.A. 91-465, eff. 8-6-99; 92-638, eff. 1-1-03.)

New matter indicated by italics - deletions by strikeout.
Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly November 15, 2006.
Approved February 2, 2007.

PUBLIC ACT 94-1100
(Senate Bill No. 2796)

AN ACT concerning education.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The School Code is amended by changing Sections 14-8.02, 14-8.02a, 14-8.02b, and 14-12.01 and by adding Sections 14-8.02c and 14-8.02d as follows:

(105 ILCS 5/14-8.02) (from Ch. 122, par. 14-8.02)
(a) The State Board of Education shall make rules under which local school boards shall determine the eligibility of children to receive special education. Such rules shall ensure that a free appropriate public education be available to all children with disabilities as defined in Section 14-1.02. The State Board of Education shall require local school districts to administer non-discriminatory procedures or tests to limited English proficiency students coming from homes in which a language other than English is used to determine their eligibility to receive special education. The placement of low English proficiency students in special education programs and facilities shall be made in accordance with the test results reflecting the student's linguistic, cultural and special education needs. For purposes of determining the eligibility of children the State Board of Education shall include in the rules definitions of "case study", "staff conference", "individualized educational program", and "qualified specialist" appropriate to each category of children with disabilities as defined in this Article. For purposes of determining the eligibility of children from homes in which a language other than English is used, the

New matter indicated by italics - deletions by strikeout.
State Board of Education, no later than September 1, 1993, shall include in the rules definitions for "qualified bilingual specialists" and "linguistically and culturally appropriate individualized educational programs". For purposes of this Section, as well as Sections 14-8.02a, 14-8.02b, and 14-8.02c of this Code, "parent" means a parent as defined in the federal Individuals with Disabilities Education Act (20 U.S.C. 1401(23)) includes a foster parent.

(b) No child shall be eligible for special education facilities except with a carefully completed case study fully reviewed by professional personnel in a multidisciplinary staff conference and only upon the recommendation of qualified specialists or a qualified bilingual specialist, if available. At the conclusion of the multidisciplinary staff conference, the parent or guardian of the child shall be given a copy of the multidisciplinary conference summary report and recommendations, which includes options considered, and be informed of their right to obtain an independent educational evaluation if they disagree with the evaluation findings conducted or obtained by the school district. If the school district's evaluation is shown to be inappropriate, the school district shall reimburse the parent for the cost of the independent evaluation. The State Board of Education shall, with advice from the State Advisory Council on Education of Children with Disabilities on the inclusion of specific independent educational evaluators, prepare a list of suggested independent educational evaluators. The State Board of Education shall include on the list clinical psychologists licensed pursuant to the Clinical Psychologist Licensing Act. Such psychologists shall not be paid fees in excess of the amount that would be received by a school psychologist for performing the same services. The State Board of Education shall supply school districts with such list and make the list available to parents at their request. School districts shall make the list available to parents at the time they are informed of their right to obtain an independent educational evaluation. However, the school district may initiate an impartial due process hearing under this Section within 5 days of any written parent or guardian request for an independent educational evaluation to show that its evaluation is appropriate. If the final decision is that the evaluation is

New matter indicated by italics - deletions by strikeout.
appropriate, the parent still has a right to an independent educational evaluation, but not at public expense. An independent educational evaluation at public expense must be completed within 30 days of a parent or guardian written request unless the school district initiates an impartial due process hearing or the parent or guardian or school district offers reasonable grounds to show that such 30 day time period should be extended. If the due process hearing decision indicates that the parent or guardian is entitled to an independent educational evaluation, it must be completed within 30 days of the decision unless the parent or guardian or the school district offers reasonable grounds to show that such 30 day period should be extended. If a parent disagrees with the summary report or recommendations of the multidisciplinary conference or the findings of any educational evaluation which results therefrom, the school district shall not proceed with a placement based upon such evaluation and the child shall remain in his or her regular classroom setting. No child shall be eligible for admission to a special class for the educable mentally disabled or for the trainable mentally disabled except with a psychological evaluation and recommendation by a school psychologist. Consent shall be obtained from the parent or guardian of a child before any evaluation is conducted. If consent is not given by the parent or guardian or if the parent or guardian disagrees with the findings of the evaluation, then the school district may initiate an impartial due process hearing under this Section. The school district may evaluate the child if that is the decision resulting from the impartial due process hearing and the decision is not appealed or if the decision is affirmed on appeal. The determination of eligibility shall be made and the IEP meeting shall be completed within 60 school days from the date of written parental consent referral by school authorities for evaluation by the district or date of application for admittance by the parent or guardian of the child. In those instances when written parental consent is obtained students are referred for evaluation with fewer than 60 pupil attendance days left in the school year, the eligibility determination shall be made and the IEP meeting shall be completed prior to the first day of the following school year. After a child has been determined to be eligible for a special education class, such child must be placed in the

New matter indicated by italics - deletions by strikeout.
appropriate program pursuant to the individualized educational program by or no later than the beginning of the next school semester. The appropriate program pursuant to the individualized educational program of students whose native tongue is a language other than English shall reflect the special education, cultural and linguistic needs. No later than September 1, 1993, the State Board of Education shall establish standards for the development, implementation and monitoring of appropriate bilingual special individualized educational programs. The State Board of Education shall further incorporate appropriate monitoring procedures to verify implementation of these standards. The district shall indicate to the parent or guardian and the State Board of Education the nature of the services the child will receive for the regular school term while waiting placement in the appropriate special education class.

If the child is deaf, hard of hearing, blind, or visually impaired and he or she might be eligible to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, the school district shall notify the parents or guardian, in writing, of the existence of these schools and the services they provide and shall make a reasonable effort to inform the parents or guardian of the existence of other, local schools that provide similar services and the services that these other schools provide. This notification shall include without limitation information on school services, school admissions criteria, and school contact information.

If the student may be eligible to participate in the Home-Based Support Services Program for Mentally Disabled Adults authorized under the Developmental Disability and Mental Disability Services Act upon becoming an adult, the student's individualized education program shall include plans for (i) determining the student's eligibility for those home-based services, (ii) enrolling the student in the program of home-based services, and (iii) developing a plan for the student's most effective use of the home-based services after the student becomes an adult and no longer receives special educational services under this Article. The plans developed under this paragraph shall include specific actions to be taken by specified individuals, agencies, or officials.

New matter indicated by italics - deletions by strikeout.
(c) In the development of the individualized education program for a student who is functionally blind, it shall be presumed that proficiency in Braille reading and writing is essential for the student's satisfactory educational progress. For purposes of this subsection, the State Board of Education shall determine the criteria for a student to be classified as functionally blind. Students who are not currently identified as functionally blind who are also entitled to Braille instruction include: (i) those whose vision loss is so severe that they are unable to read and write at a level comparable to their peers solely through the use of vision, and (ii) those who show evidence of progressive vision loss that may result in functional blindness. Each student who is functionally blind shall be entitled to Braille reading and writing instruction that is sufficient to enable the student to communicate with the same level of proficiency as other students of comparable ability. Instruction should be provided to the extent that the student is physically and cognitively able to use Braille. Braille instruction may be used in combination with other special education services appropriate to the student's educational needs. The assessment of each student who is functionally blind for the purpose of developing the student's individualized education program shall include documentation of the student's strengths and weaknesses in Braille skills. Each person assisting in the development of the individualized education program for a student who is functionally blind shall receive information describing the benefits of Braille instruction. The individualized education program for each student who is functionally blind shall specify the appropriate learning medium or media based on the assessment report.

(d) To the maximum extent appropriate, the placement shall provide the child with the opportunity to be educated with children who are not disabled; provided that children with disabilities who are recommended to be placed into regular education classrooms are provided with supplementary services to assist the children with disabilities to benefit from the regular classroom instruction and are included on the teacher's regular education class register. Subject to the limitation of the preceding sentence, placement in special classes, separate schools or other removal of the disabled child from the regular educational environment

New matter indicated by italics - deletions by strikeout.
shall occur only when the nature of the severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. The placement of limited English proficiency students with disabilities shall be in non-restrictive environments which provide for integration with non-disabled peers in bilingual classrooms. **Annually, each January by January 1993 and annually thereafter**, school districts shall report data on students from non-English speaking backgrounds receiving special education and related services in public and private facilities as prescribed in Section 2-3.30. If there is a disagreement between parties involved regarding the special education placement of any child, either in-state or out-of-state, the placement is subject to impartial due process procedures described in Article 10 of the Rules and Regulations to Govern the Administration and Operation of Special Education.

(e) No child who comes from a home in which a language other than English is the principal language used may be assigned to any class or program under this Article until he has been given, in the principal language used by the child and used in his home, tests reasonably related to his cultural environment. All testing and evaluation materials and procedures utilized for evaluation and placement shall not be linguistically, racially or culturally discriminatory.

(f) Nothing in this Article shall be construed to require any child to undergo any physical examination or medical treatment whose parents or guardian object thereto on the grounds that such examination or treatment conflicts with his religious beliefs.

(g) School boards or their designee shall provide to the parents or guardian of a child prior written notice of any decision (a) proposing to initiate or change, or (b) refusing to initiate or change, the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to their child, and the reasons therefor. Such written notification shall also inform the parent or guardian of the opportunity to present complaints with respect to any matter relating to the educational placement of the student, or the provision of a free appropriate public education and to have an impartial due process hearing on the

New matter indicated by italics - deletions by strikeout.
complaint. The notice shall inform the parents or guardian in the parents' or guardian's native language, unless it is clearly not feasible to do so, of their rights and all procedures available pursuant to this Act and the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) federal law 94-142; it shall be the responsibility of the State Superintendent to develop uniform notices setting forth the procedures available under this Act and the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) federal law 94-142 to be used by all school boards. The notice shall also inform the parents or guardian of the availability upon request of a list of free or low-cost legal and other relevant services available locally to assist parents or guardians in initiating an impartial due process hearing. Any parent or guardian who is deaf, or does not normally communicate using spoken English, who participates in a meeting with a representative of a local educational agency for the purposes of developing an individualized educational program shall be entitled to the services of an interpreter.

(h) (Blank). A Level I due process hearing, hereinafter referred as the hearing, shall be conducted upon the request of the parents or guardian or local school board by an impartial hearing officer appointed as follows: If the request is made through the local school district, within 5 school days of receipt of the request, the local school district shall forward the request to the State Superintendent. Within 5 days after receiving this request of hearing, the State Board of Education shall provide a list of 5 prospective, impartial hearing officers. The State Board of Education, by rule or regulation, shall establish criteria for determining which persons can be included on such a list of prospective hearing officers. No one on the list may be a resident of the school district. No more than 2 of the 5 prospective hearing officers shall be gainfully employed by or administratively connected with any school district, or any joint agreement or cooperative program in which school districts participate. In addition, no more than 2 of the 5 prospective hearing officers shall be gainfully employed by or administratively connected with private providers of special education services. The State Board of Education shall actively recruit applicants for hearing officer positions. The board and the parents

New matter indicated by italics - deletions by strikeout.
or guardian or their legal representatives within 5 days shall alternately strike one name from the list until only one name remains. The parents or guardian shall have the right to proceed first with the striking. The per diem allowance for the hearing officer shall be established and paid by the State Board of Education. The hearing shall be closed to the public except that the parents or guardian may require that the hearing be public. The hearing officer shall not be an employee of the school district, an employee in any joint agreement or cooperative program in which the district participates, or any other agency or organization that is directly involved in the diagnosis, education or care of the student or the State Board of Education. All impartial hearing officers shall be adequately trained in federal and state law, rules and regulations and case law regarding special education. The State Board of Education shall use resources from within and outside the agency for the purposes of conducting this training. The impartial hearing officer shall have the authority to require additional information or evidence where he or she deems it necessary to make a complete record and may order an independent evaluation of the child, the cost of said evaluation to be paid by the local school district. Such hearing shall not be considered adversary in nature, but shall be directed toward bringing out all facts necessary for the impartial hearing officer to render an informed decision. The State Board of Education shall, with the advice and approval of the Advisory Council on Education of Children with Disabilities, promulgate rules and regulations to establish the qualifications of the hearing officers and the rules and procedure for such hearings. The school district shall present evidence that the special education needs of the child have been appropriately identified and that the special education program and related services proposed to meet the needs of the child are adequate, appropriate and available. Any party to the hearing shall have the right to: (a) be represented by counsel and be accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities at the party's own expense; (b) present evidence and confront and cross-examine witnesses; (c) prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least
5 days before the hearing; (d) obtain a written or electronic verbatim record of the hearing; (e) obtain written findings of fact and a written decision. The student shall be allowed to attend the hearing unless the hearing officer finds that attendance is not in the child's best interest or detrimental to the child. The hearing officer shall specify in the findings the reasons for denying attendance by the student. The hearing officer, or the State Superintendent in connection with State level hearings, may subpoena and compel the attendance of witnesses and the production of evidence reasonably necessary to the resolution of the hearing. The subpoena may be issued upon request of any party. The State Board of Education and the school board shall share equally the costs of providing a written or electronic record of the proceedings. Such record shall be transcribed and transmitted to the State Superintendent no later than 10 days after receipt of notice of appeal. The hearing officer shall render a decision and shall submit a copy of the findings of fact and decision to the parent or guardian and to the local school board within 10 school days after the conclusion of the hearing. The hearing officer may continue the hearing in order to obtain additional information, and, at the conclusion of the hearing, shall issue a decision based on the record which specifies the special education and related services which shall be provided to the child in accordance with the child's needs. The hearing officer's decision shall be binding upon the local school board and the parent unless such decision is appealed pursuant to the provisions of this Section:

(i) (Blank). Any party aggrieved by the decision may appeal the hearing officer's decision to the State Board of Education and shall serve copies of the notice of such appeal on the State Superintendent and on all other parties. The review referred to in this Section shall be known as the Level II review. The State Board of Education shall provide a list of 5 prospective, impartial reviewing officers. No reviewing officer shall be an employee of the State Board of Education or gainfully employed by or administratively connected with the school district, joint agreement or cooperative program which is a party to this review. Each person on the list shall be accredited by a national arbitration organization. The per diem allowance for the review officers shall be paid by the State Board of

New matter indicated by italics - deletions by strikeout.
Education and may not exceed $250. All reviewing officers on the list provided by the State Board of Education shall be trained in federal and state law, rules and regulations and case law regarding special education. The State Board of Education shall use resources from within and outside the agency for the purposes of conducting this training. No one on the list may be a resident of the school district. The board and the parents or guardian or other legal representatives within 5 days shall alternately strike one name from the list until only one name remains. The parents or guardian shall have the right to proceed first with the striking. The reviewing officer so selected shall conduct an impartial review of the Level I hearing and may issue subpoenas requiring the attendance of witnesses at such review. The parties to the appeal shall be afforded the opportunity to present oral argument and additional evidence at the review. Upon completion of the review the reviewing officer shall render a decision and shall provide a copy of the decision to all parties:

(j) (Blank). No later than 30 days after receipt of notice of appeal, a final decision shall be reached and a copy mailed to each of the parties. A reviewing officer may grant specific extensions of time beyond the 30-day deadline at the request of either party. If a Level II hearing is convened the final decision of a Level II hearing officer shall occur no more than 30 days following receipt of a notice of appeal, unless an extension of time is granted by the hearing officer at the request of either party. The State Board of Education shall establish rules and regulations delineating the standards to be used in determining whether the reviewing officer shall grant such extensions. Each hearing and each review involving oral argument must be conducted at a time and place which are reasonably convenient to the parents and the child involved:

(k) (Blank). Any party aggrieved by the decision of the reviewing officer, including the parent or guardian, shall have the right to bring a civil action with respect to the complaint presented pursuant to this Section, which action may be brought in any circuit court of competent jurisdiction within 120 days after a copy of the decision is mailed to the party as provided in subsection (j). The civil action provided above shall not be exclusive of any rights or causes of action otherwise available. The
commencement of a civil action under subsection (k) of this Section shall operate as a supersedeas. In any action brought under this Section the court shall receive the records of the administrative proceedings, shall hear additional evidence at the request of a party, and basing its decision on the preponderance of the evidence shall grant such relief as the court determines is appropriate. In any instance where a school district willfully disregards applicable regulations or statutes regarding a child covered by this Article, and which disregard has been detrimental to the child, the school district shall be liable for any reasonable attorney's fees incurred by the parent or guardian in connection with proceedings under this Section:

(l) (Blank). During the pendency of any proceedings conducted pursuant to this Section, unless the State Superintendent of Education, or the school district and the parents or guardian otherwise agree, the student shall remain in the then current educational placement of such student, or if applying for initial admission to the school district, shall, with the consent of the parents or guardian, be placed in the school district program until all such proceedings have been completed. The costs for any special education and related services or placement incurred following 60 school days after the initial request for evaluation shall be borne by the school district if such services or placement are in accordance with the final determination as to the special education and related services or placement which must be provided to the child, provided however that in said 60 day period there have been no delays caused by the child's parent or guardian.

(m) (Blank). Whenever (i) the parents or guardian of a child of the type described in Section 14-1.02 are not known or are unavailable or (ii) the child is a ward of the State residing in a residential facility, a person shall be assigned to serve as surrogate parent for the child in matters relating to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child. Surrogate parents shall be assigned by the State Superintendent of Education. The State Board of Education shall promulgate rules and regulations establishing qualifications of such persons and their responsibilities and the procedures to be followed in making such assignments. Such surrogate parents shall not be employees of the school.

New matter indicated by italics - deletions by strikeout.
district, an agency created by joint agreement under Section 10-22.31, an agency involved in the education or care of the student, or the State Board of Education. For a child who is a ward of the State residing in a residential facility, the surrogate parent may be an employee of a nonpublic agency that provides only non-educational care. Services of any person assigned as surrogate parent shall terminate if the parent or guardian becomes available unless otherwise requested by the parents or guardian. The assignment of a person as surrogate parent at no time supersedes, terminates, or suspends the parents’ or guardian’s legal authority relative to the child. Any person participating in good faith as surrogate parent on behalf of the child before school officials or a hearing officer shall have immunity from civil or criminal liability that otherwise might result by reason of such participation, except in cases of willful and wanton misconduct.

(n) (Blank). At all stages of the hearing the hearing officer shall require that interpreters be made available by the local school district for persons who are deaf or for persons whose normally spoken language is other than English.

(o) (Blank). Whenever a person refuses to comply with any subpoena issued under this Section, the circuit court of the county in which such hearing is pending, on application of the State Superintendent of Education or the party who requested issuance of the subpoena may compel obedience by attachment proceedings as for contempt, as in a case of disobedience of the requirements of a subpoena from such court for refusal to testify therein.

(Source: P.A. 93-282, eff. 7-22-03; 94-376, eff. 7-29-05.)

(105 ILCS 5/14-8.02a)
Sec. 14-8.02a. Impartial due process hearing; civil action.

(a) This Section (rather than the impartial due process procedures of subsections (h) through (o) of Section 14-8.02, which shall continue to apply only to those impartial due process hearings that are requested under this Article before July 1, 1997) shall apply to all impartial due process hearings requested on or after July 1, 2005. 1997. Impartial due process

New matter indicated by italics - deletions by strikeout.
hearings requested before July 1, 2005 shall be governed by the rules described in Public Act 89-652.

(a-5) For purposes of this Section and Section 14-8.02b of this Code, days shall be computed in accordance with Section 1.11 of the Statute on Statutes.

(b) The State Board of Education shall establish an impartial due process hearing system, including a corps of hearing officers, in accordance with this Section and may shall, with the advice and approval of the Advisory Council on Education of Children with Disabilities, promulgate rules and regulations consistent with this Section to establish the qualifications of hearing officers and the rules and procedures for due process hearings. The State Board of Education shall recruit candidates for due process hearing officers who meet the criteria set forth in this Section. Candidates shall be screened by a 7-member Screening Committee consisting of the following: the Attorney General, or his or her designee; the State Superintendent of Education, or his or her designee; 3 members appointed by the State Superintendent of Education, one of whom shall be a parent of a student eligible for special education, another of whom shall be a director of special education for an Illinois school district or special education joint agreement, and the other of whom shall be an adult with a disability; and 2 members appointed by the Attorney General, one of whom shall be a parent of a student eligible for special education and the other of whom shall be an experienced special education hearing officer who is not a candidate for appointment under this Section. The members of the Screening Committee shall be appointed no later than 60 days following the effective date of this amendatory Act of 1996. The chairperson of the Advisory Council on Education of Children with Disabilities or his or her designee shall serve on the Screening Committee as an ex-officio non-voting member. Three members of the Screening Committee shall be appointed for initial terms of 2 years, and 4 members shall be appointed for initial terms of 3 years, by using a lottery system. Subsequent appointments and reappointments shall be for terms for 3 years. The Screening Committee shall elect a chairperson from among its voting members. Members of the Screening Committee shall serve

New matter indicated by italics - deletions by strikeout.
without compensation but shall be reimbursed by the State Board of Education for their expenses. The Screening Committee shall review applications and supporting information, interview candidates, and recommend applicants to the Advisory Council on Education of Children with Disabilities based upon objective criteria it develops and makes available to the public. The number of candidates recommended shall equal 150% of the number deemed necessary by the State Board of Education.

(c) (Blank). The application process shall require each applicant to provide a comprehensive disclosure of his or her professional background and work experience. Applicants must hold at least a masters level degree, a juris doctor degree, or a bachelors degree with relevant experience. Current employees of the State Board of Education, local school districts, special education cooperatives, regional service areas or centers, regional educational cooperatives, state-operated elementary and secondary schools, or private providers of special education facilities or programs shall be disqualified from serving as impartial due process hearing officers. Nothing in this Section shall be construed to prohibit retired school personnel and part-time contractual school personnel who serve in a consulting capacity from serving as hearing officers. Applications by individuals on the State Board of Education’s list of eligible Level I due process hearing officers or Level II review officers when the initial recruitment of due process hearing officers is conducted under this Section shall be considered if they meet the qualifications under this subsection.

(d) (Blank). The State Board of Education shall, through a competitive application process, enter into a contract with an outside entity to establish and conduct mandatory training programs for impartial due process hearing officers and an annual evaluation of each impartial due process hearing officer that shall include a written evaluation report. The invitation for applications shall set forth minimum qualifications for eligible applicants. Each contract under this subsection may be renewed on an annual basis subject to appropriations. The State Board of Education shall conduct a new competitive application process at least once every 3 years after the initial contract is granted. The Screening Committee

New matter indicated by italics - deletions by strikeout.
established pursuant to subsection (b) of this Section shall review the training proposals and forward them, with recommendations in rank order, to the State Board of Education. All impartial hearing officer candidates recommended to the Advisory Council on Education of Children with Disabilities shall successfully complete initial and all follow-up trainings, as established by the contract between the State Board of Education and the training entity, in order to be eligible to serve as an impartial due process hearing officer. The training curriculum shall include, at a minimum, instruction in federal and State law, rules, and regulations, federal regulatory interpretations and court decisions regarding special education and relevant general education issues, diagnostic procedures, information about disabilities, and techniques for conducting effective and impartial hearings, including order of presentation. The training shall be conducted in an unbiased manner by education and legal experts, including qualified individuals from outside the public education system. Upon the completion of initial impartial due process hearing officer training, the Advisory Council on Education of Children with Disabilities, applying objective selection criteria it has developed and made available to the public, shall go into executive session and select the number of active impartial due process hearing officers deemed necessary by the State Board of Education from those candidates who have successfully completed the initial training. Fifty percent of the impartial due process hearing officers appointed shall serve initial terms of 2 years, and the remaining 50% shall serve initial terms of one year, such terms to be determined by using a lottery system. After the initial term all reappointments shall be for a term of 2 years. The Screening Committee, based on its objective selection criteria and the annual evaluation reports prepared by the training entity, shall recommend whether the hearing officers whose terms are expiring should be reappointed and shall transmit its recommendations to the State Board of Education. If, at any time, the State Board of Education, with the advice of the Advisory Council on Education of Children with Disabilities, determines that additional hearing officers are needed, the hearing officer selection process described in this
Section shall be reopened to select the number of additional hearing officers deemed necessary by the State Board of Education:

Impartial due process hearing officers shall receive a base annual stipend and per diem allowance for each hearing at a rate established by the State Board of Education:

The State Board of Education shall provide impartial due process hearing officers with access to relevant court decisions, impartial hearing officer decisions with child-specific identifying information deleted, statutory and regulatory changes, and federal regulatory interpretations. The State Board of Education shall index and maintain a reporting system of impartial due process hearing decisions and shall make such decisions available for review by the public after deleting child-specific identifying information:

(e) (Blank). An impartial due process hearing officer shall be terminated by the State Board of Education for just cause if, after written notice is provided, appropriate timely corrective action is not taken. For purposes of this subsection just cause shall be (1) failure or refusal to accept assigned cases without good cause; (2) failure or refusal to fulfill duties as a hearing officer in a timely manner; (3) consistent disregard for applicable laws and regulations in the conduct of hearings; (4) consistent failure to conduct himself or herself in a patient, dignified, and courteous manner to parties, witnesses, counsel, and other participants in hearings; (5) failure to accord parties or their representatives a full and fair opportunity to be heard in matters coming before him or her; (6) violating applicable laws regarding privacy and confidentiality of records or information; (7) manifesting, by words or conduct, bias or prejudice based upon race, sex, religion, disability, or national origin; (8) failure to recuse himself or herself from a hearing in which he or she has a personal, professional, or financial conflict of interest which he or she knew or should have known existed at any time prior to or during the hearing; (9) conviction in any jurisdiction of any felony or of a misdemeanor involving moral turpitude; and (10) falsification of a material fact on his or her application to serve as a due process hearing officer. In addition, an impartial hearing officer who, as a result of events occurring after

New matter indicated by italics - deletions by strikeout.
appointment, no longer meets the minimum requirements set forth in this Section, shall be disqualified to complete the balance of his or her contract term:

The State Board of Education shall monitor, review, and evaluate the impartial due process hearing system on a regular basis by a process that includes a review of written decisions and evaluations by participants in impartial due process hearings and their representatives. The State Board of Education shall prepare an annual written report no later than July 1 of each year, beginning in 1998, evaluating the impartial due process hearing system. The reports shall be submitted to the members of the State Board of Education, the State Superintendent of Education, the Advisory Council on Education of Children with Disabilities, and the Screening Committee and shall be made available to the public.

The training entity under subsection (d) shall conduct annual evaluations of each hearing officer and shall prepare written evaluation reports to be provided to the Screening Committee for its consideration in the reappointment process. The evaluation process shall include a review of written decisions and evaluations by participants in impartial due process hearings and their representatives. Each hearing officer shall be provided with a copy of his or her evaluation report and shall have an opportunity to review the report with the training entity and submit written comments.

(f) An impartial due process hearing shall be convened upon the request of a parent or guardian, student if at least 18 years of age or emancipated, or a school district. A school district shall make a request in writing to the State Board of Education and promptly mail a copy of the request to the parents or guardian of the student (if at least 18 years of age or emancipated) at the parent's or student's last known address. A request made by the parent or student shall be made in writing to the superintendent of the school district where the student resides. The superintendent shall forward the request to the State Board of Education within 5 days after receipt of the request. The request shall be filed no more than 2 years following the date the person or school district knew or

New matter indicated by italics - deletions by strikeout.
should have known of the event or events forming the basis for the request. The request shall, at a minimum, contain all of the following:

(1) The name of the student, the address of the student's residence, and the name of the school the student is attending.

(2) In the case of homeless children (as defined under the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), available contact information for the student and the name of the school the student is attending.

(3) A description of the nature of the problem relating to the actual or proposed placement, identification, services, or evaluation of the student, including facts relating to the problem.

(4) A proposed resolution of the problem to the extent known and available to the party at the time.

A request made by the parent, guardian, or student shall be made in writing to the superintendent of the school district in which the student resides, who shall forward the request to the State Board of Education within 5 days of receipt of the request.

(f-5) Within 5 days after receipt of the hearing request, the State Board of Education shall appoint a due process hearing officer using a rotating appointment system and shall notify the hearing officer of his or her appointment.

For a school district other than a school district located in a municipality having a population exceeding 500,000, a hearing officer who is a current resident of the school district, special education cooperative, or other public entity involved in the hearing shall recuse himself or herself. A hearing officer who is a former employee of the school district, special education cooperative, or other public entity involved in the hearing shall immediately disclose the former employment to the parties and shall recuse himself or herself, unless the parties otherwise agree in writing. No person who is an employee of a school district that is involved in the education or care of the student shall conduct the hearing. A hearing officer having a personal or professional interest that may conflict with his or her objectivity in the hearing shall disclose the conflict to the parties and shall recuse himself or herself

New matter indicated by italics - deletions by strikeout.
unless the parties otherwise agree in writing to notify the State Board of Education and shall be replaced by the next scheduled impartial due process hearing officer under the rotation system. For purposes of this subsection an assigned hearing officer shall be considered to have a conflict of interest if, at any time prior to the issuance of his or her written decision, he or she knows or should know that he or she may receive remuneration from a party to the hearing within 3 years following the conclusion of the due process hearing.

A party to a due process hearing shall be permitted one substitution of hearing officer as a matter of right, in accordance with procedures established by the rules adopted by the State Board of Education under this Section. The State Board of Education shall randomly select and appoint another hearing officer within 35 days after receiving notice that the appointed hearing officer is ineligible to serve or upon receiving a proper request for substitution of hearing officer. If a party withdraws its request for a due process hearing after a hearing officer has been appointed, that hearing officer shall retain jurisdiction over a subsequent hearing that involves the same parties and is requested within one year from the date of withdrawal of the previous request, unless that hearing officer is unavailable.

A former employee or current resident of the school district, special education cooperative, or other public entity involved in the due process hearing shall recuse himself or herself. A hearing officer shall disclose any actual or potential conflicts of interests to the parties upon learning of those conflicts. Any party may raise facts that constitute a conflict of interest for the hearing officer at any time before or during the hearing and may move for recusal.

For purposes of this Section, "days" shall be computed in accordance with Section 1.11 of the Statute on Statutes.

(g) Impartial due process hearings shall be conducted pursuant to this Section and any rules and regulations promulgated by the State Board of Education consistent with this Section and other governing laws and regulations. The hearing shall address only those issues properly raised in the hearing request under subsection (f) of this Section or, if applicable, in

New matter indicated by italics - deletions by strikeout.
the amended hearing request under subsection (g-15) of this Section. The hearing shall be closed to the public unless the parents or guardian request that the hearing be open to the public. The parents or guardian involved in the hearing shall have the right to have the student who is the subject of the hearing present. The hearing shall be held at a time and place which are reasonably convenient to the parties involved. Upon the request of a party, the hearing officer shall hold the hearing at a location neutral to the parties if the hearing officer determines that there is no cost for securing the use of the neutral location. Once appointed, the impartial due process hearing officer shall not communicate with the State Board of Education or its employees concerning the hearing, except that, where circumstances require, communications for administrative purposes that do not deal with substantive or procedural matters or issues on the merits are authorized, provided that the hearing officer promptly notifies all parties of the substance of the communication as a matter of record.

(g-5) Unless the school district has previously provided prior written notice to the parent or student (if at least 18 years of age or emancipated) regarding the subject matter of the hearing request, the school district shall, within 10 days after receiving a hearing request initiated by a parent or student (if at least 18 years of age or emancipated), provide a written response to the request that shall include all of the following:

(1) An explanation of why the school district proposed or refused to take the action or actions described in the hearing request.

(2) A description of other options the IEP team considered and the reasons why those options were rejected.

(3) A description of each evaluation procedure, assessment, record, report, or other evidence the school district used as the basis for the proposed or refused action or actions.

(4) A description of the factors that are or were relevant to the school district’s proposed or refused action or actions.

(g-10) When the hearing request has been initiated by a school district, within 10 days after receiving the request, the parent or student (if

New matter indicated by italics - deletions by strikeout.
at least 18 years of age or emancipated) shall provide the school district with a response that specifically addresses the issues raised in the school district’s hearing request. The parent’s or student’s response shall be provided in writing, unless he or she is illiterate or has a disability that prevents him or her from providing a written response. The parent’s or student’s response may be provided in his or her native language, if other than English. In the event that illiteracy or another disabling condition prevents the parent or student from providing a written response, the school district shall assist the parent or student in providing the written response.

(g-15) Within 15 days after receiving notice of the hearing request, the non-requesting party may challenge the sufficiency of the request by submitting its challenge in writing to the hearing officer. Within 5 days after receiving the challenge to the sufficiency of the request, the hearing officer shall issue a determination of the challenge in writing to the parties. In the event that the hearing officer upholds the challenge, the party who requested the hearing may, with the consent of the non-requesting party or hearing officer, file an amended request. Amendments are permissible for the purpose of raising issues beyond those in the initial hearing request. In addition, the party who requested the hearing may amend the request once as a matter of right by filing the amended request within 5 days after filing the initial request. An amended request, other than an amended request as a matter of right, shall be filed by the date determined by the hearing officer, but in no event any later than 5 days prior to the date of the hearing. If an amended request, other than an amended request as a matter of right, raises issues that were not part of the initial request, the applicable timeline for a hearing, including the timeline under subsection (g-20) of this Section, shall recommence.

(g-20) Within 15 days after receiving a request for a hearing from a parent or student (if at least 18 years of age or emancipated) or, in the event that the school district requests a hearing, within 15 days after initiating the request, the school district shall convene a resolution meeting with the parent and relevant members of the IEP team who have specific knowledge of the facts contained in the request for the purpose of
resolving the problem that resulted in the request. The resolution meeting shall include a representative of the school district who has decision-making authority on behalf of the school district. Unless the parent is accompanied by an attorney at the resolution meeting, the school district may not include an attorney representing the school district.

The resolution meeting may not be waived unless agreed to in writing by the school district and the parent or student (if at least 18 years of age or emancipated) or the parent or student (if at least 18 years of age or emancipated) and the school district agree in writing to utilize mediation in place of the resolution meeting. If either party fails to cooperate in the scheduling or convening of the resolution meeting, the hearing officer may order an extension of the timeline for completion of the resolution meeting or, upon the motion of a party and at least 7 days after ordering the non-cooperating party to cooperate, order the dismissal of the hearing request or the granting of all relief set forth in the request, as appropriate.

In the event that the school district and the parent or student (if at least 18 years of age or emancipated) agree to a resolution of the problem that resulted in the hearing request, the terms of the resolution shall be committed to writing and signed by the parent or student (if at least 18 years of age or emancipated) and the representative of the school district with decision-making authority. The agreement shall be legally binding and shall be enforceable in any State or federal court of competent jurisdiction. In the event that the parties utilize the resolution meeting process, the process shall continue until no later than the 30th day following the receipt of the hearing request by the non-requesting party (or as properly extended by order of the hearing officer) to resolve the issues underlying the request, at which time the timeline for completion of the impartial due process hearing shall commence. The State Board of Education may, by rule, establish additional procedures for the conduct of resolution meetings.

(g-25) If mutually agreed to in writing, the parties to a hearing request may request State-sponsored mediation as a substitute for the resolution process described in subsection (g-20) of this Section or may

New matter indicated by italics - deletions by strikeout.
utilize mediation at the close of the resolution process if all issues underlying the hearing request have not been resolved through the resolution process.

(g-30) If mutually agreed to in writing, the parties to a hearing request may waive the resolution process described in subsection (g-20) of this Section. Upon signing a written agreement to waive the resolution process, the parties shall be required to forward the written waiver to the hearing officer appointed to the case within 2 business days following the signing of the waiver by the parties. The timeline for the impartial due process hearing shall commence on the date of the signing of the waiver by the parties.

(g-35) The timeline for completing the impartial due process hearing, as set forth in subsection (h) of this Section, shall be initiated upon the occurrence of any one of the following events:

1. The unsuccessful completion of the resolution process as described in subsection (g-20) of this Section.
2. The mutual agreement of the parties to waive the resolution process as described in subsection (g-25) or (g-30) of this Section.

(g-40) The hearing officer shall convene a prehearing conference no later than 14 days before the scheduled date for the due process hearing for the general purpose of aiding in the fair, orderly, and expeditious conduct of the hearing. The hearing officer shall provide the parties with written notice of the prehearing conference at least 7 days in advance of the conference. The written notice shall require the parties to notify the hearing officer by a date certain whether they intend to participate in the prehearing conference. The hearing officer may conduct the prehearing conference in person or by telephone. Each party shall disclose at the prehearing conference (1) disclose whether it is represented by legal counsel or intends to retain legal counsel; (2) clarify the matters it believes to be in dispute in the case and the specific relief being sought; (3) disclose whether there are any additional evaluations for the student that it intends to introduce into the hearing record that have not been previously disclosed to the other parties; (4) disclose a list of all documents it intends

New matter indicated by italics - deletions by strikeout.
to introduce into the hearing record, including the date and a brief
description of each document; and (5) disclose the names of all witnesses
it intends to call to testify at the hearing. The hearing officer shall specify
the order of presentation to be used at the hearing. If the prehearing
conference is held by telephone, the parties shall transmit the information
required in this paragraph in such a manner that it is available to all parties
at the time of the prehearing conference. The State Board of Education
may shall, by rule, establish additional procedures for the conduct of
prehearing conferences.

(g-45) The impartial due process hearing officer shall not initiate or
participate in any ex parte communications with the parties, except to
arrange the date, time, and location of the prehearing conference, and due
process hearing, or other status conferences convened at the discretion of
the hearing officer and to receive confirmation of whether a party intends
to participate in the prehearing conference.

(g-50) The parties shall disclose and provide to each other any
evidence which they intend to submit into the hearing record no later than
5 days before the hearing. Any party to a hearing has the right to prohibit
the introduction of any evidence at the hearing that has not been disclosed
to that party at least 5 days before the hearing. The party requesting a
hearing shall not be permitted at the hearing to raise issues that were not
raised in the party's initial or amended request, unless otherwise
permitted in this Section.

(g-55) All reasonable efforts must be made by the parties to
present their respective cases at the hearing within a cumulative period of
7 days. When scheduling hearing dates, the hearing officer shall schedule
the final day of the hearing no more than 30 calendar days after the first
day of the hearing unless good cause is shown. This subsection (g-55)
shall not be applied in a manner that (i) denies any party to the hearing a
fair and reasonable allocation of time and opportunity to present its case
in its entirety or (ii) deprives any party to the hearing of the safeguards
accorded under the federal Individuals with Disabilities Education
Improvement Act of 2004 (Public Law 108-446), regulations promulgated
under the Individuals with Disabilities Education Improvement Act of

New matter indicated by italics - deletions by strikeout.
2004, or any other applicable law. The school district shall present evidence that the special education needs of the child have been appropriately identified and that the special education program and related services proposed to meet the needs of the child are adequate, appropriate, and available. Any party to the hearing shall have the right to (1) be represented by counsel and be accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities, at the party's own expense; (2) present evidence and confront and cross-examine witnesses; (3) move for the exclusion of witnesses from the hearing until they are called to testify, provided, however, that this provision may not be invoked to exclude the individual designated by a party to assist that party or its representative in the presentation of the case; (4) obtain a written or electronic verbatim record of the proceedings within 30 days of receipt of a written request from the parents by the school district; and (5) obtain a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing. If at issue, the school district shall present evidence that it has properly identified and evaluated the nature and severity of the student's suspected or identified disability and that, if the student has been or should have been determined eligible for special education and related services, that it is providing or has offered a free appropriate public education to the student in the least restrictive environment, consistent with procedural safeguards and in accordance with an individualized educational program. At any time prior to the conclusion of the hearing, the impartial due process hearing officer shall have the authority to require additional information and order independent evaluations for the student at the expense of the school district. The State Board of Education and the school district shall share equally the costs of providing a written or electronic verbatim record of the proceedings. Any party may request that the due process hearing officer issue a subpoena to compel the testimony of witnesses or the production of documents relevant to the resolution of the hearing. Whenever a person refuses to comply with any subpoena issued under this Section, the circuit court of the county in which that hearing is pending, on application of the impartial hearing officer or the

New matter indicated by italics - deletions by strikeout.
party requesting the issuance of the subpoena, may compel compliance through the contempt powers of the court in the same manner as if the requirements of a subpoena issued by the court had been disobeyed.

(h) The impartial hearing officer shall issue a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing and send by certified mail a copy of the decision to the parents, guardian, or student (if the student requests the hearing), the school district, the director of special education, legal representatives of the parties, and the State Board of Education. Unless the hearing officer has granted specific extensions of time at the request of a party, a final decision, including the clarification of a decision requested under this subsection, shall be reached and mailed to the parties named above not later than 45 days after the initiation of the timeline for conducting the hearing, as described in subsection (g-35) of this Section request for hearing is received by the school district, public agency, or the State Board of Education, whichever is sooner. The decision shall specify the educational and related services that shall be provided to the student in accordance with the student's needs and the timeline for which the school district shall submit evidence to the State Board of Education to demonstrate compliance with the hearing officer's decision in the event that the decision orders the school district to undertake corrective action. The hearing officer shall retain jurisdiction for the sole purpose of considering a request for clarification of the final decision submitted in writing by a party to the impartial hearing officer within 5 days after receipt of the decision. A copy of the request for clarification shall specify the portions of the decision for which clarification is sought and shall be mailed to all parties of record and to the State Board of Education. The request shall operate to stay implementation of those portions of the decision for which clarification is sought, pending action on the request by the hearing officer, unless the parties otherwise agree. The hearing officer shall issue a clarification of the specified portion of the decision or issue a partial or full denial of the request in writing within 10 days of receipt of the request and mail copies to all parties to whom the decision was mailed. This subsection does not permit a party to request, or authorize a hearing

New matter indicated by italics - deletions by strikeout.
officer to entertain, reconsideration of the decision itself. The statute of limitations for seeking review of the decision shall be tolled from the date the request is submitted until the date the hearing officer acts upon the request. Upon the filing of a civil action pursuant to subsection (i) of this Section, the hearing officer shall no longer exercise jurisdiction over the case. The hearing officer's decision shall be binding upon the school district and the parents or guardian unless a civil action is commenced.

(i) Any party to an impartial due process hearing aggrieved by the final written decision of the impartial due process hearing officer shall have the right to commence a civil action with respect to the issues presented in the impartial due process hearing. That civil action shall be brought in any court of competent jurisdiction within 120 days after a copy of the decision of the impartial due process hearing officer is mailed to the party as provided in subsection (h). The civil action authorized by this subsection shall not be exclusive of any rights or causes of action otherwise available. The commencement of a civil action under this subsection shall operate as a supersedeas. In any action brought under this subsection the Court shall receive the records of the impartial due process hearing, shall hear additional evidence at the request of a party, and, basing its decision on the preponderance of the evidence, shall grant such relief as the court determines is appropriate. In any instance where a school district willfully disregards applicable regulations or statutes regarding a child covered by this Article, and which disregard has been detrimental to the child, the school district shall be liable for any reasonable attorney's fees incurred by the parent or guardian in connection with proceedings under this Section.

(j) During the pendency of any administrative or judicial proceeding conducted pursuant to this Section, unless the school district and the parents or guardian of the student (if at least 18 years of age or emancipated) otherwise agree, the student shall remain in his or her present educational placement and continue in his or her present eligibility status and special education and related services, if any. If the hearing officer orders a change in the eligibility status, educational placement, or special education and related services of the student, that change shall not
be implemented until 30 days have elapsed following the date the hearing officer's decision is mailed to the parties in order to allow any party aggrieved by the decision to commence a civil action to stay implementation of the decision. If applying for initial admission to the school district, the student shall, with the consent of the parents (if the student is not at least 18 years of age or emancipated) or guardian, be placed in the school district program until all such proceedings have been completed. The costs for any special education and related services or placement incurred following 60 school days after the initial request for evaluation shall be borne by the school district if the services or placement is in accordance with the final determination as to the special education and related services or placement that must be provided to the child, provided that during that 60 day period there have been no delays caused by the child's parent or guardian.

(k) Whenever the parents or guardian of a child of the type described in Section 14-1.02 are not known, are unavailable, or the child is a ward of the State, a person shall be assigned to serve as surrogate parent for the child in matters relating to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child. Persons shall be assigned as surrogate parents by the State Superintendent of Education. The State Board of Education shall promulgate rules and regulations establishing qualifications of those persons and their responsibilities and the procedures to be followed in making assignments of persons as surrogate parents. Surrogate parents shall not be employees of the school district, an agency created by joint agreement under Section 10-22.31, an agency involved in the education or care of the student, or the State Board of Education. Services of any person assigned as surrogate parent shall terminate if the parent or guardian becomes available unless otherwise requested by the parents or guardian. The assignment of a person as surrogate parent at no time supersedes, terminates, or suspends the parents' or guardians' legal authority relative to the child. Any person participating in good faith as surrogate parent on behalf of the child before school officials or a hearing officer shall have immunity from civil or criminal

New matter indicated by italics - deletions by strikeout.
liability that otherwise might result by reason of that participation, except in cases of willful and wanton misconduct.

(l) At all stages of the hearing the hearing officer shall require that interpreters be made available by the school district for persons who are deaf or for persons whose normally spoken language is other than English.

(m) If any provision of this Section or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of the Section that can be given effect without the invalid application or provision, and to this end the provisions of this Section are severable, unless otherwise provided by this Section.

(Source: P.A. 89-652, eff. 8-14-96.)

(105 ILCS 5/14-8.02b)

Sec. 14-8.02b. Expedited Hearings.

(a) The changes made to this Section by this amendatory Act of the 94th General Assembly shall apply to all expedited hearings requested on or after the effective date of this amendatory Act of the 94th General Assembly.

(b) Unless otherwise provided by this Section, the provisions of Section 14-8.02a are applicable to this Section. The State Board of Education shall provide for the conduct of expedited hearings in accordance with the Individuals with Disabilities Education Act, Public Law 108-446, 105-17, 20 USC Sections 1400 et seq. (hereafter IDEA).

(c) An expedited hearing may be requested by:

(i) a parent or guardian or student if the student is at least 18 years of age or emancipated, if there is a disagreement with regard to a determination that the student's behavior was not a manifestation of the student's disability, or if there is a disagreement regarding the district's decision to move the student to an interim alternative educational setting for behavior at school, on school premises, or at a school function involving a weapon or drug or for behavior at school, on school premises, or at a school function involving the infliction of serious bodily injury by
the student, violation as defined by IDEA pursuant to Section 615(k)(1)(G) 615 (k)(1)(A)(ii); and

(ii) a school district, if school personnel believe that maintaining the current placement of the student is substantially likely to result in injury to the student or others pursuant to Section 615(k)(3)(A) of IDEA it is dangerous for the student to be in the current placement (i.e. placement prior to removal to the interim alternative education setting) during the pendency of a due process hearing pursuant to Section 615(K)(F) of IDEA.

(d) A school district shall make a request in writing to the State Board of Education and promptly mail a copy of the request to the parents or guardian of the student (if at least 18 years of age or emancipated) at the parents' or student's last known address of the parents or guardian. A request made by the parent, guardian, or student (if at least 18 years of age or emancipated) shall be made in writing to the superintendent of the school district in which the student resides, who shall forward the request to the State Board of Education within one business day of receipt of the request. Upon receipt of the request, the State Board of Education shall appoint a due process hearing officer using a rotating appointment system and shall notify the hearing officer of his or her appointment.

(e) A request for an expedited hearing initiated by a district for the sole purpose of moving a student from his or her current placement to an interim alternative educational setting because of dangerous misconduct must be accompanied by all documentation that substantiates the district's position that maintaining the student in his or her current placement is substantially likely to result in injury to the student or to others. Also, the documentation shall include written statements of (1) whether the district is represented by legal counsel or intends to retain legal counsel; (2) the matters the district believes to be in dispute in the case and the specific relief being sought; and (3) the names of all witnesses the district intends to call to testify at the hearing.

(f) An expedited hearing requested by the student's parent or student (if at least 18 years of age or emancipated) or guardian to
challenge the removal of the student from his or her current placement to an interim alternative educational setting or a manifestation determination made by the district as described in IDEA shall include a written statement as to the reason the parent or guardian believes that the action taken by the district is not supported by substantial evidence and all relevant documentation in the parent's or guardian's possession. Also, the documentation shall include written statements of (1) whether the parent or guardian is represented by legal counsel or intends to retain legal counsel; (2) the matters the parent or guardian believes to be in dispute in the case and the specific relief being sought; and (3) the names of all witnesses the parent or guardian intends to call to testify at the hearing.

(g) Except as otherwise described in this subsection (g), the school district shall be required to convene the resolution meeting described in subsection (g-20) of Section 14-8.02a of this Code unless the parties choose to utilize mediation in place of the resolution meeting or waive the resolution meeting in accordance with procedures described in subsection (g-30) of Section 14-8.02a of this Code. The resolution meeting shall be convened within 7 days after the date that the expedited hearing request is received by the district.

(h) The hearing officer shall not initiate or participate in any ex parte communications with the parties, except to arrange the date, time, and location of the expedited hearing. The hearing officer shall contact the parties within 5 days one day after appointment and set a hearing date which shall be no earlier than 15 calendar days following the school district's receipt of the expedited hearing request or upon completion of the resolution meeting, if earlier, and no later than 20 school days after receipt of the expedited hearing request contacting parties. The hearing officer shall set a date no less than 2 business days prior to the date of the expedited hearing for the parties to exchange documentation and a list of witnesses. The non-requesting party shall not be required to submit a written response to the expedited hearing request. The parties may request mediation. The mediation shall not delay the timeline set by the hearing officer for conducting the expedited hearing. The length of the hearing shall not exceed 2 days unless good cause is shown. Good cause shall be
determined by the hearing officer in his or her sole discretion and may include the unavailability of a party or witness to attend the scheduled hearing. Disclose and provide to each party any evidence which is intended to be submitted into the hearing record no later than 2 days before the hearing. The length of the hearing shall not exceed 2 days unless good cause is shown.

(i) Any party to the hearing shall have the right to (1) be represented by counsel and be accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities, at the party's own expense; (2) present evidence and confront and cross-examine witnesses; (3) move for the exclusion of witnesses from the hearing until they are called to testify, provided, however, that this provision may not be invoked to exclude the individual designated by a party to assist that party or its representative in the presentation of the case; (4) in accord with the provisions of subsection (g-55) (g) of Section 14-8.02a, obtain a written or electronic verbatim record of the proceedings; and (5) obtain a written decision, including findings of fact and conclusions of law, within 10 school days after the conclusion of the hearing.

(j) The State Board of Education and the school district shall share equally the costs of providing a written or electronic verbatim record of the proceedings. Any party may request that the hearing officer issue a subpoena to compel the testimony of witnesses or the production of documents relevant to the resolution of the hearing. Whenever a person refuses to comply with any subpoena issued under this Section, the circuit court of the county in which that hearing is pending, on application of the impartial hearing officer or the party requesting the issuance of the subpoena, may compel compliance through the contempt powers of the court in the same manner as if the requirements of a subpoena issued by the court had been disobeyed.

(k) The impartial hearing officer shall issue a final written decision, including findings of fact and conclusions of law, within 10 school days after the conclusion of the hearing and mail a copy of the decision to the parents, guardian, or student (if the student requests the hearing), the
school district, the director of special education, legal representatives of the parties, and the State Board of Education.

(l) The hearing officer presiding over the expedited hearing shall hear only that issue or issues identified by IDEA as proper for expedited hearings, leaving all other issues to be heard under a separate request to be initiated and processed in accordance with the hearing procedures provided for in this Article and in accordance with the implementing regulations.

(Source: P.A. 90-566, eff. 1-2-98.)

(105 ILCS 5/14-8.02c new)

Sec. 14-8.02c. Due process hearing officers.

(a) The State Board of Education shall establish a corps of hearing officers in accordance with this Section and may, with the advice and approval of the Advisory Council on Education of Children with Disabilities, adopt rules consistent with this Section to establish the qualifications of and application process for hearing officers.

(b) Hearing officers must, at a minimum, (i) possess a master's or doctor's degree in education or another field related to disability issues or a juris doctor degree; (ii) have knowledge of and the ability to understand the requirements of the federal Individuals with Disabilities Education Act, Article 14 of this Code, the implementation of rules or regulations of these federal and State statutes, and the legal interpretation of the statutes, rules, and regulations by federal and State courts; (iii) have the knowledge and ability to conduct hearings in accordance with appropriate, standard, legal practice; and (iv) have the knowledge and ability to render and write decisions in accordance with appropriate, standard, legal practice. Current employees of the State Board of Education, school districts, special education cooperatives, regional service areas or centers, regional educational cooperatives, State-operated elementary and secondary schools, or private providers of special education facilities or programs may not serve as hearing officers.

(c) If, at any time, the State Board of Education determines that additional hearing officers are needed, the State Board of Education shall

New matter indicated by italics - deletions by strikeout.
recruit hearing officer candidates who meet the criteria set forth in subsection (b) of this Section.

(d) Candidates shall be screened by a 7-member Screening Committee consisting of the following: the Attorney General or his or her designee; the State Superintendent of Education or his or her designee; 3 members appointed by the State Superintendent of Education, one of whom shall be a parent of an individual who is or at one time was eligible to receive special education and related services in an Illinois school district, another of whom shall be a director of special education for an Illinois school district or special education joint agreement, and the other of whom shall be an adult with a disability; and 2 members appointed by the Attorney General, one of whom shall be a parent of an individual who is or at one time was eligible to receive special education and related services in an Illinois school district and the other of whom shall be an experienced special education hearing officer who is not a candidate for appointment under this Section. The chairperson of the Advisory Council on Education of Children with Disabilities or his or her designee shall serve on the Screening Committee as an ex-officio, non-voting member. Appointments and reappointments to the Screening Committee shall be for terms of 3 years. In the event that a member vacates a seat on the Screening Committee prior to the expiration of his or her term, a new member shall be appointed, shall serve the balance of the vacating member's term, and shall be eligible for subsequent reappointment. The Screening Committee shall elect a chairperson from among its voting members. Members of the Screening Committee shall serve without compensation but shall be reimbursed by the State Board of Education for their reasonable expenses. The Screening Committee shall review hearing officer applications and supporting information, interview candidates, and recommend candidates to the Advisory Council on Education of Children with Disabilities based upon objective criteria the Screening Committee develops and makes available to the public. All discussions and deliberations of the Screening Committee and Advisory Council referenced anywhere in this Section pertaining to the review of applications of hearing officer candidates, the interviewing of hearing

New matter indicated by italics - deletions by strikeout.
officer candidates, the recommendation of hearing officer candidates for appointment, and the recommendation of hearing officers for reappointment are excepted from the requirements of the Open Meetings Act, pursuant to item (15) of subsection (c) of Section 2 of the Open Meetings Act.

(e) All hearing officer candidates recommended to the Advisory Council on Education of Children with Disabilities shall successfully complete initial training, as established by the contract between the State Board of Education and the training entity, as described in subsection (f), in order to be eligible to serve as an impartial due process hearing officer. The training shall include, at a minimum, instruction in federal and State law, rules, and regulations, federal regulatory interpretations and State and federal court decisions regarding special education and relevant general educational issues, diagnostic procedures, information about disabilities, instruction on conducting effective and impartial hearings in accordance with appropriate, standard, legal practice (including without limitation the handling of amended requests), and instruction in rendering and writing hearing decisions in accordance with appropriate, standard, legal practice. The training must be conducted in an unbiased manner by educational and legal experts, including qualified individuals from outside the public educational system. Upon the completion of the initial training, the Advisory Council on Education of Children with Disabilities, applying objective selection criteria it has developed and made available to the public, shall go into executive session and select the number of hearing officers deemed necessary by the State Board of Education from those candidates who have successfully completed the initial training. Upon selecting the candidates, the Advisory Council shall forward its recommendations to the State Superintendent of Education for final selection. The hearing officers appointed by the State Superintendent of Education shall serve an initial term of one year, subject to any earlier permissible termination by the State Board of Education.

(f) The State Board of Education shall, through a competitive application process, enter into a contract with an outside entity to establish and conduct mandatory training programs for hearing officers.
The State Board of Education shall also, through a competitive application process, enter into a contract with an outside entity, other than the entity providing mandatory training, to conduct an annual evaluation of each hearing officer and to investigate complaints against hearing officers, in accordance with procedures established by the State Board of Education in consultation with the Screening Committee. The invitation for applications shall set forth minimum qualifications for eligible applicants. Each contract under this subsection (f) may be renewed on an annual basis, subject to appropriation. The State Board of Education shall conduct a new competitive application process at least once every 3 years after the initial contract is granted. The Screening Committee shall review the training proposals and evaluation and investigation proposals and forward them, with recommendations in rank order, to the State Board of Education.

(g) The evaluation and investigation entity described in subsection (f) of this Section shall conduct an annual written evaluation of each hearing officer and provide the evaluation to the Screening Committee for its consideration in the reappointment process. The evaluation shall include a review of written decisions and any communications regarding a hearing officer's conduct and performance by participants in impartial due process hearings and their representatives. Each hearing officer shall be provided with a copy of his or her written evaluation report and shall have an opportunity, within 30 days after receipt, to review the evaluation with the evaluation and investigation entity and submit written comments. The annual evaluation of each hearing officer, along with the hearing officer's written comments, if any, shall be submitted to the Screening Committee for consideration no later than April 1 of each calendar year. The Screening Committee, based on objective criteria and any evaluation reports prepared by the training entity, shall, on an annual basis, recommend whether the hearing officer should be reappointed for a one-year term and shall forward its recommendations to the Advisory Council on Education of Children with Disabilities. The Advisory Council shall go into executive session and shall review the recommendations of the Screening Committee for the purpose of either ratifying or rejecting the
recommendations of the Screening Committee. The Advisory Council shall then forward its list of ratified and rejected appointees to the State Superintendent of Education, who shall determine the final selection of hearing officers for reappointment. Each reappointed hearing officer shall serve a term of one year, subject to any earlier permissible termination by the State Board of Education.

(h) Hearing officers shall receive a base annual stipend and per diem allowance for each hearing at a rate established by the State Board of Education. The State Board of Education shall provide hearing officers with access to relevant court decisions, impartial hearing officer decisions with child-specific identifying information deleted, statutory and regulatory changes, and federal regulatory interpretations. The State Board of Education shall index and maintain a reporting system of impartial due process hearing decisions and shall make these decisions available for review by the public after deleting child-specific identifying information.

(i) A hearing officer may be terminated by the State Board of Education for just cause if, after written notice is provided to the hearing officer, appropriate timely corrective action is not taken. For purposes of this subsection (i), just cause shall be (1) the failure or refusal to accept assigned cases without good cause; (2) the failure or refusal to fulfill his or her duties as a hearing officer in a timely manner; (3) consistent disregard for applicable laws and rules in the conduct of hearings; (4) consistent failure to conduct himself or herself in a patient, dignified, and courteous manner to parties, witnesses, counsel, and other participants in hearings; (5) the failure to accord parties or their representatives a full and fair opportunity to be heard in matters coming before him or her; (6) violating applicable laws regarding privacy and confidentiality of records or information; (7) manifesting, by words or conduct, bias or prejudice based upon race, sex, religion, disability, or national origin; (8) failure to recuse himself or herself from a hearing in which he or she has a personal, professional, or financial conflict of interest that he or she knew or should have known existed at any time prior to or during the hearing; (9) conviction in any jurisdiction of any felony or of a misdemeanor.
involving moral turpitude; or (10) falsification of a material fact on his or her application to serve as a hearing officer. In addition, a hearing officer who, as a result of events occurring after appointment, no longer meets the minimum requirements set forth in this Section, shall be disqualified to complete the balance of his or her term.

(105 ILCS 5/14-8.02d new)

Sec. 14-8.02d. Evaluation of due process hearing system. The State Board of Education shall monitor, review, and evaluate the impartial due process hearing system on a regular basis by a process that includes a review of written decisions and evaluations by participants in impartial due process hearings and their representatives. In conjunction with theAnnual State Report on Special Education Performance, the State Board of Education shall submit data on the performance of the due process hearing system, including data on timeliness of hearings and an analysis of the issues and disability categories underlying hearing requests during the period covered by the Annual State Report. The data provided for the Annual State Report must be submitted to the members of the State Board of Education, the State Superintendent of Education, the Advisory Council on Education of Children with Disabilities, and the Screening Committee established under Section 14-8.02c of this Code and must be made available to the public.

(105 ILCS 5/14-12.01) (from Ch. 122, par. 14-12.01)

Sec. 14-12.01. Account of expenditures - Cost report - Reimbursement. Each school board shall keep an accurate, detailed and separate account of all monies paid out by it for the maintenance of each of the types of facilities, classes and schools authorized by this Article for the instruction and care of pupils attending them and for the cost of their transportation, and shall annually report thereon indicating the cost of each such elementary or high school pupil for the school year ending June 30.

Applications for preapproval for reimbursement for costs of special education must be first submitted through the office of the regional superintendent of schools to the State Superintendent of Education on or before 30 days after a special class or service is started. Applications shall set forth a plan for special education established and maintained in

New matter indicated by italics - deletions by strikeout.
accordance with this Article. Such applications shall be limited to the cost of construction and maintenance of special education facilities designed and utilized to house instructional programs, diagnostic services, other special education services for children with disabilities and reimbursement as provided in Section 14-13.01. Such application shall not include the cost of construction or maintenance of any administrative facility separated from special education facilities designed and utilized to house instructional programs, diagnostic services, and other special education services for children with disabilities. Reimbursement claims for special education shall be made as follows:

Each district shall file its claim computed in accordance with rules prescribed by the State Board of Education for approval on forms prescribed by the State Superintendent of Education. Data used as a basis of reimbursement claims shall be for the school year ended on June 30 preceding. Each school district shall transmit to the State Superintendent of Education its claims on or before August 15. The State Superintendent of Education before approving any such claims shall determine their accuracy and whether they are based upon services and facilities provided under approved programs. Upon approval, vouchers for the amounts due the respective districts shall be prepared and submitted during each fiscal year as follows: the first 3 vouchers shall be prepared by the State Superintendent of Education and transmitted to the Comptroller on the 30th day of September, December and March, respectively, and the final voucher, no later than June 20. If, after preparation and transmittal of the September 30 vouchers, any claim has been redetermined by the State Superintendent of Education, subsequent vouchers shall be adjusted in amount to compensate for any overpayment or underpayment previously made. If the money appropriated by the General Assembly for such purpose for any year is insufficient, it shall be apportioned on the basis of the claims approved.

Claims received at the State Board of Education after August 15 shall not be honored. Claims received by August 15 may be amended until November 30.

(Source: P.A. 91-764, eff. 6-9-00.)

New matter indicated by italics - deletions by strikeout.
Section 99. Effective date. This Act takes effect July 1, 2006.
Passed in the General Assembly November 15, 2006.
Approved February 2, 2007.

PUBLIC ACT 94-1101
(House Bill No. 0822)

AN ACT concerning regulation.

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

Section 5. The Coal Mining Act is amended by changing Sections 11.08 and 11.09 as follows:

(225 ILCS 705/11.08)
Sec. 11.08. Self-contained self-rescuer (SCSR) devices; caches; strobe lights; luminescent signs.

(a) An operator must require each person underground to carry a SCSR device on his or her person or, alternatively, a SCSR device must be kept within 25 feet of the person underground or may be kept more than 25 feet from the person underground if done according to a plan approved by the Mining Board.

(b) An operator must provide for each person who is underground at least one SCSR device, in addition to the device required under subsection (a), that provides protection for a period of one hour or longer, to cover all persons in the mine. This additional SCSR device must be kept within 25 feet of the person underground or may be kept more than 25 feet from the person underground if done according to a plan approved by the Mining Board.

(c) If a mantrip or mobile equipment is used to enter or exit the mine, additional SCSR devices, each of which must provide protection for a period of one hour or longer, must be available for all persons who use such transportation from portal to portal.

(c-5) Beginning July 31, 2007, in addition to the SCSR devices required under subsections (a), (b), and (c) of this Section, an operator

New matter indicated by italics - deletions by strikeout.
must provide a minimum of 30 SCSR devices in each cache located within a mine. All SCSR devices required under this subsection (c-5) shall be stored in caches that are conspicuous and readily accessible by each person in the mine. If the average seam height of a mine is:

1. less than 40 inches, caches must be located no more than 2,200 feet apart throughout a mine;
2. 40 inches or more, but less than 51 inches, caches must be located no more than 3,300 feet apart throughout a mine;
3. 51 inches or more, but less than 66 inches, caches must be located no more than 4,400 feet apart throughout a mine; and
4. 66 inches or more, caches must be located no more than 5,700 feet apart throughout a mine.

An operator must submit for approval a plan addressing the requirements of this subsection (c-5) to the Mining Board on or before May 1, 2007.

(d) The Mining Board must require all operators to provide additional SCSR devices in the primary and alternate escapeways to ensure safe evacuation if the Mining Board determines that the SCSR devices required under subsections (a), (b), and (c), and (c-5) are not adequate to provide enough oxygen for all persons to safely evacuate the mine under mine emergency conditions, the mine operator must provide additional SCSR devices in the primary and alternate escapeways to ensure safe evacuation for all persons underground through both primary and alternate escapeways. The Mining Board must determine the time needed for safe evacuation under emergency conditions from each of those locations at 1,000 foot intervals. If the Mining Board determines that additional SCSR devices are needed under this subsection (d), the mine operator must submit a SCSR storage plan to the Mining Board for approval. The mine operator must include in the SCSR storage plan the location, quantity, and type of additional SCSR devices, including, but not limited to, SCSR devices required under subsections (a), (b), (c), and (c-5) of this Section, each of which must provide protection for a period of one hour or longer, that are stored in the primary and alternate escapeways. The SCSR storage plan must also show how each storage location in the

New matter indicated by italics - deletions by strikeout.
primary and alternate escapeways was determined. The Mining Board must require the mine operator to demonstrate that the location, quantity, and type of the additional SCSRs provide protection to all persons to safely evacuate the mine. The SCSR storage plan must be kept current by the mine operator and made available for inspection by an authorized representative of the Mining Board and by the miners' representative.

(e) (Blank) All SCSR devices required under this Section shall be stored in caches that are conspicuous and readily accessible by each person in the mine.

(f) An operator must provide luminescent direction signs leading to each cache and rescue chamber to be posted in a mine, and a luminescent sign with the word "SELF-CONTAINED SELF-RESCUER" or "SELF-CONTAINED SELF-RESCUERS" must be conspicuously posted at each cache and rescue chamber.

(g) Intrinsically safe, battery-powered strobe lights that have been approved by the Department must be affixed to each cache and rescue chamber and must be capable of automatic activation in the event of an emergency; however, until such time as the Department approves intrinsically safe, battery-powered strobe lights, reflective tape or any other illuminated material approved by the Department must be affixed to each cache and rescue chamber in a mine.

(h) The Mining Board must adopt and impose a plan for the daily inspection of SCSR devices required under subsections (a), (b), and (c) of this Section in order to ensure that the devices perform their designated functions each working day. Additional SCSR devices required under subsections (c-5) and subsection (d) must be inspected every 90 days to ensure that the devices perform their designated functions, in addition to meeting all federal Mine Safety and Health Administration requirements.

(i) Any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to remove any self-contained self-rescue device, battery-powered strobe light, reflective tape, or any other illuminated material approved by the Department from a mine or mine site with the intent to permanently deprive the operator of the device, or light, reflective tape, or illuminated material or who

New matter indicated by italics - deletions by strikeout.
knowingly tampers with or attempts to tamper with the device, or light, reflective tape, or illuminated material is guilty of a Class 4 felony.

(j) (Blank) Beginning January 31, 2007, in addition to the SCSR devices required under subsections (a), (b), and (c), an operator must provide a minimum of 30 SCSR devices in each cache located within a mine, in addition to federal Mine Safety and Health Administration requirements. Caches must be located no more than 4,000 feet apart throughout a mine.

(k) (Blank) An operator must submit for approval a plan addressing the requirements of subsection (j) of this Section to the Mining Board within 3 months after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 94-1041, eff. 7-24-06.)

(225 ILCS 705/11.09)

Sec. 11.09. Rescue chambers.

(a) Rescue chambers approved by the Mining Board must be provided at suitable locations throughout a mine. (b) Beginning January 31, 2007, rescue chambers approved by the Mining Board must be provided and located within 3,000 feet of each working section of a mine, in accordance with a plan submitted by an operator and approved by the Mining Board.

(b) (e) An operator must submit a plan for approval concerning the construction and maintenance of rescue chambers required under this Section to the Mining Board on or before May 1, 2007 within 3 months after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 94-1041, eff. 7-24-06.)

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

Approved February 9, 2007.
Effective February 9, 2007.
AN ACT concerning employment.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. If and only if Senate Bill 1268 of the 94th General Assembly becomes law as that bill was amended by House Amendment No. 3, the Minimum Wage Law is amended by changing Section 4 as follows:

(820 ILCS 105/4) (from Ch. 48, par. 1004)

Sec. 4. (a)(1) Every employer shall pay to each of his employees in every occupation wages of not less than $2.30 per hour or in the case of employees under 18 years of age wages of not less than $1.95 per hour, except as provided in Sections 5 and 6 of this Act, and on and after January 1, 1984, every employer shall pay to each of his employees in every occupation wages of not less than $2.65 per hour or in the case of employees under 18 years of age wages of not less than $2.25 per hour, and on and after October 1, 1984 every employer shall pay to each of his employees in every occupation wages of not less than $3.00 per hour or in the case of employees under 18 years of age wages of not less than $2.55 per hour, and on or after July 1, 1985 every employer shall pay to each of his employees in every occupation wages of not less than $3.35 per hour or in the case of employees under 18 years of age wages of not less than $2.85 per hour, and from January 1, 2004 through December 31, 2004 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $5.50 per hour, and from January 1, 2005 through June 30, 2007 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $6.50 per hour, and from July 1, 2007 through June 30, 2008 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $7.50 per hour, and from July 1, 2008 through June 30, 2009 every employer shall pay to each of his or her employees who is 18 years

New matter indicated by italics - deletions by strikeout.
of age or older in every occupation wages of not less than $7.75 per hour, and from July 1, 2009 through June 30, 2010 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $8.00 per hour, and on and after July 1, 2010 every employer shall pay to each of his or her employees who is 18 years of age or older in every occupation wages of not less than $8.25 per hour.

(2) Unless an employee's wages are reduced under Section 6, then in lieu of the rate prescribed in item (1) of this subsection (a), an employer may pay an employee who is 18 years of age or older, during the first 90 consecutive calendar days after the employee is initially employed by the employer, a wage that is not more than 50¢ less than the wage prescribed in item (1) of this subsection (a); however, an employer shall pay not less than the rate prescribed in item (1) of this subsection (a) to:

(A) a day or temporary laborer, as defined in Section 5 of the Day and Temporary Labor Services Act, who is 18 years of age or older; and

(B) an employee who is 18 years of age or older and whose employment is occasional or irregular and requires not more than 90 days to complete.

(3) At no time shall the wages paid to any employee under 18 years of age be more than 50¢ less than the wage required to be paid to employees who are at least 18 years of age under item (1) of this subsection (a).

(b) No employer shall discriminate between employees on the basis of sex or mental or physical handicap, except as otherwise provided in this Act by paying wages to employees at a rate less than the rate at which he pays wages to employees for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (1) a seniority system; (2) a merit system; (3) a system which measures earnings by quantity or quality of production; or (4) a differential based on any other factor other than sex or handicap.
than sex or mental or physical handicap, except as otherwise provided in this Act.

(c) Every employer of an employee engaged in an occupation in which gratuities have customarily and usually constituted and have been recognized as part of the remuneration for hire purposes is entitled to an allowance for gratuities as part of the hourly wage rate provided in Section 4, subsection (a) in an amount not to exceed 40% of the applicable minimum wage rate. The Director shall require each employer desiring an allowance for gratuities to provide substantial evidence that the amount claimed, which may not exceed 40% of the applicable minimum wage rate, was received by the employee in the period for which the claim of exemption is made, and no part thereof was returned to the employer.

(d) No camp counselor who resides on the premises of a seasonal camp of an organized not-for-profit corporation shall be subject to the adult minimum wage if the camp counselor (1) works 40 or more hours per week, and (2) receives a total weekly salary of not less than the adult minimum wage for a 40-hour week. If the counselor works less than 40 hours per week, the counselor shall be paid the minimum hourly wage for each hour worked. Every employer of a camp counselor under this subsection is entitled to an allowance for meals and lodging as part of the hourly wage rate provided in Section 4, subsection (a), in an amount not to exceed 25% of the minimum wage rate.

(e) A camp counselor employed at a day camp of an organized not-for-profit corporation is not subject to the adult minimum wage if the camp counselor is paid a stipend on a one-time or periodic basis and, if the camp counselor is a minor, the minor's parent, guardian or other custodian has consented in writing to the terms of payment before the commencement of such employment.

(Source: P.A. 93-581, eff. 1-1-04; 94SB1268ham003.)

Section 99. Effective date. This Act takes effect July 1, 2007.
Approved February 9, 2007.
Effective July 1, 2007.

New matter indicated by italics - deletions by strikeout.
AN ACT concerning regulation.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:

(235 ILCS 5/6-11) (from Ch. 43, par. 127)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

New matter indicated by italics - deletions by strikeout.
(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such

New matter indicated by italics - deletions by strikeout.
sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
(2) the sale of liquor is not the principal business carried on by the licensee at the premises,
(3) the premises are less than 1,000 square feet,
(4) the premises are owned by the University of Illinois,
(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and
(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

1. the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and

2. the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

New matter indicated by italics - deletions by strikeout.
(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;
(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;
(3) the school was built in 1978;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and
(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(1) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:
(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;
(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;
(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;
(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

New matter indicated by italics - deletions by strikeout.
(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and
(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(Source: P.A. 92-720, eff. 7-25-02; 92-813, eff. 8-21-02; 93-687, eff. 7-8-04; 93-688, eff. 7-8-04; 93-780, eff. 1-1-05; revised 10-14-04.)

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

Approved February 9, 2007.
Effective February 9, 2007.

PUBLIC ACT 94-1104
(Senate Bill No. 0611)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Counties Code is amended by changing Sections 4-12001 and 4-12001.1 as follows:
(55 ILCS 5/4-12001) (from Ch. 34, par. 4-12001)
Sec. 4-12001. Fees of sheriff in third class counties. The officers herein named, in counties of the third class, shall be entitled to receive the fees herein specified, for the services mentioned and such other fees as may be provided by law for such other services not herein designated.
Fees for Sheriff
For serving or attempting to serve any summons on each defendant, $35.
For serving or attempting to serve each alias summons or other process mileage will be charged as hereinafter provided when the address

New matter indicated by italics - deletions by strikeout.
for service differs from the address for service on the original summons or other process.

For serving or attempting to serve all other process, on each defendant, $35 \$15.

For serving or attempting to serve a subpoena on each witness, $35 \$25.

For serving or attempting to serve each warrant, $35 \$15.

For serving or attempting to serve each garnishee, $35 \$15.

For summoning each juror, $10.

For serving or attempting to serve each order or judgment for replevin, $35 \$15.

For serving or attempting to serve an order for attachment, on each defendant, $35 \$15.

For serving or attempting to serve an order or judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer, without aid, $35 \$15, and when aid is necessary, the sheriff shall be allowed to tax in addition the actual costs thereof.

For serving or attempting to serve notice of judgment, $35 \$15.

For levying to satisfy an order in an action for attachment, $25 \$15.

For executing order of court to seize personal property, $25 \$15.

For making certificate of levy on real estate and filing or recording same, $8, and the fee for filing or recording shall be advanced by the plaintiff in attachment or by the judgment creditor and taxed as costs. For taking possession of or removing property levied on, the sheriff shall be allowed to tax the necessary actual costs of such possession or removal.

For advertising property for sale, $20 \$8.

For making certificate of sale and making and filing duplicate for record, $15 \$8, and the fee for recording same shall be advanced by the judgment creditor and taxed as costs.

For preparing, executing and acknowledging deed on redemption from a court sale of real estate, $15; for preparing, executing and acknowledging all other deeds on sale of real estate, $10.

New matter indicated by italics - deletions by strikeout.
For making and filing certificate of redemption, $15, $9, and the fee for recording same shall be advanced by party making the redemption and taxed as costs.

For making and filing certificate of redemption from a court sale, $11, and the fee for recording same shall be advanced by the party making the redemption and taxed as costs.

For taking all bonds on legal process, $10, $5.

For taking special bail, $5.

For returning each process, $15, $8.

Mileage for service or attempted service of all process is a $10 flat fee; 20¢ per mile each way necessarily traveled in making or attempting to make such service computed from the place of holding court.

For attending before a court with a prisoner on an order for habeas corpus, $9 per day.

For executing requisitions from other States, $13.

For conveying each prisoner from the prisoner's county to the jail of another county, per mile for going only, 25¢.

For committing to or discharging each prisoner from jail, $3.

For feeding each prisoner, such compensation to cover actual costs as may be fixed by the county board, but such compensation shall not be considered a part of the fees of the office.

For committing each prisoner to jail under the laws of the United States, to be paid by the marshal or other person requiring his confinement, $3.

For feeding such prisoners per day, $3, to be paid by the marshal or other person requiring the prisoner's confinement.

For discharging such prisoners, $3.

For conveying persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, the following fees, payable out of the State Treasury. When one person is conveyed, 20¢ per mile in going to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital from the place of conviction; when 2

New matter indicated by italics - deletions by strikeout.
persons are conveyed at the same time, 20¢ per mile for the first and 15¢ per mile for the second person; when more than 2 persons are conveyed at the same time as stated above, the sheriff shall be allowed 20¢ per mile for the first, 15¢ per mile for the second and 10¢ per mile for each additional person.

The fees provided for herein for transporting persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, shall be paid for each trip so made. Mileage as used in this Section means the shortest route on a hard surfaced road, (either State Bond Issue Route or Federal highways) or railroad, whichever is shorter, between the place from which the person is to be transported, to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, and all fees per mile shall be computed on such basis.

In addition to the above fees, there shall be allowed to the sheriff a fee of $900 for the sale of real estate which shall be made by virtue of any judgment of a court. In addition to this fee and all other fees provided by this Section, there shall be allowed to the sheriff a fee in accordance with the following schedule for the sale of personal estate which is made by virtue of any judgment of a court:

- For judgments up to $1,000, $100 $85;
- For judgments over $1,000 to $15,000, $300 $175;
- For judgments over $15,000, $500 $400.

In all cases where the judgment is settled by the parties, repleved, stopped by injunction or paid, or where the property levied upon is not actually sold, the sheriff shall be allowed the fee for levying and mileage, together with half the fee for all money collected by him or her which he or she would be entitled to if the same were made by sale in the enforcement of a judgment. In no case shall the fee exceed the amount of money arising from the sale.

The fee requirements of this Section do not apply to police departments or other law enforcement agencies. For the purposes of this Section, "law enforcement agency" means an agency of the State or unit of

New matter indicated by italics - deletions by strikeout.
local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

The fee requirements of this Section do not apply to units of local government or school districts.
(Source: P.A. 86-962; 87-669; 87-670.)

(55 ILCS 5/4-12001.1) (from Ch. 34, par. 4-12001.1)
Sec. 4-12001.1. Fees of sheriff in third class counties; local governments and school districts. The officers herein named, in counties of the third class, shall be entitled to receive the fees herein specified from all units of local governments and school districts, for the services mentioned and such other fees as may be provided by law for such other services not herein designated.

Fees for Sheriff

For serving or attempting to serve any summons on each defendant, $25.

For serving or attempting to serve each alias summons or other process mileage will be charged as hereinafter provided when the address for service differs from the address for service on the original summons or other process.

For serving or attempting to serve all other process, on each defendant, $25.

For serving or attempting to serve a subpoena on each witness, $25.

For serving or attempting to serve each warrant, $25.

For serving or attempting to serve each garnishee, $25.

For summoning each juror, $4.

For serving or attempting to serve each order or judgment for replevin, $25.

For serving or attempting to serve an order for attachment, on each defendant, $25.

For serving or attempting to serve an order or judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer, without aid, $9,

New matter indicated by italics - deletions by strikeout.
and when aid is necessary, the sheriff shall be allowed to tax in addition
the actual costs thereof.

For serving or attempting to serve notice of judgment, $25 $10.
For levying to satisfy an order in an action for attachment, $25 $10.
For executing order of court to seize personal property, $25 $10.
For making certificate of levy on real estate and filing or recording
same, $3, and the fee for filing or recording shall be advanced by the
plaintiff in attachment or by the judgment creditor and taxed as costs.
For taking possession of or removing property levied on, the sheriff shall be
allowed to tax the necessary actual costs of such possession or removal.

For advertising property for sale, $3.
For making certificate of sale and making and filing duplicate for
record, $3, and the fee for recording same shall be advanced by the
judgment creditor and taxed as costs.

For preparing, executing and acknowledging deed on redemption
from a court sale of real estate, $6; for preparing, executing and
acknowledging all other deeds on sale of real estate, $4.

For making and filing certificate of redemption, $3.50, and the fee
for recording same shall be advanced by party making the redemption and
taxed as costs.

For making and filing certificate of redemption from a court sale,
$4.50, and the fee for recording same shall be advanced by the party
making the redemption and taxed as costs.

For taking all bonds on legal process, $2.
For taking special bail, $2.
For returning each process, $5.

Mileage for service or attempted service of all process is a $10 flat
fee, 16¢ per mile each way necessarily traveled in making or attempting to
make such service computed from the place of holding court.

For attending before a court with a prisoner on an order for habeas
corpus, $3.50 per day.
For executing requisitions from other States, $5.
For conveying each prisoner from the prisoner's county to the jail
of another county, per mile for going only, 25¢.

New matter indicated by italics - deletions by strikeout.
For committing to or discharging each prisoner from jail, $1.
For feeding each prisoner, such compensation to cover actual costs as may be fixed by the county board, but such compensation shall not be considered a part of the fees of the office.
For committing each prisoner to jail under the laws of the United States, to be paid by the marshal or other person requiring his confinement, $1.
For feeding such prisoners per day, $1, to be paid by the marshal or other person requiring the prisoner's confinement.
For discharging such prisoners, $1.
For conveying persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, the following fees, payable out of the State Treasury. When one person is conveyed, 15¢ per mile in going to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital from the place of conviction; when 2 persons are conveyed at the same time, 15¢ per mile for the first and 10¢ per mile for the second person; when more than 2 persons are conveyed at the same time as stated above, the sheriff shall be allowed 15¢ per mile for the first, 10¢ per mile for the second and 5¢ per mile for each additional person.
The fees provided for herein for transporting persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, shall be paid for each trip so made. Mileage as used in this Section means the shortest route on a hard surfaced road, (either State Bond Issue Route or Federal highways) or railroad, whichever is shorter, between the place from which the person is to be transported, to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, and all fees per mile shall be computed on such basis.
In addition to the above fees, there shall be allowed to the sheriff a fee of $600 for the sale of real estate which shall be made by virtue of any

New matter indicated by italics - deletions by strikeout.
judgment of a court. In addition to this fee and all other fees provided by this Section, there shall be allowed to the sheriff a fee in accordance with the following schedule for the sale of personal estate which is made by virtue of any judgment of a court:

- For judgments up to $1,000, $90 $75;
- For judgments over $1,000 to $15,000, $275 $150;
- For judgments over $15,000, $400 $300.

In all cases where the judgment is settled by the parties, repleived, stopped by injunction or paid, or where the property levied upon is not actually sold, the sheriff shall be allowed the fee for levying and mileage, together with half the fee for all money collected by him or her which he or she would be entitled to if the same were made by sale in the enforcement of a judgment. In no case shall the fee exceed the amount of money arising from the sale.

All fees collected under Sections 4-12001 and 4-12001.1 must be used for public safety purposes only.

(Source: P.A. 87-670.)

Passed in the General Assembly November 15, 2006.
Approved February 9, 2007.
Effective June 1, 2007.

PUBLIC ACT 94-1105
(Senate Bill No. 1856)

AN ACT concerning education.

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

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

(20 ILCS 3110/3) (from Ch. 127, par. 213.3)
Sec. 3. Duties. The Authority shall make thorough and continuous studies and investigations of the following building needs of the State of Illinois as they may from time to time develop:

New matter indicated by italics - deletions by strikeout.
(a) Office structures, recreational facilities, fixed equipment of any kind, electric, gas, steam, water and sewer utilities, motor parking facilities, hospitals, penitentiaries and facilities of every kind and character, other than movable equipment, considered by the Authority necessary or convenient for the efficient operation of any unit which is used by any officer, department, board, commission or other agency of the State.

(b) Buildings and other facilities intended for use as classrooms, laboratories, libraries, student residence halls, instructional and administrative facilities for students, faculty, officers, and employees, and motor vehicle parking facilities and fixed equipment for any institution or unit under the control of the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission or any public community college district board.

(c) School sites, buildings and fixed equipment to meet the needs of school districts unable to provide such facilities because of lack of funds and constitutional bond limitations, whenever any General Assembly has declared the acquisition of sites, construction of buildings and installation of fixed equipment for such school districts to be in the public interest, and allocations of said declarations shall be made as provided in Section 5 of this Act.

Whenever the General Assembly declares by law that it is in the public interest for the Authority to acquire any real estate, construct, complete and remodel buildings, and install fixed equipment in buildings and other facilities for public community college districts, or for school districts that qualify under Article 35 of The School Code, as amended or as may hereafter be amended, the amount of any declaration to be allocated to any public community college district shall be determined by

New matter indicated by italics - deletions by strikeout.
the Illinois Community College Board; and the amount of any declaration to be allocated to any School District qualifying under Article 35 of The School Code shall be determined by the School Building Commission, unless otherwise provided by law.

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

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

Sec. 4. Any department, board, commission, agency or officer of this State or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or any public community college district board; may transfer jurisdiction of or title to any property under its or his control to the Authority when such transfer is approved in writing by the Governor as being advantageous to the State.

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

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

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

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

Whenever the General Assembly has by law declared it to be in the public interest for the Authority to acquire any real estate, construct, complete, remodel and install fixed equipment in buildings and other facilities for public community college districts, the Director of the Department of Central Management Services shall, when requested by any such public community college district board, enter into a lease by and on

New matter indicated by italics - deletions by strikeout.
behalf of and for the use of such public community college district board to the extent appropriations have been made by the General Assembly to pay the rents under the terms of such lease.

In the course of such activities, acquire property of any and every kind and description, whether real, personal or mixed, by gift, purchase or otherwise. It may also acquire real estate of the State of Illinois controlled by any officer, department, board, commission, or other agency of the State; or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission or any public community college district board, the jurisdiction of which is transferred by such officer, department, board, commission, or other agency; or the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission or any public community college district board; to the Authority. The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission and any public community college district board, respectively, shall prepare plans and specifications for and have supervision over any project to be undertaken by the Authority for their use. Before any other particular

New matter indicated by italics - deletions by strikeout.
construction is undertaken, plans and specifications shall be approved by the lessee provided for under (b) below, except as indicated above.

(b) Execute leases of facilities and sites to, and charge for the use of any such facilities and sites by, any officer, department, board, commission or other agency of the State of Illinois, or the Director of the Department of Central Management Services when the Director is requested to, by and on behalf of, or for the use of, any officer, department, board, commission or other agency of the State of Illinois, or by the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the School Building Commission or any public community college district board. Such leases may be entered into contemporaneously with any financing to be done by the Authority and payments under the terms of the lease shall begin at any time after execution of any such lease.

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

(d) Borrow money and issue and sell bonds in such amount or amounts as the Authority may determine for the purpose of acquiring, constructing, completing or remodeling, or putting fixed equipment in any such facility; refund and refinance the same from time to time as often as advantageous and in the public interest to do so; and pledge any and all income of such Authority, and any revenues derived from such facilities,

New matter indicated by italics - deletions by strikeout.
or any combination thereof, to secure the payment of such bonds and to redeem such bonds. All such bonds are subject to the provisions of Section 6 of this Act.

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

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

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

New matter indicated by italics - deletions by strikeout.
or at maturity. The notes may be made redeemable, prior to maturity, at the option of the Authority, in the manner and upon the terms fixed by the resolution authorizing their issuance. The notes may be executed in the name of the Authority by the Chairman of the Authority or by any other officer or officers of the Authority as the Authority by resolution may direct, shall be attested by the Secretary or such other officer or officers of the Authority as the Authority may by resolution direct, and be sealed with the Authority's corporate seal. All such notes and the interest thereon may be secured by a pledge of any income and revenue derived by the Authority from the project to be undertaken with the proceeds of the notes and shall be payable solely from such income and revenue and from the proceeds to be derived from the sale of any revenue bonds for permanent financing authorized to be issued under Sections 5 and 6 of this Act, and from the property acquired with the proceeds of the notes.

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

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

New matter indicated by italics - deletions by strikeout.
facilities acquired with the proceeds of the interim notes, and any net income and revenue derived from the facilities and the proceeds of revenue bonds as hereinabove provided.

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

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

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

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

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

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

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

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

New matter indicated by italics - deletions by strikeout.
Sec. 9. Limitation on disbursements. The Authority shall keep account of the gross total income derived from each separate project or any combination thereof undertaken pursuant to this Act. Disbursements from a given account in The Public Building Fund shall be ordered by the Authority only for the payment of (1) the principal of and interest on the bonds issued for each project, or combination thereof; and (2) any other purposes set forth in the resolution authorizing the issuance of such bonds.

An accurate record shall be kept of the rental payments under each lease entered into by the Authority and any officer, department, board, commission or other agency of the State of Illinois, the Director of the Department of Central Management Services, the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the School Building Commission, or any public community college district board, and when the rentals applicable to each project or facility, or any combination thereof, constructed, completed, remodeled, maintained and equipped, have been paid in (1) amounts sufficient to amortize and pay the principal of and interest upon the total principal amount of bonds of the Authority issued to pay the cost of each project or facility, including maintenance and operation expenses and that proportion of the administrative expense of the Authority as provided for by each lease, or (2) amounts which when invested in direct obligations of the United States of America are, together with earnings thereon, sufficient to amortize and pay the principal of and interest upon the total principal amount of bonds of the Authority issued to pay the cost of each project or facility, including maintenance and operation expenses and that proportion of the administrative expense of the Authority as

New matter indicated by italics - deletions by strikeout.
provided for by each lease, the property shall be conveyed without charge to the lessee.
(Source: P.A. 89-4, eff. 1-1-96.)

Section 10. The State Finance Act is amended by changing Section 8a as follows:

(30 ILCS 105/8a) (from Ch. 127, par. 144a)
Sec. 8a. Common School Fund; transfers to Common School Fund and Education Assistance Fund.

(a) Except as provided in subsection (b) of this Section and except as otherwise provided in this subsection (a) with respect to amounts transferred from the General Revenue Fund to the Common School Fund for distribution therefrom for the benefit of the Teachers' Retirement System of the State of Illinois and the Public School Teachers' Pension and Retirement Fund of Chicago:

(1) With respect to all school districts, for each fiscal year other than fiscal year 1994, on or before the eleventh and twenty-first days of each of the months of August through the following July, at a time or times designated by the Governor, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Common School Fund and Education Assistance Fund, as appropriate, 1/24 or so much thereof as may be necessary of the amount appropriated to the State Board of Education for distribution to all school districts from such Common School Fund and Education Assistance Fund, for the fiscal year, including interest on the School Fund proportionate for that distribution for such year.

(2) With respect to all school districts, but for fiscal year 1994 only, on the 11th day of August, 1993 and on or before the 11th and 21st days of each of the months of October, 1993 through July, 1994 at a time or times designated by the Governor, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Common School Fund 1/24 or so much thereof as may be necessary of the amount appropriated to the State Board of Education for distribution to all school districts from such

New matter indicated by italics - deletions by strikeout.
Common School Fund, for fiscal year 1994, including interest on the School Fund proportionate for that distribution for such year; and on or before the 21st day of August, 1993 at a time or times designated by the Governor, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Common School Fund 3/24 or so much thereof as may be necessary of the amount appropriated to the State Board of Education for distribution to all school districts from the Common School Fund, for fiscal year 1994, including interest proportionate for that distribution on the School Fund for such fiscal year.

The amounts of the payments made in July of each year: (i) shall be considered an outstanding liability as of the 30th day of June immediately preceding those July payments, within the meaning of Section 25 of this Act; (ii) shall be payable from the appropriation for the fiscal year that ended on that 30th day of June; and (iii) shall be considered payments for claims covering the school year that commenced during the immediately preceding calendar year.

Notwithstanding the foregoing provisions of this subsection, as soon as may be after the 10th and 20th days of each of the months of August through May, 1/24, and on or as soon as may be after the 10th and 20th days of June, 1/12 of the annual amount appropriated to the State Board of Education for distribution and payment during that fiscal year from the Common School Fund to and for the benefit of the Teachers' Retirement System of the State of Illinois (until the end of State fiscal year 1995) and the Public School Teachers' Pension and Retirement Fund of Chicago as provided by the Illinois Pension Code and Section 18-7 of the School Code, or so much thereof as may be necessary, shall be transferred by the State Treasurer and the State Comptroller from the General Revenue Fund to the Common School Fund to permit semi-monthly payments from the Common School Fund to and for the benefit of such teacher retirement systems as required by Section 18-7 of the School Code.

Notwithstanding the other provisions of this Section, on or as soon as may be after the 15th day of each month, beginning in July of 1995, 1/12 of the annual amount appropriated for that fiscal year from the

New matter indicated by italics - deletions by strikeout.
Common School Fund to the Teachers' Retirement System of the State of Illinois (other than amounts appropriated under Section 1.1 of the State Pension Funds Continuing Appropriation Act), or so much thereof as may be necessary, shall be transferred by the State Treasurer and the State Comptroller from the General Revenue Fund to the Common School Fund to permit monthly payments from the Common School Fund to that retirement system in accordance with Section 16-158 of the Illinois Pension Code and Section 18-7 of the School Code, except that such transfers in fiscal year 2004 from the General Revenue Fund to the Common School Fund for the benefit of the Teachers' Retirement System of the State of Illinois shall be reduced in the aggregate by the State Comptroller and State Treasurer to adjust for the amount transferred to the Teachers' Retirement System of the State of Illinois pursuant to subsection (a) of Section 6z-61. Amounts appropriated to the Teachers' Retirement System of the State of Illinois under Section 1.1 of the State Pension Funds Continuing Appropriation Act shall be transferred by the State Treasurer and the State Comptroller from the General Revenue Fund to the Common School Fund as necessary to provide for the payment of vouchers drawn against those appropriations.

The Governor may notify the State Treasurer and the State Comptroller to transfer, at a time designated by the Governor, such additional amount as may be necessary to effect advance distribution to school districts of amounts that otherwise would be payable in the next month pursuant to Sections 18-8.05 through 18-10 of the School Code. The State Treasurer and the State Comptroller shall thereupon transfer such additional amount. The aggregate amount transferred from the General Revenue Fund to the Common School Fund in the eleven months beginning August 1 of any fiscal year shall not be in excess of the amount necessary for payment of claims certified by the State Superintendent of Education pursuant to the appropriation of the Common School Fund for that fiscal year. Notwithstanding the provisions of the first paragraph in this section, no transfer to effect an advance distribution shall be made in any month except on notification, as provided above, by the Governor.

New matter indicated by italics - deletions by strikeout.
The State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Common School Fund and the Education Assistance Fund such amounts as may be required to honor the vouchers presented by the State Board of Education pursuant to Sections 18-3, 18-4.3, 18-5, 18-6 and 18-7 of the School Code.

The State Comptroller shall report all transfers provided for in this Act to the President of the Senate, Minority Leader of the Senate, Speaker of the House, and Minority Leader of the House.

(b) On or before the 11th and 21st days of each of the months of June, 1982 through July, 1983, at a time or times designated by the Governor, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Common School Fund 1/24 or so much thereof as may be necessary of the amount appropriated to the State Board of Education for distribution from such Common School Fund, for that same fiscal year, including interest on the School Fund for such year. The amounts of the payments in the months of July, 1982 and July, 1983 shall be considered an outstanding liability as of the 30th day of June immediately preceding such July payment, within the meaning of Section 25 of this Act, and shall be payable from the appropriation for the fiscal year which ended on such 30th day of June, and such July payments shall be considered payments for claims covering school years 1981-1982 and 1982-1983 respectively.

In the event the Governor makes notification to effect advanced distribution under the provisions of subsection (a) of this Section, the aggregate amount transferred from the General Revenue Fund to the Common School Fund in the 12 months beginning August 1, 1981 or the 12 months beginning August 1, 1982 shall not be in excess of the amount necessary for payment of claims certified by the State Superintendent of Education pursuant to the appropriation of the Common School Fund for the fiscal years commencing on the first of July of the years 1981 and 1982.

(Source: P.A. 93-665, eff. 3-5-04.)

Section 15. The Illinois Pension Code is amended by changing Sections 17-130, 17-154, and 17-156.1 as follows:

New matter indicated by italics - deletions by strikeout.
Sec. 17-130. Participants' contributions by payroll deductions.

(a) There shall be deducted from the salary of each teacher 7.50% of his salary for service or disability retirement pension and 0.5% of salary for the annual increase in base pension.

In addition, there shall be deducted from the salary of each teacher 1% of his salary for survivors' and children's pensions.

(b) An Employer and any employer of eligible contributors as defined in Section 17-106 is authorized to make the necessary deductions from the salaries of its teachers. Such amounts shall be included as a part of the Fund. An Employer and any employer of eligible contributors as defined in Section 17-106 shall formulate such rules and regulations as may be necessary to give effect to the provisions of this Section.

(c) All persons employed as teachers shall, by such employment, accept the provisions of this Article and of Sections 34-83 to 34-85b 34-87, inclusive, of "The School Code", approved March 18, 1961, as amended, and thereupon become contributors to the Fund in accordance with the terms thereof. The provisions of this Article and of those Sections shall become a part of the contract of employment.

(d) A person who (i) was a member before July 1, 1998, (ii) retires with more than 34 years of creditable service, and (iii) does not elect to qualify for the augmented rate under Section 17-119.1 shall be entitled, at the time of retirement, to receive a partial refund of contributions made under this Section for service occurring after the later of June 30, 1998 or attainment of 34 years of creditable service, in an amount equal to 1.00% of the salary upon which those contributions were based.

(Source: P.A. 90-566, eff. 1-2-98; 90-582, eff. 5-27-98.)

Sec. 17-154. Retired teachers supplementary payments. All persons who were on June 30, 1975, entitled to a service retirement pension or disability retirement pension, under this Fund or any fund of which this Fund is a continuation, and who meet the conditions prescribed hereinafter, shall receive supplementary payments as follows:

New matter indicated by italics - deletions by strikeout.
(1) In the case of any such retired person, who attained or shall attain after June 30, 1975, the age of 60 years, who was in receipt of a service retirement pension, the payment pursuant to this section shall be an amount equal to the difference between (a) his annual service retirement pension from the Fund plus any annual payment received under the provisions of Section 34-87 (now repealed) of "The School Code", approved March 18, 1961, as amended, if the total of such amounts is less than $4500 per year, and (b) an amount equal to $100 for each year of validated teaching service forming the basis of the service retirement pension up to a maximum of 45 years of such service;

(2) In the case of any such retired person, who was in receipt on June 30, 1975, of a disability retirement pension, the payment shall be equal to the difference between (a) his total annual disability retirement pension and (b) an amount equal to $100 for each year of validated teaching service forming the basis of the disability retirement pension.

(Source: P.A. 90-566, eff. 1-2-98.)

(40 ILCS 5/17-156.1) (from Ch. 108 1/2, par. 17-156.1)

Sec. 17-156.1. Increases to retired members. A teacher who retired prior to September 1, 1959 on service retirement pension who was at least 55 years of age at date of retirement and had at least 20 years of validated service shall be entitled to receive benefits under this Section.

These benefits shall be in an amount equal to 1-1/2% of the total of (1) the initial service retirement pension plus (2) any emeritus payment payable under Sections 34-86 and 34-87 (now repealed) of the School Code, multiplied by the number of full years on pension. This payment shall begin in January of 1970. An additional 1-1/2% shall be added in January of each year thereafter. Beginning January 1, 1972 the rate of increase in the service retirement pension each year shall be 2%. Beginning January 1, 1979, the rate of increase in the service retirement pension each year shall be 3%. Beginning January 1, 1990, all automatic annual increases payable under this Section shall be calculated as a percentage of the total pension payable at the time of the increase, including all increases previously granted under this Article, notwithstanding Section 17-157.

New matter indicated by italics - deletions by strikeout.
A pensioner who otherwise qualifies for the aforesaid benefit shall make a one-time payment of 1% of the final monthly average salary multiplied by the number of completed years of service forming the basis of his service retirement pension or, if the pension was not computed according to average salary as defined in Section 17-116, 1% of the monthly base pension multiplied by each complete year of service forming the basis of his service retirement pension. Unless the pensioner rejects the benefits of this Section, such sum shall be deducted from the pensioner's December 1969 pension check and shall not be refundable.

(Source: P.A. 90-655, eff. 7-30-98.)

Section 20. The School Code is amended by changing Sections 2-3.12, 2-3.62, 5-1, 5-17, 7-14, 7A-11, 11A-12, 11B-11, 11D-9, 14C-1, 14C-8, 15-31, 18-8.05, 18-11, 18-12, 34-56, 34-73, and 34-74 as follows:

(105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

Sec. 2-3.12. School building code. To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.

The document known as "Efficient and Adequate Standards for the Construction of Schools" applies only to temporary school facilities, new school buildings, and additions to existing schools whose construction contracts are awarded after July 1, 1965. On or before July 1, 1967, each school board shall have its school district buildings that were constructed prior to January 1, 1955, surveyed by an architect or engineer licensed in the State of Illinois as to minimum standards necessary to conserve the health and safety of the pupils enrolled in the school buildings of the district. Buildings constructed between January 1, 1955 and July 1, 1965, not owned by the State of Illinois, shall be surveyed by an architect or engineer licensed in the State of Illinois beginning 10 years after acceptance of the completed building by the school board. Buildings constructed between January 1, 1955 and July 1, 1955 and previously exempt under the provisions of Section 35-27 (now repealed) shall be surveyed prior to July 1, 1977 by an architect or engineer licensed in the

New matter indicated by italics - deletions by strikeout.
State of Illinois. The architect or engineer, using the document known as 
"Building Specifications for Health and Safety in Public Schools" as a 
guide, shall make a report of the findings of the survey to the school board, 
giving priority in that report to fire safety problems and recommendations 
thereon if any such problems exist. The school board of each district so 
surveyed and receiving a report of needed recommendations to be made to 
 improve standards of safety and health of the pupils enrolled has until July 
1, 1970, or in case of buildings not owned by the State of Illinois and 
 completed between January 1, 1955 and July 1, 1965 or in the case of 
buildings previously exempt under the provisions of Section 35-27 has a 
period of 3 years after the survey is commenced, to effectuate those 
recommendations, giving first attention to the recommendations in the 
survey report having priority status, and is authorized to levy the tax 
provided for in Section 17-2.11, according to the provisions of that 
Section, to make such improvements. School boards unable to effectuate 
those recommendations prior to July 1, 1970, on July 1, 1980 in the case 
of buildings previously exempt under the provisions of Section 35-27, may 
petition the State Superintendent of Education upon the recommendation 
of the Regional Superintendent for an extension of time. The extension of 
time may be granted by the State Superintendent of Education for a period 
of one year, but may be extended from year to year provided substantial 
progress, in the opinion of the State Superintendent of Education, is being 
made toward compliance. However, for fire protection issues, only one 
one-year extension may be made, and no other provision of this Code or 
an applicable code may supersede this requirement. For routine 
inspections, fire officials shall provide written notice to the principal of the 
school to schedule a mutually agreed upon time for the fire safety check. 
However, no more than 2 routine inspections may be made in a calendar 
year. 

Within 2 years after the effective date of this amendatory Act of 
1983, and every 10 years thereafter, or at such other times as the State 
Board of Education deems necessary or the regional superintendent so 
orders, each school board subject to the provisions of this Section shall 
again survey its school buildings and effectuate any recommendations in

New matter indicated by italics - deletions by strikeout.
accordance with the procedures set forth herein. An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board. The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent. The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education. The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval. Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report. Items in the report shall be prioritized. Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students. Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students. Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied. The school board of each district so surveyed and receiving a report of needed recommendations to be made to maintain standards of safety and health of the pupils enrolled shall effectuate the correction of urgent items as soon as achievable to ensure the safety of the students, but in no case more than one year after the date of the State Superintendent of Education's approval of the recommendation. Required items shall be corrected in a timely manner, but in no case more than 5 years from the date of the State Superintendent of Education's approval of the recommendation. Once each year the school board shall submit a report of progress on completion of any recommendations to effectuate compliance with the code. For each year that the school board does not effectuate any or all approved recommendations, it shall petition the Regional Superintendent and the State Superintendent of Education detailing what work was completed in

New matter indicated by italics - deletions by strikeout.
the previous year and a work plan for completion of the remaining work. If in the judgement of the Regional Superintendent and the State Superintendent of Education substantial progress has been made and just cause has been shown by the school board, the petition for a one year extension of time may be approved.

As soon as practicable, but not later than 2 years after the effective date of this amendatory Act of 1992, the State Board of Education shall combine the document known as "Efficient and Adequate Standards for the Construction of Schools" with the document known as "Building Specifications for Health and Safety in Public Schools" together with any modifications or additions that may be deemed necessary. The combined document shall be known as the "Health/Life Safety Code for Public Schools" and shall be the governing code for all facilities that house public school students or are otherwise used for public school purposes, whether such facilities are permanent or temporary and whether they are owned, leased, rented, or otherwise used by the district. Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

The 10 year survey cycle specified in this Section shall continue to apply based upon the standards contained in the "Health/Life Safety Code for Public Schools", which shall specify building standards for buildings that are constructed prior to the effective date of this amendatory Act of 1992 and for buildings that are constructed after that date.

The "Health/Life Safety Code for Public Schools" shall be the governing code for public schools; however, the provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act, provided that the provisions of the "Health/Life Safety Code for Public Schools", or such predecessor document authorized by this Section as may be applicable are used, and provided that those inspections are coordinated with the Regional Superintendent having jurisdiction over the public school facility. Nothing in this Section shall be construed to prohibit a local fire department, fire protection district, or the Office of the State Fire Marshal from conducting

New matter indicated by italics - deletions by strikeout.
a fire safety check in a public school. Upon being notified by a fire official that corrective action must be taken to resolve a violation, the school board shall take corrective action within one year. However, violations that present imminent danger must be addressed immediately.

Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.

The State Board of Education is authorized to adopt any rules that are necessary relating to the administration and enforcement of the provisions of this Section. The code authorized by this Section shall apply only to those school districts having a population of less than 500,000 inhabitants.

(Source: P.A. 92-593, eff. 1-1-03.)

(105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)

Sec. 2-3.62. Educational Service Centers.

(a) A regional network of educational service centers shall be established by the State Board of Education to coordinate and combine existing services in a manner which is practical and efficient and to provide new services to schools as provided in this Section. Services to be made available by such centers shall include the planning, implementation and evaluation of:

(1) (blank);

(2) computer technology education including—the evaluation, use and application of state-of-the-art technology in computer software as provided in Section 2-3.43;

(3) mathematics, science and reading resources for teachers including continuing education, inservice training and staff development.

The centers may provide training, technical assistance, coordination and planning in other program areas such as school improvement, school accountability, career guidance, early childhood education, alcohol/drug education and prevention, family life - sex

New matter indicated by italics - deletions by strikeout.
education, electronic transmission of data from school districts to the State, alternative education and regional special education, and telecommunications systems that provide distance learning. Such telecommunications systems may be obtained through the Department of Central Management Services pursuant to Section 405-270 of the Department of Central Management Services Law (20 ILCS 405/405-270). The programs and services of educational service centers may be offered to private school teachers and private school students within each service center area provided public schools have already been afforded adequate access to such programs and services.

The State Board of Education shall promulgate rules and regulations necessary to implement this Section. The rules shall include detailed standards which delineate the scope and specific content of programs to be provided by each Educational Service Center, as well as the specific planning, implementation and evaluation services to be provided by each Center relative to its programs. The Board shall also provide the standards by which it will evaluate the programs provided by each Center.

(b) Centers serving Class 1 county school units shall be governed by an 11-member board, 3 members of which shall be public school teachers nominated by the local bargaining representatives to the appropriate regional superintendent for appointment and no more than 3 members of which shall be from each of the following categories, including but not limited to superintendents, regional superintendents, school board members and a representative of an institution of higher education. The members of the board shall be appointed by the regional superintendents whose school districts are served by the educational service center. The composition of the board will reflect the revisions of this amendatory Act of 1989 as the terms of office of current members expire.

(c) The centers shall be of sufficient size and number to assure delivery of services to all local school districts in the State.

(d) From monies appropriated for this program the State Board of Education shall provide grants to qualifying Educational Service Centers

New matter indicated by italics - deletions by strikeout.
apply

(e) The governing authority of each of the 18 regional educational service centers shall appoint a family life - sex education advisory board consisting of 2 parents, 2 teachers, 2 school administrators, 2 school board members, 2 health care professionals, one library system representative, and the director of the regional educational service center who shall serve as chairperson of the advisory board so appointed. Members of the family life - sex education advisory boards shall serve without compensation. Each of the advisory boards appointed pursuant to this subsection shall develop a plan for regional teacher-parent family life - sex education training sessions and shall file a written report of such plan with the governing board of their regional educational service center. The directors of each of the regional educational service centers shall thereupon meet, review each of the reports submitted by the advisory boards and combine those reports into a single written report which they shall file with the Citizens Council on School Problems prior to the end of the regular school term of the 1987-1988 school year.

(f) The 14 educational service centers serving Class I county school units shall be disbanded on the first Monday of August, 1995, and their statutory responsibilities and programs shall be assumed by the regional offices of education, subject to rules and regulations developed by the State Board of Education. The regional superintendents of schools elected by the voters residing in all Class I counties shall serve as the chief administrators for these programs and services. By rule of the State Board of Education, the 10 educational service regions of lowest population shall provide such services under cooperative agreements with larger regions.

New matter indicated by italics - deletions by strikeout.
units and the office of township trustees, where existing on July 1, 1962, in such units shall be abolished on that date and all books and records of such former township trustees shall be forthwith thereafter transferred to the county board of school trustees. County school units of 2,000,000 or more inhabitants shall be known as Class II county school units and shall retain the office of township trustees unless otherwise provided in subsection (b) or (c).

(b) Notwithstanding subsections (a) and (c), the school board of any elementary school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of a high school district, and the school board of any high school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of an elementary school district, may, whenever the territory of such school district forms a part of a Class II county school unit, by proper resolution withdraw such school district from the jurisdiction and authority of the trustees of schools of the township in which such school district is located and from the jurisdiction and authority of the township treasurer in such Class II county school unit; provided that the school board of any such school district shall, upon the adoption and passage of such resolution, thereupon elect or appoint its own school treasurer as provided in Section 8-1. Upon the adoption and passage of such resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in such township shall no longer have or exercise any powers and duties with respect to the school district governed by such school board or with respect to the school business, operations or assets of such school district; and (2) all books and records of the township trustees relating to the school business and affairs of such school district shall be transferred and delivered to the school board of such school district. Upon the effective date of this amendatory Act of 1993, the legal title to, and all right, title and interest formerly held by the township trustees in any school buildings and school sites used and occupied by the school board of such school district for school purposes, that legal title, right, title and interest

New matter indicated by italics - deletions by strikeout.
thereafter having been transferred to and vested in the regional board of school trustees under P.A. 87-473 until the abolition of that regional board of school trustees by P.A. 87-969, shall be deemed transferred by operation of law to and shall vest in the school board of that school district.

(c) Notwithstanding the provisions of subsection (a), the offices of township treasurer and trustee of schools of any township located in a Class II county school unit shall be abolished as provided in this subsection if all of the following conditions are met:

(1) During the same 30 day period, each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished gives written notice by certified mail, return receipt requested to the township treasurer and trustees of schools of that township of the date of a meeting of the school board, to be held not more than 90 nor less than 60 days after the date when the notice is given, at which meeting the school board is to consider and vote upon the question of whether there shall be submitted to the electors of the school district a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the notices given under this paragraph to the township treasurer and trustees of schools of a township shall be deemed sufficient or in compliance with the requirements of this paragraph unless all of those notices are given within the same 30 day period.

(2) Each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished, by the affirmative vote of at least 5 members of the school board at a school board meeting of which notice is given as required by paragraph (1) of this subsection, adopts a resolution requiring the secretary of the school board to certify to the proper election authorities for submission to

New matter indicated by italics - deletions by strikeout.
the electors of the school district at the next consolidated election in accordance with the general election law a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the resolutions adopted under this paragraph by any elementary or unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall be deemed in compliance with the requirements of this paragraph or sufficient to authorize submission of the proposition to abolish those offices to a referendum of the electors in any such school district unless all of the school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township adopt such a resolution in accordance with the provisions of this paragraph.

(3) The school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished submit a proposition to abolish the offices of township treasurer and trustee of schools of that township to the electors of their respective school districts at the same consolidated election in accordance with the general election law, the ballot in each such district to be in substantially the following form:

```
OFFICIAL BALLOT
Shall the offices of township treasurer and trustee of schools of Township ..... Range ..... be abolished?
YES
NO
```

(4) At the consolidated election at which the proposition to abolish the offices of township treasurer and trustee of schools of a

New matter indicated by italics - deletions by strikeout.
If in each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished a majority of the electors in each such district voting at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township votes in favor of the proposition as submitted to them, the proposition shall be deemed to have passed; but if in any such elementary or unit school district a majority of the electors voting on that proposition in that district fails to vote in favor of the proposition as submitted to them, then notwithstanding the vote of the electors in any other such elementary or unit school district on that proposition the proposition shall not be deemed to have passed in any of those elementary or unit school districts, and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless in each of those elementary and unit school districts remaining subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township proceedings are again initiated to abolish those offices and all of the proceedings and conditions prescribed in paragraphs (1) through (4) of this subsection are repeated and met in each of those elementary and unit school districts.

Notwithstanding the foregoing provisions of this Section or any other provision of the School Code, the offices of township treasurer and trustee of schools of a township that has a population of less than 200,000 and that contains a unit school district and is located in a Class II county school unit shall also be abolished as provided in this subsection if all of the conditions set forth in paragraphs (1), (2), and (3) of this subsection are met and if the following additional condition is met:

New matter indicated by italics - deletions by strikeout.
The electors in all of the school districts subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall vote at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township. If a majority of the electors in all of the school districts combined voting on the proposition vote in favor of the proposition, then the proposition shall be deemed to have passed; but if a majority of the electors voting on the proposition in all of the school district fails to vote in favor of the proposition as submitted to them, then the proposition shall not be deemed to have passed and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless and until the proceedings detailed in paragraphs (1) through (3) of this subsection and the conditions set forth in this paragraph are met.

If the proposition to abolish the offices of township treasurer and trustee of schools of a township is deemed to have passed at the consolidated election as provided in this subsection, those offices shall be deemed abolished by operation of law effective on January 1 of the calendar year immediately following the calendar year in which that consolidated election is held, provided that if after the election, the trustees of schools by resolution elect to abolish the offices of township treasurer and trustee of schools effective on July 1 immediately following the election, then the offices shall be abolished on July 1 immediately following the election. On the date that the offices of township treasurer and trustee of schools of a township are deemed abolished by operation of law, the school board of each elementary and unit school district and the school board of each high school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices are abolished: (i) shall appoint its own school treasurer as provided in Section 8-1; and (ii) unless the term of the contract of a township treasurer expires on the date that the office of township treasurer is abolished, shall pay to the former township treasurer

New matter indicated by italics - deletions by strikeout.
its proportionate share of any aggregate compensation that, were the office of township treasurer not abolished at that time, would have been payable to the former township treasurer after that date over the remainder of the term of the contract of the former township treasurer that began prior to but ends after that date. In addition, on the date that the offices of township treasurer and trustee of schools of a township are deemed abolished as provided in this subsection, the school board of each elementary school, high school and unit school district that until that date is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township shall be deemed by operation of law to have agreed and assumed to pay and, when determined, shall pay to the Illinois Municipal Retirement Fund a proportionate share of the unfunded liability existing in that Fund at the time these offices are abolished in that calendar year for all annuities or other benefits then or thereafter to become payable from that Fund with respect to all periods of service performed prior to that date as a participating employee in that Fund by persons serving during those periods of service as a trustee of schools, township treasurer or regular employee in the office of the township treasurer of that township. That unfunded liability shall be actuarially determined by the board of trustees of the Illinois Municipal Retirement Fund, and the board of trustees shall thereupon notify each school board required to pay a proportionate share of that unfunded liability of the aggregate amount of the unfunded liability so determined. The amount so paid to the Illinois Municipal Retirement Fund by each of those school districts shall be credited to the account of the township in that Fund. For each elementary school, high school and unit school district under the jurisdiction and authority of a township treasurer and trustees of schools of a township in which those offices are abolished as provided in this subsection, each such district's proportionate share of the aggregate compensation payable to the former township treasurer as provided in this paragraph and each such district's proportionate share of the aggregate amount of the unfunded liability payable to the Illinois Municipal Retirement Fund as provided in this paragraph shall be computed in accordance with the ratio that the number of pupils in average daily attendance in each such district as reported in
schedules prepared under Section 24-19 for the school year last ending prior to the date on which the offices of township treasurer and trustee of schools of that township are abolished bears to the aggregate number of pupils in average daily attendance in all of those districts as so reported for that school year.

Upon abolition of the offices of township treasurer and trustee of schools of a township as provided in this subsection: (i) the regional board of school trustees, in its corporate capacity, shall be deemed the successor in interest to the former trustees of schools of that township with respect to the common school lands and township loanable funds of the township; (ii) all right, title and interest existing or vested in the former trustees of schools of that township in the common school lands and township loanable funds of the township, and all records, moneys, securities and other assets, rights of property and causes of action pertaining to or constituting a part of those common school lands or township loanable funds, shall be transferred to and deemed vested by operation of law in the regional board of school trustees, which shall hold legal title to, manage and operate all common school lands and township loanable funds of the township, receive the rents, issues and profits therefrom, and have and exercise with respect thereto the same powers and duties as are provided by this Code to be exercised by regional boards of school trustees when acting as township land commissioners in counties having at least 220,000 but fewer than 2,000,000 inhabitants; (iii) the regional board of school trustees shall select to serve as its treasurer with respect to the common school lands and township loanable funds of the township a person from time to time also serving as the appointed school treasurer of any school district that was subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices were abolished, and the person selected to also serve as treasurer of the regional board of school trustees shall have his compensation for services in that capacity fixed by the regional board of school trustees, to be paid from the township loanable funds, and shall make to the regional board of school trustees the reports required to be made by treasurers of township land commissioners, give bond as required by treasurers of township land

New matter indicated by italics - deletions by strikeout.
commissioners, and perform the duties and exercise the powers of treasurers of township land commissioners; (iv) the regional board of school trustees shall designate in the manner provided by Section 8-7, insofar as applicable, a depositary for its treasurer, and the proceeds of all rents, issues and profits from the common school lands and township loanable funds of that township shall be deposited and held in the account maintained for those purposes with that depositary and shall be expended and distributed therefrom as provided in Section 15-24 and other applicable provisions of this Code; and (v) whenever there is vested in the trustees of schools of a township at the time that office is abolished under this subsection the legal title to any school buildings or school sites used or occupied for school purposes by any elementary school, high school or unit school district subject to the jurisdiction and authority of those trustees of school at the time that office is abolished, the legal title to those school buildings and school sites shall be deemed transferred by operation of law to and invested in the school board of that school district, in its corporate capacity Section 7-28, the same to be held, sold, exchanged leased or otherwise transferred in accordance with applicable provisions of this Code.

Notwithstanding Section 2-3.25g of this Code, a waiver of a mandate established under this Section may not be requested.

(Source: P.A. 91-269, eff. 7-23-99; 92-448, eff. 8-21-01.)

(105 ILCS 5/5-17) (from Ch. 122, par. 5-17)

Sec. 5-17. Payment of claims - Apportionment and distribution of funds. At the regular meetings, the trustees shall appropriate and pay from the income of the permanent township fund, if it is sufficient, all valid claims for the following:

1. The compensation of the treasurer.
2. The cost of publishing the annual statement.
3. The cost of a record book, if any.
4. The cost of dividing school lands and making plats.

If the income of the permanent township fund is not sufficient to meet such items the additional amount needed may be taken from the total of other funds subject to distribution, each district -- exclusive of any

New matter indicated by italics - deletions by strikeout.
district which has withdrawn from the jurisdiction and authority of the trustees of schools of the township and which has elected or appointed its own school treasurer as provided in subsection (b) of Section 5-1 -- being charged as its share of such items the proportion which the amount of school funds of the district handled by the township treasurer bears to the total amount of all school funds handled by such treasurer.

In Class II county school units (excluding therefrom, however, any township therein in which the offices of township treasurer and trustee of schools have been abolished as provided in subsection (c) of Section 5-1) if any balance of the income from the permanent township fund in any township remains after paying such items, such balance shall be apportioned and distributed to the districts and parts of districts in the township -- including any district which has withdrawn from the jurisdiction and authority of the trustees of schools of the township and which has elected or appointed its own school treasurer as provided in subsection (b) of Section 5-1 -- in which schools have been kept as required by law during the preceding year ending June 30, according to the number of pupils in average daily attendance in grades one to eight inclusive as reported in schedules prepared under Section 24-19. At the semi-annual meetings in all such townships all remaining funds subject to distribution shall be apportioned and distributed to the districts and parts of districts in the township in which schools have been kept as required by law during the preceding year ending June 30, in the manner and subject to the limitations prescribed in Sections 18-2 through 18-11 for the distribution of the common school fund among the counties, provided that -- except for any balance of the income from the permanent township fund remaining after payment of the items set forth in subparagraphs 1, 2, 3 and 4 of this Section -- no funds shall be apportioned or distributed to any school district which has withdrawn from the jurisdiction and authority of the trustees of schools and appointed its own school treasurer pursuant to Section 5-1; and the trustees shall direct the treasurer to make a regular monthly apportionment and distribution between semi-annual meetings, in the manner prescribed by those sections, of any available funds on hand

New matter indicated by italics - deletions by strikeout.
from the common school fund. The funds distributed shall be credited to the respective districts and parts of districts.

In Class I county school units and in any township forming a part of a Class II county school unit in which township the offices of township treasurer and trustee of schools have been abolished as provided in subsection (c) of Section 5-1, if any balance of income from the permanent township fund in any township remains after paying such items, such balance or a part thereof equal to but not greater than the then current tax levy or tax levies for common school purposes by all the school districts or parts of school districts in said township on property in said township in process of collection in the county wherein the township having such fund is located, shall, upon an order drawn by the treasurer and signed by the president and secretary of the township land commissioners or regional board of school trustees, be paid annually on or before February 1 to the County Treasurer of the county in which such township is situated. It shall then be the duty of the County Treasurer to apply and credit the sums so received upon all tax bills for school purposes of the taxpayers in the township, said sum to be applied and credited proportionately upon the basis of the value of assessed property represented by each such tax bill. Any sum received by the County Treasurer in excess of the amount required to discharge in full the amount of all taxes for school purposes so extended against taxable property within the township shall be held by the County Treasurer and applied to taxes subsequently extended for such purposes: Provided, that if a petition, signed by at least 5% of the legal voters of the township, is presented to the regional superintendent of schools of the educational service region in which the township is located requesting a vote on the proposition that such balance of the income from the permanent township fund shall be apportioned and distributed to the districts and parts of districts in the township in which schools have been kept as required by law during the preceding year ending June 30, according to the number of pupils in average daily attendance in grades one to eight, inclusive, as reported in schedules prepared pursuant to Section 24-19 upon an order drawn by the treasurer and signed by the president and secretary of the township land commissioners or regional

New matter indicated by italics - deletions by strikeout.
board of school trustees, to be paid annually on or before February 1, the regional superintendent of schools shall certify to the proper election authority the proposition for submission to the voters of the township in accordance with the general election law. The treasurer shall cause a copy of the order to be published in one or more newspapers published in the county school unit within 10 days after the order is drawn. If no newspaper is published in the county school unit, the order shall be published in a newspaper having general circulation within the county school unit. The publication of the order shall include a notice of (1) the specific number of voters required to sign a petition requesting that the proposition to apportion and distribute to the several school districts the excess of the income from the permanent township fund be submitted to the voters of the township; (2) the time within which the petition must be filed; and (3) the date of the prospective referendum. The treasurer shall provide a petition form to any individual requesting one. If the proposition receives a majority of the votes cast thereon, it shall supersede the preceding provisions for the distribution of such balance.

(Source: P.A. 86-1253; 86-1441; 87-435; 87-473.)

(105 ILCS 5/7-14) (from Ch. 122, par. 7-14)

Sec. 7-14. Bonded indebtedness-Tax rate.

(a) Except as provided in subsection (b), whenever the boundaries of any school district are changed by the annexation or detachment of territory, each such district as it exists on and after such action shall assume the bonded indebtedness, as well as financial obligations to the Capital Development Board pursuant to Section 35-15 (now repealed) of this the School Code, of all the territory included therein after such change. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Act, except the County Clerk shall annually extend taxes against all the taxable property situated in the county and contained in each such district as it exists after the action. Notwithstanding the provisions of this subsection, if the boundaries of a school district are changed by annexation or detachment of territory after June 30, 1987, and prior to September 15, 1987, and if the school district to which territory is being annexed has no outstanding bonded

New matter indicated by italics - deletions by strikeout.
indebtedness on the date such annexation occurs, then the annexing school district shall not be liable for any bonded indebtedness of the district from which the territory is detached, and the school district from which the territory is detached shall remain liable for all of its bonded indebtedness.

(b) Whenever a school district with bonded indebtedness has become dissolved under this Article and its territory annexed to another district, the annexing district or districts shall not, except by action pursuant to resolution of the school board of the annexing district prior to the effective date of the annexation, assume the bonded indebtedness of the dissolved district; nor, except by action pursuant to resolution of the school board of the dissolving district, shall the territory of the dissolved district assume the bonded indebtedness of the annexing district or districts. If the annexing district or districts do not assume the bonded indebtedness of the dissolved district, a tax rate for the bonded indebtedness shall be determined in the manner provided in Section 19-7, and the county clerk or clerks shall annually extend taxes for each outstanding bond issue against all the taxable property that was situated within the boundaries of the district as the boundaries existed at the time of the issuance of each bond issue regardless of whether the property is still contained in that same district at the time of the extension of the taxes by the county clerk or clerks.

(Source: P.A. 87-107; 87-1120; 87-1215; 88-45.)

(105 ILCS 5/7A-11) (from Ch. 122, par. 7A-11)

Sec. 7A-11. Assets, liabilities and bonded indebtedness - Tax rate.

(a) Upon the effective date of the change as provided in Section 7A-8, and subject to the provisions of subsection (b) of this Section 7A-11, the newly created elementary school district shall receive all the assets and assume all the liabilities and obligations of the dissolved unit school district, including all the bonded indebtedness of the dissolved unit school district and its financial obligations to the Capital Development Board pursuant to Section 35-15 (now repealed).

(b) Notwithstanding the provisions of subsection (a) of this Section, upon the stipulation of the school board of the annexing high school district and either the school board of the unit school district prior

New matter indicated by italics - deletions by strikeout.
to the effective date of its dissolution, or thereafter of the school board of
the newly created elementary school district, and with the approval in
either case of the regional superintendent of schools of the educational
service region in which the territory described in the petition filed under
this Article or the greater portion of the equalized assessed valuation of
such territory is situated, the assets, liabilities and obligations of the
dissolved unit school district, including all the bonded indebtedness of the
dissolved unit school district and its financial obligations to the Capital
Development Board pursuant to Section 35-15 (now repealed), may be
divided and assumed between and by such newly created elementary
school district and the annexing high school district in accordance with the
terms and provisions of such stipulation and approval. In such event, the
provisions of Section 19-29, as now or hereafter amended, shall be applied
to determine the debt incurring power of the newly created elementary
school district and of the contiguous annexing high school district.

(c) Without regard to whether the receipt of assets and the
assumption of liabilities and obligations of the dissolved unit school
district is determined pursuant to subsection (a) or (b) of this Section, the
tax rate for bonded indebtedness shall be determined in the manner
provided in Section 19-7; and notwithstanding the creation of such new
elementary school district, the county clerk or clerks shall annually extend
taxes for each outstanding bond issue against all the taxable property that
was situated within the boundaries of the dissolved unit school district as
such boundaries existed at the time of the issuance of each such bond
issue, regardless of whether such property was still contained in that unit
school district at the time of its dissolution and regardless of whether such
property is contained in the newly created elementary school district at the
time of the extension of such taxes by the county clerk or clerks.
(Source: P.A. 86-1028.)

(105 ILCS 5/11A-12) (from Ch. 122, par. 11A-12)
Sec. 11A-12. Bonded indebtedness - Tax rate.
(a) Except as provided in subsection (b), whenever a new district is
created under the provisions of this Article, each such district as it exists
on and after such action shall assume the financial obligations to the
Capital Development Board, pursuant to Section 35-15 (now repealed) of this "School Code" and the Capital Development Board Act, of all the territory included therein after such change, and the outstanding bonded indebtedness shall be treated as hereinafter provided in this Section and in Section 19-29 of this Act. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Act, and notwithstanding the creation of any such new district, the County Clerk or Clerks shall annually extend taxes for each outstanding bond issue against all the taxable property that was situated within the boundaries of the district as such boundaries existed at the time of the issuance of each such bond issue regardless of whether such property is still contained in that same district at the time of the extension of such taxes by the County Clerk or Clerks.

(b) Whenever the entire territory of 2 or more school districts is organized into a community unit school district pursuant to a petition filed under this Article, the petition may provide that the entire territory of the new community unit school district shall assume the bonded indebtedness of the previously existing school district. In that case the tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Act, except the County Clerk shall annually extend taxes for each outstanding bond issue against all the taxable property situated in the new community unit school district as it exists after the organization.

(Source: P.A. 88-555, eff. 7-27-94.)

(105 ILCS 5/11B-11) (from Ch. 122, par. 11B-11)

Sec. 11B-11. Bonded indebtedness - Tax rate. Whenever a new district is created under any of the provisions of this Act, each such district as it exists on and after such action shall assume the financial obligations to the Capital Development Board, pursuant to Section 35-15 (now repealed) of this "School Code" and the Capital Development Board Act, of all the territory included therein after such change, and the outstanding bonded indebtedness shall be treated as hereinafter provided in this Section and in Section 19-29 of this Act. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7

New matter indicated by italics - deletions by strikeout.
of this Act, and notwithstanding the creation of any such new district, the County Clerk or Clerks shall annually extend taxes for each outstanding bond issue against all the taxable property that was situated within the boundaries of the district as such boundaries existed at the time of the issuance of each such bond issue regardless of whether such property is still contained in that same district at the time of the extension of such taxes by the County Clerk or Clerks.
(Source: P.A. 83-686.)

(105 ILCS 5/11D-9) (from Ch. 122, par. 11D-9)

Sec. 11D-9. Bonded indebtedness; tax rate. Whenever new districts are created under any of the provisions of this Article, each such district as it exists on and after such action shall assume the financial obligations to the Capital Development Board, pursuant to Section 35-15 (now repealed) of this The School Code and the Capital Development Board Act, of all the territory included therein after such change, and the outstanding bonded indebtedness shall be treated as provided in this Section and in Section 19-29 of this Act. The tax rate for bonded indebtedness shall be determined in the manner provided in Section 19-7 of this Act, and notwithstanding the creation of any such new districts, the county clerk or clerks shall annually extend taxes for each outstanding bond issue against all the taxable property that was situated within the boundaries of each district as such boundaries existed at the time of the issuance of each such bond issue, regardless of whether such property is still contained in that same district at the time of the extension of such taxes by the county clerk or clerks.
(Source: P.A. 86-1334.)

(105 ILCS 5/14C-1) (from Ch. 122, par. 14C-1)

Sec. 14C-1.

The General Assembly finds that there are large numbers of children in this State who come from environments where the primary language is other than English. Experience has shown that public school classes in which instruction is given only in English are often inadequate for the education of children whose native tongue is another language. The General Assembly believes that a program of transitional bilingual

New matter indicated by italics - deletions by strikeout.
education can meet the needs of these children and facilitate their integration into the regular public school curriculum. Therefore, pursuant to the policy of this State to insure equal educational opportunity to every child, and in recognition of the educational needs of children of limited English-speaking ability, and in recognition of the success of the limited existing bilingual programs conducted pursuant to Sections 10-22.38a and 34-18.2 of The School Code, it is the purpose of this Act to provide for the establishment of transitional bilingual education programs in the public schools, and to provide supplemental financial assistance to help local school districts meet the extra costs of such programs.

(Source: P.A. 78-727.)

(105 ILCS 5/14C-8) (from Ch. 122, par. 14C-8)

Sec. 14C-8. Teacher certification - Qualifications - Issuance of certificates. No person shall be eligible for employment by a school district as a teacher of transitional bilingual education without either (a) holding a valid teaching certificate issued pursuant to Article 21 of this Code and meeting such additional language and course requirements as prescribed by the State Board of Education or (b) meeting the requirements set forth in this Section. The Certification Board shall issue certificates valid for teaching in all grades of the common school in transitional bilingual education programs to any person who presents it with satisfactory evidence that he possesses an adequate speaking and reading ability in a language other than English in which transitional bilingual education is offered and communicative skills in English, and possessed within 5 years previous to his or her applying for a certificate under this Section a valid teaching certificate issued by a foreign country, or by a State or possession or territory of the United States, or other evidence of teaching preparation as may be determined to be sufficient by the Certification Board, or holds a degree from an institution of higher learning in a foreign country which the Certification Board determines to be the equivalent of a bachelor's degree from a recognized institution of higher learning in the United States; provided that any person seeking a certificate under this Section must meet the following additional requirements:

(1) Such persons must be in good health;

New matter indicated by italics - deletions by strikeout.
(2) Such persons must be of sound moral character;
(3) Such persons must be legally present in the United States and possess legal authorization for employment;
(4) Such persons must not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

Certificates issuable pursuant to this Section shall be issuable only during the 5 years immediately following the effective date of this Act and thereafter for additional periods of one year only upon a determination by the State Board of Education that a school district lacks the number of teachers necessary to comply with the mandatory requirements of Section Sections 14C-2.1 and 14C-3 of this Article for the establishment and maintenance of programs of transitional bilingual education and said certificates issued by the Certification Board shall be valid for a period of 6 years following their date of issuance and shall not be renewed, except that one renewal for a period of two years may be granted if necessary to permit the holder of a certificate issued under this Section to acquire a teaching certificate pursuant to Article 21 of this Code. Such certificates and the persons to whom they are issued shall be exempt from the provisions of Article 21 of this Code except that Sections 21-12, 21-13, 21-16, 21-17, 21-19, 21-21, 21-22, 21-23 and 21-24 shall continue to be applicable to all such certificates.

After the effective date of this amendatory Act of 1984, an additional renewal for a period to expire August 31, 1985, may be granted. The State Board of Education shall report to the General Assembly on or before January 31, 1985 its recommendations for the qualification of teachers of bilingual education and for the qualification of teachers of English as a second language. Said qualification program shall take effect no later than August 31, 1985.

Beginning July 1, 2001, the State Board of Education shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for a certificate issued under this Section in the English language and in the language of the transitional bilingual education program requested by the applicant and shall establish appropriate fees for these tests. The State Board of Education, in
consultation with the Certification Board, shall promulgate rules to implement the required tests, including specific provisions to govern test selection, test validation, determination of a passing score, administration of the test or tests, frequency of administration, applicant fees, identification requirements for test takers, frequency of applicants taking the tests, the years for which a score is valid, waiving tests for individuals who have satisfactorily passed other tests, and the consequences of dishonest conduct in the application for or taking of the tests.

If the qualifications of an applicant for a certificate valid for teaching in transitional bilingual education programs in all grades of the common schools do not meet the requirements established for the issuance of that certificate, the Certification Board nevertheless shall issue the applicant a substitute teacher's certificate under Section 21-9 whenever it appears from the face of the application submitted for certification as a teacher of transitional bilingual education and the evidence presented in support thereof that the applicant's qualifications meet the requirements established for the issuance of a certificate under Section 21-9; provided, that if it does not appear from the face of such application and supporting evidence that the applicant is qualified for issuance of a certificate under Section 21-9 the Certification Board shall evaluate the application with reference to the requirements for issuance of certificates under Section 21-9 and shall inform the applicant, at the time it denies the application submitted for certification as a teacher of transitional bilingual education, of the additional qualifications which the applicant must possess in order to meet the requirements established for issuance of (i) a certificate valid for teaching in transitional bilingual education programs in all grades of the common schools and (ii) a substitute teacher's certificate under Section 21-9.

(Source: P.A. 91-370, eff. 7-30-99.)

(105 ILCS 5/15-31) (from Ch. 122, par. 15-31)

Sec. 15-31. Disposition of funds upon liquidation of permanent funds.

Any funds received as the result of the liquidation of the permanent funds belonging to any school township shall after the payment of the

New matter indicated by italics - deletions by strikeout.
necessary expenses connected therewith be apportioned and distributed to the school districts or parts of districts of such township -- including, in the case of the liquidation of the permanent funds belonging to any school township in a Class II county school unit, any school district located in such township which theretofore withdrew from the jurisdiction and authority of the trustees of schools of that township and from the jurisdiction and authority of the township treasurer as provided in subsection (b) of Section 5-1 -- in which schools have been kept as required by law during the preceding year ending June 30 according to the number of pupils in average daily attendance in grades one to eight, each inclusive, as reported in schedules prepared under Section 24-19 of this Act; and upon the completion of such liquidation and distribution and the submission of all reports required by law the office of township land commissioners and their treasurer in such township shall terminate.

(Source: P.A. 86-1441.)

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

New matter indicated by italics - deletions by strikeout.
(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

New matter indicated by italics - deletions by strikeout.
(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an
aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810.

(3) For the 2004-2005 school year and each school year thereafter, the Foundation Level of support is $4,964 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar
amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

New matter indicated by italics - deletions by strikeout.
(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

New matter indicated by italics - deletions by strikeout.
(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

New matter indicated by italics - deletions by strikeout.
Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or

New matter indicated by italics - deletions by strikeout.
amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may
count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code (a) (†) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) (‡‡) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or
less. The county clerk of any county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is

New matter indicated by italics - deletions by strikeout.
attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

New matter indicated by italics - deletions by strikeout.
"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E),
that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district.

New matter indicated by italics - deletions by strikeout.
Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year

New matter indicated by italics - deletions by strikeout.
1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99

New matter indicated by italics - deletions by strikeout.
school year shall be $1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.
(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 and 2004-2005 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2006-2007 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State
aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be

New matter indicated by italics - deletions by strikeout.
allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

New matter indicated by italics - deletions by strikeout.
If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is

New matter indicated by italics - deletions by strikeout.
totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted
prior to the annexation or division, then a supplementary payment equal to
the difference shall be made and allocated between or among the annexing
or resulting districts, as constituted upon such annexation or division, for
the first 4 years of their existence. The total difference payment shall be
allocated between or among the annexing or resulting districts in the same
ratio as the pupil enrollment from that portion of the annexed or divided
district or districts which is annexed to or included in each such annexing
or resulting district bears to the total pupil enrollment from the entire
annexed or divided district or districts, as such pupil enrollment is
determined for the school year last ending prior to the date when the
change of boundaries attributable to the annexation or division becomes
effective for all purposes. The amount of the total difference payment and
the amount thereof to be allocated to the annexing or resulting districts
shall be computed by the State Board of Education on the basis of pupil
enrollment and other data which shall be certified to the State Board of
Education, on forms which it shall provide for that purpose, by the
regional superintendent of schools for each educational service region in
which the annexing and annexed districts, or resulting and divided districts
are located.

(3.5) Claims for financial assistance under this subsection (I) shall
not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I)
shall be treated as separate from all other payments made pursuant to this
Section.

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the
amount of the aggregate general State aid in combination with
supplemental general State aid under this Section for which each school
district is eligible shall be no less than the amount of the aggregate general
State aid entitlement that was received by the district under Section 18-8
(exclusive of amounts received under subsections 5(p) and 5(p-5) of that
Section) for the 1997-98 school year, pursuant to the provisions of that
Section as it was then in effect. If a school district qualifies to receive a
supplementary payment made under this subsection (J), the amount of the

New matter indicated by italics - deletions by strikeout.
aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

New matter indicated by italics - deletions by strikeout.
As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

New matter indicated by italics - deletions by strikeout.
(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as
members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. If House Bill 4266 becomes law, then

New matter indicated by italics - deletions by strikeout.
irreconcilable conflict between Public Act 93-808 and Public Act 93-838 House Bill 4266 and this amendatory Act. Public Act 93-838 This amendatory Act, being the last acted upon, is controlling. The text of Public Act 93-838 this amendatory Act is the law regardless of the text of Public Act 93-808 House Bill 4266.

(Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636, eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; revised 10-21-04.)

(105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

Sec. 18-11. Payment of claims.

(a) Except as provided in subsection (b) of this Section, and except as provided in subsection (c) of this Section with respect to payments made under Sections 18-8 through 18-10 for fiscal year 1994 only, as soon as may be after the 10th and 20th days of each of the months of August through the following July if moneys are available in the common school fund in the State treasury for payments under Sections 18-8.05 18-8 through 18-9 18-10 the State Comptroller shall draw his warrants upon the State Treasurer as directed by the State Board of Education pursuant to Section 2-3.17b and in accordance with the transfers from the General Revenue Fund to the Common School Fund as specified in Section 8a of the State Finance Act.

Each such semimonthly warrant shall be in an amount equal to 1/24 of the total amount to be distributed to school districts for the fiscal year. The amount of payments made in July of each year shall be considered as payments for claims covering the school year that commenced during the immediately preceding calendar year. If the payments provided for under Sections 18-8.05 18-8 through 18-9 18-10 have been assigned as security for State aid anticipation certificates pursuant to Section 18-18, the State Board of Education shall pay the appropriate amount of the payment, as specified in the notification required by Section 18-18, directly to the assignee.

(b) As soon as may be after the 10th and 20th days of each of the months of June, 1982 through July, 1983, if moneys are available in the

New matter indicated by italics - deletions by strikeout.
Common School Fund in the State treasury for payments under Sections 18-8 through 18-10, the State Comptroller shall draw his warrants upon the State Treasurer proportionate for the various counties payable to the regional superintendent of schools in accordance with the transfers from the General Revenue Fund to the Common School Fund as specified in Section 8a of the State Finance Act.

Each such semimonthly warrant for the months of June and July, 1982 shall be in an amount equal to 1/24 of the total amount to be distributed to school districts by the regional superintendent for school year 1981-1982.

Each such semimonthly warrant for the months of August, 1982 through July, 1983 shall be in an amount equal to 1/24 of the total amount to be distributed to school districts by the regional superintendent for school year 1982-1983.

The State Superintendent of Education shall, from monies appropriated for such purpose, compensate districts for interest lost arising from the change in payments in June, 1982 to payments in the months of June and July, 1982, for claims arising from school year 1981-1982. The amount appropriated for such purpose shall be based upon the Prime Commercial Rate in effect May 15, 1982. The amount of such compensation shall be equal to the ratio of the district's net State aid entitlement for school year 1981-1982 divided by the total net State aid entitlement times the funds appropriated for such purpose. Payment in full of the amount of compensation derived from the computation required in the preceding sentence shall be made as soon as may be after July 1, 1982 upon warrants payable to the several regional superintendents of schools.

The State Superintendent of Education shall, from monies appropriated for such purpose, compensate districts for interest lost arising from the change in payments in June, 1983 to payments in the months of June and July, 1983, for claims arising from school year 1982-1983. The amount appropriated for such purpose shall be based upon an interest rate of no less than 15 per cent or the Prime Commercial Rate in effect May 15, 1983, whichever is greater. The amount of such compensation shall be equal to the ratio of the district's net State aid entitlement for school year

New matter indicated by italics - deletions by strikeout.
1982-1983 divided by the total net State aid entitlement times the funds appropriated for such purpose. Payment in full of the amount of compensation derived from the computation required in the preceding sentence shall be made as soon as may be after July 1, 1983 upon warrants payable to the several regional superintendents of schools.

The State Superintendent of Education shall, from monies appropriated for such purpose, compensate districts for interest lost arising from the change in payments in June, 1992 and each year thereafter to payments in the months of June and July, 1992 and each year thereafter. The amount appropriated for such purpose shall be based upon the Prime Commercial Rate in effect June 15, 1992 and June 15 annually thereafter. The amount of such compensation shall be equal to the ratio of the district's net State aid entitlement divided by the total net State aid entitlement times the amount of funds appropriated for such purpose. Payment of the compensation shall be made as soon as may be after July 1 upon warrants payable to the several regional superintendents of schools.

The regional superintendents shall make payments to their respective school districts as soon as may be after receipt of the warrants unless the payments have been assigned as security for State aid anticipation certificates pursuant to Section 18-18. If such an assignment has been made, the regional superintendent shall, as soon as may be after receipt of the warrants, pay the appropriate amount of the payment as specified in the notification required by Section 18-18, directly to the assignee.

As used in this Section, "Prime Commercial Rate" means such prime rate as from time to time is publicly announced by the largest commercial banking institution in this State, measured in terms of total assets.

(c) With respect to all school districts but for fiscal year 1994 only, as soon as may be after the 10th and 20th days of August, 1993 and as soon as may be after the 10th and 20th days of each of the months of October, 1993 through July, 1994 if moneys are available in the Common School Fund in the State treasury for payments under Sections 18-8 through 18-10, the State Comptroller shall draw his warrants upon the

New matter indicated by italics - deletions by strikeout.
State Treasurer as directed by the State Board of Education in accordance with transfers from the General Revenue Fund to the Common School Fund as specified in Section 8a of the State Finance Act. The warrant for the 10th day of August, 1993 and each semimonthly warrant for the months of October, 1993 through July, 1994 shall be in an amount equal to 1/24 of the total amount to be distributed to that school district for fiscal year 1994, and the warrant for the 20th day of August, 1993 shall be in an amount equal to 3/24 of that total. The amount of payments made in July of 1994 shall be considered as payments for claims covering the school year that commenced during the immediately preceding calendar year.

(Source: P.A. 87-14; 87-887; 87-895; 88-45; 88-89; 88-641, eff. 9-9-94.)

(105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

Sec. 18-12. Dates for filing State aid claims. The school board of each school district shall require teachers, principals, or superintendents to furnish from records kept by them such data as it needs in preparing and certifying to the regional superintendent its school district report of claims provided in Sections 18-8.05 through 18-9 and as required by the State Superintendent of Education. The district claim shall be based on the latest available equalized assessed valuation and tax rates, as provided in Section 18-8.05 and shall use the average daily attendance as determined by the method outlined in Section 18-8.05 and shall be certified and filed with the regional superintendent by June 21 for districts with an official school calendar end date before June 15 or within 2 weeks following the official school calendar end date for districts with a school year end date of June 15 or later. The regional superintendent shall certify and file with the State Superintendent of Education district State aid claims by July 1 for districts with an official school calendar end date before June 15 or no later than July 15 for districts with an official school calendar end date of June 15 or later. Failure to so file by these deadlines constitutes a forfeiture of the right to receive payment by the State until such claim is filed and vouchered for payment. The regional superintendent of schools shall certify the county report of claims by July 15; and the State Superintendent of Education shall voucher for payment those claims to the State Comptroller as provided in Section 18-11.

New matter indicated by italics - deletions by strikeout.
Except as otherwise provided in this Section, if any school district fails to provide the minimum school term specified in Section 10-19, the State aid claim for that year shall be reduced by the State Superintendent of Education in an amount equivalent to .56818% for each day less than the number of days required by this Code.

If the State Superintendent of Education determines that the failure to provide the minimum school term was occasioned by an act or acts of God, or was occasioned by conditions beyond the control of the school district which posed a hazardous threat to the health and safety of pupils, the State aid claim need not be reduced.

If the State Superintendent of Education determines that the failure to provide the minimum school term was due to a school being closed on or after September 11, 2001 for more than one-half day of attendance due to a bioterrorism or terrorism threat that was investigated by a law enforcement agency, the State aid claim shall not be reduced.

If, during any school day, (i) a school district has provided at least one clock hour of instruction but must close the schools due to adverse weather conditions or due to a condition beyond the control of the school district that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, or (ii) the school district must delay the start of the school day due to adverse weather conditions and this delay prevents the district from providing the minimum hours of instruction required for a full day of attendance, the partial day of attendance may be counted as a full day of attendance. The partial day of attendance and the reasons therefor shall be certified in writing within a month of the closing or delayed start by the local school district superintendent to the Regional Superintendent of Schools for forwarding to the State Superintendent of Education for approval.

If a school building is ordered to be closed by the school board, in consultation with a local emergency response agency, due to a condition that poses a hazardous threat to the health and safety of pupils, then the school district shall have a grace period of 4 days in which the general

New matter indicated by italics - deletions by strikeout.
State aid claim shall not be reduced so that alternative housing of the pupils may be located.

No exception to the requirement of providing a minimum school term may be approved by the State Superintendent of Education pursuant to this Section unless a school district has first used all emergency days provided for in its regular calendar.

If the State Superintendent of Education declares that an energy shortage exists during any part of the school year for the State or a designated portion of the State, a district may operate the school attendance centers within the district 4 days of the week during the time of the shortage by extending each existing school day by one clock hour of school work, and the State aid claim shall not be reduced, nor shall the employees of that district suffer any reduction in salary or benefits as a result thereof. A district may operate all attendance centers on this revised schedule, or may apply the schedule to selected attendance centers, taking into consideration such factors as pupil transportation schedules and patterns and sources of energy for individual attendance centers.

No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, certification that the district has complied with the requirements of Section 10-22.5 in regard to the nonsegregation of pupils on account of color, creed, race, sex or nationality.

No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, a sworn statement that to the best of his or her knowledge or belief the employing or assigning personnel have complied with Section 24-4 in all respects.

Electronically submitted State aid claims shall be submitted by duly authorized district or regional individuals over a secure network that is password protected. The electronic submission of a State aid claim must be accompanied with an affirmation that all of the provisions of Sections 18-8.05 through 18-9+8-10, 10-22.5, and 24-4 of this Code are met in all respects.

New matter indicated by italics - deletions by strikeout.
Sec. 34-56. Amount to cover loss and cost of collecting tax not added.

In ascertaining the rate per cent that will produce the amount of any tax levied pursuant to the authority granted by Section 34-53, Sections 34-53 and 34-54 the county clerk shall not add any amount to cover the loss and cost of collecting the tax.

(Source: Laws 1961, p. 31.)

Sec. 34-73. Certain taxes additional to maximum otherwise authorized - not reducible. Each of the taxes authorized to be levied by Sections 34-33, 34-39, 34-53.2, 34-53.3, 34-54.1, 34-57, 34-58, 34-60, 34-62, and 34-69, and 34-72 of this Code, and by Section 17-128 of the "Illinois Pension Code" shall be in addition to and exclusive of the maximum of all other taxes which the school district is authorized by law to levy upon the aggregate valuation of all taxable property within the school district or city and the county clerk in reducing taxes under the provisions of the Property Tax Code shall not consider any of such taxes therein authorized as a part of the tax levy of the school district or city required to be included in the aggregate of all taxes to be reduced and no reduction of any tax levy made under the Property Tax Code shall diminish any amount appropriated or levied for any such tax.

(Source: P.A. 88-670, eff. 12-2-94.)

Sec. 34-74. Custody of school moneys. Except as provided in Article Articles 34A and 34B, and Section 34-29.2 of this Code, all moneys raised by taxation for school purposes, or received from the state common school fund, or from any other source for school purposes, shall be held by the city treasurer, ex-officio, as school treasurer, in separate funds for school purposes, subject to the order of the board upon (i) its warrants signed by its president and secretary and countersigned by the mayor and city comptroller or (ii) its checks, as defined in Section 3-104

New matter indicated by italics - deletions by strikeout.
of the Uniform Commercial Code, signed by its president, secretary, and comptroller and countersigned by the mayor and city comptroller.
(Source: P.A. 91-151, eff. 1-1-00.)

Section 25. The Public Community College Act is amended by changing Section 2-12 as follows:

(110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

Sec. 2-12. The State Board shall have the power and it shall be its duty:

(a) To provide statewide planning for community colleges as institutions of higher education and co-ordinate the programs, services and activities of all community colleges in the State so as to encourage and establish a system of locally initiated and administered comprehensive community colleges.

(b) To organize and conduct feasibility surveys for new community colleges or for the inclusion of existing institutions as community colleges and the locating of new institutions.

(c) To approve all locally funded capital projects for which no State monies are required, in accordance with standards established by rule.

(d) To cooperate with the community colleges in continuing studies of student characteristics, admission standards, grading policies, performance of transfer students, qualification and certification of facilities and any other problem of community college education.

(e) To enter into contracts with other governmental agencies and eligible providers, such as local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities; to accept federal funds and to plan with other State agencies when appropriate for the allocation of such federal funds for instructional programs and student services including such funds for adult education and adult literacy, vocational and technical education, and retraining as may be allocated by state and federal agencies for the aid of community colleges. To receive, receipt for, hold in trust, expend and

New matter indicated by italics - deletions by strikeout.
administer, for all purposes of this Act, funds and other aid made available by the federal government or by other agencies public or private, subject to appropriation by the General Assembly. The changes to this subdivision (e) made by this amendatory Act of the 91st General Assembly apply on and after July 1, 2001.

(f) To determine efficient and adequate standards for community colleges for the physical plant, heating, lighting, ventilation, sanitation, safety, equipment and supplies, instruction and teaching, curriculum, library, operation, maintenance, administration and supervision, and to grant recognition certificates to community colleges meeting such standards.

(g) To determine the standards for establishment of community colleges and the proper location of the site in relation to existing institutions of higher education offering academic, occupational and technical training curricula, possible enrollment, assessed valuation, industrial, business, agricultural, and other conditions reflecting educational needs in the area to be served; however, no community college may be considered as being recognized nor may the establishment of any community college be authorized in any district which shall be deemed inadequate for the maintenance, in accordance with the desirable standards thus determined, of a community college offering the basic subjects of general education and suitable vocational and semiprofessional and technical curricula.

(h) To approve or disapprove new units of instruction, research or public service as defined in Section 3-25.1 of this Act submitted by the boards of trustees of the respective community college districts of this State. The State Board may discontinue programs which fail to reflect the educational needs of the area being served. The community college district shall be granted 60 days following the State Board staff recommendation and prior to the State Board's action to respond to concerns regarding the program in question. If the State Board acts to abolish a community college program, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

New matter indicated by italics - deletions by strikeout.
(i) To participate in, to recommend approval or disapproval, and to assist in the coordination of the programs of community colleges participating in programs of interinstitutional cooperation with other public or nonpublic institutions of higher education. If the State Board does not approve a particular cooperative agreement, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

(j) To establish guidelines regarding sabbatical leaves.

(k) To establish guidelines for the admission into special, appropriate programs conducted or created by community colleges for elementary and secondary school dropouts who have received truant status from the school districts of this State in compliance with Section 26-14 of The School Code.

(l) The Community College Board shall conduct a study of community college teacher education courses to determine how the community college system can increase its participation in the preparation of elementary and secondary teachers.

(m) To establish by July 1, 1997 uniform financial accounting and reporting standards and principles for community colleges and develop procedures and systems for community colleges for reporting financial data to the State Board.

(n) To create and participate in the conduct and operation of any corporation, joint venture, partnership, association, or other organizational entity that has the power: (i) to acquire land, buildings, and other capital equipment for the use and benefit of the community colleges or their students; (ii) to accept gifts and make grants for the use and benefit of the community colleges or their students; (iii) to aid in the instruction and education of students of community colleges; and (iv) to promote activities to acquaint members of the community with the facilities of the various community colleges.

(o) On and after July 1, 2001, to ensure the effective teaching of adults and to prepare them for success in employment and lifelong learning by administering a network of providers, programs, and services

New matter indicated by italics - deletions by strikeout.
to provide adult basic education, adult secondary/general education development, English as a second language, and any other instruction designed to prepare adult students to function successfully in society and to experience success in postsecondary education and the world of work.

In order to effect an orderly transition as provided under Section 10-22.19a of the School Code and Section 1-4 of the Adult Education Act, from July 1, 2000 until July 1, 2001, the State Board of Education shall coordinate administration of the powers and duties listed in this subdivision (o) with the State Board.

(p) On and after July 1, 2001, to supervise the administration of adult education and adult literacy programs, to establish the standards for such courses of instruction and supervise the administration thereof; to contract with other State and local agencies and eligible providers, such as local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities, for the purpose of promoting and establishing classes for instruction under these programs, to contract with other State and local agencies to accept and expend appropriations for educational purposes to reimburse local eligible providers for the cost of these programs, and to establish an advisory council consisting of all categories of eligible providers; agency partners, such as the State Board of Education, the Department of Human Services, the Department of Employment Security, and the Secretary of State literacy program; and other stakeholders to identify, deliberate, and make recommendations to the State Board on adult education policy and priorities. In order to effect an orderly transition as provided under Section 10-22.19a of the School Code and Section 1-4 of the Adult Education Act, from July 1, 2000 until July 1, 2001, the State Board of Education shall coordinate administration of the powers and duties listed in this subdivision (p) with the State Board. The State Board shall support statewide geographic distribution; diversity of eligible providers; and the adequacy, stability, and predictability of funding so as not to disrupt or

New matter indicated by italics - deletions by strikeout.
diminish, but rather to enhance, adult education by this change of administration. 
(Source: P.A. 91-830, eff. 7-1-00.)
(20 ILCS 3105/9.04 rep.)
Section 80. The Capital Development Board Act is amended by repealing Section 9.04.
(105 ILCS 5/1A-6 rep.)
(105 ILCS 5/1B-21 rep.)
(105 ILCS 5/2-3.16 rep.)
(105 ILCS 5/2-3.35 rep.)
(105 ILCS 5/2-3.37 rep.)
(105 ILCS 5/2-3.38 rep.)
(105 ILCS 5/2-3.40 rep.)
(105 ILCS 5/2-3.43 rep.)
(105 ILCS 5/2-3.52 rep.)
(105 ILCS 5/2-3.54 rep.)
(105 ILCS 5/2-3.55 rep.)
(105 ILCS 5/2-3.55A rep.)
(105 ILCS 5/2-3.67 rep.)
(105 ILCS 5/2-3.68 rep.)
(105 ILCS 5/2-3.72 rep.)
(105 ILCS 5/2-3.82 rep.)
(105 ILCS 5/2-3.85 rep.)
(105 ILCS 5/2-3.88 rep.)
(105 ILCS 5/2-3.90 rep.)
(105 ILCS 5/2-3.91 rep.)
(105 ILCS 5/2-3.100 rep.)
(105 ILCS 5/2-3.101 rep.)
(105 ILCS 5/2-3.106 rep.)
(105 ILCS 5/2-3.110 rep.)
(105 ILCS 5/2-3.113 rep.)
(105 ILCS 5/2-3.114 rep.)
(105 ILCS 5/7-03 rep.)
(105 ILCS 5/A art. 7C rep.)

New matter indicated by italics - deletions by strikeout.
(105 ILCS 5/10-20.2b rep.)
(105 ILCS 5/10-20.9 rep.)
(105 ILCS 5/10-20.16 rep.)
(105 ILCS 5/10-20.25 rep.)
(105 ILCS 5/10-22.16 rep.)
(105 ILCS 5/10-22.17 rep.)
(105 ILCS 5/10-22.19a rep.)
(105 ILCS 5/10-22.38a rep.)
(105 ILCS 5/10-23.9 rep.)
(105 ILCS 5/13-1 rep.)
(105 ILCS 5/13-2 rep.)
(105 ILCS 5/13-3 rep.)
(105 ILCS 5/13-4 rep.)
(105 ILCS 5/13-5 rep.)
(105 ILCS 5/13-6 rep.)
(105 ILCS 5/13-7 rep.)
(105 ILCS 5/13-8 rep.)
(105 ILCS 5/13-9 rep.)
(105 ILCS 5/13-10 rep.)
(105 ILCS 5/13-11 rep.)
(105 ILCS 5/13-36 rep.)
(105 ILCS 5/14-3.02 rep.)
(105 ILCS 5/14-3.03 rep.)
(105 ILCS 5/14-12.02 rep.)
(105 ILCS 5/14C-2.1 rep.)
(105 ILCS 5/17-2.2b rep.)
(105 ILCS 5/17-2.6 rep.)
(105 ILCS 5/17-2.11b rep.)
(105 ILCS 5/17-3.1 rep.)
(105 ILCS 5/17-3.3 rep.)
(105 ILCS 5/17-8.01 rep.)
(105 ILCS 5/17-9.01 rep.)
(105 ILCS 5/17-13 rep.)
(105 ILCS 5/18-8.7 rep.)

New matter indicated by italics - deletions by strikeout.

New matter indicated by italics - deletions by strikeout.
Section 90. The School District Educational Effectiveness and Fiscal Efficiency Act is repealed.

Section 95. Saving clause. Any repeal made by this Act shall not affect or impair any of the following: suits pending or rights existing at the time this Act takes effect; any grant or conveyance made or right acquired or cause of action now existing under any Section, Article, or Act repealed by this Act; the validity of any bonds or other obligations issued or sold and constituting valid obligations of the issuing authority at the time this Act takes effect; the validity of any contract; the validity of any tax levied under any law in effect prior to the effective date of this Act; or any offense committed, act done, penalty, punishment, or forfeiture incurred or any claim, right, power, or remedy accrued under any law in effect prior to the effective date of this Act. The repeal of any curative or validating Act under this Act shall not affect the corporate existence or powers of any school district lawfully validated thereby.

Approved February 9, 2007.
Effective June 1, 2007.

PUBLIC ACT 94-1106

(65 ILCS 5/11-147-1) (from Ch. 24, par. 11-147-1)

Sec. 11-147-1. Whenever a municipality, drainage district, sanitary district, or other municipal corporation is adjacent to any other municipality, drainage district, sanitary district, or other municipal corporation the adjacent municipal corporations have the power to contract with each other, upon such terms as may be agreed upon between them,

New matter indicated by italics - deletions by strikeout.
for the perpetual or temporary use and benefit by one of them of any sewer or drain, or of any system of sewerage or drainage or part thereof, or of any sewage disposal or sewage treatment plants and works, heretofore or hereafter constructed by the other. Any such sewer or drain, or system of sewerage or drainage or part thereof, or sewage disposal or sewage treatment plants and work, heretofore or hereafter constructed by one such municipal corporation may be extended or furnished to the inhabitants of the other. Such municipal corporations may by contract with each other provide for the joint construction of any sewer or drain or sewage disposal or sewage treatment plants and works by the municipal corporations so contracting, and for the common use thereof by the inhabitants of the contracting municipal corporations. In addition, whenever a sanitary district has acquired an easement granting the sanitary district the right to construct or operate a sanitary sewer system or part of a sanitary sewer system over property that connects the sanitary district to a municipality, the municipality and the sanitary district may enter into a contract for the use of the sanitary sewer system regardless of whether the sanitary district is adjacent to the municipality.

(Source: Laws 1961, p. 576.)

Section 10. The Sanitary District Act of 1917 is amended by changing Sections 8, 23.5, and 23.7 as follows:

(70 ILCS 2405/8) (from Ch. 42, par. 307)

Sec. 8.

(a) The sanitary district may acquire by purchase, condemnation, or otherwise all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purposes. If real property is acquired by condemnation, the sanitary district may not sell or lease any portion of the property for a period of 10 years after acquisition by condemnation is completed. If, after such 10-year period, the sanitary district decides to sell or lease the property, it must first offer the property for sale or lease to the previous owner of the land from whom the sanitary district acquired the property. If the sanitary district and such previous owner do not execute a contract for purchase or lease of the property within 60 days from the initial offer, the sanitary

New matter indicated by italics - deletions by strikeout.
district then may offer the property for sale or lease to any other person. If any district formed under this Act is unable to agree with any other sanitary district upon the terms whereby it shall be permitted to use the drains, channels or ditches of such other sanitary district, the right to such use may be acquired by condemnation in any circuit court by proceedings as provided in Section 4-17 of the Illinois Drainage Code. The compensation to be paid for such use may be a gross sum, or it may be in the form of an annual rental, to be paid in yearly installments as provided by the judgment of the court wherein such proceedings may be had. However, when such compensation is fixed at a gross sum all moneys for the purchase and condemnation of any property shall be paid before possession is taken or any work done on the premises damaged by the construction of such channel or outlet, and in case of an appeal from the circuit court taken by either party whereby the amount of damages is not finally determined, then possession may be taken, if the amount of judgment in such court is deposited at some bank or savings and loan association to be designated by the court, subject to the payment of such damages on orders signed by the circuit court, whenever the amount of damages is finally determined. The sanitary district may sell, convey, vacate and release the real or personal property, right of way and privileges acquired by it when no longer required for the purposes of the district.

(b) A sanitary district may exercise its powers of eminent domain to acquire a public utility only if the Illinois Commerce Commission, following petition by the sanitary district, has granted approval for the sanitary district to proceed in accordance with Article VII of the Code of Civil Procedure. The following procedures must be followed when a sanitary district exercises its power of eminent domain to acquire a public utility.

(1) The sanitary district shall petition the Commission for approval of the acquisition of a public utility by the exercise of eminent domain powers. The petition filed by the sanitary district shall state the following:

(A) the caption of the case;
(B) the date of the filing of the application;

New matter indicated by italics - deletions by strikeout.
(C) the name and address of the condemnee;
(D) the name and address of the condemnor;
(E) a specific reference to the statute under which the condemnation action is authorized;
(F) a specific reference to the action, whether by ordinance, resolution, or otherwise, by which the declaration of taking was authorized, including the date when such action was taken, and the place where the record may be examined;
(G) a description of the purpose of the condemnation;
(H) a reasonable description of the property to be condemned;
(I) a statement of how just compensation will be made;
(J) a statement that, if the condemnee wishes to challenge the proceeding, the condemnee shall file objections within 45 days after its receipt of the notice.

(2) Within 30 days after the filing of a petition by the sanitary district of its intent to acquire by eminent domain all real and personal property, rights of way, and privileges of a public utility, the sanitary district shall serve a copy of the petition on the public utility and shall publish a notice of the filing of the petition in a newspaper of general circulation in the area served by the sanitary district. The sanitary district shall file a certificate of publication with the Commission as proof of publication.

(3) Within 45 days after being served with the notice required by this Section, the condemnee may file objections to the petition with the Commission. All objections shall state specifically the grounds relied upon. All objections shall be raised at one time and in one document. The condemnee shall serve a copy of the objections upon the condemnor within 72 hours after the objections are filed with the Commission.
(4) The Commission shall make a determination regarding the petition and any objections to the petition and shall make such orders and decrees as justice and law shall require. The Commission may take evidence by deposition or otherwise and shall entertain oral argument on all objections. The Commission shall make its determination within 105 days after its receipt of the objections of the condemnee, unless the Commission, in its discretion, extends the determination period for a further period not exceeding 6 months.

(c) The Illinois Commerce Commission shall approve the taking of any property by a sanitary district under subsection (b), within or outside its boundaries, if it is in the public interest. The taking shall be considered to be in the public interest if the sanitary district establishes by a preponderance of the evidence:

1. that the sanitary district has been in existence as the operator of a wastewater system for at least 20 years;
2. that it will provide wastewater treatment service within the proposed area subject to condemnation at the same level of wastewater treatment service provided throughout the district;
3. that it will provide the wastewater collection, treatment, and disposal at the same or less operational and maintenance volumetric or bulk rate as the public utility whose property is subject to condemnation; and
4. that it is not financially impractical for the public utility to serve its remaining customers who are not in the area subject to condemnation.

(Source: P.A. 90-558, eff. 12-12-97.)

(70 ILCS 2405/23.5) (from Ch. 42, par. 317e.5)

Sec. 23.5. Any sanitary district may annex any territory which is not within the corporate limits of the sanitary district but which is contiguous to it and is served by the sanitary district or by a municipality with sanitary sewers that are connected and served by the sanitary district by the passage of an ordinance to that effect by the board of trustees, describing the territory to be annexed. A copy of the ordinance with an

New matter indicated by italics - deletions by strikeout.
accurate map of the annexed territory, certified as correct by the clerk of the district shall be filed with the county clerk of the county in which the annexed territory is located. For purposes of this Act, a property is served by a sanitary district if a sewer that is part of the sanitary district's sewer system, part of the sewer system of a municipality that is connected to the sanitary district, or part of any other sewer system that connects to and is served by the sanitary district has been extended to, across, or along the property, whether or not the buildings on the property are physically connected to the sewer.

Territory that is not contiguous to a sanitary district but is separated from the sanitary district by only a forest preserve district may be annexed to the sanitary district under this Section. The territory included within the forest preserve district shall not be annexed to the sanitary district and shall not be subject to rights-of-way for access or services between the parts of the sanitary district separated by the forest preserve district without the approval of the governing body of the forest preserve district.

(Source: P.A. 90-697, eff. 8-7-98.)

(70 ILCS 2405/23.7) (from Ch. 42, par. 317e.7)

Sec. 23.7. For purposes of this Act, territory to be organized as a sanitary district shall be considered to be contiguous territory, and territory to be annexed to a sanitary district shall be considered to be contiguous to the sanitary district notwithstanding that the territory to be so organized is divided by, one or more railroad rights-of-ways, public easements, or property owned by a public utility, or that the territory to be so annexed is separated from the sanitary district by, one or more railroad rights-of-ways, public easements, or property owned by a public utility, or property owned by a forest preserve district or any public agency or not-for-profit corporation, provided that the property does not require sanitary sewer service. However, upon such organization or annexation, the area included within any such right-of-way, public easement, or property owned by a public utility, or property owned by a forest preserve district or any public agency or not-for-profit corporation shall not be considered a part of or annexed to the sanitary district and shall not be subject to rights-of-way

New matter indicated by italics - deletions by strikeout.
for access or services without the approval of the legal owner of the property.
(Source: P.A. 89-558, eff. 7-26-96.)

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

Passed in the General Assembly November 15, 2006.
Approved February 9, 2007.
Effective February 9, 2007.

PUBLIC ACT 94-1107
(Senate Bill No. 1959)

AN ACT concerning State government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Property Control Act is amended by adding Section 8.3 as follows:

(30 ILCS 605/8.3 new)

Sec. 8.3. John J. Madden Mental Health Center.
(a) Notwithstanding any other provision of this Act or any other law to the contrary, the administrator is authorized under this Section to sell all or any part, from time to time, of the property in Cook County known as the John J. Madden Mental Health Center, if ever it is declared no longer needed by the Secretary of Human Services, to Loyola University Medical Center at its fair market value as determined under subsection (b).

(b) The administrator shall obtain 3 appraisals of property to be sold under subsection (a). Each appraiser must be licensed under the Real Estate Appraiser Licensing Act of 2002, or a successor Act. At least 2 of the appraisals must be performed by appraisers residing in Cook County. The average of these 3 appraisals, plus the cost of obtaining the appraisals, shall represent the fair market value of the property to be sold.

(c) Neither all nor any part of the property may be sold or leased to any other party by the administrator or by any other State officer or

New matter indicated by italics - deletions by strikeout.
agency, at any time, unless it has first been offered for sale to Loyola University Medical Center as provided in this Section.

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

Approved February 16, 2007.
Effective February 16, 2007.

PUBLIC ACT 94-1108
(Senate Bill No. 2674)

AN ACT concerning State government.

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

Section 5. If and only if Senate Bill 1959 of the 94th General Assembly becomes law, the State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-5 as follows:

(15 ILCS 20/50-5) (was 15 ILCS 20/38)

Sec. 50-5. Governor to submit State budget. The Governor shall, as soon as possible and not later than the first second Wednesday in March April in 2007 (March 7, 2007) 2003 and the third Wednesday in February of each year beginning in 2008 2004, except as otherwise provided in this Section, submit a State budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation. In 2004 only, the Governor shall submit the capital development section of the State budget not later than the fourth Tuesday of March (March 23, 2004). The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to the various functions and activities for which the respective department, office or institution of the State government (including the elective officers in the executive department and including

New matter indicated by italics - deletions by strikeout.
the University of Illinois and the judicial department) is responsible. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13 of the State Finance Act.

The Governor shall not propose expenditures and the General Assembly shall not enact appropriations that exceed the resources estimated to be available, as provided in this Section.

For the purposes of Article VIII, Section 2 of the 1970 Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

(1) General Revenue Fund.
(2) Common School Fund.
(3) Educational Assistance Fund.
(4) Road Fund.
(6) Agricultural Premium Fund.

These funds shall be known as the "budgeted funds". The revenue estimates used in the State budget for the budgeted funds shall include the estimated beginning fund balance, plus revenues estimated to be received during the budgeted year, plus the estimated receipts due the State as of June 30 of the budgeted year that are expected to be collected during the lapse period following the budgeted year, minus the receipts collected during the first 2 months of the budgeted year that became due to the State in the year before the budgeted year. Revenues shall also include estimated federal reimbursements associated with the recognition of Section 25 of the State Finance Act liabilities. For any budgeted fund for which current year revenues are anticipated to exceed expenditures, the surplus shall be considered to be a resource available for expenditure in the budgeted fiscal year.

Expenditure estimates for the budgeted funds included in the State budget shall include the costs to be incurred by the State for the budgeted year, to be paid in the next fiscal year, excluding costs paid in the budgeted year which were carried over from the prior year, where the payment is

New matter indicated by italics - deletions by strikeout.
authorized by Section 25 of the State Finance Act. For any budgeted fund for which expenditures are expected to exceed revenues in the current fiscal year, the deficit shall be considered as a use of funds in the budgeted fiscal year.

Revenues and expenditures shall also include transfers between funds that are based on revenues received or costs incurred during the budget year.

By March 15 of each year, the Commission on Government Forecasting and Accountability shall prepare revenue and fund transfer estimates in accordance with the requirements of this Section and report those estimates to the General Assembly and the Governor.

For all funds other than the budgeted funds, the proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget. Appropriation for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(Source: P.A. 93-1, eff. 2-6-03; 93-662, eff. 2-11-04; 93-1067, eff. 1-15-05.)

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

Approved February 16, 2007.
Effective February 16, 2007.

PUBLIC ACT 94-1109
(Senate Bill No. 0318)

AN ACT concerning local government.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 5. The Sanitary District Act of 1917 is amended by adding Section 7.9 as follows:

(70 ILCS 2405/7.9 new)
Sec. 7.9. Private agreements for wastewater treatment.

New matter indicated by italics - deletions by strikeout.
(a) The board of trustees of the Sanitary District of Decatur may enter into an agreement to sell, convey, or disburse treated wastewater to a private entity located within 50 miles of the District's boundaries. The agreement may not exceed 30 years. The Sanitary District of Decatur may also accept wastewater for treatment from a private entity located within 50 miles of the district's boundaries.

(b) In addition, the Sanitary District of Decatur may acquire and accept, by gift, grant, purchase, or otherwise, pursuant to its authority under this Act, fee simple interest or any lesser interest as may be desired in real property necessary to carry out its powers under this Section.

(c) This Section does not apply to private entities located outside of the State.

Section 10. The Eminent Domain Act is amended by changing Section 15-5-15 as follows:

(735 ILCS 30/15-5-15)
Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70 through 75. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:
(70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport authorities; for public airport facilities.
(70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport authorities; for removal of airport hazards.
(70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport authorities; for reduction of the height of objects or structures.
(70 ILCS 10/4); Interstate Airport Authorities Act; interstate airport authorities; for general purposes.
(70 ILCS 15/3); Kankakee River Valley Area Airport Authority Act; Kankakee River Valley Area Airport Authority; for acquisition of land for airports.
(70 ILCS 200/2-20); Civic Center Code; civic center authorities; for grounds, centers, buildings, and parking.
(70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center Authority; for grounds, centers, buildings, and parking.

New matter indicated by italics - deletions by strikeout.
(70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.
(70 ILCS 200/15-40); Civic Center Code; Benton Civic Center
Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/20-15); Civic Center Code; Bloomington Civic
Center Authority; for grounds, centers, buildings, and
parking.
(70 ILCS 200/35-35); Civic Center Code; Brownstown Park
District Civic Center Authority; for grounds, centers,
buildings, and parking.
(70 ILCS 200/40-35); Civic Center Code; Carbondale Civic Center
Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/55-60); Civic Center Code; Chicago South Civic
Center Authority; for grounds, centers, buildings, and
parking.
(70 ILCS 200/60-30); Civic Center Code; Collinsville
Metropolitan Exposition, Auditorium and Office Building
Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic
Center Authority; for grounds, centers, buildings, and
parking.
(70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.
(70 ILCS 200/80-15); Civic Center Code; DuPage County
Metropolitan Exposition, Auditorium and Office Building
Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.
(70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.

New matter indicated by italics - deletions by strikeout.
(70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/115-35); Civic Center Code; Jasper County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/120-25); Civic Center Code; Jefferson County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/125-15); Civic Center Code; Jo Daviess County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/130-30); Civic Center Code; Katherine Dunham Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/150-35); Civic Center Code; Mason County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/165-35); Civic Center Code; Melrose Park Metropolitan Exposition Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/170-20); Civic Center Code; certain Metropolitan Exposition, Auditorium and Office Building Authorities; for general purposes.
(70 ILCS 200/180-35); Civic Center Code; Normal Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center

New matter indicated by italics - deletions by strikeout.
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/215-15); Civic Center Code; Illinois Quad City
Civic Center Authority; for grounds, centers, buildings,
and parking.

(70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.

(70 ILCS 200/225-35); Civic Center Code; Randolph County Civic
Center Authority; for grounds, centers, buildings, and
parking.

(70 ILCS 200/230-35); Civic Center Code; River Forest
Metropolitan Exposition, Auditorium and Office Building
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/235-40); Civic Center Code; Riverside Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/245-35); Civic Center Code; Salem Civic Center
Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/255-20); Civic Center Code; Springfield
Metropolitan Exposition and Auditorium Authority; for
grounds, centers, and parking.

(70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan
Exposition, Auditorium and Office Building Authority; for
grounds, centers, buildings, and parking.

(70 ILCS 200/265-20); Civic Center Code; Vermilion County
Metropolitan Exposition, Auditorium and Office Building
Authority; for grounds, centers, buildings, and parking.

New matter indicated by italics - deletions by strikeout.
(70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/280-20); Civic Center Code; Will County Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.

(70 ILCS 210/5); Metropolitan Pier and Exposition Authority Act; Metropolitan Pier and Exposition Authority; for general purposes, including quick-take power.

(70 ILCS 405/22.04); Soil and Water Conservation Districts Act; soil and water conservation districts; for general purposes.

(70 ILCS 410/10 and 410/12); Conservation District Act; conservation districts; for open space, wildland, scenic roadway, pathway, outdoor recreation, or other conservation benefits.

(70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act; Fort Sheridan Redevelopment Commission; for general purposes or to carry out comprehensive or redevelopment plans.

(70 ILCS 520/8); Southwestern Illinois Development Authority Act; Southwestern Illinois Development Authority; for general purposes, including quick-take power.

(70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code; drainage districts; for general purposes.

(70 ILCS 615/5 and 615/6); Chicago Drainage District Act; corporate authorities; for construction and maintenance of works.

(70 ILCS 705/10); Fire Protection District Act; fire protection districts; for general purposes.

(70 ILCS 805/6); Downstate Forest Preserve District Act; certain forest preserve districts; for general purposes.

New matter indicated by italics - deletions by strikeout.
(70 ILCS 805/18.8); Downstate Forest Preserve District Act; certain forest preserve districts; for recreational and cultural facilities.

(70 ILCS 810/8); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for general purposes.

(70 ILCS 810/38); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for recreational facilities.

(70 ILCS 910/15 and 910/16); Hospital District Law; hospital districts; for hospitals or hospital facilities.

(70 ILCS 915/3); Illinois Medical District Act; Illinois Medical District Commission; for general purposes.

(70 ILCS 915/4.5); Illinois Medical District Act; Illinois Medical District Commission; quick-take power for the Illinois State Police Forensic Science Laboratory (obsolete).

(70 ILCS 920/5); Tuberculosis Sanitarium District Act; tuberculosis sanitarium districts; for tuberculosis sanitariums.

(70 ILCS 925/20); Illinois Medical District at Springfield Act; Illinois Medical District at Springfield; for general purposes.

(70 ILCS 1005/7); Mosquito Abatement District Act; mosquito abatement districts; for general purposes.

(70 ILCS 1105/8); Museum District Act; museum districts; for general purposes.

(70 ILCS 1205/7-1); Park District Code; park districts; for streets and other purposes.

(70 ILCS 1205/8-1); Park District Code; park districts; for parks.

(70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park districts; for airports and landing fields.

(70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park...
districts; for State land abutting public water and certain access rights.
(70 ILCS 1205/11.1-3); Park District Code; park districts; for harbors.
(70 ILCS 1225/2); Park Commissioners Land Condemnation Act; park districts; for street widening.
(70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water Control Act; park districts; for parks, boulevards, driveways, parkways, viaducts, bridges, or tunnels.
(70 ILCS 1250/2); Park Commissioners Street Control (1889) Act; park districts; for boulevards or driveways.
(70 ILCS 1290/1); Park District Aquarium and Museum Act; municipalities or park districts; for aquariums or museums.
(70 ILCS 1305/2); Park District Airport Zoning Act; park districts; for restriction of the height of structures.
(70 ILCS 1310/5); Park District Elevated Highway Act; park districts; for elevated highways.
(70 ILCS 1505/15); Chicago Park District Act; Chicago Park District; for parks and other purposes.
(70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park District; for parking lots or garages.
(70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park District; for harbors.
(70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation Act; Lincoln Park Commissioners; for land and interests in land, including riparian rights.
(70 ILCS 1805/8); Havana Regional Port District Act; Havana Regional Port District; for general purposes.
(70 ILCS 1810/7); Illinois International Port District Act; Illinois International Port District; for general purposes.
(70 ILCS 1815/13); Illinois Valley Regional Port District Act; Illinois Valley Regional Port District; for general purposes.

New matter indicated by italics - deletions by strikeout.
purposes.
(70 ILCS 1820/4); Jackson-Union Counties Regional Port
District Act; Jackson-Union Counties Regional Port
District; for removal of airport hazards or reduction of
the height of objects or structures.
(70 ILCS 1820/5); Jackson-Union Counties Regional Port
District Act; Jackson-Union Counties Regional Port
District; for general purposes.
(70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet
Regional Port District; for removal of airport hazards.
(70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet
Regional Port District; for reduction of the height of
objects or structures.
(70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet
Regional Port District; for removal of hazards from ports
and terminals.
(70 ILCS 1825/5); Joliet Regional Port District Act; Joliet
Regional Port District; for general purposes.
(70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;
Kaskaskia Regional Port District; for removal of hazards
from ports and terminals.
(70 ILCS 1830/14); Kaskaskia Regional Port District Act;
Kaskaskia Regional Port District; for general purposes.
(70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act; Mt.
Carmel Regional Port District; for removal of airport
hazards.
(70 ILCS 1835/5.11); Mt. Carmel Regional Port District Act; Mt.
Carmel Regional Port District; for reduction of the height
of objects or structures.
(70 ILCS 1835/6); Mt. Carmel Regional Port District Act; Mt.
Carmel Regional Port District; for general purposes.
(70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca
Regional Port District; for removal of airport hazards.
(70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca

New matter indicated by italics - deletions by strikeout.
Regional Port District; for reduction of the height of objects or structures.

(70 ILCS 1845/5); Seneca Regional Port District Act; Seneca Regional Port District; for general purposes.

(70 ILCS 1850/4); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1850/5); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for general purposes.

(70 ILCS 1855/4); Southwest Regional Port District Act; Southwest Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.

(70 ILCS 1855/5); Southwest Regional Port District Act; Southwest Regional Port District; for general purposes.

(70 ILCS 1860/4); Tri-City Regional Port District Act; Tri-City Regional Port District; for removal of airport hazards.

(70 ILCS 1860/5); Tri-City Regional Port District Act; Tri-City Regional Port District; for the development of facilities.

(70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port District; for removal of airport hazards.

(70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port District; for restricting the height of objects or structures.

(70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port District; for the development of facilities.

(70 ILCS 1870/8); White County Port District Act; White County Port District; for the development of facilities.

(70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad Terminal Authority (Chicago); for general purposes.

(70 ILCS 1915/25); Grand Avenue Railroad Relocation Authority Act; Grand Avenue Railroad Relocation Authority; for general purposes, including quick-take power (now

New matter indicated by italics - deletions by strikeout.
New matter indicated by italics - deletions by strikeout.

(70 ILCS 2105/9b); River Conservancy Districts Act; river conservancy districts; for general purposes.
(70 ILCS 2105/10a); River Conservancy Districts Act; river conservancy districts; for corporate purposes.
(70 ILCS 2205/15); Sanitary District Act of 1907; sanitary districts; for corporate purposes.
(70 ILCS 2205/18); Sanitary District Act of 1907; sanitary districts; for improvements and works.
(70 ILCS 2205/19); Sanitary District Act of 1907; sanitary districts; for access to property.
(70 ILCS 2305/8); North Shore Sanitary District Act; North Shore Sanitary District; for corporate purposes.
(70 ILCS 2305/15); North Shore Sanitary District Act; North Shore Sanitary District; for improvements.
(70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary District of Decatur; for carrying out agreements to sell, convey, or disburse treated wastewater to a private entity.
(70 ILCS 2405/8); Sanitary District Act of 1917; sanitary districts; for corporate purposes.
(70 ILCS 2405/15); Sanitary District Act of 1917; sanitary districts; for improvements.
(70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of 1917; sanitary districts; for waterworks.
(70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary districts; for public sewer and water utility treatment works.
(70 ILCS 2405/18); Sanitary District Act of 1917; sanitary districts; for dams or other structures to regulate water flow.
(70 ILCS 2605/8); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for corporate purposes.
(70 ILCS 2605/16); Metropolitan Water Reclamation District
Act; Metropolitan Water Reclamation District; quick-take power for improvements.

(70 ILCS 2605/17); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for bridges.

(70 ILCS 2605/35); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for widening and deepening a navigable stream.

(70 ILCS 2805/10); Sanitary District Act of 1936; sanitary districts; for corporate purposes.

(70 ILCS 2805/24); Sanitary District Act of 1936; sanitary districts; for improvements.

(70 ILCS 2805/26i and 2805/26j); Sanitary District Act of 1936; sanitary districts; for drainage systems.

(70 ILCS 2805/27); Sanitary District Act of 1936; sanitary districts; for dams or other structures to regulate water flow.

(70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary districts; for water supply.

(70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary districts; for waterworks.

(70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for corporate purposes.

(70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for access to property.

(70 ILCS 3010/10); Sanitary District Revenue Bond Act; sanitary districts; for sewerage systems.

(70 ILCS 3205/12); Illinois Sports Facilities Authority Act; Illinois Sports Facilities Authority; quick-take power for its corporate purposes (obsolete).

(70 ILCS 3405/16); Surface Water Protection District Act; surface water protection districts; for corporate purposes.

(70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago Transit Authority; for transportation systems.

New matter indicated by italics - deletions by strikeout.
(70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago
Transit Authority; for general purposes.
(70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago
Transit Authority; for general purposes, including
railroad property.
(70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;
local mass transit districts; for general purposes.
(70 ILCS 3615/2.13); Regional Transportation Authority Act;
Regional Transportation Authority; for general purposes.
(70 ILCS 3705/8 and 3705/12); Public Water District Act; public
water districts; for waterworks.
(70 ILCS 3705/23a); Public Water District Act; public water
districts; for sewerage properties.
(70 ILCS 3705/23e); Public Water District Act; public water
districts; for combined waterworks and sewerage systems.
(70 ILCS 3715/6); Water Authorities Act; water authorities; for
facilities to ensure adequate water supply.
(70 ILCS 3715/27); Water Authorities Act; water authorities;
for access to property.
(75 ILCS 5/4-7); Illinois Local Library Act; boards of library
trustees; for library buildings.
(75 ILCS 16/30-55.80); Public Library District Act of 1991;
public library districts; for general purposes.
(75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
authorities of city or park district, or board of park
commissioners; for free public library buildings.
(Source: P.A. 94-1055, eff. 1-1-07.)
Section 99. Effective date. This Act takes effect upon becoming
law.

Approved February 23, 2007.

New matter indicated by italics - deletions by strikeout.
AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 21-2.1 as follows:

(105 ILCS 5/21-2.1) (from Ch. 122, par. 21-2.1)
Sec. 21-2.1. Early childhood certificate.

(a) An early childhood certificate shall be valid for 4 years for teaching children up to 6 years of age, exclusive of children enrolled in kindergarten, in facilities approved by the State Superintendent of Education. Beginning July 1, 1988, such certificate shall be valid for 4 years for Teaching children through grade 3 in facilities approved by the State Superintendent of Education. Subject to the provisions of Section 21-1a, it shall be issued to persons who have graduated from a recognized institution of higher learning with a bachelor's degree and with not fewer than 120 semester hours including professional education or human development or, until July 1, 1992, to persons who have early childhood education instruction and practical experience involving supervised work with children under 6 years of age or with children through grade 3. Such persons shall be recommended for the early childhood certificate by a recognized institution as having completed an approved program of preparation which includes the requisite hours and academic and professional courses and practical experience approved by the State Superintendent of Education in consultation with the State Teacher Certification Board. The student teaching portion of such practical experience may be satisfied through placement in any of grades pre-kindergarten (which consists of children from 3 years through 5 years of age) through 3, provided that the student is under the active supervision of a cooperating teacher who is certified and qualified (i) in early childhood education or (ii) in self-contained, general elementary education. Candidates for the early childhood certificate (including

New matter indicated by italics - deletions by strikeout.
Paraprofessionals with at least one year of experience in a school or community-based early childhood setting who are enrolled in early-childhood teacher preparation programs may be paid and receive credit while student teaching with their current employer, provided that their student teaching experience meets the requirements of their early-childhood teacher preparation program.

(b) Beginning February 15, 2000, Initial and Standard Early Childhood Education Certificates shall be issued to persons who meet the criteria established by the State Board of Education.

(Source: P.A. 94-1034, eff. 1-1-07.)

Section 99. Effective date. This Act takes effect January 1, 2007.
Approved February 23, 2007.

AN ACT concerning public employee benefits.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Pension Code is amended by changing Sections 14-103.05, 14-104, 16-106, 16-158, and 17-133 as follows:

(40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)
Sec. 14-103.05. Employee.

(a) Any person employed by a Department who receives salary for personal services rendered to the Department on a warrant issued pursuant to a payroll voucher certified by a Department and drawn by the State Comptroller upon the State Treasurer, including an elected official described in subparagraph (d) of Section 14-104, shall become an employee for purpose of membership in the Retirement System on the first day of such employment.
A person entering service on or after January 1, 1972 and prior to January 1, 1984 shall become a member as a condition of employment and shall begin making contributions as of the first day of employment.

A person entering service on or after January 1, 1984 shall, upon completion of 6 months of continuous service which is not interrupted by a break of more than 2 months, become a member as a condition of employment. Contributions shall begin the first of the month after completion of the qualifying period.

The qualifying period of 6 months of service is not applicable to:
(1) a person who has been granted credit for service in a position covered by the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the General Assembly Retirement System, or the Judges Retirement System of Illinois unless that service has been forfeited under the laws of those systems; (2) a person entering service on or after July 1, 1991 in a noncovered position; or (3) a person to whom Section 14-108.2a or 14-108.2b applies.

(b) The term "employee" does not include the following:
(1) members of the State Legislature, and persons electing to become members of the General Assembly Retirement System pursuant to Section 2-105;
(2) incumbents of offices normally filled by vote of the people;
(3) except as otherwise provided in this Section, any person appointed by the Governor with the advice and consent of the Senate unless that person elects to participate in this system;
(3.1) any person serving as a commissioner of an ethics commission created under the State Officials and Employees Ethics Act unless that person elects to participate in this system with respect to that service as a commissioner;
(3.2) any person serving as a part-time employee in any of the following positions: Legislative Inspector General, Special Legislative Inspector General, employee of the Office of the Legislative Inspector General, Executive Director of the Legislative Ethics Commission, or staff of the Legislative Ethics

New matter indicated by italics - deletions by strikeout.
Commission, regardless of whether he or she is in active service on or after July 8, 2004 (the effective date of Public Act 93-685), unless that person elects to participate in this System with respect to that service; in this item (3.2), a "part-time employee" is a person who is not required to work at least 35 hours per week;

(3.3) any person who has made an election under Section 1-123 and who is serving either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General;

(4) except as provided in Section 14-108.2 or 14-108.2c, any person who is covered or eligible to be covered by the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, or the Judges Retirement System of Illinois;

(5) an employee of a municipality or any other political subdivision of the State;

(6) any person who becomes an employee after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and whose wages or fringe benefits are paid in whole or in part by funds provided under such Act;

(7) enrollees of the Illinois Young Adult Conservation Corps program, administered by the Department of Natural Resources, authorized grantee pursuant to Title VIII of the "Comprehensive Employment and Training Act of 1973", 29 USC 993, as now or hereafter amended;

(8) enrollees and temporary staff of programs administered by the Department of Natural Resources under the Youth Conservation Corps Act of 1970;

(9) any person who is a member of any professional licensing or disciplinary board created under an Act administered by the Department of Professional Regulation or a successor agency or created or re-created after the effective date of this amendatory Act of 1997, and who receives per diem compensation rather than a salary, notwithstanding that such per diem

New matter indicated by italics - deletions by strikeout.
compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 (P.A. 84-1472) is not intended to effect any change in the status of such persons;

(10) any person who is a member of the Illinois Health Care Cost Containment Council, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 is not intended to effect any change in the status of such persons;

(11) any person who is a member of the Oil and Gas Board created by Section 1.2 of the Illinois Oil and Gas Act, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; or

(12) a person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004, who remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network and participates in the Article 15 system with respect to that employment.

(c) An individual who represents or is employed as an officer or employee of a statewide labor organization that represents members of this System may participate in the System and shall be deemed an employee, provided that (1) the individual has previously earned creditable service under this Article, (2) the individual files with the System an irrevocable election to become a participant within 6 months after the effective date of this amendatory Act of the 94th General Assembly, and (3) the individual does not receive credit for that employment under any other provisions of this Code. An employee under this subsection (c) is responsible for paying to the System both (i) employee contributions based on the actual compensation received for service with the labor organization and (ii) employer contributions based

New matter indicated by italics - deletions by strikeout.
on the percentage of payroll certified by the board; all or any part of these contributions may be paid on the employee's behalf or picked up for tax purposes (if authorized under federal law) by the labor organization.

A person who is an employee as defined in this subsection (c) may establish service credit for similar employment prior to becoming an employee under this subsection by paying to the System for that employment the contributions specified in this subsection, plus interest at the effective rate from the date of service to the date of payment. However, credit shall not be granted under this subsection (c) for any such prior employment for which the applicant received credit under any other provision of this Code or during which the applicant was on a leave of absence.

(Source: P.A. 92-14, eff. 6-28-01; 93-685, eff. 7-8-04; 93-839, eff. 7-30-04; 93-1069, eff. 1-15-05.)

(40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

Sec. 14-104. Service for which contributions permitted. Contributions provided for in this Section shall cover the period of service granted. Except as otherwise provided in this Section, the contributions shall be based upon the employee's compensation and contribution rate in effect on the date he last became a member of the System; provided that for all employment prior to January 1, 1969 the contribution rate shall be that in effect for a noncovered employee on the date he last became a member of the System. Except as otherwise provided in this Section, contributions permitted under this Section shall include regular interest from the date an employee last became a member of the System to the date of payment.

These contributions must be paid in full before retirement either in a lump sum or in installment payments in accordance with such rules as may be adopted by the board.

(a) Any member may make contributions as required in this Section for any period of service, subsequent to the date of establishment, but prior to the date of membership.

(b) Any employee who had been previously excluded from membership because of age at entry and subsequently became eligible may

New matter indicated by italics - deletions by strikeout.
elect to make contributions as required in this Section for the period of service during which he was ineligible.

(c) An employee of the Department of Insurance who, after January 1, 1944 but prior to becoming eligible for membership, received salary from funds of insurance companies in the process of rehabilitation, liquidation, conservation or dissolution, may elect to make contributions as required in this Section for such service.

(d) Any employee who rendered service in a State office to which he was elected, or rendered service in the elective office of Clerk of the Appellate Court prior to the date he became a member, may make contributions for such service as required in this Section. Any member who served by appointment of the Governor under the Civil Administrative Code of Illinois and did not participate in this System may make contributions as required in this Section for such service.

(e) Any person employed by the United States government or any instrumentality or agency thereof from January 1, 1942 through November 15, 1946 as the result of a transfer from State service by executive order of the President of the United States shall be entitled to prior service credit covering the period from January 1, 1942 through December 31, 1943 as provided for in this Article and to membership service credit for the period from January 1, 1944 through November 15, 1946 by making the contributions required in this Section. A person so employed on January 1, 1944 but whose employment began after January 1, 1942 may qualify for prior service and membership service credit under the same conditions.

(f) An employee of the Department of Labor of the State of Illinois who performed services for and under the supervision of that Department prior to January 1, 1944 but who was compensated for those services directly by federal funds and not by a warrant of the Auditor of Public Accounts paid by the State Treasurer may establish credit for such employment by making the contributions required in this Section. An employee of the Department of Agriculture of the State of Illinois, who performed services for and under the supervision of that Department prior to June 1, 1963, but was compensated for those services directly by federal funds and not paid by a warrant of the Auditor of Public Accounts paid by
the State Treasurer, and who did not contribute to any other public employee retirement system for such service, may establish credit for such employment by making the contributions required in this Section.

(g) Any employee who executed a waiver of membership within 60 days prior to January 1, 1944 may, at any time while in the service of a department, file with the board a rescission of such waiver. Upon making the contributions required by this Section, the member shall be granted the creditable service that would have been received if the waiver had not been executed.

(h) Until May 1, 1990, an employee who was employed on a full-time basis by a regional planning commission for at least 5 continuous years may establish creditable service for such employment by making the contributions required under this Section, provided that any credits earned by the employee in the commission's retirement plan have been terminated.

(i) Any person who rendered full time contractual services to the General Assembly as a member of a legislative staff may establish service credit for up to 8 years of such services by making the contributions required under this Section, provided that application therefor is made not later than July 1, 1991.

(j) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, but with all of the interest calculated from the date the employee last became a member of the System or November 19, 1991, whichever is later, to the date of payment, an employee may establish service credit for a period of up to 2 years spent in active military service for which he does not qualify for credit under Section 14-105, provided that (1) he was not dishonorably discharged from such military service, and (2) the amount of service credit established by a member under this subsection (j), when added to the amount of military service credit granted to the member under subsection (b) of Section 14-105, shall not exceed 5 years. The change in the manner of calculating interest under this subsection (j) made by this amendatory Act of the 92nd General Assembly applies to credit purchased by an

New matter indicated by italics - deletions by strikeout.
employee on or after its effective date and does not entitle any person to a refund of contributions or interest already paid.

(k) An employee who was employed on a full-time basis by the Illinois State's Attorneys Association Statewide Appellate Assistance Service LEAA-ILEC grant project prior to the time that project became the State's Attorneys Appellate Service Commission, now the Office of the State's Attorneys Appellate Prosecutor, an agency of State government, may establish creditable service for not more than 60 months service for such employment by making contributions required under this Section.

(l) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for periods of less than one year spent on authorized leave of absence from service, provided that (1) the period of leave began on or after January 1, 1982 and (2) any credit established by the member for the period of leave in any other public employee retirement system has been terminated. A member may establish service credit under this subsection for more than one period of authorized leave, and in that case the total period of service credit established by the member under this subsection may exceed one year. In determining the contributions required for establishing service credit under this subsection, the interest shall be calculated from the beginning of the leave of absence to the date of payment.

(m) Any person who rendered contractual services to a member of the General Assembly as a worker in the member's district office may establish creditable service for up to 3 years of those contractual services by making the contributions required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(n) Any person who rendered contractual services to a member of the General Assembly as a worker providing constituent services to persons in the member's district may establish creditable service for up to 8 years of those contractual services by making the contributions required
under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(o) A member who participated in the Illinois Legislative Staff Internship Program may establish creditable service for up to one year of that participation by making the contribution required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. Credit may not be established under this subsection for any period for which service credit is established under any other provision of this Code.

(p) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for a period of up to 8 years during which he or she was employed by the Visually Handicapped Managers of Illinois in a vending program operated under a contractual agreement with the Department of Rehabilitation Services or its successor agency.

This subsection (p) applies without regard to whether the person was in service on or after the effective date of this amendatory Act of the 94th General Assembly. In the case of a person who is receiving a retirement annuity on that effective date, the increase, if any, shall begin to accrue on the first annuity payment date following receipt by the System of the contributions required under this subsection (p).

(q) By paying the required contributions under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, an employee who was laid off but returned to State employment under circumstances in which the employee is considered to have been in continuous service for purposes of determining seniority may establish creditable service for the period of the layoff, provided that (1) the applicant applies for the creditable service under this subsection (q) within 6 months after the effective date of this amendatory Act of the 94th General Assembly, (2) the applicant does not receive credit for that period under any other provision of this Code, (3) at the time of
the layoff, the applicant is not in an initial probationary status consistent with the rules of the Department of Central Management Services, and (4) the total amount of creditable service established by the applicant under this subsection (q) does not exceed 3 years. For service established under this subsection (q), the required employee contribution shall be based on the rate of compensation earned by the employee on the date of returning to employment after the layoff and the contribution rate then in effect, and the required interest shall be calculated from the date of returning to employment after the layoff to the date of payment.

(Source: P.A. 94-612, eff. 8-18-05.)

(40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

Sec. 16-106. Teacher. "Teacher": The following individuals, provided that, for employment prior to July 1, 1990, they are employed on a full-time basis, or if not full-time, on a permanent and continuous basis in a position in which services are expected to be rendered for at least one school term:

(1) Any educational, administrative, professional or other staff employed in the public common schools included within this system in a position requiring certification under the law governing the certification of teachers;

(2) Any educational, administrative, professional or other staff employed in any facility of the Department of Children and Family Services or the Department of Human Services, in a position requiring certification under the law governing the certification of teachers, and any person who (i) works in such a position for the Department of Corrections, (ii) was a member of this System on May 31, 1987, and (iii) did not elect to become a member of the State Employees' Retirement System pursuant to Section 14-108.2 of this Code; except that "teacher" does not include any person who (A) becomes a security employee of the Department of Human Services, as defined in Section 14-110, after June 28, 2001 (the effective date of Public Act 92-14), or (B) becomes a member of the State Employees' Retirement System pursuant to Section 14-108.2c of this Code;

New matter indicated by italics - deletions by strikeout.
(3) Any regional superintendent of schools, assistant regional superintendent of schools, State Superintendent of Education; any person employed by the State Board of Education as an executive; any executive of the boards engaged in the service of public common school education in school districts covered under this system of which the State Superintendent of Education is an ex-officio member;

(4) Any employee of a school board association operating in compliance with Article 23 of the School Code who is certificated under the law governing the certification of teachers;

(5) Any person employed by the retirement system who:
   (i) was an employee of and a participant in the system on August 17, 2001 (the effective date of Public Act 92-416), or
   (ii) becomes an employee of the system on or after August 17, 2001;

(6) Any educational, administrative, professional or other staff employed by and under the supervision and control of a regional superintendent of schools, provided such employment position requires the person to be certificated under the law governing the certification of teachers and is in an educational program serving 2 or more districts in accordance with a joint agreement authorized by the School Code or by federal legislation;

(7) Any educational, administrative, professional or other staff employed in an educational program serving 2 or more school districts in accordance with a joint agreement authorized by the School Code or by federal legislation and in a position requiring certification under the laws governing the certification of teachers;

(8) Any officer or employee of a statewide teacher organization or officer of a national teacher organization who is certified under the law governing certification of teachers, provided: (i) the individual had previously established creditable service under this Article, (ii) the individual files with the system an irrevocable election to become a member, and (iii) the

New matter indicated by italics - deletions by strikeout.
individual does not receive credit for such service under any other Article of this Code;

(9) Any educational, administrative, professional, or other staff employed in a charter school operating in compliance with the Charter Schools Law who is certificated under the law governing the certification of teachers.

(10) Any person employed, on the effective date of this amendatory Act of the 94th General Assembly, by the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code who is required by the Macon-Piatt Regional Office of Education to hold a teaching certificate, provided that the Macon-Piatt Regional Office of Education makes an election, within 6 months after the effective date of this amendatory Act of the 94th General Assembly, to have the person participate in the system. Any service established prior to the effective date of this amendatory Act of the 94th General Assembly for service as an employee of the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code shall be considered service as a teacher if employee and employer contributions have been received by the system and the system has not refunded those contributions.

An annuitant receiving a retirement annuity under this Article or under Article 17 of this Code who is employed by a board of education or other employer as permitted under Section 16-118 or 16-150.1 is not a "teacher" for purposes of this Article. A person who has received a single-sum retirement benefit under Section 16-136.4 of this Article is not a "teacher" for purposes of this Article.

A person who is a teacher as described in item (8) of this Section may establish service credit for similar employment prior to becoming certified as a teacher if he or she (i) is certified as a teacher on or before the effective date of this amendatory Act of the 94th General Assembly, (ii) applies in writing to the system within 6 months after the effective date of this amendatory Act of the 94th General Assembly, and (iii) pays to the

New matter indicated by italics - deletions by strikeout.
system contributions equal to the normal costs calculated from the date of first full-time employment as described in item (8) to the date of payment, compounded annually at the rate of 8.5% per year for periods before the effective date of this amendatory Act of the 94th General Assembly and for subsequent periods at a rate equal to the System's actuarially assumed rate of return on investments. However, credit shall not be granted under this paragraph for any such prior employment for which the applicant received credit under any other provision of this Code.

(Source: P.A. 92-14, eff. 6-28-01; 92-416, eff. 8-17-01; 92-651, eff. 7-11-02; 93-320, eff. 7-23-03.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in

New matter indicated by italics - deletions by strikeout.
required State contributions made by this amendatory Act of the 94th General Assembly.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and

New matter indicated by italics - deletions by strikeout.
including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is $534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is $738,014,500.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State

New matter indicated by italics - deletions by strikeout.
contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from

New matter indicated by italics - deletions by strikeout.
federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

(1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.

(2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

New matter indicated by italics - deletions by strikeout.
Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school year is used to determine final average salary under this subsection (f), then the changes made to this subsection (f) by Public Act 94-1057 shall apply in calculating whether the

New matter indicated by italics - deletions by strikeout.
increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by this amendatory Act of the 94th General Assembly apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 this amendatory Act of the 94th General Assembly shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057) this amendatory Act.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts

New matter indicated by italics - deletions by strikeout.
or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.

When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection 16-133.2.

New matter indicated by italics - deletions by strikeout.
(g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

1. The number of recalculation required by the changes made to this Section by Public Act 94-1057 this amendatory Act of the 94th General Assembly for each employer.

2. The dollar amount by which each employer's contribution to the System was changed due to recalculation required by Public Act 94-1057 this amendatory Act of the 94th General Assembly.

3. The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

4. The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057 this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05; 94-839, eff. 6-6-06; 94-1057, eff. 7-31-06; revised 8-3-06.)

(40 ILCS 5/17-133) (from Ch. 108 1/2, par. 17-133)

Sec. 17-133. Contributions for periods of outside and other service. Regularly certified and appointed teachers who desire to have the following services credited for pension purposes shall submit to the Board evidence thereof and pay into the Fund the amounts prescribed herein:

1. For teaching service by a certified teacher in the public schools of the several states or in schools operated by or under the auspices of the United States, a teacher shall pay the contributions at the rates in force (a) on the date of appointment as a regularly
certified teacher after salary adjustments are completed, or (b) at the time of reappointment after salary adjustments are completed, whichever is later, but not less than $450 per year of service. Upon the Board's approval of such service and the payment of the required contributions, service credit of not more than 10 years shall be granted.

2. For service as a playground instructor in public school playgrounds, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, or (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than $450 per year.

3. For service prior to September 1, 1955, in the public schools of the City as a substitute, evening school or temporary teacher, or for service as an Americanization teacher prior to December 31, 1955, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than $450 per year; and provided further that for teachers employed on or after September 1, 1953, rates shall not include contributions for widows' pensions if the service described in this sub-paragraph 3 was rendered before that date. Any teacher entitled to repay a refund of contributions under Section 17-126 may validate service described in this paragraph by payment of the amounts prescribed herein, together with the repayment of the refund, provided that if such creditable service was the last service rendered in the public schools of the City and is not automatically reinstated by repayment of the refund, the rates or amounts shall not be less than $450 per year.

4. For service after June 30, 1982 as a member of the Board of Education, if required to resign from an administrative or
teaching position in order to qualify as a member of the Board of Education.

5. For service during the 1986-87 school year as a teacher on a special leave of absence with full loss of salary, teaching for an agency under contract to the Board of Education, if the teacher returned to employment in September, 1987. For service under this item 5, the teacher must pay the contributions at the rates in force at the completion of the leave period.

6. For up to 2 years of service as a teacher or administrator employed by a private school registered with or recognized by the Illinois State Board of Education, provided that the teacher (i) was certified under the law governing the certification of teachers at the time the service was rendered, (ii) applies in writing on or after the effective date of this amendatory Act of the 94th General Assembly and on or before June 1, 2009, (iii) supplies satisfactory evidence of the employment, (iv) completes at least 10 years of contributing service as a teacher as defined in Section 17-106, (v) pays the contribution required in this Section, and (vi) does not receive credit for that service under any other provision of this Code. The member may apply for credit under this subsection and pay the required contribution before completing the 10 years of contributing service required under item (iv), but the credit may not be used until the item (iv) contributing service requirement has been met.

For each year of service credit to be established under this subparagraph 6, a member is required to contribute to the System (i) 16.5% of the annual salary rate during the first year of full-time employment as a teacher under this Article following the private school service, plus (ii) interest thereon from the date of first full-time employment as a teacher under this Article following the private school service to the date of payment, compounded annually, at the rate of 8.0% per year.

New matter indicated by italics - deletions by strikeout.
For service described in sub-paragraphs 1, 2 and 3 of this Section, interest shall be charged beginning one year after the effective date of appointment or reappointment.

Effective September 1, 1974, the interest rate to be charged by the Fund on contributions provided in sub-paragraphs 1, 2, 3 and 4 shall be 5% per annum compounded annually.

(Source: P.A. 90-566, eff. 1-2-98; 91-887, eff. 7-6-00.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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


Approved February 27, 2007.

Effective February 27, 2007.

PUBLIC ACT 94-1112
(Senate Bill No. 0948)

AN ACT concerning liquor.

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

Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-28 as follows:

(235 ILCS 5/6-28) (from Ch. 43, par. 144d)

Sec. 6-28. Happy hours prohibited. (a) All retail licensees shall maintain a schedule of the prices charged for all drinks of alcoholic liquor to be served and consumed on the licensed premises or in any room or part thereof. Whenever a hotel or multi-use establishment which holds a valid retailer's license operates on its premises more than one establishment at

New matter indicated by italics - deletions by strikeout.
which drinks of alcoholic liquor are sold at retail, the hotel or multi-use
establishment shall maintain at each such establishment a separate
schedule of the prices charged for such drinks at that establishment.

(b) No retail licensee or employee or agent of such licensee shall:

(1) serve 2 or more drinks of alcoholic liquor at one time to
one person for consumption by that one person, except conducting
product sampling pursuant to Section 6-31 or selling or delivering
wine by the bottle or carafe;

(2) sell, offer to sell or serve to any person an unlimited
number of drinks of alcoholic liquor during any set period of time
for a fixed price, except at private functions not open to the general
public;

(3) sell, offer to sell or serve any drink of alcoholic liquor
to any person on any one date at a reduced price other than that
charged other purchasers of drinks on that day where such reduced
price is a promotion to encourage consumption of alcoholic liquor,
except as authorized in paragraph (7) of subsection (c);

(4) increase the volume of alcoholic liquor contained in a
drink, or the size of a drink of alcoholic liquor, without increasing
proportionately the price regularly charged for the drink on that
day;

(5) encourage or permit, on the licensed premises, any
game or contest which involves drinking alcoholic liquor or the
awarding of drinks of alcoholic liquor as prizes for such game or
contest on the licensed premises; or

(6) advertise or promote in any way, whether on or off the
licensed premises, any of the practices prohibited under paragraphs
(1) through (5).

(c) Nothing in subsection (b) shall be construed to prohibit a
licensee from:

(1) offering free food or entertainment at any time;

(2) including drinks of alcoholic liquor as part of a meal
package;

New matter indicated by italics - deletions by strikeout.
(3) including drinks of alcoholic liquor as part of a hotel package;
(4) negotiating drinks of alcoholic liquor as part of a contract between a hotel or multi-use establishment and another group for the holding of any function, meeting, convention or trade show;
(5) providing room service to persons renting rooms at a hotel;
(6) selling pitchers (or the equivalent, including but not limited to buckets), carafes, or bottles of alcoholic liquor which are customarily sold in such manner, or selling bottles of spirits, and delivered to 2 or more persons at one time; or
(7) increasing prices of drinks of alcoholic liquor in lieu of, in whole or in part, a cover charge to offset the cost of special entertainment not regularly scheduled.
(d) A violation of this Act shall be grounds for suspension or revocation of the retailer's license as provided by this Act.
(Source: P.A. 90-432, eff. 1-1-98.)

Section 99. Effective date. This Act takes effect upon becoming law.
Approved February 27, 2007.
Effective February 27, 2007.

PUBLIC ACT 94-1113
(Senate Bill No. 2737)

AN ACT concerning criminal law.
Be it enacted by the People of the State of Illinois, represented in the General Assembly:
Section 1. Short title. This Act may be cited as the Illinois Civil Rights Act of 2006.
Section 5. Compelled confession; civil action.

New matter indicated by italics - deletions by strikeout.
(a) Independent of any criminal prosecution or the result thereof, any person suffering injury to his or her person or damage to his or her property as a result of having been compelled to confess or provide information regarding an offense by force or threat of imminent bodily harm may bring a civil action for damages, injunctive relief, or other appropriate relief. Upon a finding of liability, the court shall award actual damages, including damages for emotional distress, punitive damages, when appropriate, and any suitable equitable relief. A judgment in favor of the prevailing plaintiff shall include an award for reasonable attorney’s fees and costs.

(b) Independent of any criminal prosecution or the result thereof, any person suffering damages as a result of retaliatory action may bring a civil action for damages, injunctive relief, or other appropriate relief. A judgment in favor of the prevailing plaintiff shall include an award for reasonable attorney’s fees and costs.

(c) For purposes of this Section, "retaliatory action" means: (1) tortious conduct directed against an individual, or (2) the reprimand, discharge, suspension, demotion, or denial of promotion or change in the terms and conditions of employment, that is taken in retaliation because he or she has opposed or reported that which he or she reasonably and in good faith believed to be the use of force or threat of imminent bodily harm to compel a confession or information regarding an offense, or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing involving the use of force or threat of imminent bodily harm to compel a confession or information regarding an offense.

Section 105. The Criminal Code of 1961 is amended by changing Sections 3-7 and 12-7 as follows:

(720 ILCS 5/3-7) (from Ch. 38, par. 3-7)
Sec. 3-7. Periods excluded from limitation.
The period within which a prosecution must be commenced does not include any period in which:

(a) The defendant is not usually and publicly resident within this State; or

New matter indicated by italics - deletions by strikeout.
(b) The defendant is a public officer and the offense charged is theft of public funds while in public office; or

(c) A prosecution is pending against the defendant for the same conduct, even if the indictment or information which commences the prosecution is quashed or the proceedings thereon are set aside, or are reversed on appeal; or

(d) A proceeding or an appeal from a proceeding relating to the quashing or enforcement of a Grand Jury subpoena issued in connection with an investigation of a violation of a criminal law of this State is pending. However, the period within which a prosecution must be commenced includes any period in which the State brings a proceeding or an appeal from a proceeding specified in this subsection (d); or

(e) A material witness is placed on active military duty or leave. In this subsection (e), "material witness" includes, but is not limited to, the arresting officer, occurrence witness, or the alleged victim of the offense; or:

(f) The victim of unlawful force or threat of imminent bodily harm to obtain information or a confession is incarcerated, and the victim's incarceration, in whole or in part, is a consequence of the unlawful force or threats.

(Source: P.A. 93-417, eff. 8-5-03.)

(720 ILCS 5/12-7) (from Ch. 38, par. 12-7)
Sec. 12-7. Compelling confession or information by force or threat.

(a) A person who, with intent to obtain a confession, statement or information regarding any offense, knowingly inflicts or threatens imminent bodily harm upon the person threatened or upon any other person commits the offense of compelling a confession or information by force or threat.

(b) Sentence.

Compelling a confession or information is a: (1) Class 4 felony if the defendant threatens imminent bodily harm to obtain a confession, statement, or information but does not inflict bodily harm on the victim, (2) Class 3 felony if the defendant inflicts bodily harm on the victim to obtain a confession, statement, or information, and (3) Class 2 felony if

New matter indicated by italics - deletions by strikeout.
the defendant inflicts great bodily harm to obtain a confession, statement, or information.
(Source: P.A. 77-2638.)

Section 110. The Code of Civil Procedure is amended by changing Section 13-202 as follows:

(735 ILCS 5/13-202) (from Ch. 110, par. 13-202)

Sec. 13-202. Personal injury - Penalty. Actions for damages for an injury to the person, or for false imprisonment, or malicious prosecution, or for a statutory penalty, or for abduction, or for seduction, or for criminal conversation, except damages resulting from first degree murder or the commission of a Class X felony and the perpetrator thereof is convicted of such crime, shall be commenced within 2 years next after the cause of action accrued but such an action against a defendant arising from a crime committed by the defendant in whose name an escrow account was established under the "Criminal Victims' Escrow Account Act" shall be commenced within 2 years after the establishment of such account. If the compelling of a confession or information by imminent bodily harm or threat of imminent bodily harm results in whole or in part in a criminal prosecution of the plaintiff, the 2-year period set out in this Section shall be tolled during the time in which the plaintiff is incarcerated, or until criminal prosecution has been finally adjudicated in favor of the above referred plaintiff, whichever is later. However, this provision relating to the compelling of a confession or information shall not apply to units of local government subject to the Local Governmental and Governmental Employees Tort Immunity Act.
(Source: P.A. 84-1450.)

Approved February 27, 2007.
Effective January 1, 2008.
<table>
<thead>
<tr>
<th>Resolution</th>
<th>Type</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA Chicago Motorist Safety Month</td>
<td>SJR</td>
<td>83</td>
</tr>
<tr>
<td>A State of One In Illinois</td>
<td>HJR</td>
<td>77</td>
</tr>
<tr>
<td>Benefits For Illinois Veterans</td>
<td>HJR</td>
<td>98</td>
</tr>
<tr>
<td>Big Island Parkway</td>
<td>HJR</td>
<td>129</td>
</tr>
<tr>
<td>Condemn Iran’s Denial of the Holocaust</td>
<td>SJR</td>
<td>74</td>
</tr>
<tr>
<td>Crop Disaster Program</td>
<td>HJR</td>
<td>84</td>
</tr>
<tr>
<td>Deputy Craig A. Dorwart Memorial Highway</td>
<td>HJR</td>
<td>141</td>
</tr>
<tr>
<td>Diabetes Research Check-Off Fund Grants</td>
<td>HJR</td>
<td>61</td>
</tr>
<tr>
<td>Dr. Gerald L. Downie Bridge</td>
<td>HJR</td>
<td>66</td>
</tr>
<tr>
<td>Galina Trail and Coach Road</td>
<td>SJR</td>
<td>73</td>
</tr>
<tr>
<td>Glaucoma Awareness Month</td>
<td>SJR</td>
<td>57</td>
</tr>
<tr>
<td>Honoring the Deceased Sergeant First Class</td>
<td>HJR</td>
<td>112</td>
</tr>
<tr>
<td>Kyle B. Wehrly</td>
<td>HJR</td>
<td>88</td>
</tr>
<tr>
<td>Illinois Higher Education System</td>
<td>SJR</td>
<td>88</td>
</tr>
<tr>
<td>Illinois River Day</td>
<td>HJR</td>
<td>89</td>
</tr>
<tr>
<td>Incarceration Video Conferencing Visitations</td>
<td>HJR</td>
<td>75</td>
</tr>
<tr>
<td>In Memory of the Deceased Dr. Andrew H. Melczer</td>
<td>HJR</td>
<td>55</td>
</tr>
<tr>
<td>Joint Task Force on Community Colleges</td>
<td>HJR</td>
<td>122</td>
</tr>
<tr>
<td>Joint Task Force on Deaf and Hard of Hearing</td>
<td>HJR</td>
<td>139</td>
</tr>
<tr>
<td>Education Options</td>
<td>HJR</td>
<td>115</td>
</tr>
<tr>
<td>Joint Task Force on Meat and Poultry Inspection</td>
<td>HJR</td>
<td></td>
</tr>
<tr>
<td>Joint Task Force on Rural Health and Medically Underserved Areas</td>
<td>HJR</td>
<td>83</td>
</tr>
<tr>
<td>Joint Task Force on The College Insurance Program</td>
<td>SJR</td>
<td>91</td>
</tr>
<tr>
<td>Legislative Task Force on Employment of Persons</td>
<td>HJR</td>
<td>107</td>
</tr>
<tr>
<td>With Past Criminal Convictions</td>
<td>HJR</td>
<td>80</td>
</tr>
<tr>
<td>Long-Term Prisoners Study Committee</td>
<td>HJR</td>
<td></td>
</tr>
<tr>
<td>Midwestern Legislative Conference</td>
<td>SJR</td>
<td>43</td>
</tr>
<tr>
<td>Missing Persons Day</td>
<td>HJR</td>
<td>74</td>
</tr>
<tr>
<td>No Child Left Behind Act</td>
<td>SJR</td>
<td>66</td>
</tr>
<tr>
<td>No Child Left Behind Growth-Model Task Force</td>
<td>SJR</td>
<td>87</td>
</tr>
<tr>
<td>Paul Simon Parkway</td>
<td>HJR</td>
<td>15</td>
</tr>
<tr>
<td>Resolution Description</td>
<td>Code</td>
<td>Number</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>------</td>
<td>--------</td>
</tr>
<tr>
<td>Pregnancy and Infant Loss Remembrance Day</td>
<td>SJR</td>
<td>78</td>
</tr>
<tr>
<td>Southern Illinois University Minority Participation</td>
<td>HJR</td>
<td>102</td>
</tr>
<tr>
<td>Task Force on Re-Enrolling Students Who Dropped Out of School</td>
<td>HJR</td>
<td>87</td>
</tr>
<tr>
<td>The Year of Rosemont</td>
<td>HJR</td>
<td>85</td>
</tr>
<tr>
<td>Trail of Tears</td>
<td>HJR</td>
<td>142</td>
</tr>
<tr>
<td>Veterans Parkway - Decatur</td>
<td>HJR</td>
<td>22</td>
</tr>
<tr>
<td>Waiver of School Code Mandates</td>
<td>SJR</td>
<td>82</td>
</tr>
<tr>
<td>Wooded Land Assessment Task Force</td>
<td>HJR</td>
<td>95</td>
</tr>
</tbody>
</table>
AAA CHICAGO MOTORIST SAFETY MONTH

(Senate Joint Resolution No. 83)

WHEREAS, On August 26, 1906, the Chicago Motor Club, also known as AAA Chicago, was founded by Charles P. Root with a handful of automobile enthusiasts to stand "for all that is good and against all that is bad in motoring", led by club President William H. Arthur; and

WHEREAS, Today AAA Chicago is comprised of more than 850,000 members from southern Illinois to the northern borders of Illinois and northern Indiana with 34 branch offices headed by President Brad Roeber; and

WHEREAS, Chicago is also the birthplace of the American Automobile Association, which was formed in 1902 and now boasts over 48 million members throughout North America; and

WHEREAS, In 1911, the Motor News was instituted as the first magazine for members of the Chicago Motor Club, and in 1917, the Chicago Motor Club formed its first insurance company; and

WHEREAS, Today AAA Living now carries the standard as Chicago Motor Club's membership magazine in the tradition of its predecessor publications Motor News and Home and Away; and

WHEREAS, In 1920, Chicago Motor Club President Charles M. Hayes launched "School Safety Patrol", the first-ever initiative for school crossing guards, and in 1938, sponsored the first driver's education classes; and

WHEREAS, Today Safety Patrol encompasses schools across the country and is over 500,000 patroller strong, driver's education is an institution in our high schools, and AAA is recognized around the world as an advocate for traffic safety; and

WHEREAS, In 1929, the Chicago Motor Club inaugurated its South Water Street high rise in downtown Chicago as its corporate headquarters, and in 1986, relocated its headquarters to Des Plaines; and

WHEREAS, Today, and since 2001, the Chicago Motor Club is headquartered in the beautiful AAA building on Meridian Lake Drive in Aurora; and

WHEREAS, In 2004, AAA Chicago hosted its first "Strollerthon", an annual charity walk to raise funds for child passenger seats; and
WHEREAS, The Chicago Motor Club still thrives today as a result of its public service mission and its advocacy for its members as motorists and on matters of traffic safety; and

WHEREAS, On August 26, 2006, the Chicago Motor Club celebrates its 100th year of service and joins the elite ranks of companies that have thrived for the last century; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we congratulate the Chicago Motor Club on the year-long celebration of its centennial anniversary of serving motorists in the State of Illinois, and we designate August 2006 as AAA Chicago Motorist Safety Month; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Chicago Motor Club as an expression of our esteem and best wishes for a second hundred years of service.

Adopted by the Senate, April 7, 2006.
Concurred in by the House of Representatives, April 26, 2006.

A STATE OF ONE IN ILLINOIS
(House Joint Resolution No. 77)

WHEREAS, Healthy people and healthy communities are the centerpiece of any strong and vibrant society; and

WHEREAS, Americans from the State of Illinois are amongst the most generous people in the world; and

WHEREAS, ONE billion people live on less than $1 a day; and

WHEREAS, ONE: The Campaign to Make Poverty History is a new effort by Americans to rally Americans - ONE by ONE - to fight the emergency of global AIDS and extreme poverty; and

WHEREAS, ONE is students and ministers, punk rockers and NASCAR moms, Americans of all beliefs and persuasions, united as ONE to help make poverty history; and

WHEREAS, ONE believes that allocating an additional ONE percent of the U.S. budget toward providing basic needs like health, education, clean water, and food would transform the futures and hopes of an entire generation in the world's poorest countries; and
WHEREAS, ONE also calls for debt cancellation, trade reform, and anti-corruption measures in a comprehensive package to help Africa and the poorest nations beat AIDS and extreme poverty; and

WHEREAS, A pact directing support for basic needs - education, health, clean water, food, and care for orphans - would transform the futures and hopes of an entire generation in the poorest countries; and

WHEREAS, ONE is an unprecedented bipartisan political movement in American history and part of a fast-growing global movement to make poverty history; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREBIN, that we proclaim our community to be A State of ONE in Illinois and encourage everyone to recognize the devastating impact poverty and AIDS have had around the world and take action to bring about change.

Adopted by the House of Representatives on February 23, 2006.
Concurred in by the Senate on March 8, 2006.

BENEFITS FOR ILLINOIS VETERANS
(House Joint Resolution No. 98)

WHEREAS, Throughout history brave Americans have shed their blood during wars and conflicts to preserve, protect, and defend the foundation of the principles of democracy and freedom; and

WHEREAS, In every military conflict and national time of need since 1818, the brave men and women of the State of Illinois have risen to the cause of defending democracy; and

WHEREAS, These brave Illinois men and women leave behind family and friends to proudly serve their country; and

WHEREAS, The federal government has an obligation to provide the benefits it has promised to Illinois veterans; and

WHEREAS, The General Assembly was dismayed to discover in December 2004 that the State of Illinois' veterans were ranked last in the United States in the amount of benefits they receive through the federal government; and

WHEREAS, New reports in February 2006 place Illinois Veterans
last in the nation for being hired through federal veterans job-placement programs, indicating that the federal government is not living up to its obligations to Illinois veterans; and

WHEREAS, The report states that only 34 percent of Illinois veterans and 28 percent of disabled Illinois veterans who sought help from the U.S. Department of Labor's Veterans Employment and Training Service were hired last year—compared to the national average of 62 percent and 57 percent respectively; and

WHEREAS, The Government Accountability Office estimates 700,000 veterans are unemployed and anticipates more each year as 200,000 service members return to civilian life annually; and

WHEREAS, It is unacceptable that Illinois veterans who seek employment should be left behind by their government; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we encourage the United States Department of Labor and the United States Department of Veterans Affairs to ensure that benefits due to Illinois veterans are indeed given to Illinois veterans, including job placement services afforded to veterans of other states; and be it further

RESOLVED, That we encourage the Illinois Congressional delegation to pursue legislative or administrative remedies needed to ensure that all benefits are available and are in fact actually received by Illinois veterans in equal proportion to benefits received by veterans in other states; and be it further

RESOLVED, That a suitable copy of this Resolution be delivered to the Secretary of the United States Department of Labor, the United States Department of Veterans Affairs, and the Illinois Congressional delegation.

Adopted by the House of Representatives on March 14, 2006.
Concurred in by the Senate on April 7, 2006.

BIG ISLAND PARKWAY
(House Joint Resolution No. 129)

WHEREAS, The residents of Big Island have announced their plan to improve the corridor of Big Island; and
WHEREAS, Blackhawk Township on April 4, 2006 adopted a resolution to change the name of Big Island Road to Big Island Parkway on the portion of Big Island Road maintained by Blackhawk Township; and

WHEREAS, The Supervisor and Road Commissioner of Blackhawk Township have requested that the remaining portion of Big Island Road, maintained by the Illinois Department of Transportation, also be renamed Big Island Parkway; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the portion of Big Island Road maintained by the Illinois Department of Transportation be renamed Big Island Parkway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation, to Blackhawk Township Supervisor Charles Layer, and to Blackhawk Township Road Commissioner Douglas House.

Adopted by the House of Representatives on November 30, 2006. 
Concurred in by the Senate on November 29, 2006.

CONDEMN IRAN’S DENIAL OF THE HOLOCAUST
(Senate Joint Resolution No. 74)

WHEREAS, On October 26, 2005, Mahmoud Ahmadinejad, President of the Islamic Republic of Iran, declared that "Israel must be wiped off the map", described Israel as "a disgraceful blot [on] the face of the Islamic world", and declared that "[a]nybody who recognizes Israel will burn in the fire of the Islamic nation's fury"; and

WHEREAS, President Ahmadinejad told reporters on December 8, 2005, at an Islamic conference in Mecca, Saudi Arabia, "Some European countries insist on saying that Hitler killed millions of innocent Jews in furnaces ... although we don't accept this claim"; and

WHEREAS, Iran funds, trains, and openly supports terrorist groups that are determined to destroy Israel; and
WHEREAS, On December 14, 2005, President Ahmadinejad said live on Iranian television, "[T]hey have invented a myth that Jews were massacred and place this above God, religions and the prophets"; and

WHEREAS, The leaders of the Islamic Republic of Iran, beginning with its founder, the Ayatollah Ruhollah Khomeini, have issued statements of hate against the United States, Israel, and Jewish peoples; and

WHEREAS, An estimated six million Jews were killed in the Nazi Holocaust; and

WHEREAS, The remarks of President Ahmadinejad have been denounced around the world and condemned by, among others, the political leaders of the United States, Arab nations, Israel, Europe, and the United Nations; and

WHEREAS, The United Nations, in General Assembly Resolution 181 (1947), recommended the adoption of the Plan of Partition with Economic Union for Palestine, which called for an independent Jewish State; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we, in adopting this resolution, condemn the recent statement by Iranian President Mahmoud Ahmadinejad that denied the occurrence of the Holocaust and supported moving the State of Israel to Europe, support the demand of the United States Congress for an official apology for these damaging, anti-Semitic statements that ignore history, human suffering, and the loss of life during the Holocaust, and support the call of the United States Congress for Iran to end its support for international terrorism and join other Middle Eastern countries in seeking a successful outcome of the Middle East peace process; and be it further

RESOLVED, That copies of this resolution be presented to the Secretary-General of the United Nations, the Iranian Ambassador to the United States, the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, and the members of the Illinois Congressional delegation.

Adopted by the Senate, March 28, 2006.

Concurred in by the House of Representatives, April 26, 2006.
CROP DISASTER PROGRAM
(House Joint Resolution No. 84)

WHEREAS, The stability and livelihood of farms and family farmers, the food and fiber industry, and the food processing, commodity marketing, and agriculture-related industries of this State have been endangered by severe drought conditions during the 2005 growing season; and

WHEREAS, On July 27th, 2005, United States Department of Agriculture Secretary Mike Johanns designated 102 Illinois counties as agriculture disaster areas due to the drought, and the United States Drought Monitor indicates that Illinois remains in an extreme drought that has greatly impacted the productivity of Illinois crops and this State's economy; and

WHEREAS, Illinois' food and fiber industry employs nearly one million people, food processing is the State's number-one manufacturing activity adding almost $13.4 billion annually to the value of Illinois' raw agricultural commodities, and the marketing of Illinois' agricultural commodities generates more than $9 billion annually for the State economy; and

WHEREAS, Billions more dollars flow into this State's economy from agriculture-related industries, such as farm machinery manufacturing, agricultural real estate, and production and sale of value-added food products, which employ millions of people; and

WHEREAS, The declaration of Illinois counties as agriculture disaster areas due to the drought allows some indirect relief to qualified producers in the form of eligibility for low interest federal and State emergency loan programs that allow producers to borrow moneys for production and physical losses; notwithstanding these programs, a comprehensive national Crop Disaster Program that authorizes direct disaster payments to producers could provide better, more immediate, and more uniform protection to farmers against natural disasters and drought conditions; and

WHEREAS, It is in the best interests of the State of Illinois and the United States to provide the best protections available to the vital agricultural sector of our economy; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF
JOINT RESOLUTIONS  

ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the United States Congress to promote and protect agriculture in Illinois and throughout the United States by passing a comprehensive national Crop Disaster Program that includes direct disaster payments to producers and that includes disaster payments to Illinois producers who suffered a loss during the 2005 growing season; and be it further
RESOLVED, That a suitable copy of this resolution be presented to each member of the Illinois Congressional delegation, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, and the President of the United States.
Adopted by the House of Representatives on March 1, 2006.
Concurred in by the Senate on March 28, 2006.

DEPUTY CRAIG A. DORWART MEMORIAL HIGHWAY  
(House Joint Resolution No. 141)

WHEREAS, It is one of the privileges of the General Assembly to pay due honor and respect to persons who devote their lives to the protection and service of the general public; and
WHEREAS, Deputy Craig A. Dorwart of Waverly was killed in a traffic accident on April 5, 1994, while on duty as an undercover narcotics officer for the Morgan County Sheriff's Office; and
WHEREAS, Deputy Dorwart had served as a member of the Waverly Fire and Rescue Squad before becoming a Morgan County deputy on October 22, 1985; he always felt a duty to help those in need; and
WHEREAS, A section of Illinois Route 104 extends between Waverly and Jacksonville, the county seat of Morgan County; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the section of Illinois Route 104 between Waverly and Jacksonville be designated the Deputy Craig A. Dorwart Memorial Highway; and be it further
RESOLVED, That the Department of Transportation is requested to erect, at suitable locations, consistent with State regulations, appropriate plaques or signs giving notice of the name; and be it further
RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation, to Morgan County Sheriff James Robson, Jr., and to the family of Deputy Craig A. Dorwart.
Adopted by the House of Representatives on November 30, 2006.
Concurred in by the Senate on November 30, 2006.

DIABETES RESEARCH CHECK-OFF FUND GRANTS
(House Joint Resolution No. 61)

WHEREAS, Diabetes is one our nation's greatest health risks, affecting approximately 18.2 million people in the United States, roughly 6.2% of the population; and
WHEREAS, The 2 main forms of diabetes are Type 1 and Type 2 diabetes; Type 1 diabetes results from the body's failure to produce insulin, and Type 2 diabetes results from insulin resistance combined with relative insulin deficiency; and
WHEREAS, Children are affected by Type 1 diabetes, and the number of children affected by diabetes is growing; and
WHEREAS, The 94th General Assembly has passed House Bill 1581, which creates the Diabetes Research Check-off Fund and provides that, from the Fund, the Department of Human Services must make grants to public or private entities for diabetes research; and
WHEREAS, The Juvenile Diabetes Research Foundation funds research on diabetes that affects children; and
WHEREAS, The American Diabetes Association supports basic and clinical research for both Type 1 and Type 2 diabetes aimed at preventing, treating, and curing diabetes; and
WHEREAS, Illinoisans rank second, behind Mississippi, in meeting target levels of scores on A1c hemoglobin tests, making it the second worst state in the nation at controlling diabetes; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the Department of Human Services to disburse the moneys in the Diabetes Research Check-off Fund as grants for the research of diabetes as follows:
(1) 50% of the moneys in the Fund as grants to the Juvenile
Diabetes Research Foundation; and
(2) 50% of the moneys in the Fund as grants to the American Diabetes Association; and be it further
RESOLVED, That a suitable copy of this resolution be presented to the Secretary of Human Services.
Adopted by the House of Representatives on November 4, 2005.
Concurred in by the Senate on March 8, 2006.

DR. GERALD L. DOWNIE BRIDGE
(House Joint Resolution No. 66)

WHEREAS, Dr. Gerald L. Downie died in 2000, having served as a physician in Kankakee, Ill. for more than 50 years; and
WHEREAS, Gerald L. Downie was born in 1903 and was educated in a one-room schoolhouse in Mt. Ayr, Iowa, later graduating as the top student at Simpson College; and
WHEREAS, Dr. Downie graduated from Northwestern Medical School and served his internship at Kankakee State Hospital, now known as Shapiro Developmental Center; and
WHEREAS, From 1932 through 1950 Dr. Downie and his wife, Maurine, served three times as medical missionaries for the United Methodist Church in China, leaving for a one-year furlough in 1937, just as the Japanese invaded, and leaving the final time after spending nine months under communist rule; and
WHEREAS, Dr. Downie also served as a medical missionary in India, Africa, Taiwan, and Malaysia before returning to Kankakee County, where he practiced medicine until he reached the age of 89; and
WHEREAS, The State Route 17 bridge across the Kankakee River in Kankakee is now known as the Court Street Bridge; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREBIN, that the Court Street Bridge in Kankakee be designated the Dr. Gerald L. Downie Bridge; and be it further
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations,
appropriate plaques or signs giving notice of the name; and be it further
RESOLVED, That suitable copies of this resolution be delivered to
the Secretary of the Illinois Department of Transportation and to Kankakee
Mayor Donald E. Green.

Adopted by the House of Representatives on February 23, 2006.
Concurred in by the Senate on March 8, 2006.

GALINA TRAIL AND COACH ROAD
(Senate Joint Resolution No. 73)

WHEREAS, The Galena Trail is one of the oldest known pathways
in the midwest; from the dawn of Indian times in Illinois, the Trail has linked
the upper Mississippi Basin with Lake Peoria; in 1833, Levi Warner surveyed
a Coach Road that was built alongside and parallel to the older Galena Trail;
and

WHEREAS, Together, the Galena Trail and the Coach Road formed
an intertwining pathway for American progress; and

WHEREAS, Today, travelers can drive along the Galena Trail by
using a series of State, county, and township roads from Peoria in the south
to Galena in the north, through the counties of Peoria, Marshall, Bureau, Lee,
Ogle, Carroll, Stephenson, and Jo Daviess; and

WHEREAS, The Galena Trail and Coach Road can expand tourism,
promote recreational opportunities, conserve the landscape, and celebrate
historical and cultural resources; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
REPRESENTATIVES CONCURRING HEREIN, that we urge the Illinois
Department of Transportation and the appropriate local agencies to erect, at
suitable locations consistent with State and federal regulations, appropriate
signs giving notice of the Galena Trail and Coach Road; and be it further
RESOLVED, That suitable copies of this resolution be presented to
the Secretary of Transportation and to the appropriate local agencies.

Adopted by the Senate, March 8, 2006.
Concurred in by the House of Representatives, May 3, 2006.
JOINT RESOLUTIONS

GLAUCOMA AWARENESS MONTH
(Senate Joint Resolution No. 57)

WHEREAS, Glaucoma affects more than 2.2 million Americans age 40 and older, including nearly 100,000 individuals in Illinois; and
WHEREAS, Glaucoma is indicative of tragic health disparities, affecting African Americans six to eight times more frequently than Caucasians; and
WHEREAS, Glaucoma is the leading cause of blindness for African Americans, with elder African Americans 14 to 16 times more likely to go blind from glaucoma than their Caucasian counterparts; and
WHEREAS, Latinos and women are also disproportionately affected by glaucoma in younger age groups than other populations; and
WHEREAS, Glaucoma affects increasing numbers of older people across all races and ethnicities, reducing the quality of life for people in their golden years; and
WHEREAS, Glaucoma causes people to lose their peripheral sight, oftentimes without the individual knowing it, and consequently only half of all people with glaucoma are aware of their condition; and
WHEREAS, Because of the furtive nature of how glaucoma progresses, it is commonly called the "Sneak Thief of Sight"; and
WHEREAS, Most cases of glaucoma can be controlled and vision loss can be slowed or halted when identified and treated; and
WHEREAS, When glaucoma is undetected, lost sight cannot be restored; and
WHEREAS, Glaucoma runs in the family, yet few people know to have regular dilated eye examinations if they are at higher risk via their family history; and
WHEREAS, Prevent Blindness America, the nation's leading voluntary health organization dedicated to saving sight and preventing blindness, in partnership with the Illinois Society for the Prevention of Blindness, seeks to educate the citizens of Illinois at large, and especially people in communities of higher risk, about the dangers of glaucoma and the importance of regular eye examinations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
REPRESENTATIVES CONCURRING HEREIN, that we join with Prevent Blindness America and the Illinois Society for the Prevention of Blindness in recognizing January as Glaucoma Awareness Month; and be it further
RESOLVED, That a suitable copy of this resolution be presented to Prevent Blindness America and the Illinois Society for the Prevention of Blindness.

Adopted by the Senate, January 19, 2006.
Concurred in by the House of Representatives, February 1, 2006.

HONORING THE DECEASED SERGEANT FIRST CLASS KYLE B. WEHRLY
(House Joint Resolution No. 112)

WHEREAS, It is appropriate to honor members of the U.S. Armed Forces who willingly and faithfully serve and as result, pay the ultimate sacrifice; and
WHEREAS, Sergeant First Class Kyle B. Wehrly was a member of Battery C of the 123rd Artillery Unit the Illinois National Guard based out of Galesburg, but was deployed with Battery B, based out of Macomb; he was serving in in Ashraf, Iraq, when an improvised explosive device detonated near his vehicle during patrol operations; he died on November 3, 2005; and
WHEREAS, He was born on October 4, 1977, in Nashville, Illinois, to Reverend Peter Wehrly and Nita Cross; he was a 1996 midterm graduate of Galesburg High School, where he is remembered for his sense of humor, the way he looked out for his brother, and his willingness to accept responsibility; he joined the Illinois National Guard during his junior year on September 28, 1995; and
WHEREAS, He worked at Lowe's and had also worked for Hansen Lumber and Carter Lumber; he officiated soccer and played slow-pitch softball; he loved the Cubs; and
WHEREAS, He was awarded the Bronze Star and the Purple Heart among many other citations; and
WHEREAS, The sacrifice Sergeant Wehrly made is one that should be remembered; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF
ILLINOIS, THE SENATE CONCURRING HEREIN, that we strongly urge the Illinois National Guard to either name the National Guard Readiness Facility under construction in Galesburg in his honor or make some other appropriate honorary designation; and be it further RESOLVED, That copies of this resolution be delivered to the Illinois National Guard and to the family of Sergeant First Class Wehrly. Adopted by the House of Representatives on April 19, 2006. Concurred in by the Senate on May 3, 2006.

ILLINOIS HIGHER EDUCATION SYSTEM
(Senate Joint Resolution No. 88)

WHEREAS, The Illinois higher education system is comprised of three main sectors that are each vital to the education, training, and economic vitality of our State; and
WHEREAS, The State's higher education system includes 9 public universities on 12 campuses, 48 community colleges, 94 independent, not-for-profit colleges and universities, and 30 independent, for-profit institutions, which are each important to the citizens of Illinois; and
WHEREAS, The State has a vested interest in seeing the continuing development of collaborations between institutions of higher learning and between the sectors in the higher education system; and
WHEREAS, Higher education institutions are good employers and are also vital contributors to many local economies across the State; and
WHEREAS, Community colleges and bachelor's degree-granting institutions often form collaborative, bachelor's degree-completion arrangements to deliver upper-level courses on the community college campuses; and
WHEREAS, Community colleges have on occasion formed partnerships with public and private colleges and universities that are from another state; and
WHEREAS, The State of Illinois will benefit from the continued success and growth of Illinois institutions of higher education; therefore, be it RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
REPRESENTATIVES CONCURRING HEREIN, that we urge the Board of Higher Education to strongly encourage community colleges seeking baccalaureate-completion partnerships to give preference to Illinois-based private and public institutions as partners, when possible, and to promote those community colleges that give this preference; and be it further

RESOLVED, That we direct the Board of Higher Education to conduct an inventory of baccalaureate-completion programs and partnerships between community colleges and public and private, in-state and out-of-state institutions and report its findings to the Higher Education Committees of the Senate and the House of Representatives on or before December 31, 2006; and be it further

RESOLVED, That we urge the Illinois Community College Board (ICCB) to review its policies and guidelines for Illinois community colleges that are seeking four-year institutions as degree-completion partners, with regard to preferences for Illinois-based institutions, and we urge the ICCB to create guidelines that will guide community colleges to seek Illinois-based institutions as bachelor's degree partners, when possible; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the members of the Board of Higher Education and the Illinois Community College Board.

Adopted by the Senate, April 6, 2006.
Concurred in by the House of Representatives, May 3, 2006.

ILLINOIS RIVER DAY
(House Joint Resolution No. 89)

WHEREAS, The Illinois River played a vital and historic role in our nation's growth by connecting the Great Lakes with the Mississippi River; and

WHEREAS, The waterways of Illinois have been instrumental in shaping the culture, commerce, and communities of our State; and

WHEREAS, More than 90 percent of all Illinois residents live within the sprawling Illinois River watershed and its tributaries - the Calumet, Chicago, Des Plaines, DuPage, Fox, Kankakee, La Moine, Mackinaw, Sangamon, Spoon, and Vermilion Rivers - which also provide habitat for countless species of fish, reptiles, waterfowl, and fauna; and
WHEREAS, Nearly one million Illinois residents rely on the Illinois River and its tributaries for drinking water; and
WHEREAS, Generations of Illinois farmers have relied on the Illinois River to get their harvests to market, and thousands of Illinois businesses use the Illinois River as an economic corridor to ship more than 60 million tons of commodities annually, including coal, iron, petroleum products, chemicals, steel, sand, gravel, and agricultural products; and
WHEREAS, The Illinois River's recreational opportunities have blossomed in recent years, as fishermen, boaters, bird-watchers, bikers, hikers, and tourists from across the nation have begun to enjoy anew the Illinois River's vast beauty; and
WHEREAS, Since 1999, the Office of the Illinois Lieutenant Governor has co-sponsored the "Annual Illinois River Sweep", in which thousands of volunteers at dozens of sites roll up their sleeves to clean up this precious resource; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we recognize the third Saturday of every September as "Illinois River Day" to celebrate this magnificent waterway and its profound impact on our lives as Illinoisans.
Adopted by the House of Representatives on March 1, 2006.
Concurred in by the Senate on March 28, 2006.

INCARCERATION VIDEO CONFERENCING VISITATIONS
(House Joint Resolution No. 75)

WHEREAS, The U.S. Department of Justice, Bureau of Justice Statistics, reported that 1,498,000 children had a parent in prison in 1999, an increase of more than 500,000 since 1991; in that study, 46% of the parents reported living with their children prior to incarceration; the survey estimated that 336,300 U.S. households with minor children are affected by the imprisonment of a resident parent; and
WHEREAS, As the new millennium advances, the plight of children impacted by parental incarceration is among the most pervasive problems challenging correction policymakers and child welfare advocates; research results show that when a parent is incarcerated, the lives of their children are
disrupted by separation from parents, severance from siblings, and displacement to different caregivers, a large number placed in foster care; and

WHEREAS, About 80% of the roughly 2,800 women locked up in Illinois are mothers; and

WHEREAS, Studies show that the more contact parents have with their children, the less likely they are to reenter the penal system and the less likely their children are to be involved in delinquent behaviors; and

WHEREAS, The Illinois Department of Children and Family Services is responsible for the care and maintenance of hundreds of children whose parents are incarcerated in Illinois Department of Corrections facilities; and

WHEREAS, The importance of parent/child visitation is acknowledged by the Illinois Department of Children and Family Services in its rules (89 Ill. Adm. Code 301.210(a)) which provide: "The Department recognizes that there is a strong correlation between regular parental visits and contacts with a child and the child's discharge from placement services"; and

WHEREAS, The locations of the State's penal facilities often create logistical obstacles, preventing frequent in-person contacts between these children and their incarcerated parents, as a result, these children are often restricted to 4 visits a year, or less, although State officials recognize that more frequent contacts would be in the children's best interests; and

WHEREAS, It would be in the best interests of many children of incarcerated parents to be able to visit at least monthly with their parents by way of video conferencing at the offices of Illinois Department of Children and Family Services and the child welfare agencies; and

WHEREAS, While video conferencing is not a substitute for actual face to face visitation, when used as a tool to bridge the distance and time until the next physical visit, it can be extremely beneficial and will nurture parent-child relationships, however, the availability of video-conferencing should in no way reduce or limit the child's opportunity to have in person visitation with the parent, but should supplement that in person contact; and

WHEREAS, Through the use of high speed Internet services, the costs related to video conferencing have been greatly reduced; and

WHEREAS, The Illinois Department of Corrections and the Women's Treatment Center sponsor a program called "Parent and Child Together" (PACT), a small video conferencing program which allows about 100
incarcerated women at the Decatur Correctional Center to "visit" with their children 180 miles away in a networked Chicago office; and

WHEREAS, The Illinois Department of Corrections has concluded that this program has been a success; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Illinois Department of Children and Family Services and the Illinois Department of Corrections shall jointly prepare a report as to the costs and feasibility of providing monthly video conferencing visitation to appropriate children in State care, whose parents are incarcerated in facilities of the Illinois Department of Corrections, where there is a judicial finding that video conference visitation, as supplement to in person visitation, would be in the child's best interests; and be it further

RESOLVED, That the Illinois Department of Children and Family Services and the Illinois Department of Corrections shall present the report to the General Assembly no later than October 1, 2006; and be it further

RESOLVED, That a copy of this resolution be sent to the Director of Children and Family Services and the Director of Corrections.

Adopted by the House of Representatives on January 26, 2006.
Concurred in by the Senate on March 8, 2006.

IN MEMORY OF THE DECEASED DR. ANDREW H. MELCZER
(House Joint Resolution No. 55)

WHEREAS, Andrew H. Melczer, Ph.D., who passed away on February 7, 2005, served the Illinois State Medical Society (ISMS), its member physicians, and all the citizens of the State of Illinois for more than 20 years; and

WHEREAS, Dr. Melczer monitored the evolving health care system of Illinois and the United States, developed ISMS legislative responses to ensure that physicians could practice quality medical care, and analyzed proposed legislation related to the health care system; and

WHEREAS, Dr. Melczer provided support to physicians seeking to understand and respond to the evolving health care marketplace; and

WHEREAS, Dr. Melczer was a developer of the Illinois Managed
Care Reform and Patients Rights Act to protect physicians and patients from managed care interference in the delivery of health care; and

WHEREAS, Dr. Melczer authored instructional brochures and model policy documents and developed seminars to assist Illinois physicians with the understanding and implementation of the federal Health Insurance Portability and Accountability Act; and

WHEREAS, These HIPAA model policies and procedures have been adapted and used by physicians across the country; and

WHEREAS, Dr. Melczer served in leadership roles as the ISMS representative to the Workgroup for Electronic Data Interchange and guided Illinois physicians with the implementation and use of electronic health records; and

WHEREAS, Dr. Melczer gave generously of his time and expertise to serve on boards and commissions, including the Illinois Health Care Cost Containment Council, the Hospital Report Care Advisory Council, and the Illinois Health Care Credentials Council; and

WHEREAS, Dr. Melczer served in leadership roles as the ISMS representative to the Workgroup for Electronic Data Interchange and guided Illinois physicians with the implementation and use of electronic health records; and

WHEREAS, Dr. Melczer served in leadership roles as the ISMS representative to the Workgroup for Electronic Data Interchange and guided Illinois physicians with the implementation and use of electronic health records; and

WHEREAS, Dr. Melczer served in leadership roles as the ISMS representative to the Workgroup for Electronic Data Interchange and guided Illinois physicians with the implementation and use of electronic health records; and

WHEREAS, Dr. Melczer encouraged all to "Find work that you love and do it well, but don't take it so seriously that you forget what really matters in life. Show your family you love them every day. Make this world a better place by sharing your time and talents. Teach yourself something new. Laugh. Be a good person, and thank God daily for all of our blessings."; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HERELN, that we honor the memory of Andrew H. Melczer, Ph.D., for his valuable and numerous contributions to the quality of health care in Illinois and for his many years of outstanding public service; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Melczer's family with our heartfelt thanks and as an expression of our deepest sympathy, respect, and esteem.

Adopted by the House of Representatives on May 3, 2005.

Concurred in by the Senate on March 2, 2006.
WHEREAS, There are 39 public community college districts serving all 102 counties within the State of Illinois; and
WHEREAS, Within the 39 community college districts, there are 48 community colleges, serving nearly 1.2 million Illinoisans annually; and
WHEREAS, Over the past decade, enrollment at the 48 community colleges has increased by more than 20% and the role of the community college has expanded dramatically; local communities and businesses have become reliant on community colleges as the primary provider of worker education and training; and
WHEREAS, The U.S. Department of Labor estimates that by the end of this decade 85% of all jobs in the State of Illinois that are capable of sustaining a middle-class lifestyle will require access to post-secondary education; and
WHEREAS, The U.S. Department of Labor also reports that 75% of all current workers will require re-skilling or retraining during the current decade in order to maintain the jobs they presently hold; and
WHEREAS, The reimbursement rules that are currently in place for community colleges are, in some instances, more than 30 years old and do not reflect the vast diversity of the structure and operation of the community college model of today; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created a Joint Task Force on Community Colleges, to be facilitated by the Illinois Community College Board, for the purpose of reviewing the present community college system and making recommendations to the General Assembly pertaining to whether the mechanisms that are in place will handle the expanded role and demands on the system in the future; and be it further
RESOLVED, That the Joint Task Force on Community Colleges shall consist of the following members: 2 co-chairpersons, each a member of the General Assembly, with one appointed by the Speaker of the House and one appointed by the President of the Senate; 2 spokespersons, each a member of the General Assembly, with one appointed by the Minority Leader of the
House and one appointed by the Minority Leader of the Senate; 3 community college presidents appointed by an organization representing public community college presidents; 3 community college trustees appointed by an organization representing Illinois community college trustees; 2 community college faculty members appointed by the Chairperson of the Illinois Community College Board; 2 community college students appointed by the Illinois Community College Board Student Advisory Committee; and 2 members appointed by the Chairperson of the Illinois Community College Board, one of whom is a nationally recognized community college expert; and be it further

RESOLVED, That the Joint Task Force members shall serve on a voluntary basis and shall not be responsible for any costs associated with their participation in the Joint Task Force; and be it further

RESOLVED, That the Joint Task Force shall meet initially at the call of the Chairperson of the Illinois Community College Board and thereafter as necessary and shall report its findings to the General Assembly by filing copies of its report with the Clerk of the House and the Secretary of the Senate no later than December 31, 2006; and that upon filing its report the Joint Task Force is dissolved; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Chairperson of the Illinois Community College Board and to the Illinois Community College Board Student Advisory Committee.

Adopted by the House of Representatives on April 25, 2006.
Concurred in by the Senate on May 3, 2006.

JOINT TASK FORCE ON DEAF AND HARD OF HEARING EDUCATION OPTIONS
(House Joint Resolution No. 139)

WHEREAS, During the 94th General Assembly, the Joint Task Force on Deaf and Hard of Hearing Education Options was established to undertake a comprehensive and thorough review of education and services available to the deaf or heard of hearing children in Illinois; and
WHEREAS, The Joint Task Force was to report its findings and recommendations to the General Assembly no later than January 1, 2007; and
WHEREAS, The Joint Task Force needs additional time to complete
its work; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that that the Joint Task Force on Deaf and Hard of Hearing Education Options shall submit a report, as established in its authorizing resolution, no later than December 31, 2007; and be it further

RESOLVED, That with this reporting extension, the Joint Task Force on Deaf and Hard of Hearing Education Options shall continue to operate pursuant to its enabling resolution.

Adopted by the House of Representatives on November 30, 2006.
Concurred in by the Senate on November 30, 2006.

JOINT TASK FORCE ON MEAT AND POULTRY INSPECTION
(House Joint Resolution No. 115)

WHEREAS, The Meat and Poultry Inspection Act provides for the licensing of meat processors and slaughterers; and

WHEREAS, The Act establishes a license for Type I establishments that sell or offer to sell meat, meat product, poultry, and poultry product; and

WHEREAS, The Act establishes a license for Type II establishments that custom slaughter and are not to sell the meat they slaughter; and

WHEREAS, Questions and concerns have arisen in regards to the increased regulations Type I establishments must adhere to that are not imposed on Type II establishments; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Joint Task Force on Meat and Poultry Inspection under the Department of Agriculture for the purpose of reviewing current law and regulations pertaining to the licensing and regulation of meat and poultry processors and slaughterers and determining whether changes are warranted in the licensing and regulation of these entities; and be it further

RESOLVED, That the Joint Task Force on Meat and Poultry Inspection shall consist of the following members: one member appointed by the President of the Senate; one member appointed by the Minority Leader
of the Senate; one member appointed by the Speaker of the House; one member appointed by the Minority Leader of the House; the Chairman of the Senate Agriculture and Conservation Committee or his or her designee; the Minority Spokesman of the Senate Agriculture and Conservation Committee or his or her designee; the Chairman of the House Agriculture and Conservation Committee or his or her designee; the Minority Spokesman of the House Agriculture and Conservation Committee or his or her designee; the Director of Agriculture or his or her designee; two members representing Type I licensees appointed by the Director of Agriculture; two members representing Type II licensees appointed by the Director of Agriculture; one member who is an expert from academia on meat and poultry inspection appointed by the Director of Agriculture; one member appointed by an association representing meat processors; one member appointed by an association representing beef producers; one member appointed by an association representing pork producers; and one member appointed by an association representing farmers; and be it further

RESOLVED, That the Joint Task Force shall meet initially at the call of the Director of Agriculture and thereafter as necessary and shall report its findings and recommendations to the General Assembly by filing copies of its report with the Clerk of the House and the Secretary of the Senate no later than December 1, 2006; and that upon filing its report the Joint Task Force is dissolved; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Illinois Director of Agriculture.

Adopted by the House of Representatives on April 25, 2006.
Concurred in by the Senate on May 3, 2006.

JOINT TASK FORCE ON RURAL HEALTH AND MEDICALLY UNDERSERVED AREAS
(House Joint Resolution No. 83)

WHEREAS, During the 94th General Assembly, the Joint Task Force on Rural Health was established to study issues relating to health care for Illinois residents living in rural settings; and

WHEREAS, Issues relating to health care for residents of rural areas also apply to residents of other medically underserved areas of the State; and
WHEREAS, The Joint Task Force was to report its findings and recommendations to the General Assembly no later than January 1, 2006; and
WHEREAS, The Joint Task Force needs additional time to complete its work; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Task Force on Rural Health shall submit a report, as established in its authorizing resolution, no later than December 31, 2006; and be it further
RESOLVED, That the name of the Task Force on Rural Health is changed to the Task Force on Rural Health and Medically Underserved Areas; and be it further
RESOLVED, That with this reporting extension, the Joint Task Force on Rural Health and Medically Underserved Areas shall continue to operate pursuant to its enabling resolution.
Concurred in by the Senate on March 8, 2006.

JOINT TASK FORCE ON THE COLLEGE INSURANCE PROGRAM
(Senate Joint Resolution No. 91)

WHEREAS, In 1997, Section 6.9 was added to the State Employees Group Insurance Act of 1971 (5 ILCS 375/6.9); the new statute called for the establishment of a uniform program of health benefits for certain community college benefit recipients and their dependent beneficiaries, to be under the administration of the Department of Central Management Services; this program is now known as the College Insurance Program; and
WHEREAS, Participating retirees, current employees, and affected community college employers have suggested that it is time for an evaluation of the College Insurance Program; and
WHEREAS, The City Colleges of Chicago, administered under Article VII of the Public Community College Act, are expressly excluded from the College Insurance Program under the statute; and
WHEREAS, The City Colleges of Chicago, and their employees and retirees, have sought to be included in the College Insurance Program;
therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Joint Task Force on the College Insurance Program, consisting of the following members: one chairperson appointed by the Governor, one member appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, one member appointed by the Speaker of the House of Representatives, one member appointed by the Minority Leader of the House of Representatives, and 5 members appointed by the Governor, one each representing (i) a statewide organization representing community college trustees, (ii) a statewide retirees association, (iii) an education labor organization representing teachers primarily in Cook County, (iv) an education labor organization representing teachers primarily outside Cook County, and (v) a community college currently participating in the College Insurance Program; and that these appointments shall be made by June 1, 2006; and be it further

RESOLVED, That the following officials shall serve, ex officio, as members of the Task Force: the Director of the Governor's Office of Management and Budget, the Chancellor of the City Colleges of Chicago, and the Chairman of the Illinois Community College Board; and be it further

RESOLVED, That the Task Force shall (1) investigate the current state of the College Insurance Program and (2) consider the inclusion of the retirees of the City Colleges of Chicago, and shall report its findings and recommendations to the General Assembly by October 31, 2006; and be it further

RESOLVED, That the Department of Healthcare and Family Services shall provide staff support to the Task Force, as necessary; and be it further

RESOLVED, That copies of this resolution be delivered to the Governor, the Director of the Governor's Office of Management and Budget, the Chancellor of the City Colleges of Chicago, and the Chairman of the Illinois Community College Board.

Adopted by the Senate, May 3, 2006.

Concurred in by the House of Representatives, May 4, 2006.
WHEREAS, Changes over the past several decades in federal and state laws defining crimes, prescribing sentences for crimes, prescribing and limiting services and treatment for persons incarcerated for crimes, and setting conditions and services post-release from prison or jail have resulted in staggering increases in the numbers of persons with past criminal convictions; and

WHEREAS, Between 1970 and 2001, the Illinois prison population increased by more than 500 percent, from 7,326 to 44,348; and

WHEREAS, Nationwide, over 650,000 men and women, a figure larger than the entire population of Boston or Washington, DC, will be released from state and federal confinements in 2006; and

WHEREAS, Approximately 244,000 men and women are currently under correctional supervision in Illinois, including those in jail, in prison, on probation, and on parole; and

WHEREAS, Almost all - between 95 and 97 percent - of those who are incarcerated or detained in the United States will serve their time and come home; and

WHEREAS, Over the past several decades enactment of and changes to federal and state laws limiting opportunities for employment, as well as education, housing, public assistance, and other aspects of civil life, for persons with criminal convictions have resulted in high barriers to those persons' success in society after they have served the sentences for their convictions; and

WHEREAS, Illinois Governor Rod Blagojevich convened the Statewide Community Safety and Reentry Working Group and Chicago Mayor Richard M. Daley convened the Mayoral Policy Caucus on Prisoner Reentry to study prisoner reentry, and the reports and recommendations from those groups are becoming available in 2006; and

WHEREAS, Barriers to employment and job promotion for persons with criminal convictions are extremely complex issues, involving, among others, public employers at all levels of government, private employers, labor organizations, education and training institutions, public safety officials,
public and private licensing and certification bodies, insurers, employment placement agencies, custodians of and users of arrest and conviction records, drug treatment agencies, and persons with criminal records; and

WHEREAS, A thorough examination of the barriers to employment for people with criminal conviction records and a thorough study of ways in which such barriers could be lowered or eliminated without exposing employers, individuals, the general public, or property to unreasonable risk is warranted; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is hereby established a Legislative Task Force on Employment of Persons with Past Criminal Convictions; and be it further

RESOLVED, That the Task Force shall have the following members: 12 voting members, as follows: 3 members of the Senate appointed by the president of the Senate, 3 members of the Senate appointed by the Senate Minority Leader, 3 members of the House of Representatives appointed by the Speaker of the House of Representatives, and 3 members of the House of Representatives appointed by the House Minority Leader; and be it further

RESOLVED, That all actions of the Task Force require the affirmative vote of at least 7 voting members; and be it further

RESOLVED, That the following persons shall serve without compensation as ex-officio, non-voting members of the Task Force:

(A) The Director of the Illinois Department of Corrections, or his or her designee;

(B) The Director of the Illinois Department of Employment Security, or his or her designee;

(C) The Secretary of the Illinois Department of Human Services, or his or her designee;

(D) The Director of the Illinois Department of Children and Family Services, or his or her designee;

(E) The Secretary of the Illinois Department of Financial and Professional Regulation, or his or her designee;

(F) The Director of Commerce and Economic Opportunity, or his or her designee; and
(G) The Chairman of the Illinois Human Rights Commission, or his or her designee; and be it further
RESOLVED, That the departments of State government and the Illinois Human Rights Commission represented on the Task Force shall work cooperatively to provide administrative support for the Task Force; the Department of Employment Security shall be the primary agency in providing that support; and be it further
RESOLVED, That the voting members of the Task Force shall select a chairperson; and be it further
RESOLVED, That the Task Force shall conduct public hearings and examine the barriers faced by persons with past criminal convictions with respect to obtaining employment; and be it further
RESOLVED, That the Task Force shall evaluate those recommendations made by the Governor's Statewide Community Safety and Reentry Working Group; and be it further
RESOLVED, That the Task Force shall report its findings and recommendations to the Governor and the General Assembly in a final report which shall be filed on or before January 1, 2007; the requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act; and be it further
RESOLVED, That the report shall include, but need not be limited to, the following:

(1) An assessment of those collateral consequences of a criminal conviction which impede employment of persons with past criminal convictions, and the experiences of other states in addressing this issue;

(2) An assessment of the preparation for gainful employment provided to those incarcerated in Illinois correctional facilities, and the experiences of other states in addressing this issue;

(3) An identification of the barriers which impede those with
criminal records from obtaining stable employment; and

(4) Recommendations for legislative changes necessary to facilitate the employment of persons with past criminal convictions which, if implemented, would not expose the employer, an individual, the general public, or property to unreasonable risks; and be it further

RESOLVED, That within 60 days after the filing of the report, the appropriate standing committees of both the House and the Senate shall hold hearings to consider the recommendations made by the Task Force; and be it further

RESOLVED, That suitable copies of this Resolution be transmitted to the ex-officio members of the Task Force.

Adopted by the House of Representatives on November 30, 2006.
Concurred in by the Senate on November 30, 2006.

LONG-TERM PRISONERS STUDY COMMITTEE
(House Joint Resolution No. 80)

WHEREAS, Article I, Section 11 of the Illinois Constitution states "All penalties shall be determined both according to the seriousness of the offense AND WITH THE OBJECTIVE OF RESTORING THE OFFENDER TO USEFUL CITIZENSHIP (emphasis added); and

WHEREAS, Illinois is one of only 11 states that has life without parole sentences and one of only 6 states where all life sentences are without parole; and

WHEREAS, Thirty years ago only a handful of prisoners in Illinois served sentences longer than 30 years; this year approximately 4,000 Illinois prisoners have sentences of 30 years or more, including C number prisoners, amounting to about 10% of all Illinois prisoners; and

WHEREAS, In Illinois at least 500 people each year are sentenced as lifers or long-term prisoners; and

WHEREAS, With the growth of truth in sentencing laws and increased use of life without parole sentences, the number of long-term prisoners will grow exponentially; and

WHEREAS, It costs at least one million dollars to confine a person in prison for 30 years; and

WHEREAS, It is estimated that close to half of those lifers and
long-term prisoners will never be released from prison if current policies stay in place; and

WHEREAS, The recidivism rate for long termers is the lowest of any group of prisoners; and

WHEREAS, A large number of lifers and long-term prisoners are sentenced under the accountability theory and not for the actual commission of the crime, and some are first time offenders; and

WHEREAS, Community crime prevention programs, not harsher prison sentences are responsible for the decline in crime rates; and

WHEREAS, Numerous innocent people have been wrongly convicted in Illinois; and

WHEREAS, Many countries no longer impose sentences of life without parole; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HERECIN, that there is created the Long-Term Prisoners Study Committee, hereinafter referred to as the Committee, consisting of 17 members appointed as follows:

(1) Three members appointed by the President of the Senate;
(2) Two members appointed by the Minority Leader of the Senate;
(3) Three members appointed by the Speaker of the House of Representatives;
(4) Two members appointed by the Minority Leader of the House of Representatives;
(5) One member appointed by the Attorney General;
(6) One member appointed by the Governor;
(7) One member appointed by the Cook County State's Attorney;
(8) One member appointed by the Office of the Cook County Public Defender;
(9) One member appointed by the Office of the State Appellate Defender;
(10) One member appointed by the Office of the State's Attorneys Appellate Prosecutor; and
(11) One member appointed by the Director of Corrections; and be it further

RESOLVED, That the Department of Corrections shall provide staff
and administrative support to the Committee; and be it further
RESOLVED, That the Committee shall study and examine issues
related to prisoners sentenced to life without parole and prisoners sentenced
to terms in excess of 30 years; and be it further
RESOLVED, That the Committee in its deliberations shall always
give priority to public safety and the best use of State funds; and be it further
RESOLVED, That the Committee shall hold public hearings and
present a report of its findings and recommendations to the 95th General
Assembly before June 1, 2007.
CONCURRED IN BY THE SENATE ON MARCH 28, 2006.

MIDWESTERN LEGISLATIVE CONFERENCE
(SENATE JOINT RESOLUTION NO. 43)

WHEREAS, It is the purpose of the Council of State Governments to
assist all three branches of government of member states in the pursuit of
excellence in state government through access to information and research,
opportunities for networking and exchange of innovative ideas, and
leadership training; and
WHEREAS, The Midwestern Legislative Conference (MLC) is a
non-partisan regional association of state legislatures representing eleven
Midwestern states, as well as the Canadian provinces of Manitoba, Ontario,
and Saskatchewan; and
WHEREAS, Pursuant to the rotation of host states among the eleven
member states, the State of Illinois and the City of Chicago will host the
annual meeting of the Midwestern Legislative Conference August 27 to 30,
2006; and
WHEREAS, The incoming Chair of the MLC for the 2005-2006 year
is the distinguished Illinois State Senator Donne E. Trotter; and
WHEREAS, The City of Chicago, with its great cultural wealth, vast
diversity, and prominence as a center of conventions and tourism, offers an
ideal setting to host this prestigious event; and
WHEREAS, Both the State of Illinois and the City of Chicago will
benefit from the financial activity and distinction associated with hosting
such an event; and
WHEREAS, The development and execution of a succinct plan to host the annual meeting successfully requires an extensive logistical and well-organized effort; and
WHEREAS, The General Assembly of the State of Illinois recognizes the need to create a special committee to organize and execute such a plan to meet the high standards set by previous host states; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREBIN, that there is created a Host Committee for the MLC Annual Meeting to be held in Chicago in 2006; and be it further
RESOLVED, That the Host Committee shall consist of two members of the Senate appointed by the President of the Senate, two members of the Senate appointed by the Minority Leader of the Senate, two members of the House of Representatives appointed by the Speaker of the House of Representatives, and two members of the House of Representatives appointed by the Minority Leader of the House of Representatives; each appointing authority shall designate one of his or her appointees as one of four co-chairs; and be it further
RESOLVED, That the co-chairs may appoint additional members to serve on the Host Committee and may request the assistance of the Legislative Research Unit and other legislative staff; and be it further
RESOLVED, That members of the Host Committee shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses incurred in the performance of their official duties from funds available for that purpose; and be it further
RESOLVED, That the Host Committee shall, in conjunction with the MLC officers and staff, formulate and execute a plan to provide for the procedures and activities required to host a successful annual meeting; and be it further
RESOLVED, That the Host Committee shall undertake both public and private sector fundraising initiatives to support or defray the costs associated with the annual meeting; and be it further
RESOLVED, That copies of this resolution shall be distributed to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of
Representatives, and the Executive Directors of the Legislative Support Service Agencies.

Adopted by the Senate, May 20, 2005.
Concurred in by the House of Representatives, February 1, 2006.

MISSING PERSONS DAY
(House Joint Resolution No. 74)

WHEREAS, November 5, 2006, marks six years since Ryan Katcher, a student at the University of Illinois, was last seen; and
WHEREAS, In 2001, there were 198,575 persons over the age of 18 reported missing to law enforcement agencies nationwide; and
WHEREAS, Regardless of age or circumstances, all missing persons have families who need support and guidance to endure the days, months, or years they may spend searching for their missing loved ones; and
WHEREAS, It is important to applaud the committed efforts of families, law enforcement agencies, and concerned citizens who work to locate missing persons and to prevent all forms of victimization; therefore,

be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREFIN, that in recognition of the life of Ryan Katcher and all other missing persons in the State of Illinois, we declare November 5, 2006, as Missing Persons Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Linda Katcher Griffith with our sincerest wishes of support for her in the search for her son.

Adopted by the House of Representatives on January 26, 2006.
Concurred in by the Senate on March 8, 2006.

NO CHILD LEFT BEHIND ACT
(Senate Joint Resolution No. 66)

WHEREAS, The general intent and spirit of the federal No Child Left Behind Act of 2001 (Public Law 107-110), known as NCLB, are worthy of
praise; and

WHEREAS, Many of NCLB's requirements on schools have been implemented in a manner that may result in federal sanctions being placed on improving schools; and

WHEREAS, Improvement status and associated sanctions under NCLB should be differentiated based on the magnitude of the school's failure to meet adequate yearly progress (AYP) requirements; and

WHEREAS, Schools should be allowed to choose the order of initiating either school choice or supplemental services so that services can be developed or secured in response to student need; and

WHEREAS, Adequate annual funding for the necessary remediation of students who are not meeting performance standards is a necessity if states are to meet the goals of NCLB; and

WHEREAS, Appropriate flexibility for schools, particularly in states with diverse populations such as Illinois, will allow NCLB to be implemented in a way that best meets the broad needs of a state's pupils; and

WHEREAS, States should be allowed to adopt value-added models based on the growth of individual students from grade to grade, ensuring that students achieve proficiency over time, and Illinois is examining the possibility of developing such a model; and

WHEREAS, One hundred percent of students reaching state standards, while commendable and desirable, is generally recognized as not being a realistically achievable goal, and additional research should be conducted regarding a more reasonable benchmark; and

WHEREAS, A recent and commendable announcement from the U.S. Department of Education, which allowed modified assessments for students with persistent academic disabilities, has shown that common sense and flexibility can be maintained without detracting from NCLB's goal of accountability; and

WHEREAS, While still striving to reach the laudable goal of having a highly qualified teacher in every classroom, the U.S. Department of Education has begun to take appropriate steps to adjust certain regulations to accommodate the needs of rural school districts and districts attempting to fill positions in special education and hard-to-staff subjects and schools; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we call on the Illinois congressional delegation to take action to review and amend NCLB and to encourage the U.S. Department of Education to implement regulations that (i) will permit appropriate consideration of students with special educational needs with respect to determinations of adequate yearly progress, including without limitation limited English-proficient students and special education students, (ii) will be sensitive to the needs for teachers in schools in hard-to-staff, rural, or isolated school districts and in special education, (iii) will reduce bureaucratic restrictions that stand in the way of the goals of NCLB, and (iv) will allow flexibility to the states in meeting the goals of the NCLB; and be it further
RESOLVED, That we urge the President and the Congress of the United States to fully fund the requirements of NCLB for the life of the Act; and be it further
RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, to the U.S. Secretary of Education, and to each member of the Illinois congressional delegation.
Adopted by the Senate, April 7, 2006.
Concurred in by the House of Representatives, April 26, 2006.

NO CHILD LEFT BEHIND GROWTH-MODEL TASK FORCE
(Senate Joint Resolution No. 87)

WHEREAS, United States Secretary of Education Margaret Spellings has announced guidelines, referred to as a New Path for the federal No Child Left Behind Act of 2001, based on a set of "common sense" principles to guide states in meeting the Act's goals; and
WHEREAS, This New Path maintains the primary elements of the Act, such as the annual testing and reporting of student subgroup data, but also emphasizes increasing individual student achievement, narrowing the achievement gap, and encouraging sound overall state education policies that ensure that progress is being made; and
WHEREAS, The United States Department of Education has recognized that schools serving certain designated subgroups, such as children who are limited-English speakers and children who have disabilities,
require flexibility in determining adequate yearly progress; and

WHEREAS, This type of flexibility is also needed for schools that serve other vulnerable population groups, such as high school drop-outs who return to school and who, for reasons including but not limited to their low academic achievement levels, are often confronted with multiple barriers that impede their academic progress; and

WHEREAS, Some states have requested permission to implement growth-based accountability models, also called "value-added models," which give schools credit for student improvement over time by tracking individual student achievement from year to year, and which show promise as fair, reliable, flexible, and innovative methods for measuring school and student improvement; and

WHEREAS, The United States Department of Education has responded to the states' requests by agreeing to a rigorous evaluation of growth-based accountability models and their ability to help meet the laudable goals of the federal No Child Left Behind Act of 2001; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge the United States Department of Education to use more flexible criteria in determining adequate yearly progress under the federal No Child Left Behind Act; and be it further

RESOLVED, That there is hereby created a No Child Left Behind Growth-Model Task Force to examine the models proposed by other states and to explore the potential for a growth model to give a clearer, fairer picture of individual student progress, such as the progress of those students in alternative schools; and be it further

RESOLVED, That the Task Force shall consist of (i) the Governor or his designee, (ii) the State Superintendent of Education or his designee, (iii) one member appointed by a statewide association representing principals, (iv) one member representing a charter school serving at-risk high school drop-outs who have returned to school, (v) one member appointed by an organization representing regional superintendents of schools, (vi) one member appointed by a statewide organization representing school administrators, (vii) one member appointed by a statewide organization that
represents both parents and teachers, (viii) one member appointed by a statewide organization representing administrators of special education, (ix) one member who is a representative from a statewide alternative education association, and (x) an additional member appointed by the State Superintendent of Education based on the individual's knowledge of NCLB regulations or growth model research and design, or both; and that the State Board of Education shall provide such staff assistance to the Task Force as is reasonably required for the proper performance of its responsibilities; and be it further

RESOLVED, That the Task Force shall hold, at minimum, four meetings, with at least one meeting held in Chicago and one meeting held in Springfield, and it shall report its findings to the General Assembly on or before January 1, 2007; and be it further

RESOLVED, That the Task Force is abolished upon completing its report; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the U.S. Secretary of Education, the State Board of Education, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and to each Member of the Illinois Congressional delegation.

Adopted by the Senate, April 6, 2006.
Concurred in by the House of Representatives, May 3, 2006.

PAUL SIMON PARKWAY
(House Joint Resolution No. 15)

WHEREAS, The General Assembly takes pride in recognizing the accomplishments and contributions of Illinois officials and citizens; and

WHEREAS, The late Senator Paul Simon's success in politics began with the reformer's zeal he evidenced at the Troy Tribune, where he was a crusading owner-editor, the nation's youngest newspaper owner, before he was old enough to vote; and

WHEREAS, Senator Simon served eight years in the House of Representatives; he married Jeanne Hurley of Wilmette in 1960, becoming the first husband-and-wife team in the history of the Illinois General Assembly; she preceded him in death in 2000; and
WHEREAS, As a legislator, he was chief sponsor of the law that required governmental agencies at all levels to open their meetings to the public and the news media; he voluntarily disclosed his personal finances in his first race for the State legislature - long before any disclosure was required - and continued baring his finances in more detail than the law required throughout his political career; and

WHEREAS, In 1968, voters elected Republican Richard Ogilvie as Governor and Democrat Paul Simon as Lieutenant Governor, the only time in Illinois history that voters would pair politicians of different parties for those offices; as Lieutenant Governor, he held town meetings throughout the State to field complaints about State government; following his term as Lieutenant Governor, he started the public affairs reporting program at Sangamon State University, now the University of Illinois at Springfield; and

WHEREAS, In 1974, Senator Simon was elected to the U.S. House of Representatives, serving 10 years until winning election to the U.S. Senate; he held the seat for 12 years before retiring in 1997; he helped overhaul the federal student loan program to enable students and their families to borrow directly from the government; he advocated for liberal causes and increased funding for social programs, but he also campaigned for a balanced budget amendment to the U.S. Constitution; he was known to be a man of integrity and a voice for the less fortunate; and

WHEREAS, Following his retirement from the U.S. Senate, Senator Simon took up teaching, writing, and heading the Public Policy Institute, a think tank which he founded at Southern Illinois University Carbondale; he married Patricia Derge in 2001; he is the recipient of several honorary degrees and other accolades; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that in honor of his many contributions to the citizens of the State of Illinois and this great Nation, the portion of Illinois Route 162 in Troy commencing at its intersection with U.S. 40 and ending at its intersection with Formosa Road is hereby designated the Paul Simon Parkway; and be it further

RESOLVED, That those portions of Interstate Routes 270 west, 55 north, 70 east, and 55/70 south that extend a distance of 2 miles from the city of Troy be collectively designated the Paul Simon Freeway; and be it further
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State rules and federal regulations, appropriate plaques or signs giving notice of these names; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the U.S. Department of Transportation, the Secretary of the Illinois Department of Transportation and the family of Senator Paul Simon.

Adopted by the House of Representatives on May 4, 2006.
Concurred in by the Senate on May 4, 2006.

PREGNANCY AND INFANT LOSS REMEMBRANCE DAY
(Senate Joint Resolution No. 78)

WHEREAS, According to a 1996 study by the Centers for Disease Control, 16% of over 6,000,000 pregnancies ended in either a miscarriage or stillbirth, which is almost 1,000,000 perinatal losses; and

WHEREAS, Of those over six million pregnancies, 62%, or 3,720,000, ended in live births, and 26,784 of those births ended in deaths of infants 11 months and younger; and

WHEREAS, The availability of information and support is of the utmost importance to the families who suffer from pregnancy and infant loss to better help them cope; and

WHEREAS, A public that is informed and educated about pregnancy and infant loss can better learn how to respond with compassion to affected families; and

WHEREAS, Professionals who come in contact with families who have suffered pregnancy or infant loss, such as physicians, clergy, emergency medical technicians, funeral directors, police officers, public health nurses, and employers, can better serve families if they have special training and better knowledge of pregnancy and infant loss; and

WHEREAS, If a Pregnancy and Infant Loss Remembrance Day is created to recognize the grief of the families and to remember all of the pregnancies and infants lost, it will help to heal and comfort the families in a time of pain and heartache and give the families hope for the future; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that October 15, 2006, be named as Pregnancy and Infant Loss Remembrance Day to recognize the grief of the families and to remember all of the pregnancies and infants lost, to help to heal and comfort the families in a time of pain and heartache, and to give the families hope for the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Springfield chapter of Share, a pregnancy and infant loss support group.

Adopted by the Senate, March 8, 2006.
Concurred in by the House of Representatives, May 3, 2006.

SOUTHERN ILLINOIS UNIVERSITY MINORITY PARTICIPATION
(House Joint Resolution No. 102)

WHEREAS, In November of 2005, the U.S. Department of Justice notified Southern Illinois University (SIU) that it intended to file a lawsuit against the university related to three of the university's fellowship programs, specifically, the PROMPT, BRIDGE, and GRADUATE DEANS programs; and

WHEREAS, The U.S. Department of Justice has alleged that SIU is in violation of Title VII of the 1964 Civil Rights Act in its administration of these programs; and

WHEREAS, Today, African Americans and Hispanic-Latinos are underrepresented in all graduate programs; the subject matter programs at issue have provided access to graduate programs for approximately 85 minority students; and

WHEREAS, The U.S. Department of Justice and SIU have negotiated a Consent Decree that protects the students currently enrolled in these programs; in addition, the Consent Decree avoids the cost of protracted litigation, with no penalties or fines assessed against SIU, and amends the eligibility requirements of three SIU-C paid fellowship programs; the Consent Decree also allows SIU to avoid potential legal exposure and financial penalty; and

WHEREAS, The Illinois Legislative Black Caucus, the Illinois Legislative Latino Caucus, and the entire General Assembly desire to be
updated, annually, on SIU's progress in minority participation in its fellowship programs; both Caucuses have met with the President of SIU and have expressed their grave concerns related to the inclusion of African American and Hispanic-Latino students in the university's fellowship programs, as well as other facets of the university; and

WHEREAS, The Illinois Legislative Black Caucus, the Illinois Legislative Latino Caucus, and the entire General Assembly have indicated their desire to stay informed of the events surrounding the investigations conducted by the U.S. Department of Justice and the progress that SIU is making in increasing the number of African American and Hispanic-Latino students in both fellowship and graduate assistance programs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that Southern Illinois University provide, on an annual basis, an update on minority participation in all fellowship and graduate assistance programs at SIU to the Illinois Legislative Black Caucus, the Illinois Legislative Latino Caucus, and the entire General Assembly; and be it further

RESOLVED, That the President and the Board of Trustees of Southern Illinois University take the necessary steps to ensure that African Americans and Hispanic-Latinos are provided access to and are allowed to compete in all fellowship and graduate assistance programs; and be it further

RESOLVED, That the President and the Board of Trustees of Southern Illinois University take the necessary steps to ensure that the university establishes and maintains an environment that is conducive to the successful completion of these programs as well as supports the efforts of African American and Hispanic-Latino students in the same or similar manner as it supports all other students; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of Southern Illinois University and the Board of Trustees of Southern Illinois University.

Adopted by the House of Representatives on April 18, 2006.
Concurred in by the Senate on May 3, 2006.
WHEREAS, According to a recent study by the Center for Labor Market Studies at Northeastern University in Boston, Massachusetts, there are 174,168 Illinois youth ages 16 to 24 years old and 98,908 youth ages 16 to 21 years old who have not graduated from high school and are out of school; and

WHEREAS, This study outlines that in Illinois, of the 174,168 youth who are out of school without a high school diploma, 50,877 are White, 74,645 are Hispanic, 42,294 are Black, and 6,352 are listed as other; and

WHEREAS, The vast majority of Chicago area and downstate Illinois youth who are out of school without a high school diploma come from lower income areas; and

WHEREAS, The vast majority of these youth who are out of school without a high school diploma see themselves as students who want to return to school and earn a high school diploma, but there are currently not enough options and opportunities for many of these re-enrolled students; and

WHEREAS, A comprehensive system is needed for all students - those in school and those who want to return to school, but the school experience that will help "out of school students" succeed when they re-enroll must be different; people learn in different ways, and smaller schools offer a more personal, flexible, and accountable curriculum that successfully re-enrolls, teaches, and graduates these out of school students; and

WHEREAS, Illinois employers are experiencing a shortage of skilled workers, and these "re-enrolled students" could provide the needed addition to the workforce needs of the Illinois economy and Illinois businesses; and

WHEREAS, Eighty percent of prison inmates are students who left school without a high school diploma and, as such, can pose a problem in terms of crime and public safety to the general public in their communities and neighborhoods; and

WHEREAS, Out-of-school students without a high school diploma earn $516,000 less over their lifetimes than people who have a high school diploma and some college education; and

WHEREAS, The benefit to Illinois taxpayers is $312,000 over the
lifetime of a "re-enrolled student" who returns to school and earns a high school diploma in terms of that person paying more taxes on his or her increased earnings as well as the reduced social costs in terms of his or her utilizing welfare services, mental health services, and other dependency services, and being less likely to enter prison or incur other costs related to crime; and

WHEREAS, There is significant research and program experience to draw on and use to develop successful programs to re-enroll, teach, and graduate students who left school before earning a high school diploma; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the "Task Force on Re-enrolling Students Who Dropped Out Of School" in order to examine and develop ways to address the growing issue of students who left school before earning a high school diploma; and be it further

RESOLVED, That the purpose of the Task Force is to examine policies, programs, and other issues related to developing a variety of successful approaches using best program practices to re-enroll, teach, and graduate students who left school before earning a high school diploma and, in doing so, improve community safety and the Illinois economy; and be it further

RESOLVED, That the Task Force shall be composed of the following members: 8 legislators (2 of whom shall be appointed by the President of the Senate, 2 of whom shall be appointed by the Speaker of the House, 2 of whom shall be appointed by the House Minority Leader, and 2 of whom shall be appointed by the Senate Minority Leader); 1 representative from the Governor's office appointed by the Governor; 1 representative of the State Board of Education appointed by the State Superintendent of Education; 1 representative of the Department of Human Services appointed by the Secretary of Human Services; 1 representative of the Department of Children and Family Services appointed by the Director of Children and Family Services; 1 representative of the Department of Commerce and Economic Opportunity appointed by the Director of Commerce and Economic Opportunity; 1 representative of the Illinois Community College Board appointed by the President of the Illinois Community College Board; 13
representatives from the public (4 of whom should come from schools/programs working with students who had left school before earning a high school diploma and 9 other appointees) appointed by the Governor, with one of these public representatives serving as chairperson of the Task Force; and be it further

RESOLVED, That the duties of the Task Force shall include conducting a series of public hearings throughout the State to discuss the impact of students who have left school without a high school diploma on various regions of the State, completing a review of data regarding students who have left school without a high school diploma that allows for a comparison of Illinois data both nationally and with other states in the region and across the country, completing a review of various financing and funding mechanisms used by other states, counties, cities, foundations, and other financial funding sources and producing a final report with recommendations to the Governor and the General Assembly on ways and means to address the challenge of re-enrolling students who have left school without a high school diploma; and be it further

RESOLVED, That the State Board of Education shall be responsible for facilitating the Task Force; and be it further

RESOLVED, That the Task Force shall issue an interim report of its findings to the Governor and the General Assembly no later than January 10, 2007; and be it further

RESOLVED, That the Task Force shall issue a final report by January 10, 2008, and upon filing this report, the Task Force is dissolved.

Adopted by the House of Representatives on April 4, 2006.
Concurred in by the Senate on May 3, 2006.

THE YEAR OF ROSEMONT
(House Joint Resolution No. 85)

WHEREAS, In 1956, a 2.5 square mile area of land in unincorporated Cook County was unwanted by neighboring communities; and

WHEREAS, Eighty-five pioneering residents living in this unincorporated area of Cook County were searching for municipal services, schools, and a good place to live the American dream; they refused to be beaten by others and decided to incorporate and become the Village of
Rosemont in 1956; and

WHEREAS, Mayor Donald E. Stephens became the first elected (and only) mayor of the Village of Rosemont; and

WHEREAS, This new Village of Rosemont was adjacent to what would become, in the next 20 years, the world's busiest airport, O'Hare International Airport; and

WHEREAS, The residents had the vision and foresight to transform the Village of Rosemont into a center of commerce by building hospitality and entertainment facilities to support the international and domestic air travelers using the world's busiest airport; and

WHEREAS, Today, Rosemont's 4,224 residents and some 12,000 hospitality employees work together to serve meeting, convention, tradeshow, business, and entertainment customers from around the world; and

WHEREAS, Rosemont hosts an average of 50,000 visitors daily and owns and operates some of Chicagoland's finest meeting, entertainment, special event, and tradeshow facilities, including the Donald E. Stephens Convention and Conference Center, which is a top 10 meeting/convention/trade show venue, the Allstate Arena, and the Rosemont Theatre; and

WHEREAS, The Donald E. Stephens Convention and Conference Center is a 1,000,000 square foot convention center and may be the only one in the nation that returns revenue without any subsidies or room taxes; it hosts approximately 100 trade conventions and public shows a year and welcomes more than 1,000,000 delegates and attendees to public and private shows annually; and

WHEREAS, The Allstate Arena, formerly known as the Rosemont Horizon, has been recognized by PERFORMANCE MAGAZINE as both "Top Grossing Arena" and "Arena of the Year"; the venue hosts more than 150 events annually, attracting an average of 1,500,000 audience members to witness some of the world's top musical performers and family shows like the Ringling Brothers Barnum and Bailey Circus and Disney on Ice and serves as home of the DePaul Blue Demons basketball team (NCAA), Chicago Wolves hockey (AHL), and Chicago Rush arena football (AFL); and

WHEREAS, The beautiful plush, 4,400-seat Rosemont Theatre hosts lavish Broadway musicals, full-scale productions, and world-class entertainers including Jay Leno and the entire "Tonight Show", Ashley Judd,
the Radio City Rockettes, a variety of family shows, and is home to the Chicagoland Pops Orchestra; and

WHEREAS, Rosemont is home to some of the world's most prestigious hoteliers, including Crowne Plaza, Hyatt, Marriott, Sheraton, Sofitel, Westin, Wyndham, and others, boasting more than 5,600 rooms; and

WHEREAS, Rosemont is home to some of Chicago's finest dining establishments, including Morton's, Nick's Fishmarket, Carlucci, Gibsons Steak House, and Harry Carey's; and

WHEREAS, The, tiny Village of Rosemont and its residents have generated billions of dollars for the Illinois economy and hold a strong vision for growing their convention and visitor business and service to the people of Illinois in the next 50 years; and

WHEREAS, Rosemont is kicking off its 50th anniversary year on Friday, January 20, 2006; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we recognize the year of 2006 as "The Year of Rosemont" in Illinois and encourage public and private entities to congratulate Rosemont on its "50 years of Welcoming the World"; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Village of Rosemont as an expression of our esteem.

Adopted by the House of Representatives on March 1, 2006.
Concurred in by the Senate on March 28, 2006.

TRAIL OF TEARS
(House Joint Resolution No. 142)

WHEREAS, The Cherokee Indians were once a great tribe living in and around the Great Smoky Mountains; they were probably the most civilized tribe in America with well established churches and schools; they are credited with an independent development of the log cabin; the Cherokees had their own recorded code of tribal laws with elected officials to govern them; they adopted the white man's ways and Christianity and were skilled at farming and cattle raising; and

WHEREAS, With the discovery of gold on Cherokee lands, a
movement that had been gathering since about 1802 for the removal of all Indians to reservations began in earnest; the Georgia legislature passed a law that "no Indian or descendants of an Indian shall be deemed a competent witness in any case in court to which a white person may be a party"; other states containing Cherokee lands adopted similar laws; and

WHEREAS, Many Cherokees were given whiskey by whites, who took advantage of their drunkenness and bribed the Indians out of their land holdings with paltry sums of money and empty promises; about 2,000 moved west through this trickery; some 15,000 were not fooled by these methods and were forced to walk the "Trail of Tears", as it became known for its many hardships and sorrows it brought to their people; and

WHEREAS, President Andrew Jackson gave his full support to the removal of the Cherokees from their land; an armed force of 7,000 made up of militia, regular army, and volunteers under General Winfield Scott forced the remaining 15,000 Cherokees from their homes in the Great Smoky Mountains and removed them to stockades at the U.S. Indian Agency near Charleston, Tennessee; their homes were burned and their property destroyed and plundered; farms belonging to the Cherokees for generations were won by white settlers in a lottery; and

WHEREAS, The march of 1,000 miles began in the winter of 1838; carrying only a few light blankets and wearing scant clothing with daily rations of only salt pork and corn meal, many sickened and died along the way; medical care was nearly non-existent; only the very old, sick, and small children could be carried in wagons or ride on horseback; over 8,000 were on foot, most without shoes or moccasins; they crossed Tennessee and Kentucky; about the 3rd of December, 1838, they arrived in Southern Illinois at Golconda; and

WHEREAS, To reach Golconda from Kentucky, the Cherokee had to cross the Ohio River; they were forced to pay $1 a head for a ferry passage on "Berry's Ferry" operating out of Golconda, which was rather exorbitant because it normally cost only 12 and half cents for a Conestoga wagon and all you could carry; "Berry's Ferry" made over $10,000 that winter out of the pockets of the starving Cherokees; they were not allowed passage until the ferry had serviced all others wishing to cross and were forced to take shelter under "Mantle Rock," a shelter bluff on the Kentucky side, until "Berry had nothing better to do"; many died huddled together at Mantle Rock waiting to
JOINT RESOLUTIONS

WHEREAS, Many contagious diseases spread among the tribe during their journey - cholera, whooping cough, and smallpox; the Cherokee were given used blankets from a hospital in Tennessee where an epidemic of smallpox had broken out; because of the diseases, the Indians were not allowed to go into any towns or villages along the way; many times this meant traveling much farther to go around them; one family in Golconda had compassion on them, however, and shared their pumpkin crop with the Cherokee; and

WHEREAS, While staying near Golconda, several Cherokee were murdered by locals; the killers filed a lawsuit against the U.S. Government through the courthouse in Vienna, suing the government for $35 a head to bury the murdered Cherokee; they lost their suit and the bodies were thrown in shallow, unmarked graves near Brownfield where a monument to the Trail of Tears now stands; and

WHEREAS, The Cherokee marched on through Southern Illinois; their trail, which follows the course of what is now Illinois Route 146, is marked by crude camps from Golconda through Dixon Springs, Wartrace, Vienna, Mt. Pleasant, and Jonesboro to the Dutch Creek Crossing; about December 15, 1838, they were forced to spend the winter in the area of what is now the Trail of Tears State Forest; floating ice on the Mississippi River made it impossible to cross; many died there during the long, cold winter; Some were sold into slavery and a few escaped; and

WHEREAS, Those who escaped the march hid in the hills; some eventually returned to their land in the Smoky Mountains and their descendants live to this day in and around Cherokee, North Carolina; annually they re-enact the tragic events of that winter and their forced march in a play called "Unto These Hills"; at least 4,000 Cherokee Indians died that winter along with the pride of a nation that may never be restored; and

WHEREAS, Illinois Route 146 has not previously been officially designated by the State of Illinois as a historic route of the Trail of Tears; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that Illinois Route 146 is officially designated a historic highway and a route of the Trail of Tears; and be it further
RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations, appropriate plaques or signs giving notice of the designation; and be it further RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation and to Dr. K. Andrew West, president of the Trail of Tears Association, Illinois Chapter.

Adopted by the House of Representatives on November 30, 2006.
Concurred in by the Senate on November 29, 2006.

VETERANS PARKWAY - DECATUR
(House Joint Resolution No. 22)

WHEREAS, Throughout history brave Americans have shed their blood during wars and conflicts to preserve, protect, and defend the foundation of the principles of democracy and freedom; and
WHEREAS, Many of those that have served have been the brave men and women of the State of Illinois; and
WHEREAS, In every military conflict and national time of need since 1818, the brave men and women of the State of Illinois have risen to the cause of defending democracy; and
WHEREAS, These brave men and women often left behind family, friends, farms, and businesses, and many of them were never to return, making the ultimate sacrifice for their country; and
WHEREAS, With the signing of the Armistice ending the "War to End All Wars", WWI, on November 11, 1918, the veterans of Illinois were given a holiday of solemn remembrance and thanks from their countrymen, which later came to be known as Veterans Day; and
WHEREAS, The people of the great State of Illinois wish to thank those numerous veterans for their sacrifices and service; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that U.S. Business Route 51 traversing through Decatur, Illinois is designated as Veterans Parkway, in honor of the veterans of the State of Illinois; and be it further RESOLVED, That the Illinois Department of Transportation is requested to erect appropriate plaques along this route in recognition of
Veterans Parkway; and be it further
RESOLVED, That a suitable copy of this resolution be delivered to
the Secretary of the U.S. Department of Transportation and the Illinois
Secretary of Transportation.
Adopted by the House of Representatives on May 29, 2005.
Concurred in by the Senate on May 3, 2006.

WAIVER OF SCHOOL CODE MANDATES
(Senate Joint Resolution No. 82)

WHEREAS, The State Board of Education has filed its Report on
Waiver of School Code Mandates, dated February 28, 2006, with the Senate,
the House of Representatives, and the Secretary of State of Illinois as
required by Section 2-3.25g of the School Code; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-FOURTH
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
REPRESENTATIVES CONCURRING HEREIN, that the request made by
Huntley CSD 158 - Kane, McHenry with respect to a statement of affairs,
identified in the report filed by the State Board of Education as request
WM100-3734-1, is disapproved; and be it further
RESOLVED, That the waiver request made by Aurora West USD 129
- Kane with respect to a statement of affairs, identified in the report filed by
the State Board of Education as request WM100-3748, is approved for only
two years and disapproved for the remaining 3 years; and be it further
RESOLVED, That the waiver request made by Warren THSD 121
- Lake with respect to driver education, identified in the report filed by the
State Board of Education as request WM100-3762, is approved for only one
year and disapproved for the remaining 4 years.
Adopted by the Senate, April 7, 2006.
Concurred in by the House of Representatives, April 26, 2006.

WOODED LAND ASSESSMENT TASK FORCE
(House Joint Resolution No. 95)

WHEREAS, Due to the complexity of the Property Tax Code, there
is a wide disparity in the methods by which county and township assessment
officials have assessed wooded land in the State; and

WHEREAS, This is a pressing problem requiring the urgent attention of the General Assembly, the Governor, and other State and local officials; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Wooded Land Assessment Task Force is created concerning the assessment of wooded land and property under forestry management programs; and be it further

RESOLVED, That the task force shall consist of 12 voting members as follows:

(1) 4 members of the General Assembly appointed, one each, by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives;
(2) one member appointed by the Governor;
(3) the Director of Revenue or his or her designee, who shall serve as chair of the task force;
(4) the Director of Natural Resources or his or her designee;
(5) the Director of Agriculture or his or her designee;
(6) one member appointed by the University of Illinois;
(7) one member appointed by Southern Illinois University;
(6) one member, appointed by the Governor, who serves or has served as a county or township assessment official; and
(7) one member, appointed by the Governor, who has knowledge of farming and agricultural practices; and be it further

RESOLVED, That the Department of Revenue shall provide staff and administrative support services to the task force; and be it further

RESOLVED, That task force members shall serve without compensation, but may be reimbursed for their reasonable travel expenses from funds available for that purpose; and be it further

RESOLVED, That the task force shall gather information and make
recommendations to the Governor and to the General Assembly regarding procedures and policies for: (1) the assessment of wooded land; and (ii) the assessment of property under a certified forestry management program under Section 10-50 of the Property Tax Code; and be it further

RESOLVED, That the task force must submit a report to the Governor and the General Assembly by December 31, 2006 concerning its findings and recommendations; and be it further

RESOLVED, That if, during the 2005 taxable year, any parcel of wooded land was valued based upon its productivity index equalized assessed value as cropland, then we urge the Department of Revenue to accept any similar valuation of that wooded land for the 2006 and 2007 taxable years; and be it further

RESOLVED, That, for the purpose of this Resolution, "wooded land" means any parcel of unimproved real property that: (i) does not qualify as cropland, permanent pasture, other farmland, or wasteland under Section 10-125 of the Property Tax Code; and (ii) is not managed under a forestry management plan and considered to be other farmland under Section 10-150 of the Property Tax Code; and be it further

RESOLVED, That a copy of this Resolution be delivered to the Governor, the Director of Revenue, the Director of Natural Resources, the Director of Agriculture, the President of the University of Illinois, and the President of Southern Illinois University.

Adopted by the House of Representatives on March 1, 2006.
Concurred in by the Senate on March 28, 2006.
INDEX
2006 EXECUTIVE ORDERS

Executive Order For The Development Of State And Regional Water-Supply Plans. 2006-01
Executive Order Authorizing The Illinois Naval Militia. 2006-02
Amendment To Executive Order Number 6 (2005) Which Created The Illinois Regenerative Institute For Stem Cell Research. 2006-03
Executive Order Creating The Governor’s Illinois Abraham Lincoln Bicentennial Commission. 2006-04
Construction Activities In Special Flood Hazard Areas. 2006-05
Construction Activities In Special Flood Hazard Areas. (Revised) 2006-05
Executive Order To Consolidate Certain Human Resources, Personnel, Payroll, Timekeeping, Procurement and Financial Processes. 2006-06
Executive Order To Continue The Council On Responsible Fatherhood. 2006-07
Executive Order Creating The Division Of Patient Safety Within The Department Of Public Health. 2006-08
Executive Order Relating To Peer-To-Peer File-Sharing Software. 2006-09
Executive Order To Establish The Illinois Parent Leadership Council. 2006-10
Executive Order On Climate Change And Greenhouse Gas Reduction. 2006-11
Executive Order Requiring Proper End-Of-Life Management Of Computers And Other Electronic Equipment. 2006-12
2006-1
EXECUTIVE ORDER FOR THE DEVELOPMENT OF STATE AND REGIONAL WATER-SUPPLY PLANS

WHEREAS, the citizens of Illinois rely on surface water and groundwater for personal consumption, and industries of the State use a significant amount of that water for economic development; and

WHEREAS, the increasing demands on Illinois’ water resources and the impacts of drought may lead to conflicts between the multiple water supply users and may adversely affect the health of the State’s citizens as well as adversely impacting the environment and the economy; and

WHEREAS, the quantity of surface water and groundwater in Illinois must be properly assessed through a sound planning process as an essential part of any responsible, economically viable and secure water supply development for the citizens of the State; and

WHEREAS, the Illinois Interagency Coordinating Committee on Groundwater, the Illinois State Water Survey, and the Illinois State Water Plan Task Force have identified the Priority Water Quantity Planning Areas that are most at risk for water shortages and conflicts; and

WHEREAS, the Illinois Integrated Water Quantity Planning and Management Committee recommends the development of regional aquifer and watershed plans for managing water supplies;

THEREFORE, BE IT ORDERED that the following actions shall be executed:

Consistent with the authority granted to the Department of Natural Resources under the Rivers, Lakes, and Streams Act, 615 ILCS 5/5 et seq. and the Level of Lake Michigan Act, 615 ILCS 50/1 et seq., the authority of the Department of Natural Resources’ Office of Water Resources under 20 ILCS 801/5-5, the Office of Water Resources, in coordination with the State Water Survey, shall:

1. Define a comprehensive program for state and regional water supply planning and management and develop a strategic plan for its implementation consistent with existing laws, regulations and property rights,

2. Provide for public review of the draft strategic plan for a
water supply planning and management program;

3. Establish a scientific basis and an administrative framework for implementing state and regional water supply planning and management;

4. Develop a package of financial and technical support for, and encouragement of, locally based regional water supply planning committees. These committees, whether existing or new entities, shall be organized for participation in the development and approval of regional plans in the Priority Water Quantity Planning areas;

5. By December 31, 2006, ensure that Regional Water Quantity Plans are in process for at least two Priority Water Quantity Planning Areas.

EFFECTIVE DATE
This Executive Order shall be in full force and effect upon its filing with the Secretary of State.

Issued by the Governor January 09, 2006.
Filed by the Secretary of State January 09, 2006.

2006-2
EXECUTIVE ORDER AUTHORIZING THE ILLINOIS NAVAL MILITIA

WHEREAS, the Illinois Naval Militia, originally created by the Illinois General Assembly in 1893 was an authorized component of the Illinois State Military Department for ninety-five years, during which time the Illinois Naval Militia provided support to the State of Illinois. The Illinois Naval Militia ceased operations in 1988; and

WHEREAS, a State Naval Militia consisting of trained members of the United States Navy Reserve and/or United State Marine Corps Reserve, who by voluntary membership in the State Naval Militia create a pool of trained military maritime specialists within the State to assist in response to natural or manmade disasters, would provide the State with a valuable and ready resource; and

WHEREAS, the aftermath of September 11, Hurricane Katrina, and other natural or man-made disasters demonstrate the value of a State
Naval Militia;

THEREFORE, I, Rod R. Blagojevich, pursuant to the powers vested in me by Article V, Sections 8 and 11 of the Illinois Constitution, I hereby order the following:

I. AUTHORIZATION
I hereby authorize the creation of the Illinois Naval Militia within the Department of Military Affairs.

II. EFFECTIVE DATE
This Executive Order shall be in full force and effect upon its filing with the Secretary of State.

Issued by the Governor January 19, 2006.
Filed by the Secretary of State January 19, 2006.

2006-3
AMENDMENT TO EXECUTIVE ORDER NUMBER 6 (2005)
WHICH CREATED THE ILLINOIS REGENERATIVE INSTITUTE FOR STEM CELL RESEARCH

WHEREAS, Executive Order Number 6 (2005) created the Illinois Regenerative Institute for Stem Cell Research; and

WHEREAS, the Illinois Department of Health was directed to develop the Illinois Regenerative Medicine Institute for Stem Cell Research (IRMI) within the Department that will provide for the awarding of grants to medical research facilities for the development of finding treatments and cures from stem cell research; and

WHEREAS, the IRMI will better benefit the State of Illinois by allowing the Illinois Department of Public Health to grant awards and enable research to start as expeditiously as possible; and

NOW, THEREFORE, BE IT RESOLVED that I, Rod Blagojevich, by virtue of the power vested in me as Governor, hereby amend Executive Order Number 6 (2005) to read as follows:

Illinois Department of Public Health (Grant Program)
The Director of the Illinois Department of Public Health shall develop an Illinois Regenerative Medicine Institute (IRMI) program within the department that will provide for the awarding of grants to medical research facilities for the development of finding treatments and cures
from stem cell research.

The Department of Public Health shall issue and administer grants authorized by this Executive Order. All eligible grant recipients shall agree to and comply with all terms and conditions of the Department prior to acceptance of such awards.

The Department of Public Health shall issue an annual report to the Governor, and the appropriate appropriations committee of the General Assembly that sets forth grants awarded, grants in progress, research accomplishments, and future program directions.

Stem Cell Research Policy & IRMI Functions

All grants shall be consistent with the policies and functions of the Illinois Regenerative Medicine Institute (IRMI) program as set forth below:

1. The Department of Public Health shall establish the IRMI program and make grants and loans for stem cell research to study therapies, protocols, medical procedures, possible cures for, and potential mitigations of, major diseases, injuries, and orphan diseases; to support all stages of the process of developing cures, from laboratory research through successful clinical trials; to establish the appropriate regulatory standards and oversight bodies for research and facilities development.

2. The IRMI program shall provide funding for stem cell research that involves adult stem cells, cord blood stem cells, pluripotent stem cells, totipotent stem cells, progenitor cells, the product of somatic cell nuclear transfer or any combination of those cells.

3. No funds authorized or made available under the IRMI program shall be used for research involving the reproductive cloning of a human being, fetuses from induced abortions or to create embryos through the combination of gametes solely for the purpose of research. As used in this Executive Order, "cloning of a human being" means asexual human reproduction by implanting or attempting to implant the product of nuclear transplantation into a woman's uterus to initiate a human pregnancy.
4. No funds shall be awarded to any person who knowingly, for valuable consideration, purchases or sells embryonic or cadaveric fetal tissue for research purposes. For the purposes of this paragraph, payment of customary medical charges for the removal, processing, disposal, preservation, quality control, storage, transplantation, or implantation of the tissue does not constitute valuable consideration. This paragraph does not prohibit reimbursement for removal, storage, or transportation of embryonic fetal tissue for research purposes pursuant to this Executive Order.

Grantee Requirements & Conditions

Medical and scientific accountability standards

All eligible grantees shall agree to and comply with all terms and conditions of the Department, of this Executive Order, and the grant requirements which shall include, but not be limited to, the specific requirements and conditions as set forth below prior to acceptance of any such grant awards.

1. Informed consent. Standards for obtaining the informed consent of research donors, patients, or participants initially shall be generally based on the requirements at 45 CFR 46.116 for all research funded by the National Institutes of Health and consistent with the Guidelines for Human Embryonic Stem Cell Research issued by the National Academies of Sciences.

2. Controls on research involving humans. Standards for the review of research involving human subjects shall be generally based on the policies adopted at 45 CFR 46 for all research funded by the National Institutes of Health.

3. Limitations on payments for cells. Grants shall be limited in the use of the funds for the purchase of stem cells or stem cell lines to reasonable payment for removal, processing, disposal, preservation, quality control, storage, transplantation, implantation, or legal transaction or other administrative costs associated with these medical procedures and shall specifically include any required payments for medical or scientific technologies, products,
or processes for royalties, patent, licensing fees, or other costs for intellectual property. Grant terms shall be consistent with the Guidelines for Human Embryonic Stem Cell Research issued by the National Academies of Sciences.


5. Time limits for obtaining cells. Standards shall set a limit on the time during which cells may be extracted from blastocysts, which shall initially be 8 to 12 days after cell division begins, not counting any time during which the blastocysts or cells have been stored frozen.

6. All grants and loan awards issued by the institute shall include intellectual property provisions that provide protections and incentives to encourage both the discovery and development of new knowledge and its transfer for the public benefit. It is the policy and objective of the institute to promote the utilization of intellectual property arising from program-supported research or development; to promote collaboration between commercial concerns and nonprofit organizations, including universities; to ensure that intellectual property is used in a manner to promote free competition and enterprise without unduly encumbering future research and discovery; to ensure that the State obtains proportionate rights in institute-supported intellectual property; to protect the public against nonuse or unreasonable use of such intellectual property; and to minimize the costs of administering policies in this area.

Severability

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Effective Date
This Executive Order shall become effective upon filing with the Secretary of State.

Issued by the Governor February 10, 2006.
Filed by the Secretary of State February 10, 2006.

2006-4
EXECUTIVE ORDER CREATING THE GOVERNOR’S ILLINOIS ABRAHAM LINCOLN BICENTENNIAL COMMISSION

WHEREAS, Abraham Lincoln lived in Illinois from 1830 to 1861, passing during that time from a young adult to maturity as President of the United States during a critical point in the nation’s history;

WHEREAS, he settled in Macon County in 1830 with his father’s family and in 1831 set out on his own at New Salem in Menard County on a personal journey that took him from an unskilled laborer, store clerk, postmaster, surveyor, and self-taught lawyer to a state legislator and the nation’s sixteenth president;

WHEREAS, Lincoln was inspired to enter the national political scene when the 1854 repeal of the Missouri Compromise threatened to expand slavery;

WHEREAS, he rose to national prominence in 1858 during the Lincoln-Douglas Debates where he appealed to the common sense and humanity of the people in charting a course for the country’s future that embraced freedom for all its citizens;

WHEREAS, Abraham Lincoln lived, practiced law, married, and raised a family in Springfield from 1837 to his departure as president-elect to Washington, D. C., on February 11, 1861;

WHEREAS, determining that union could not be maintained by peaceful means, Abraham Lincoln preserved the United States of America through the crucible of civil war and encouraged re-union “with malice toward none and charity for all;”

WHEREAS, the martyred president lies at rest at Oak Ridge Cemetery in Springfield, and his exemplary life is commemorated at numerous private and public historic sites in Illinois;

WHEREAS, there is a national effort underway to commemorate the bicentennial anniversary of the 1809 birth of Abraham Lincoln, as
historians have consistently regarded him as one of the nation’s most significant presidents;

WHEREAS, many Illinois historical, tourist, and civic groups are beginning preparations for events and activities to commemorate the bicentennial of Lincoln’s birth;

WHEREAS, it is desirable for the State of Illinois to create a commission to plan and carry out its own bicentennial tributes to Abraham Lincoln, and to coordinate those activities with the federal government’s Abraham Lincoln Bicentennial Commission and other interested parties.

THEREFORE, I, Rod R. Blagojevich, hereby order the following:

I. ESTABLISHMENT
   A. There shall be established the Illinois Abraham Lincoln Bicentennial Commission (the “Commission”).
   B. The commission shall be provided assistance and support services by the Office of the Governor, the Illinois Historic Preservation Agency, the Illinois Bureau of Tourism, and other planning agencies of state government in organizing the bicentennial celebration.

II. MEMBERSHIP
   A. The Commission shall include the following individuals or their respective designees: Governor, President of the Senate, Senate Minority Leader, Speaker of the House, House Minority Leader, Attorney General, Lieutenant Governor, Treasurer, Comptroller, Secretary of State, Illinois Congressional Delegation, Mayor of Chicago, and Mayor of Springfield.
   B. Membership shall also include representatives from the following organizations: Abraham Lincoln Presidential Library and Museum, Abraham Lincoln Presidential Library and Museum Foundation, Illinois Historic Preservation Agency, and the Illinois Bureau of Tourism.
   C. The Governor may also appoint up to 30 members
from the areas of Academia, Business, the Arts, Community Development, Historic Preservation, the Civil Rights Community, as well as members of the general public.

D. Members shall serve without compensation, but may be reimbursed for expenses.

III. PURPOSE AND RESPONSIBILITIES
The purpose responsibilities of the Commission shall include, but not be limited to, the following:

A. Lead Illinois’ planning efforts to commemorate the significance of Abraham Lincoln to our state and national history.

B. Research and make prioritized recommendations outlining the most effective and beneficial means for the State of Illinois to commemorate the Abraham Lincoln Bicentennial Celebration.

C. Identify and pursue resources necessary to effectively communicate the bicentennial.

D. Implement recommendations by working with the Governor’s Office, appropriate state and local government agencies, members of the Illinois General Assembly, and organizations that are dedicated to commemorating the life of Abraham Lincoln.

E. Coordinate communications with the Abraham Lincoln Bicentennial Congressional Caucus to ensure Illinois will be a significant state for events recognizing the contributions of Abraham Lincoln.

F. Coordinate all scheduling of Illinois Abraham Lincoln bicentennial activities.

G. The commission shall submit an annual report to the Governor and the General Assembly, including a list of recommended improvements to Abraham Lincoln commemorative locations.

IV. EFFECTIVE DATE
This Executive Order Number 7, (2006) shall be effective
WHEREAS, the State of Illinois has programs for the construction of buildings, facilities, roads, and other development projects and annually acquires and disposes of lands in floodplains; and
WHEREAS, federal financial assistance for the acquisition or construction of insurable structures in all Special Flood Hazard Areas requires State participation in the National Flood Insurance Program; and
WHEREAS, the Federal Emergency Management Agency has promulgated and adopted regulations governing eligibility of State governments to participate in the National Flood Insurance Program (44 C.F.R. 59-79), as presently enacted or hereafter amended, which requires that State development activities comply with specified minimum floodplain regulation criteria; and
WHEREAS, the Presidential Interagency Floodplain Management Review Committee has published recommendations to strengthen Executive Orders and State floodplain management activities;
NOW THEREFORE, by virtue of the authority vested in me as Governor of the State of Illinois, it is hereby ordered as follows:

1. For purpose of this Order:
   A. “Critical Facility” means any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk. The determination of Critical Facility will be made by each agency. Examples of critical facilities where flood
protection should be required include:
Emergency Services Facilities (such as fire and police stations)
Schools
Hospitals
Retirement homes and senior care facilities
Major roads and bridges
Critical utility sites (telephone switching stations or electrical transformers)
Hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances)
Examples of critical facilities where flood protection is recommended include:
Sewage treatment plants
Water treatment plants
Pumping stations

B. "Development" or "Developed" means the placement or erection of structures (including manufactured homes) or earthworks; land filling, excavation or other alteration of the ground surface; installation of public utilities; channel modification; storage of materials or any other activity undertaken to modify the existing physical features of a floodplain.

C. "Flood Protection Elevation" means one foot above the applicable base flood or 100-year frequency flood elevation.

D. "Office of Water Resources" means the Illinois Department of Natural Resources, Office of Water Resources.

E. "Special Flood Hazard Area" or "Floodplain" means an area subject to inundation by the base or 100-year frequency flood and shown as such on the most current Flood Insurance Rate Map published by the Federal Emergency Management Agency.

F. "State Agencies" means any department,
commission, board or agency under the jurisdiction of the Governor; any board, commission, agency or authority which has a majority of its members appointed by the Governor; and the Governor's Office.

2. All State Agencies engaged in any development within a Special Flood Hazard Area shall undertake such development in accordance with the following:
   A. All development shall comply with all requirements of the National Flood Insurance Program (44 C.F.R. 59-79) and with all requirements of 92 Illinois Administrative Code Part 700 or 92 Illinois Administrative Code Part 708, whichever is applicable.
   B. In addition to the requirements set forth in preceding Section A, the following additional requirements shall apply where applicable:
      1. All new Critical Facilities shall be located outside of the floodplain. Where this is not practicable, Critical Facilities shall be developed with the lowest floor elevation equal to or greater than the 500-year frequency flood elevation or structurally dry floodproofed to at least the 500-year frequency flood elevation.
      2. All new buildings shall be developed with the lowest floor elevation equal to or greater than the Flood Protection Elevation or structurally dry floodproofed to at least the Flood Protection Elevation.
      3. Modifications, additions, repairs or replacement of existing structures may be allowed so long as the new development does not increase the floor area of the existing structure by more than twenty (20) percent or increase the market value of the structure by fifty (50) percent, and does not obstruct flood flows. Floodproofing activities are permitted and
encouraged, but must comply with the requirements noted above.

3. State Agencies which administer grants or loans for financing development within Special Flood Hazard Areas shall take all steps within their authority to ensure that such development meets the requirements of this Order.

4. State Agencies responsible for regulating or permitting development within Special Flood Hazard Areas shall take all steps within their authority to ensure that such development meets the requirements of this Order.

5. State Agencies engaged in planning programs or programs for the promotion of development shall inform participants in their programs of the existence and location of Special Flood Hazard Areas and of any State or local floodplain requirements in effect in such areas. Such State Agencies shall ensure that proposed development within Special Flood Hazard Areas would meet the requirements of this Order.

6. The Office of Water Resources shall provide available flood hazard information to assist State Agencies in carrying out the responsibilities established by this Order. State Agencies which obtain new flood elevation, floodway, or encroachment data developed in conjunction with development or other activities covered by this Order shall submit such data to the Office of Water Resources for their review. If such flood hazard information is used in determining design features or location of any State development, it must first be approved by the Office of Water Resources.

7. State Agencies shall work with the Office of Water Resources to establish procedures of such Agencies for effectively carrying out this Order.

8. Effective Date. This Order supersedes and replaces Executive Order Number 5 (2006) and shall take effect on the first day of.

Issued by the Governor March 07, 2006.
WHEREAS, the State of Illinois has programs for the construction of buildings, facilities, roads, and other development projects and annually acquires and disposes of lands in floodplains; and
WHEREAS, federal financial assistance for the acquisition or construction of insurable structures in all Special Flood Hazard Areas requires State participation in the National Flood Insurance Program; and
WHEREAS, the Federal Emergency Management Agency has promulgated and adopted regulations governing eligibility of State governments to participate in the National Flood Insurance Program (44 C.F.R. 59-79), as presently enacted or hereafter amended, which requires that State development activities comply with specified minimum floodplain regulation criteria; and
WHEREAS, the Presidential Interagency Floodplain Management Review Committee has published recommendations to strengthen Executive Orders and State floodplain management activities;
NOW THEREFORE, by virtue of the authority vested in me as Governor of the State of Illinois, it is hereby ordered as follows:
1. For purpose of this Order:
   A. “Critical Facility" means any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk. The determination of Critical Facility will be made by each agency. Examples of critical facilities where flood protection should be required include:
      Emergency Services Facilities (such as fire and
police stations)
Schools
Hospitals
Retirement homes and senior care facilities
Major roads and bridges
Critical utility sites (telephone switching stations or electrical transformers)
Hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances)
Examples of critical facilities where flood protection is recommended include:
Sewage treatment plants
Water treatment plants
Pumping stations

B. "Development" or "Developed" means the placement or erection of structures (including manufactured homes) or earthworks; land filling, excavation or other alteration of the ground surface; installation of public utilities; channel modification; storage of materials or any other activity undertaken to modify the existing physical features of a floodplain.

C. "Flood Protection Elevation" means one foot above the applicable base flood or 100-year frequency flood elevation.

D. "Office of Water Resources" means the Illinois Department of Natural Resources, Office of Water Resources.

E. "Special Flood Hazard Area" or "Floodplain" means an area subject to inundation by the base or 100-year frequency flood and shown as such on the most current Flood Insurance Rate Map published by the Federal Emergency Management Agency.

F. "State Agencies" means any department, commission, board or agency under the jurisdiction of the Governor; any board, commission, agency or
authority which has a majority of its members appointed by the Governor; and the Governor's Office.

2. All State Agencies engaged in any development within a Special Flood Hazard Area shall undertake such development in accordance with the following:

A. All development shall comply with all requirements of the National Flood Insurance Program (44 C.F.R. 59-79) and with all requirements of 92 Illinois Administrative Code Part 700 or 92 Illinois Administrative Code Part 708, whichever is applicable.

B. In addition to the requirements set forth in preceding Section A, the following additional requirements shall apply where applicable:

1. All new Critical Facilities shall be located outside of the floodplain. Where this is not practicable, Critical Facilities shall be developed with the lowest floor elevation equal to or greater than the 500-year frequency flood elevation or structurally dry floodproofed to at least the 500-year frequency flood elevation.

2. All new buildings shall be developed with the lowest floor elevation equal to or greater than the Flood Protection Elevation or structurally dry floodproofed to at least the Flood Protection Elevation.

3. Modifications, additions, repairs or replacement of existing structures may be allowed so long as the new development does not increase the floor area of the existing structure by more than twenty (20) percent or increase the market value of the structure by fifty (50) percent, and does not obstruct flood flows. Floodproofing activities are permitted and encouraged, but must comply with the requirements noted above.
3. State Agencies which administer grants or loans for financing development within Special Flood Hazard Areas shall take all steps within their authority to ensure that such development meets the requirements of this Order.

4. State Agencies responsible for regulating or permitting development within Special Flood Hazard Areas shall take all steps within their authority to ensure that such development meets the requirements of this Order.

5. State Agencies engaged in planning programs or programs for the promotion of development shall inform participants in their programs of the existence and location of Special Flood Hazard Areas and of any State or local floodplain requirements in effect in such areas. Such State Agencies shall ensure that proposed development within Special Flood Hazard Areas would meet the requirements of this Order.

6. The Office of Water Resources shall provide available flood hazard information to assist State Agencies in carrying out the responsibilities established by this Order. State Agencies which obtain new flood elevation, floodway, or encroachment data developed in conjunction with development or other activities covered by this Order shall submit such data to the Office of Water Resources for their review. If such flood hazard information is used in determining design features or location of any State development, it must first be approved by the Office of Water Resources.

7. State Agencies shall work with the Office of Water Resources to establish procedures of such Agencies for effectively carrying out this Order.

8. Effective Date. This Order supercedes and replaces Executive Order Number 4 (1979) and shall take effect on the first day of.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.
EXECUTIVE ORDER TO CONSOLIDATE CERTAIN HUMAN RESOURCES, PERSONNEL, PAYROLL, TIMEKEEPING, PROCUREMENT, AND FINANCIAL PROCESSES

WHEREAS, numerous State agencies independently perform similar administrative functions, including human resources, personnel, payroll, timekeeping, procurement, and financial processes (the “Common Administrative Functions”);

WHEREAS, State agencies charged with executive and regulatory duties perform Common Administrative Functions, including: the Department of Central Management Services, the Department of Revenue, and the Department of Financial and Professional Regulation (the “Executive and Regulatory Affected Agencies”);

WHEREAS, State agencies charged with public safety duties perform Common Administrative Functions, including: the Department of State Police, the Department of Corrections, the Department of Juvenile Justice, the Prisoner Review Board, the Law Enforcement Training and Standards Board, the Illinois Criminal Justice Information Authority, the Illinois Emergency Management Agency, the Office of the State Fire Marshal, and the Department of Military Affairs (the “Public Safety Affected Agencies,” collectively with the Executive and Regulatory Affected Agencies the “Affected Agencies”);

WHEREAS, State agencies, including the Affected Agencies, employ different standards and procedures to deliver the Common Administrative Functions, reducing the ability of all State agencies to share management knowledge and capitalize on synergies and economies of scale to the ultimate benefit of the taxpayers and all Illinoisans;

WHEREAS, combining Common Administrative Functions would, among other things, improve the State’s ability to effectively provide services to State agencies, promote cross-training, improve career development for State employees, improve interactivity of State operations, and eliminate duplicate functions within State agencies;

WHEREAS, combining Common Administrative Functions facilitates the establishment of uniform accounting, payroll, and human resource processes with the Illinois Office of the Comptroller and the
Office of the Auditor General;

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that “Reorganization” includes the transfer of functions from one agency to another.

THEREFORE, I hereby order:

I. TRANSFER OF FUNCTIONS AND CREATION OF NEW DIVISIONS

A. Effective June 1, 2006, a Division of Shared Services is created within the Department of Revenue. The Executive and Regulatory Affected Agencies’ Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Revenue, Division of Shared Services, which will provide services for the benefit of the Executive and Regulatory Affected Agencies, provided however, that those functions that are unique to an Executive and Regulatory Affected Agency or that are inextricably integrated with the statutory mandate of such Executive and Regulatory Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Executive and Regulatory Affected Agencies include, but are not limited to, the authority to: collect taxes and administrative fees; issue refunds; impose statutory fines, penalties, and restitution; issue, revoke or otherwise discipline licenses; and administer statewide personnel, labor relations, and procurement rules and standards.
B. Effective June 1, 2006, a Division of Shared Services is created within the Department of Corrections. The Public Safety Affected Agencies’ Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Corrections, Division of Shared Services, which will provide services for the benefit of the Public Safety Affected Agencies, provided however, that the functions that are unique to a Public Safety Affected Agency or that are inextricably integrated with the statutory mandate of such Public Safety Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Public Safety Affected Agencies include, but are not limited to, the public safety training of sworn police officers and correctional officers.

C. The statutory powers, duties, rights, responsibilities, and liabilities of the Affected Agencies associated with the Common Administrative Functions derive from, among others, the following statutory provisions:

2. Department of Central Management Services: 20 ILCS 405/405-10, 100, 200.
3. Department of Revenue: 20 ILCS 2505/2505-10 et seq.
4. Department of Financial and Professional Regulation: 20 ILCS
5835

EXECUTIVE ORDERS

1205/6, 8; 20 ILCS 1405/1405-5; 20 ILCS 2105/2105-15; 20 ILCS 3205/5 et seq.; 205 ILCS 5/1 et seq.; 215 ILCS 5/1 et seq.; 225 ILCS 2/1 through 225 ILCS 745/175; Executive Order Number 6 (2004).


7. Department of Corrections: 730 ILCS 5/3-2-2, 2.1, 2.2.


10. Law Enforcement Training and Standards Board: 50 ILCS 705/5, 9, 9.1.


II. EFFECT OF TRANSFERS

The powers, duties, rights, and responsibilities transferred by the Affected Agencies and consolidated in the new Divisions of Shared Services shall not be affected by this Executive Order, except that such Common Administrative Functions shall be performed by the new Divisions of Shared Services as of the effective date of the transfers.

A. Personnel employed by the Executive and Regulatory Affected Agencies who are engaged in the performance of those Common Administrative
Functions transferred to the Department of Revenue, Division of Shared Services, by this Executive Order may be transferred to the Department of Revenue, Division of Shared Services, pursuant to the direction of the Governor or his designee. Personnel employed by the Public Safety Affected Agencies who are engaged in the performance of those Common Administrative Functions transferred by this Executive Order may be transferred to the Department of Corrections, Division of Shared Services, pursuant to the direction of the Governor or his designee.

B. All books, records, papers, documents, state property (real and personal), contracts, and pending business pertaining exclusively to the powers, duties, rights, and responsibilities transferred by this Executive Order from the Affected Agencies to the appropriate Division of Shared Services, including but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Divisions of Shared Services.

C. All unexpended appropriations and balances and other funds available for use in connection with any of the Common Administrative Functions of the Affected Agencies transferred by this Executive Order to the appropriate Division of Shared Services may be transferred for use by the appropriate Division of Shared Services for the Common Administrative Functions pursuant to the direction of the Governor. Unexpended balances transferred must be expended for the purpose for which the appropriations were originally made.

III. SAVINGS CLAUSE
A. The rights, powers, duties, and functions transferred to the Department of Revenue and the Department
of Corrections by this Executive Order shall be vested in, and shall be exercised by, the respective Departments. Each act done in exercise of such rights, powers, duties, and functions shall have the same legal effect as if done by the Affected Agencies or the divisions, officers, or employees from which they were transferred.

B. Every person or officer shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the Affected Agencies from which they were transferred.

C. Notwithstanding any provision to the contrary in Illinois law, no ticket or share in any Illinois Lottery game shall be purchased by, and no prize shall be paid to, an employee of any Executive and Regulatory Affected Agency, or any contract employee thereof, who is involved with the Common Administrative Functions being transferred pursuant to this Executive Order and has any duty or responsibility associated with Illinois Lottery drawings or game operations, including, but not limited to, the selection of vendors or the administration of contracts associated with such drawings or game operations. All other employees of the Affected Agencies may purchase tickets or shares in any Illinois Lottery game and may receive Lottery game prize payments.

D. Whenever reports or notices are now required to be made or given or paper or documents furnished or served by any person in regard to the Common Administrative Functions transferred to or upon the Affected Agencies from which the Common Administrative Functions were transferred, the same
shall be made, given, furnished, or served in the same manner to or upon the Department of Revenue, Division of Shared Services, or the Department of Corrections, Division of Shared Services, as appropriate.

E. This Executive Order shall not affect any act completed, ratified, or canceled as well as any right occurring or established, or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the Common Administrative Functions transferred, but such proceedings may be continued by the Department of Revenue, Division of Shared Services or the Department of Corrections, Division of Shared Services, as appropriate.

F. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code regarding the Common Administrative Functions transferred in this Executive Order that are in force on the effective date of this Executive Order. If necessary, however, the Affected Agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order.

IV. SEVERABILITY
If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which should be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared severable.

V. EFFECTIVE DATE
This Executive Order shall become effective on the 61st day after its delivery to the General Assembly.

Issued by the Governor March 31, 2006.
EXECUTIVE ORDER TO CONTINUE THE COUNCIL ON RESPONSIBLE FATHERHOOD

WHEREAS, it is the policy of this State to promote the recognition of the importance of the participation of both parents in the lives of their children; and

WHEREAS, social policy and practice have often focused on the difficulties of raising a child in a single-parent family and have often created barriers to the involvement of both parents in their child’s life; and

WHEREAS, it is the goal of this State to promote the financial and emotional responsibilities of fatherhood; and

WHEREAS, it is the goal of this State to provide assistance in preparing fathers for the legal, financial, and emotional responsibilities of fatherhood; and

WHEREAS, it is the goal of this State to promote the establishment of paternity upon the birth of a child; and

WHEREAS, it is the goal of this State to identify and promote methods that reduce negative outcomes experienced by children affected by divorce, separation, and disputes concerning custody and visitation.

THEREFORE, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, I, Rod R. Blagojevich, hereby order the following:

I. CONTINUATION AND REORGANIZATION

The Council on Responsible Fatherhood shall be continued in the form described herein and relocated within the Department of Human Services.

II. MEMBERSHIP

A. The Council shall consist of 21 members appointed by and serving at the pleasure of the Governor.

B. Members appointed by the Governor must be chosen on the basis of their interest in and experience with children and families.

C. The Governor shall select one member of the
Council to be the Chairperson.

D. The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate shall each appoint one ex officio, non-voting member.

E. A majority of the members appointed by the Governor shall constitute a quorum.

F. Members of the Council shall serve without compensation, but may be reimbursed for their actual expenses in carrying out their duties as members of the Council.

G. All members appointed to the Council on the effective date of this Executive Order shall remain members of the Council, subject to the provisions of this Executive Order.

H. The Department of Human Services shall provide staff and other support services to the Council.

III. DUTIES
The Council shall have the following duties:

A. To develop a comprehensive plan that promotes the positive involvement of fathers in their children’s lives.

B. To evaluate State programs, government policies, and community initiatives related to fatherhood and to make recommendations regarding those programs, policies, and initiatives to the Governor and the General Assembly.

C. To convene a statewide symposium in order to discuss and resolve issues related to responsible fatherhood and the importance of the participation of both parents in their children’s lives.

D. Subject to appropriation, to develop criteria for and to issue requests for proposals for grants for responsible fatherhood projects and activities related to responsible fatherhood projects that are
approved by the Council.

E. To receive grants, contributions, and other funds for the purpose of projects and activities related to responsible fatherhood.

F. To submit a report on or before January 1 of each year, to the Governor and the General Assembly concerning its findings and recommendations.

IV. FUNDS
Grants, contributions and other funds received by the Council on Responsible Fatherhood must be deposited into the Responsible Fatherhood Fund, a special fund created in the State treasury, and, subject to appropriation and as directed by the Department of Human Services may be expended for the purposes of this Executive Order.

V. EFFECTIVE DATE
This Executive Order shall become effective upon filing with the Secretary of State.
Issued by the Governor June 30, 2006.
Filed by the Secretary of State June 30, 2006.

2006-8
EXECUTIVE ORDER CREATING THE DIVISION OF PATIENT SAFETY WITHIN THE DEPARTMENT OF PUBLIC HEALTH

WHEREAS, nearly 98,000 Americans die each year as a result of preventable medical errors and these patient safety errors cost Americans as much as $50 billion per year;

WHEREAS, thousands of Illinoisans die each year as a result of medical errors, costing Illinois citizens more than $1.5 billion per year in increased patient insurance premiums, hospital costs, co-pays, physician insurance rates, and prescription drug costs;

WHEREAS, current law, such as the Illinois Adverse Health Care Events Reporting Law and the Hospital Report Card Act, require the Department of Public Health to track medical errors and to create hospital report cards to apprise the public of existing problems;

WHEREAS, Illinois has created the Electronic Health Records
Executive Orders

Taskforce which is currently developing an electronic health records system in the State;

WHEREAS, the Illinois Health Network provides information technology upgrades for rural health care facilities to enable hospitals to quickly transmit information such as radiology images on-line;

WHEREAS, Illinois strives to remain at the forefront of health care and patient safety while reducing health care costs to Illinois taxpayers;

THEREFORE, I, Rod R. Blagojevich, hereby order the following:

I. Creation of the Division of Patient Safety Within the Department of Public Health

There is hereby created a Division of Patient Safety (the “Division”) which shall be located within the Department of Public Health (the “Department”) that will consolidate the Department’s efforts to eliminate medical errors.

II. Powers and Duties

The Department shall work with existing advisory committees and additional persons, as necessary, to ensure that representatives of affected constituencies are informed of the work of the Division. The Division’s powers and duties shall include, but not be limited to, the following:

1. To encourage all medical providers to utilize e-prescribing programs by 2011. E-prescribing allows a physician to legibly write and electronically send prescriptions to reduce the risk of medication errors.

2. To evaluate the areas within Illinois in need of enhanced technology to support e-prescribing programs.

3. To determine the types of technology needed to implement the e-prescribing program.

4. To coordinate with the Illinois Department of Financial and Professional Regulation and the Department of Healthcare and Family Services to draft and issue recommended medication practices such as prescribing, dispensing, and maintenance to all health care providers.

5. To expand the Department’s nursing home database
to include information such as staffing ratios, medication distribution, on-site services, and citations issued against each facility, enabling consumers to make well-informed decisions.

6. To implement and expand the State’s efforts at health care provider information transparency, such as the Hospital Report Card, the Consumer Guide to Health, and similar efforts to ensure that health care consumers and purchasers may make informed choices regarding the quality and cost effectiveness of medical care.

7. To implement the Illinois Adverse Health Care Events Reporting Law.

III. Savings Clause

Nothing in this Executive Order shall be construed to contravene any state or federal law.

IV. Severability

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

V. Effective Date

This Executive Order shall become effective upon filing with the Secretary of State.

Issued by the Governor July 13, 2006.

Filed by the Secretary of State July 13, 2006.

2006-9

EXECUTIVE ORDER RELATING TO PEER-TO-PEER FILE-SHARING SOFTWARE

WHEREAS, all State agencies have a responsibility to prevent and eliminate fraud, piracy, and theft, and every State employee has an
affirmative responsibility to report incidents of fraud, piracy, and theft; and
WHEREAS, the State of Illinois is entrusted with the proper and ethical operation and maintenance of its information management systems to prevent fraud, piracy, and theft; and
WHEREAS, the use of certain peer-to-peer file-sharing on State computers creates a potential security risk by allowing individuals outside of State government to access the State’s information management systems; and
WHEREAS, without adequate protections and procedures in place, the use of peer-to-peer file-sharing software can result in the presence of viruses and malicious programs on State information management system computers and networks and consume network resources resulting in inefficient performance of those systems;
NOW THEREFORE, I, ROD BLAGOJEVICH, Governor of the State of Illinois, by virtue of the power and authority vested in me by the Constitution and the laws of the State of Illinois, do hereby order:

1. The Department of Central Management Services shall develop a statewide policy for use by each State agency, department, board, and commission which prohibits unauthorized or illegal use of peer-to-peer software programs. While most software has inherent risks, it is unauthorized or illegal use that poses the greatest risk to the security and integrity of the State’s information management systems. The policy shall also define authorized use of legitimate file-sharing between, among, or within federal, State, or local government entities for official business, or law enforcement purposes, the use of which should not pose security risks to the government’s computer systems.

2. The Department of Central Management Services shall assess the availability and cost effectiveness of technologies that may be used to prevent fraud, piracy, and theft by prohibited peer-to-peer file-sharing activities on State government computers, networks, and other information management
systems.

3. The chair or executive director of each State agency, department, board, or commission shall be responsible for ensuring compliance with the statewide policy. CMS shall use its best efforts to develop a policy that minimizes any negative fiscal impact on State agencies.

4. For purposes of this executive order, “peer-to-peer file-sharing software” means computer software, other than computer and network operating systems, that has as its primary function the capability of allowing the computer on which the software is used to designate files available for transmission to another computer using the software, to transmit files directly to another computer using the software, and to request transmission of files from another computer using the software.

This Executive Order shall become effective upon filing with the Secretary of State.

Issued by the Governor September 11, 2006.
Filed by the Secretary of State September 11, 2006.

2006-10
EXECUTIVE ORDER TO ESTABLISH THE ILLINOIS PARENT LEADERSHIP COUNCIL

WHEREAS, the State of Illinois is committed to investing in Illinois children, parents and families in order to promote the success of Illinois students; and

WHEREAS, the State of Illinois recognizes the key role parents play in student achievement; and

WHEREAS, students whose parents are involved in their education have better school attendance, earn higher grades and test scores, and have greater long-term success following high school graduation; and

WHEREAS, high achieving schools involve parents in decision-making and student learning and promote communication between
parents, students and teachers; and

WHEREAS, the Illinois State Board of Education promotes parental involvement in education; and

WHEREAS, the Illinois State Board of Education administers the Parental Involvement Pilot Project to make grants available to Illinois school districts to encourage parental participation; and

WHEREAS, continued support for parental participation requires cooperation and collaboration among parents, State and local education officials;

NOW THEREFORE, I, ROD BLAGOJEVICH, Governor of the State of Illinois, by virtue of the power and authority vested in me by the Constitution and the laws of the State of Illinois, do hereby order:

I. Creation of the Illinois Parent Leadership Council
   (a) There is created the Illinois Parent Leadership Council (“the Council”). The purpose of the Council is to serve as an advisory body to the Illinois State Board of Education and Office of the Governor as well as to serve in a leadership capacity, setting examples for Illinois parents and educators on the importance of parental involvement in education.
   (b) The Council shall consist of at least thirteen individuals appointed by the Governor. Appointees to the Council shall represent parents or guardians of children currently enrolled in Illinois schools, and educators and community leaders with experience in local parental involvement projects.
   (c) Appointments to the Council shall represent different geographic areas of the State, which shall include:
      (1) Four members representing Cook County, at least one of whom shall represent Suburban Cook County;
      (2) Three members representing Kane, Lake, DuPage, Will, and McHenry Counties;
      (3) Six members representing counties outside of Cook, Kane, Lake, DuPage, Will, and McHenry Counties.
   (d) Members of the Council will be appointed for 3-year terms, except for an appointment to fill an unexpired term, in
which event the appointment shall be for the remainder of the unexpired term.

(e) The Council shall select a chairperson.

(f) The Council shall meet at least quarterly, and the chairperson and Illinois State Board of Education may convene the Council at any time.

(g) A vacancy in the membership of the Council shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Council. A majority of Council members then appointed constitutes a quorum. A majority vote of the quorum is required for a Council decision.

(h) The State Superintendent of Education or his or her designee shall serve without voting rights as Secretary to the Council. The Illinois State Board of Education shall provide necessary staff assistance to the Council.

II. Duties of the Illinois Parent Leadership Council

(a) To identify best practices in parent involvement at schools within Illinois, as well as other states, and to develop recommendations addressing how those practices can be adopted and implemented in Illinois schools.

(b) To provide assistance and advice to the Illinois State Board of Education on parent involvement in Illinois schools and its impact on student achievement, communication and partnerships with community and other groups, and school family involvement policies.

(c) To make recommendations to the Illinois State Board of Education on State resources and materials that could promote and improve parental participation in Illinois schools.

(d) To submit an Annual Report to the Illinois State Board of Education and Office of the Governor detailing their findings and recommending action items for implementation.

This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor September 29, 2006.
EXECUTIVE ORDERS

Filed by the Secretary of State September 29, 2006.

2006-11
EXECUTIVE ORDER ON CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION

WHEREAS, the scientific consensus is that increasing emissions of greenhouse gases are causing global temperatures to rise at rates that could cause worldwide economic disruption, environmental damage and public health crises;

WHEREAS, global warming is largely due to the combustion of fossil fuels that release carbon dioxide and other greenhouse gases that trap heat in the atmosphere;

WHEREAS, the Intergovernmental Panel on Climate Change and the National Academy of Sciences have reported that atmospheric carbon dioxide is at the highest level in more than 500,000 years;

WHEREAS, average global temperatures were the hottest on record ten of the past sixteen years. Scientists have predicted that temperatures in Illinois could rise significantly by the end of this century, leading to hotter summers, shorter winters, and increased drought and flood events;

WHEREAS, these effects could strain drinking water supplies, overwhelm sewage treatment capacity, reduce the water level of Lake Michigan, destroy wetlands, erode soil, and harm croplands, ecosystems and habitats, among other damaging effects;

WHEREAS, leading climatologists have estimated that less than a decade remains before global warming could be irreversible and that governments, businesses and households must act now to reduce greenhouse gas emissions;

WHEREAS, 165 countries and other entities around the world have signed the Kyoto protocol in recognition of the urgency in acting to reduce greenhouse gas emissions;

WHEREAS, many business leaders, including large manufacturing and insurance companies worldwide, have recognized the need to reduce greenhouse gas emissions;

WHEREAS, the United States government has failed to sign the
Kyoto protocol or to enact policies to reduce national greenhouse gas emissions;

WHEREAS, this lack of federal leadership leaves the United States, the world’s largest emitter of greenhouse gases, without an effective national strategy to address the threat of global climate change, that includes rising sea levels, droughts, flooding, severe weather events, the expansion of diseases and invasive species, and economic dislocation;

WHEREAS, the State of Illinois recognizes that states can play an integral role in adopting policies to address climate change and promote strategies to reduce greenhouse gases while advancing technologies to develop clean, renewable and homegrown energy resources;

WHEREAS, the State of Illinois is a national leader in addressing climate change by reducing greenhouse gas emissions through the production and use of biofuels, purchasing renewable power, encouraging agricultural conservation projects that sequester carbon, and proposing an aggressive energy independence plan that includes strategies to reduce carbon emissions, generate renewable energy and invest in energy efficiency resources;

WHEREAS, Illinois is one of the leading states in a multi-state effort to develop a national greenhouse gas registry that businesses and other entities can use to measure and manage greenhouse gas emissions;

WHEREAS, many clean energy and energy efficiency policies that reduce emissions of greenhouse gases can also boost economic development, create jobs, stabilize energy prices, improve air quality, and reduce traffic congestion, among other benefits; and

WHEREAS, Illinois’ leadership in the development of state and regional climate change policies will ensure that Illinois businesses and other institutions will be well prepared to adapt to any national climate change policy.

NOW THEREFORE, I, ROD BLAGOJEVICH, Governor of the State of Illinois, by virtue of the power and authority vested in me by the Constitution and the laws of the State of Illinois do hereby order:

I. Creation of the Illinois Climate Change Advisory Group

(a) There is created the Illinois Climate Change Advisory Group (“the Advisory Group”). The purpose of the Advisory Group is to provide recommendations to the
Office of the Governor regarding climate change policy.

(b) The Advisory Group shall consist of individuals appointed by the Governor and shall be chaired by the Director of the Illinois Environmental Protection Agency. The Advisory Group will include representatives from business, labor unions, environmental groups, agriculture, the energy sector, as well as scientists and economists from throughout Illinois.

(c) Members of the Advisory Group shall serve at the pleasure of the Governor and shall meet regularly to accomplish the goals of the Advisory Group. The members shall serve without compensation. The chairperson may convene the Advisory Group at any time.

(d) A vacancy in the membership of the Advisory Group shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Advisory Group. A majority of Advisory Group members then appointed constitutes a quorum. A majority vote of the quorum is required for a Advisory Group decision.

(e) The Illinois Environmental Protection Agency shall provide necessary staff assistance to the Advisory Group.

II. Duties of the Illinois Climate Change Advisory Group

(a) The Advisory Group shall, after fully considering the full range of policies and strategies regarding climate change, present proposals to the Governor to reduce statewide greenhouse gas emissions.

(b) The Advisory Group shall present its findings and recommendations, including an inventory of existing and planned actions to reduce greenhouse gas emissions, to the Governor by June 30, 2007.

III. Membership in the Chicago Climate Exchange

It is the intent for the State of Illinois to join Chicago Climate Exchange (CCX), a greenhouse gas emissions registry, reduction and trading system, to reduce emissions from governmental activities by 6% by 2010. The Illinois Environmental Protection Agency shall review all terms
associated with joining the CCX and shall make a recommendation to the Governor regarding the terms of membership in the CCX. Membership in the CCX will allow the State to lead by example in achieving meaningful reductions in its own greenhouse gas emissions associated with State government operations as well as gain valuable experience in participating in a market-based mechanism for reducing greenhouse gas emissions and improving the efficiency of state government operations.

IV. Reporting Requirements

The Illinois Environmental Protection Agency shall produce an annual report to the Governor at the end of each fiscal year tracking statewide greenhouse gas emissions in Illinois and forecasted trends. Additionally, the Illinois Environmental Protection Agency shall annually document the greenhouse gas emissions of State government, and track progress towards meeting the CCX reduction targets.

This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor October 05, 2006.

Filed by the Secretary of State October 05, 2006.

2006-12
EXECUTIVE ORDER REQUIRING PROPER END-OF-LINE MANAGEMENT OF COMPUTERS AND OTHER ELECTRONIC EQUIPMENT

WHEREAS, the use of computers and other electronic equipment by the State of Illinois is necessary and pervasive; and

WHEREAS, some high-tech equipment contains toxic chemicals such as brominated flame retardants in plastics and circuit boards, beryllium alloys in connectors, lead-tin based solders, lead- and barium-laden cathode ray tubes, and mercury lamps; and

WHEREAS, the State of Illinois is entrusted by the citizens of the State to be a responsible environmental steward; and

WHEREAS, the improper recycling and or disposal of electronic
equipment has the potential to inflict serious health and environmental
damage; and

WHEREAS, the lack of federal environmental regulations to
govern the sale, transfer and export of scrap electronics, cannibalized parts
and obsolete computers, printers and other electronic equipment continues
to result in disposal practices harmful to the environment, including
populations of third-world countries; and

WHEREAS, it is incumbent upon the State to ensure that
procedures exist within Illinois Government to protect and secure
confidential and other sensitive data and keep pace with these
technological advances; and

WHEREAS, it is prudent to require that all computer and
electronic equipment that leave the control of the State of Illinois be
reutilized and redistributed to maximize taxpayer financed assets, or
disposed of by means of transfer, donation, sale or recycling;

THEREFORE, I Rod R. Blagojevich, Governor of the State of
Illinois, hereby order the following:

I. All state agencies, boards, and commissions shall
immediately review all procedures to ensure that they are in
compliance with P.A. 93-0306, Data Security on State
Computers Act (20 ILCS 450/1 et. seq.), that I signed into

II. The Illinois Department of Central Management Services
(CMS) shall develop and implement procedures and
programs to ensure that any and all operable and inoperable
information technology and electronic equipment, including
but not limited to, desktops, laptops, servers, internal/external storage drives, portable drives, printers,
copiers, fax machines, and other electronic components (E-
Scrap), that are deemed excess or surplus to the State’s
needs shall be removed from state service, and properly
redistributed, reutilized, recycled or disposed of in an
environmentally responsible manner consistent with the
Illinois Finance Act, Illinois Property Control Act and all
applicable state and federal environmental laws.

III. CMS shall also update, create, establish and implement
specific policies, procedures, rules, and programs to ensure that all hard drives, external storage drives, servers, etc., of state-owned electronic data processing and information technology equipment be cleared of all data, software, and operating systems prior to transfer, donation or sale.

IV. Savings Clause: Nothing in this Executive Order shall be construed to contravene any applicable state or federal law.

V. Severability. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application.

VI. Effective Date: This Executive Order becomes effective upon filing with the Secretary of State.

Issued by the Governor October 30, 2006.

Filed by the Secretary of State October 30, 2006.
INDEX
2006 PROCLAMATIONS

2006 General Election Judges 2006-405
2006 General Election Regional Superintendent
of Schools 2006-404
2006 General Election Representatives in Congress, State
Senators and Representatives in the General Assembly 2006-403
2006 General Election Retention Judges 2006-406
2006 General Election State Officers 2006-402
4-H Week 2006-332
5-A-Day Month 2006-294
Adoption Awareness Month 2006-373
Affordable Housing Week 2006-062
African American History Month 2006-003
African American Women Evolving Days 2006-363
African-American Veterans Recognition Day 2006-023
African/Caribbean International Festival Of Life Days 2006-221
Aging Network Recognition Month 2006-263
Aging Network Recognition Month 2006-257
Aging Network Recognition Month 2006-255
Aging Network Recognition Month 2006-259
Aging Network Recognition Month 2006-260
Aging Network Recognition Month 2006-261
Aging Network Recognition Month 2006-256
Aging Network Recognition Month 2006-258
Aging Network Recognition Month 2006-264
Aging Network Recognition Month 2006-266
Aging Network Recognition Month 2006-265
Aging Network Recognition Month 2006-254
Aging Network Recognition Month 2006-262
Allied Health Professionals Day 2006-244
Alpha-1 Awareness Month 2006-122
Al-s Awareness Month 2006-181
Amateur Radio Month 2006-205
AMBUCS National Visibility Month 2006-005
American Association Of University Women Day 2006-383
American Ex-Prisoners Of War Recognition Day 2006-092
American Indian Day 2006-286
American Red Cross Month 2006-067
Americans With Disabilities Act Day 2006-233
Anaia's Breast Cancer Awareness Program Days 2006-339
Ange Milner Day 2006-106
Angelman Syndrome Awareness Day 2006-184
Annual Debutante Cotillion Day 2006-160
Apprenticeship Week 2006-095
Argonne National Laboratory Day 2006-393
Armenian Martyrs Day 2006-125
Art Exploring Individuals Living With Mental Illness Months 2006-379
Arts In Education Spring Celebration Months 2006-120
Asian American Coalition Of Chicago Day 2006-041
Asian Longhorned Beetle Deregulation Day 2006-230
Asian Pacific American Heritage Month 2006-158
ASPCA Day 2006-105
Assistive Technology Awareness Month 2006-374
Association Week 2006-175
Autism Day and Autism Awareness Month 2006-021
Automotive Service Professionals Week 2006-204
Bataan Day And National Former Prisoner Of War Recognition 2006-093
Bethel African Methodist Episcopal Church 2006-212
Better Speech And Hearing Month 2006-121
Black History Awards Day 2006-044
Blood Collectors Week 2006-313
Brain Tumor Action Week 2006-146
Breast Cancer Awareness Month 2006-329
Breastfeeding Promotion Month 2006-234
Building Safety Week 2006-161
Burn Awareness Week 2006-025
Campus Fire Safety Month 2006-280
Canavan Disease Awareness Month 2006-277
Captive Nations Week 2006-228
Carbon Monoxide Detector Awareness Week 2006-396
<table>
<thead>
<tr>
<th>Event</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Career And Technical Education Week</td>
<td>2006-030</td>
</tr>
<tr>
<td>Career And Technical Organizations Week</td>
<td>2006-247</td>
</tr>
<tr>
<td>Careers In Construction Week</td>
<td>2006-359</td>
</tr>
<tr>
<td>Caribbean Festival Days</td>
<td>2006-297</td>
</tr>
<tr>
<td>Carole Robertson Center For Learning Day</td>
<td>2006-219</td>
</tr>
<tr>
<td>Catholicate Day</td>
<td>2006-231</td>
</tr>
<tr>
<td>Celebrate Chicago Day</td>
<td>2006-350</td>
</tr>
<tr>
<td>Celebrating Your Freedoms Day</td>
<td>2006-113</td>
</tr>
<tr>
<td>Center On Halsted Day</td>
<td>2006-103</td>
</tr>
<tr>
<td>Certified Government Financial Manager Month</td>
<td>2006-131</td>
</tr>
<tr>
<td>Cervical Cancer Awareness Month</td>
<td>2006-415</td>
</tr>
<tr>
<td>Chamber Of Commerce Week</td>
<td>2006-248</td>
</tr>
<tr>
<td>Character Counts! Week</td>
<td>2006-354</td>
</tr>
<tr>
<td>Chicago Baptist Institute Day</td>
<td>2006-368</td>
</tr>
<tr>
<td>Chicago Business Opportunity Days</td>
<td>2006-040</td>
</tr>
<tr>
<td>Chicago International Children's Film Festival Days</td>
<td>2006-335</td>
</tr>
<tr>
<td>Chicago Shriners Hospital Day</td>
<td>2006-192</td>
</tr>
<tr>
<td>Child Abuse Prevention Month</td>
<td>2006-078</td>
</tr>
<tr>
<td>Child Support Awareness Month</td>
<td>2006-236</td>
</tr>
<tr>
<td>Childhood Cancer Awareness Week</td>
<td>2006-409</td>
</tr>
<tr>
<td>Childhood Lead Poisoning Prevention Week</td>
<td>2006-366</td>
</tr>
<tr>
<td>Childhood Stroke Awareness Day</td>
<td>2006-157</td>
</tr>
<tr>
<td>Children's Book Week</td>
<td>2006-386</td>
</tr>
<tr>
<td>Children's Memorial Flag Day</td>
<td>2006-136</td>
</tr>
<tr>
<td>Children's Memorial Hospital</td>
<td>2006-047</td>
</tr>
<tr>
<td>Chiropractic Healthcare Month</td>
<td>2006-318</td>
</tr>
<tr>
<td>Christopher House Day</td>
<td>2006-166</td>
</tr>
<tr>
<td>Chronic Obstructive Pulmonary Disease Awareness Month</td>
<td>2006-365</td>
</tr>
<tr>
<td>Coalition For The Remembrance Of Elijah Muhammad Day</td>
<td>2006-036</td>
</tr>
<tr>
<td>Cold War Victory Day</td>
<td>2006-152</td>
</tr>
<tr>
<td>Colorectal Cancer Awareness Month</td>
<td>2006-024</td>
</tr>
<tr>
<td>Comcast Cares Day</td>
<td>2006-336</td>
</tr>
<tr>
<td>Community and Economic Development Association Of Cook County (CEDA) Day</td>
<td>2006-322</td>
</tr>
<tr>
<td>Congenital Heart Defect Awareness Week And A Day</td>
<td>2006-359</td>
</tr>
<tr>
<td>Event</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>For Hearts: Congenital Heart Defect Awareness Day</td>
<td>2006-029</td>
</tr>
<tr>
<td>Congratulate the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)</td>
<td>2006-344</td>
</tr>
<tr>
<td>Constitution Day</td>
<td>2006-311</td>
</tr>
<tr>
<td>Constitution Week</td>
<td>2006-305</td>
</tr>
<tr>
<td>Coretta Scott King Memorial Day</td>
<td>2006-032</td>
</tr>
<tr>
<td>Corn Products Argo Plant Day</td>
<td>2006-274</td>
</tr>
<tr>
<td>Corn Products International Day</td>
<td>2006-008</td>
</tr>
<tr>
<td>Cornelia De Lange Syndrome Awareness Day</td>
<td>2006-164</td>
</tr>
<tr>
<td>Cover The Uninsured Week</td>
<td>2006-165</td>
</tr>
<tr>
<td>Crime Stoppers of Lake County</td>
<td>2006-414</td>
</tr>
<tr>
<td>Crossing Guard Appreciation Day</td>
<td>2006-112</td>
</tr>
<tr>
<td>Cultural Month Of Jaliscienses</td>
<td>2006-287</td>
</tr>
<tr>
<td>Cultural Month Of Michoacan</td>
<td>2006-210</td>
</tr>
<tr>
<td>Dairy Month</td>
<td>2006-203</td>
</tr>
<tr>
<td>Danville Area Community College</td>
<td>2006-053</td>
</tr>
<tr>
<td>David L. Chicoine</td>
<td>2006-417</td>
</tr>
<tr>
<td>Day Of Remembrance For September 11</td>
<td>2006-309</td>
</tr>
<tr>
<td>Day Of The Child</td>
<td>2006-118</td>
</tr>
<tr>
<td>Days Of Remembrance</td>
<td>2006-133</td>
</tr>
<tr>
<td>Delta Sigma Theta Sorority Springfield-Decatur Area Alumnae Chapter Day</td>
<td>2006-019</td>
</tr>
<tr>
<td>Desert Storm Remembrance Day</td>
<td>2006-033</td>
</tr>
<tr>
<td>DeVry University</td>
<td>2006-281</td>
</tr>
<tr>
<td>Diabetes Awareness Month</td>
<td>2006-384</td>
</tr>
<tr>
<td>Dick Tracy Day</td>
<td>2006-330</td>
</tr>
<tr>
<td>Disaster Area-State of Illinois</td>
<td>2006-074</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois</td>
<td>2006-116</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois (Revised)</td>
<td>2006-242</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois</td>
<td>2006-242</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois</td>
<td>2006-243</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois (Revised)</td>
<td>2006-250</td>
</tr>
<tr>
<td>Disaster Area - State of Illinois (Revised)</td>
<td>2006-308</td>
</tr>
<tr>
<td>Disaster Area-State of Illinois</td>
<td>2006-407</td>
</tr>
<tr>
<td>Domestic Violence Awareness Month</td>
<td>2006-320</td>
</tr>
<tr>
<td>Down Syndrome Awareness Month</td>
<td>2006-323</td>
</tr>
<tr>
<td>Dr. Martin Luther King, Jr. Day</td>
<td>2006-006</td>
</tr>
</tbody>
</table>
Dyslexia Awareness Month 2006-328
Earth Science Week 2006-326
Elder Abuse Awareness Month 2006-198
Elks National Youth Week 2006-114
Elzie L. Higginbottom Day 2006-218
Emergency Medical Services For Children Day 2006-149
Emergency Medical Services Week 2006-150
Energy Star Change A Light, Change The World Day 2006-342
Ensemble Espanol Day 2006-202
Entrepreneurship Week 2006-394
Estonian Independence Day 2006-042
Faith In Action Day 2006-293
Family Day 2006-245
Family Day - A Day To Eat Dinner With Your Children 2006-129
Family Day - A Day To Eat Dinner With Your Children (Revised) 2006-129
Farmers Market Week 2006-253
Federal Employee Of The Year Day 2006-063
Federated Club Women Of The Chicago And Northern District Association Of Club Women, Girls And Boys, Incorporated Day 2006-058
Federation Of Women Contractors Day 2006-101
Fetal Alcohol Syndrome Disorders Awareness Day 2006-295
Food Allergy Awareness Week 2006-167
Foster Parent Appreciation Month 2006-079
Four Chaplains Sunday 2006-018
Friend Family Health Center 2006-208
George And Lorraine Shadid Day 2006-327
Georgia Doty Health Education Fund Day 2006-298
Ghana Independence Day 2006-059
Great American Meatout Day 2006-072
Greek Independence Day 2006-069
Greek Orthodox Ladies Philoptochos Society Days 2006-337
Greek Pontian Genocide Remembrance Day 2006-134
Greek Women's University Club Day 2006-395
Gynecologic Cancer Awareness Month 2006-282
<table>
<thead>
<tr>
<th>Proclamation</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haitian Flag Day</td>
<td>2006-196</td>
</tr>
<tr>
<td>Harland Day</td>
<td>2006-275</td>
</tr>
<tr>
<td>Harriet Tubman Day</td>
<td>2006-046</td>
</tr>
<tr>
<td>Health Care Workers Day</td>
<td>2006-110</td>
</tr>
<tr>
<td>Helen Keller Deaf-Blind Awareness Week</td>
<td>2006-214</td>
</tr>
<tr>
<td>Hepatitis C Awareness And Education Month</td>
<td>2006-145</td>
</tr>
<tr>
<td>Home Education Week</td>
<td>2006-096</td>
</tr>
<tr>
<td>Human Rights Week</td>
<td>2006-413</td>
</tr>
<tr>
<td>Hungarian Freedom Day</td>
<td>2006-369</td>
</tr>
<tr>
<td>Hunger Awareness Month</td>
<td>2006-139</td>
</tr>
<tr>
<td>Hurricane Katrina Remembrance Day</td>
<td>2006-291</td>
</tr>
<tr>
<td>Illinois Arts Education Week</td>
<td>2006-050</td>
</tr>
<tr>
<td>Illinois Arts Week</td>
<td>2006-088</td>
</tr>
<tr>
<td>Illinois Commission On Volunteerism And Community Service Week</td>
<td>2006-144</td>
</tr>
<tr>
<td>Illinois Electric And Telephone Cooperatives Youth Day</td>
<td>2006-097</td>
</tr>
<tr>
<td>Illinois Equal Pay Day</td>
<td>2006-141</td>
</tr>
<tr>
<td>Illinois Equal Pay Day (Revised)</td>
<td>2006-141</td>
</tr>
<tr>
<td>Illinois Family Business Of The Year Day</td>
<td>2006-401</td>
</tr>
<tr>
<td>Illinois Injury Prevention Month</td>
<td>2006-154</td>
</tr>
<tr>
<td>Illinois Medical Coder Day</td>
<td>2006-172</td>
</tr>
<tr>
<td>Illinois Olympians Day</td>
<td>2006-094</td>
</tr>
<tr>
<td>Illinois Rescue And Restore Outreach Day</td>
<td>2006-119</td>
</tr>
<tr>
<td>Illinois Senate President Emil Jones, Jr. Day</td>
<td>2006-064</td>
</tr>
<tr>
<td>Illinois State Historical Society Markers Awareness Week</td>
<td>2006-039</td>
</tr>
<tr>
<td>Illinois' Safe Schools Week</td>
<td>2006-353</td>
</tr>
<tr>
<td>Infant Immunization Awareness Week</td>
<td>2006-140</td>
</tr>
<tr>
<td>Infection Prevention Week</td>
<td>2006-358</td>
</tr>
<tr>
<td>International Children's Day</td>
<td>2006-188</td>
</tr>
<tr>
<td>International Education Week</td>
<td>2006-378</td>
</tr>
<tr>
<td>International Hispanic/Latino Mental Health Week</td>
<td>2006-331</td>
</tr>
<tr>
<td>International Mother Language Day</td>
<td>2006-048</td>
</tr>
<tr>
<td>Italian Heritage Month and Christopher Columbus Day</td>
<td>2006-299</td>
</tr>
<tr>
<td>Jet Magazines 1st Annual Health &amp; Family Fitness Affair Day</td>
<td>2006-229</td>
</tr>
</tbody>
</table>
Jorja English Palmer Day 2006-001
Kidney Cancer Awareness Month 2006-222
Kids Day America/International 2006-179
Kids Day America/International 2006-312
Kindergarten Day 2006-300
Korean American Day 2006-412
Land Surveyors' Month 2006-012
Larry Fricke-Elmhurst Jaycees Distinguished Service Award 2006-071
Last Call Of The Fall BBQ Competition Days 2006-249
Legendary Landmark Lois Weisberg Day 2006-043
Lemont Little League Day 2006-288
Let Freedom Ring Day 2006-220
Let's Talk, Let's Test Foundation "I Need You To Survive" Day 2006-199
Life Insurance Awareness Month 2006-271
Lights On Afterschool Day 2006-347
Lincoln Trail Hike Day 2006-128
Lions And Lioness Tootsie Pop Day 2006-124
Lions Candy Day 2006-123
Little Sauce On The Prairie Contest Day 2006-272
Lunar New Year Celebration Day 2006-022
Lung Cancer Awareness Month 2006-376
Lymphoma Research Foundation Day And Lymphomathon Day 2006-270
Major Ziaur Rahman Day 2006-086
Make A Difference Day 2006-375
Marine Corps Birthday 2006-390
MDA Firefighter Appreciation Month 2006-252
Medical Assistants Week 2006-014
Medical Laboratory Professionals Week 2006-056
Melanoma/Skin Cancer Detection And Prevention Month 2006-143
Memorial Day 2006 2006-183
Mental Illness Awareness Week 2006-341
Meth Prevention Day 2006-399
Metropolitan Asian Family Services Day 2006-360
Miguel Del Valle Day 2006-400
Missing Children's Day 2006-200
Money Smart Week 2006-051
Montessori Education Week 2006-411
Mother Margaret Jackson Threlkeld Day 2006-159
Mothers Of Multiples Week 2006-239
Motorcycle Awareness Month 2006-049
Myra and John Reilly Day 2006-028
National Action Week 2006-349
National Adult Day Services Week 2006-307
National Alcohol And Drug Addiction Recovery Month 2006-279
National Aquatic Week 2006-227
National Assisted Living Week 2006-302
National Association Of Insurance Women Week 2006-180
National Baton Twirling Week 2006-225
National Black Nurses' Day 2006-016
National Blood Donor Month 2006-002
National Blood Donor Month (Revised) 2006-002
National Cancer Registrars Week 2006-102
National Caribbean-American Heritage Month 2006-190
National Case Management Week 2006-346
National Clean Beaches Week 2006-216
National Credit Education Week 2006-310
National Cyber Security Awareness Month 2006-338
National Day Of Prayer 2006-098
National Digestive Motility Awareness Month 2006-076
National Disability Employment Awareness Month 2006-345
National Drunk And Drugged Driving Prevention Month 2006-408
National Elevator Escalator Safety Awareness Week 2006-319
National Environmental Education Week 2006-108
National Family Week 2006-382
National Fire Prevention Week 2006-357
National Flag Day 2006-213
<table>
<thead>
<tr>
<th>Event</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Foreign Language Week</td>
<td>2006-038</td>
</tr>
<tr>
<td>National Garden Week</td>
<td>2006-075</td>
</tr>
<tr>
<td>National Geographic Information System Day</td>
<td>2006-389</td>
</tr>
<tr>
<td>National Guard Day</td>
<td>2006-410</td>
</tr>
<tr>
<td>National Gymnastics Day</td>
<td>2006-186</td>
</tr>
<tr>
<td>National Hunger Awareness Day</td>
<td>2006-207</td>
</tr>
<tr>
<td>National Landscape Architecture Month</td>
<td>2006-132</td>
</tr>
<tr>
<td>National Library Workers Day</td>
<td>2006-111</td>
</tr>
<tr>
<td>National Lulac Week</td>
<td>2006-031</td>
</tr>
<tr>
<td>National Maritime Day</td>
<td>2006-065</td>
</tr>
<tr>
<td>National Martial Arts Day</td>
<td>2006-351</td>
</tr>
<tr>
<td>National Men's Health Week</td>
<td>2006-206</td>
</tr>
<tr>
<td>National Nursing Home Week</td>
<td>2006-174</td>
</tr>
<tr>
<td>National Payroll Week</td>
<td>2006-292</td>
</tr>
<tr>
<td>National Pearl Harbor Remembrance Day</td>
<td>2006-398</td>
</tr>
<tr>
<td>National POW/MIA Recognition Day</td>
<td>2006-303</td>
</tr>
<tr>
<td>National Primary Care Week</td>
<td>2006-355</td>
</tr>
<tr>
<td>National Public Works Week</td>
<td>2006-130</td>
</tr>
<tr>
<td>National RN Recognition Day And National Nurses Week</td>
<td>2006-156</td>
</tr>
<tr>
<td>National Safe Boating Week</td>
<td>2006-197</td>
</tr>
<tr>
<td>National School Nurse Day</td>
<td>2006-162</td>
</tr>
<tr>
<td>National Surgical Technologist Week</td>
<td>2006-306</td>
</tr>
<tr>
<td>National Teen Dating Violence Awareness And Prevention Week</td>
<td>2006-009</td>
</tr>
<tr>
<td>National Transportation Week</td>
<td>2006-177</td>
</tr>
<tr>
<td>National University Of Health Sciences</td>
<td>2006-084</td>
</tr>
<tr>
<td>National Volunteer Week</td>
<td>2006-127</td>
</tr>
<tr>
<td>National Water Safety Week</td>
<td>2006-191</td>
</tr>
<tr>
<td>National Women's Health Week</td>
<td>2006-173</td>
</tr>
<tr>
<td>National Women's Heart Week</td>
<td>2006-011</td>
</tr>
<tr>
<td>Navy Week</td>
<td>2006-169</td>
</tr>
<tr>
<td>Nikola Tesla Day</td>
<td>2006-226</td>
</tr>
<tr>
<td>North American Occupational Safety And Health Week</td>
<td>2006-148</td>
</tr>
<tr>
<td>North Shore Center for the Performing Arts 10th Anniversary</td>
<td>2006-362</td>
</tr>
<tr>
<td>Event</td>
<td>Year</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Northshore Concert Band Day</td>
<td>2006-171</td>
</tr>
<tr>
<td>Nurse Appreciation Day</td>
<td>2006-251</td>
</tr>
<tr>
<td>Nutrition Month</td>
<td>2006-054</td>
</tr>
<tr>
<td>Nutrition Month (Revised)</td>
<td>2006-054</td>
</tr>
<tr>
<td>Octave Chanute Aerospace Museum's 99th Squadron Day</td>
<td>2006-201</td>
</tr>
<tr>
<td>One Church One School Community Partnership Days</td>
<td>2006-352</td>
</tr>
<tr>
<td>One Night, One MIC, 100 Meetings Day</td>
<td>2006-061</td>
</tr>
<tr>
<td>One River Mississippi Day</td>
<td>2006-189</td>
</tr>
<tr>
<td>Operation Snowball Month</td>
<td>2006-314</td>
</tr>
<tr>
<td>Operation Support Our Troops</td>
<td>2006-237</td>
</tr>
<tr>
<td>Order Sons Of Italy/Alzheimer's Association &quot;Partners In Progress&quot; Day</td>
<td>2006-182</td>
</tr>
<tr>
<td>Ovarian Cancer Awareness Month</td>
<td>2006-283</td>
</tr>
<tr>
<td>Pain Awareness Month</td>
<td>2006-285</td>
</tr>
<tr>
<td>Paralegal Day</td>
<td>2006-348</td>
</tr>
<tr>
<td>Paralyzed Veterans Of America Awareness Week</td>
<td>2006-117</td>
</tr>
<tr>
<td>Paraprofessionals and School Related Personnel Day</td>
<td>2006-392</td>
</tr>
<tr>
<td>Parkinson's Disease Awareness Month</td>
<td>2006-091</td>
</tr>
<tr>
<td>Parkland College</td>
<td>2006-037</td>
</tr>
<tr>
<td>Particle Accelerator Day</td>
<td>2006-138</td>
</tr>
<tr>
<td>Partnership Walk Day</td>
<td>2006-343</td>
</tr>
<tr>
<td>Pastor Thomas H. Cross, Sr. Day</td>
<td>2006-107</td>
</tr>
<tr>
<td>Paul Brian Day</td>
<td>2006-419</td>
</tr>
<tr>
<td>Peace Corps Week</td>
<td>2006-034</td>
</tr>
<tr>
<td>Peace Day</td>
<td>2006-276</td>
</tr>
<tr>
<td>Perianesthesia Nurse Awareness Week</td>
<td>2006-017</td>
</tr>
<tr>
<td>Peru Day</td>
<td>2006-241</td>
</tr>
<tr>
<td>Peter Wilt Day</td>
<td>2006-077</td>
</tr>
<tr>
<td>Phil Ayala St. Francis Wildcats Man Of The Year Day</td>
<td>2006-135</td>
</tr>
<tr>
<td>Pick Up America Day</td>
<td>2006-246</td>
</tr>
<tr>
<td>Playground Safety Week</td>
<td>2006-109</td>
</tr>
<tr>
<td>Polio Vaccination Month</td>
<td>2006-290</td>
</tr>
<tr>
<td>Polish-American Heritage Month</td>
<td>2006-391</td>
</tr>
<tr>
<td>Pork Month</td>
<td>2006-316</td>
</tr>
<tr>
<td>Postpartum Depression Awareness Month</td>
<td>2006-060</td>
</tr>
<tr>
<td>Prematurity Awareness Month</td>
<td>2006-325</td>
</tr>
<tr>
<td>Event</td>
<td>Code</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>President Gerald R. Ford</td>
<td>2006-418</td>
</tr>
<tr>
<td>President Gerald R. Ford (Revised)</td>
<td>2006-418</td>
</tr>
<tr>
<td>Principals Week and Principals Day</td>
<td>2006-304</td>
</tr>
<tr>
<td>Pro Bono Week</td>
<td>2006-278</td>
</tr>
<tr>
<td>Probation And Court Services Officer Day</td>
<td>2006-142</td>
</tr>
<tr>
<td>Professional Social Work Month</td>
<td>2006-057</td>
</tr>
<tr>
<td>Project Ignition Day</td>
<td>2006-070</td>
</tr>
<tr>
<td>Provider Appreciation Day</td>
<td>2006-178</td>
</tr>
<tr>
<td>Public Health Week</td>
<td>2006-100</td>
</tr>
<tr>
<td>Public Lands Day</td>
<td>2006-321</td>
</tr>
<tr>
<td>Public Service Recognition Week</td>
<td>2006-099</td>
</tr>
<tr>
<td>Quebec Week</td>
<td>2006-217</td>
</tr>
<tr>
<td>Quill Recognition Day</td>
<td>2006-045</td>
</tr>
<tr>
<td>Radiologic Technology Week</td>
<td>2006-089</td>
</tr>
<tr>
<td>Rafael Pulido</td>
<td>2006-147</td>
</tr>
<tr>
<td>Raoul Wallenberg Day</td>
<td>2006-340</td>
</tr>
<tr>
<td>Recognition of Margene Pappas</td>
<td>2006-195</td>
</tr>
<tr>
<td>Respiratory Care Week</td>
<td>2006-364</td>
</tr>
<tr>
<td>Rev. M. Earle Sardon</td>
<td>2006-010</td>
</tr>
<tr>
<td>Reverend Dr. Alvin J. Wesley</td>
<td>2006-224</td>
</tr>
<tr>
<td>Reverend Dr. Johnnie Colemon Day</td>
<td>2006-381</td>
</tr>
<tr>
<td>Reverend Leroy Smith, Jr.</td>
<td>2006-416</td>
</tr>
<tr>
<td>Ride For Kids Day</td>
<td>2006-137</td>
</tr>
<tr>
<td>Ronald McDonald House Day</td>
<td>2006-035</td>
</tr>
<tr>
<td>Ronald McDonald House Day (Revised)</td>
<td>2006-035</td>
</tr>
<tr>
<td>Ronald Reagan Day</td>
<td>2006-015</td>
</tr>
<tr>
<td>Ruggiero Ricci Day</td>
<td>2006-356</td>
</tr>
<tr>
<td>Salvation Army Week</td>
<td>2006-170</td>
</tr>
<tr>
<td>Sarcoïdosis Awareness Month</td>
<td>2006-090</td>
</tr>
<tr>
<td>Save Abandoned Babies Day</td>
<td>2006-052</td>
</tr>
<tr>
<td>School Health Center Awareness Month</td>
<td>2006-068</td>
</tr>
<tr>
<td>School Psychology Awareness Week</td>
<td>2006-380</td>
</tr>
<tr>
<td>School Social Work Week</td>
<td>2006-013</td>
</tr>
<tr>
<td>Science Day</td>
<td>2006-238</td>
</tr>
<tr>
<td>Seed Month</td>
<td>2006-066</td>
</tr>
<tr>
<td>Sickle Cell Disease Association of Illinois 35th Year</td>
<td></td>
</tr>
</tbody>
</table>
## PROCLAMATIONS

<table>
<thead>
<tr>
<th>Event</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anniversary</td>
<td>2006-372</td>
</tr>
<tr>
<td>Sierra Leone Independence Day</td>
<td>2006-126</td>
</tr>
<tr>
<td>Slovenian Cultural Center Day</td>
<td>2006-388</td>
</tr>
<tr>
<td>Sonnenschein Nath &amp; Rosenthal LLP Centennial Anniversary</td>
<td>2006-080</td>
</tr>
<tr>
<td>Sonographer Awareness Month</td>
<td>2006-333</td>
</tr>
<tr>
<td>South Side Help Center 70's Bash Day</td>
<td>2006-370</td>
</tr>
<tr>
<td>South Side Help Center Day</td>
<td>2006-194</td>
</tr>
<tr>
<td>Southern Illinois Bluegrass And BBQ Festival Day</td>
<td>2006-215</td>
</tr>
<tr>
<td>Special Kids Day</td>
<td>2006-073</td>
</tr>
<tr>
<td>Square Dance Week</td>
<td>2006-168</td>
</tr>
<tr>
<td>State Employee Recognition Day</td>
<td>2006-151</td>
</tr>
<tr>
<td>State Farm Day</td>
<td>2006-083</td>
</tr>
<tr>
<td>Stroke Awareness Month</td>
<td>2006-081</td>
</tr>
<tr>
<td>Student Council Week</td>
<td>2006-026</td>
</tr>
<tr>
<td>Student Pledge Against Gun Violence-National Day of Concern</td>
<td>2006-367</td>
</tr>
<tr>
<td>Sudden Infant Death Syndrome Awareness Month</td>
<td>2006-324</td>
</tr>
<tr>
<td>Summer Learning Day</td>
<td>2006-223</td>
</tr>
<tr>
<td>Teen Appreciation Week</td>
<td>2006-185</td>
</tr>
<tr>
<td>Telecommunications Week</td>
<td>2006-104</td>
</tr>
<tr>
<td>The 130th Anniversary Of The Imperial Council Of The Ancient Arabic Order Of The Nobles Of The Mystic Shrine For North America Day</td>
<td>2006-211</td>
</tr>
<tr>
<td>The 19th Annual Rita Hayworth Gala Benefiting The Association Day Alzheimer's</td>
<td>2006-087</td>
</tr>
<tr>
<td>The Chicago Defender Charities Bud Billiken Day</td>
<td>2006-267</td>
</tr>
<tr>
<td>The Honorable Lovana &quot;Lou&quot; Jones Memorial Days</td>
<td>2006-176</td>
</tr>
<tr>
<td>The Month Of The Young Adolescent</td>
<td>2006-317</td>
</tr>
<tr>
<td>Third Jurisdiction Illinois Churches Of God In Christ</td>
<td>2006-269</td>
</tr>
<tr>
<td>Toxic Injury/Multiple Chemical Sensitivity Awareness And Education Month</td>
<td>2006-155</td>
</tr>
<tr>
<td>Trade Show Week</td>
<td>2006-235</td>
</tr>
<tr>
<td>Ukrainian Independence Day</td>
<td>2006-273</td>
</tr>
<tr>
<td>Unimin Corporate Conservation Awareness Day</td>
<td>2006-027</td>
</tr>
<tr>
<td>United Hellenic American Congress Day</td>
<td>2006-377</td>
</tr>
<tr>
<td>United Nations Day</td>
<td>2006-371</td>
</tr>
<tr>
<td>Event</td>
<td>Date</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>United States Army Day</td>
<td>2006-209</td>
</tr>
<tr>
<td>Universal Newborn Hearing Screening Day</td>
<td>2006-115</td>
</tr>
<tr>
<td>Veterans Day At Leo High School</td>
<td>2006-385</td>
</tr>
<tr>
<td>Veterans' Day</td>
<td>2006-387</td>
</tr>
<tr>
<td>Vietnamese Association Of Illinois Day</td>
<td>2006-397</td>
</tr>
<tr>
<td>Village of Savoy Month</td>
<td>2006-193</td>
</tr>
<tr>
<td>Viper Mine Rescue Crew Day</td>
<td>2006-007</td>
</tr>
<tr>
<td>We Remember, We Care For Indigent Persons Day</td>
<td>2006-187</td>
</tr>
<tr>
<td>Week Of The Classroom Teacher</td>
<td>2006-334</td>
</tr>
<tr>
<td>William &quot;Bill&quot; Rutherford Day</td>
<td>2006-0200</td>
</tr>
<tr>
<td>Women Presidents' Organization Days</td>
<td>2006-085</td>
</tr>
<tr>
<td>Women Veterans Recognition</td>
<td>2006-055</td>
</tr>
<tr>
<td>Women's Business Development Days</td>
<td>2006-268</td>
</tr>
<tr>
<td>Women's Healthy Heart Month</td>
<td>2006-004</td>
</tr>
<tr>
<td>World T'ai Chi And Oigong Day</td>
<td>2006-153</td>
</tr>
<tr>
<td>World TB Day</td>
<td>2006-082</td>
</tr>
<tr>
<td>World's Largest Ice Cream Social Day</td>
<td>2006-315</td>
</tr>
<tr>
<td>Y-Me Illinois Day</td>
<td>2006-289</td>
</tr>
<tr>
<td>Year Of The Museum</td>
<td>2006-232</td>
</tr>
<tr>
<td>Yellow Ribbon Suicide Awareness And Prevention Week</td>
<td>2006-301</td>
</tr>
<tr>
<td>Youth Soccer Month</td>
<td>2006-284</td>
</tr>
</tbody>
</table>
WHEREAS, a longtime community activist and friend of the
disenfranchised, Jorja English Palmer passed away December 29, 2005; and
WHEREAS, the seventh child of nine children and the youngest
daughter of Frank and Elizabeth (Bessie) Williams, Jorja was born June 16, 1930 in New Madrid, Missouri. When she was only four years old, both of
her parents passed away; and
WHEREAS, Jorja and seven siblings subsequently lived with their
aunt Esther Mack on the Southside of Chicago, where Jorja attended Willard
and Forestville Elementary Schools. She later participated in the Civil Rights
Movement while studying at DuSable High School and Chicago City Junior
Colleges; and
WHEREAS, as a young mother, Jorja was living in the racially
changing community of West Chatham. There, she actively participated in the
West Chatham Improvement Association and was selected by their education
committee to attend the newly formed Chicago Community Council
Organization; and
WHEREAS, Jorja was an important leader in the Chicago
Community Council Organization’s historic school boycott, in which 80
percent of African American families kept their children out of school to
protest the use of portable trailers for schooling; and
WHEREAS, during the 1970s, Jorja engaged in the fight for an
African American Chicago school board president and served as a delegate
to the historic National Black Political Assembly in Gary, Indiana; and
WHEREAS, in the early 80’s, Jorja and her husband, Lu Palmer,
launched the largest voter registration drive in American history, which
solidified a central constituency of African American voters who persuaded
Harold Washington to run for, and eventually win the seat of mayor of
Chicago; and
WHEREAS, Mrs. Palmer has made many other significant
contributions, and she will undoubtedly be greatly missed by her large family
and the many friends she has made over the course of her life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim January 4, 2006 as JORJA ENGLISH PALMER

2006-1
JORJA ENGLISH PALMER DAY
DAY in Illinois, in honor and remembrance of Mrs. Palmer and her many contributions to the African American community, the City of Chicago, and the great state of Illinois.

Issued by the Governor January 04, 2006.
Filed by the Secretary of State January 04, 2006.

2006-2

BLOOD DONOR MONTH

WHEREAS, approximately four million patients in the United States receive blood transfusions every year, and roughly 38,000 units of blood are required in hospitals and emergency treatment facilities on any given day; and

WHEREAS, unfortunately, blood donations often fall short of demand. While approximately eight million volunteers donate blood every year, just one trauma patient can use more than 100 units of blood, and donated blood has a shelf life of only 42 days; and

WHEREAS, even if volunteers donated blood regularly, donors can only give two units of blood every eight weeks. Consequently, there is a continual need to recruit more donors; and

WHEREAS, January is generally a difficult time to recruit donors. For that reason, organizations all across the country organize blood drives and promote blood donations throughout the month:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2006 as BLOOD DONOR MONTH in Illinois, and encourage all eligible donors to open their hearts this month by giving blood.

Issued by the Governor January 09, 2006.
Filed by the Secretary of State January 09, 2006.

2006-3

AFRICAN AMERICAN HISTORY MONTH

WHEREAS, Dr. Carter G. Woodson, a noted intellectual of his time, founded the Association for the Study of Afro-American Life and History (ASALH) in 1915. Eleven years later, Dr. Woodson created Negro History Week to celebrate the many contributions of African Americans to American
culture and customs; and

WHEREAS, Dr. Woodson designated the second week of February as Negro History Week to coincide with the birthdays of Abraham Lincoln and Frederick Douglass, in honor of their considerable impact on African American history. In 1976, ASALH extended the celebration for the entire month of February; and

WHEREAS, there have been several milestone events in African American history during February, including: passage of the 15th Amendment in 1870, which granted African Americans the right to vote; the inauguration of the first African American Senator, Hiram Revels, also in 1870; and the founding of the National Association for the Advancement of Colored People in 1909; and

WHEREAS, throughout African American History Month, organizations all across the country celebrate African American history with seminars, plays, concerts, art shows, films, dance performances, family workshops, and other expressions of creativity and pride. Here in Illinois, we are proud to join in these spirited commemorations:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2006 as AFRICAN AMERICAN HISTORY MONTH in Illinois, and encourage all citizens to learn about the wonderful contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor January 09, 2006.
Filed by the Secretary of State January 09, 2006.

2006-4
WOMEN’S HEALTHY HEART MONTH

WHEREAS, heart disease claims the lives of nearly 500,000 women in the United States every year, at a rate of about one death per minute, and is the leading cause of death among women. In Illinois alone, 15,796 women died in 2002 due to diseases of the heart; and

WHEREAS, the majority of women are not aware of their risk factors for a heart attack, nor are they even aware of the signs and symptoms of a heart attack. Risk factors for a heart attack include tobacco use, high blood cholesterol, high blood pressure, physical inactivity, diabetes and obesity; and
WHEREAS, signs and symptoms of a heart attack include uncomfortable pressure, squeezing, fullness or pain in the center of the chest that lasts more than a few minutes, or goes away and comes back; pain or discomfort in one or both arms, the back, neck, jaw or stomach; shortness of breath along with, or before, chest discomfort; and cold sweat, nausea or lightheadedness; and

WHEREAS, heart disease is a serious problem that unnecessarily affects far too many Americans. Consequently, it is critical that Americans are also more attentive of certain habits that will both greatly improve their health and significantly reduce the risks of heart disease, such as exercising regularly and eating healthy meals and snacks; and

WHEREAS, February of each year is nationally recognized as American Heart Month, Go Red for Women, and this year in Illinois, we want to give special emphasis to women’s heart health by declaring February Women’s Healthy Heart Month; and

WHEREAS, we are also proud to join various heart health organizations across the country in encouraging Americans to wear red on February 3 in support of the continued efforts to raise awareness of heart disease among women in Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2006 as WOMEN’S HEALTHY HEART MONTH in Illinois, and urge all citizens, especially women, to familiarize themselves with the risks and signs and symptoms of a heart attack, as well as the habits they can practice to improve their health and reduce the risks of heart disease.

Issued by the Governor January 09, 2006.
Filed by the Secretary of State January 09, 2006.

2006-5
AMBUCS NATIONAL VISIBILITY MONTH

WHEREAS, AMBUCS is a national service organization composed of a diverse group of men and women who are dedicated to fostering mobility and independence for those with disabilities; and

WHEREAS, today, there are more than 6,000 AMBUCS members throughout the country who administer wonderful programs such as
AMBUCS Scholars. Since its inception, the AMBUCS Scholars program has provided over $6 million to educate physical and occupational therapists; and WHEREAS, another AMBUCS program, AmBility, supports a variety of projects, including the distribution of therapeutic bicycles to children with disabilities, and ramp construction to make homes and businesses more accessible for the disabled; and WHEREAS, in addition to those programs, there are 15 AMBUCS chapters in Illinois that also partner with Easter Seals, Special Olympics, and other terrific organizations to broaden their services; and WHEREAS, during the month of February, the national organization will recognize all AMBUCS chapters and members for their commitment and dedication to helping those with disabilities: THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2006 as AMBUCS NATIONAL VISIBILITY MONTH in Illinois in recognition of AMBUCS chapters and members for their noble and worthy service to the community.

Issued by the Governor January 09, 2006.
Filed by the Secretary of State January 09, 2006.

2006-6
DR. MARTIN LUTHER KING, JR. DAY

WHEREAS, at the time of his death in 1968, Dr. Martin Luther King, Jr. was a leading advocate for racial equality, social justice, and universal peace; and WHEREAS, in the 11-year period between 1955 and 1968, Dr. King traveled more than six million miles and spoke on more than 2,500 occasions, appearing and speaking wherever there was injustice and civil unrest; and WHEREAS, during that time, Dr. King helped lead a successful bus boycott in Montgomery, Alabama to end segregation on city buses and improve treatment of passengers. King also led a massive civil rights protest in Birmingham, Alabama that drew worldwide attention to the appalling treatment of African Americans in the South; and WHEREAS, Dr. King is best known, however, for his I Have A Dream speech during the peaceful March on Washington demonstration for civil rights, in which he eloquently described a day when “all of God's
children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, ‘Free at last! Free at last! Thank God Almighty, we are free at last;’” and

WHEREAS, it has been more than 35 years since Dr. King’s death, but his words and teachings still resonate today. Consequently, the Illinois Department of Human Services Division of Community Health and Prevention is promoting an initiative in tribute to him on what would be his 77th birthday, for his commitment and dedication to public service and racial harmony; and

WHEREAS, the Division of Community Health and Prevention is encouraging leaders in every community to organize youth service projects on January 15 that will address local needs and promote unity:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 15, 2006 as DR. MARTIN LUTHER KING, JR. DAY in Illinois in honor and remembrance of Dr. King, whose dream of racial equality, social justice, and universal peace we embrace and strive to realize.

Issued by the Governor January 10, 2006.
Filed by the Secretary of State January 10, 2006.

2006-2 (REVISED)
NATIONAL BLOOD DONOR MONTH

WHEREAS, approximately four million patients in the United States receive blood transfusions every year, and roughly 38,000 units of blood are required in hospitals and emergency treatment facilities on any given day; and

WHEREAS, unfortunately, blood donations often fall short of demand. While approximately eight million volunteers donate blood every year, just one trauma patient can use more than 100 units of blood, and donated blood has a shelf life of only 42 days; and

WHEREAS, even if volunteers donated blood regularly, donors can give only one unit of blood every eight weeks. Consequently, there is a continual need to recruit more donors; and

WHEREAS, January is commemorated as National Blood Donor Month to promote blood donations. Less than 5 percent of the eligible
population actually donates blood, and community blood centers rely 100 percent on donations from volunteer donors in order to maintain a safe and viable blood supply:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2006 as NATIONAL BLOOD DONOR MONTH in Illinois, and encourage all eligible donors to open their hearts this month by giving blood.

Issued by the Governor January 11, 2006.
Filed by the Secretary of State January 11, 2006.

2006-7
VIPER MINE RESCUE CREW DAY

WHEREAS, we have all just witnessed a sad, sad tragedy. On the morning of Monday, January 2, a coal mine explosion trapped 13 miners 260 feet below ground in Sago Mine in Tallmansville, West Virginia; and
WHEREAS, in the immediate aftermath, International Coal Group dispatched a rescue team from Viper Mine in Williamsville, Illinois. The International Coal Group owns both mines in West Virginia and Illinois; and
WHEREAS, Viper Mine is about 10 miles north of Springfield, and employs approximately 250 men and women. Within two hours after they received the call, the Viper Mine’s seven-man rescue crew, a few of whom were on vacation, were on a plane en route to the disaster scene 630 miles away, and a second plane carried their gear; and
WHEREAS, the Viper team was among the first on the ground at the disaster site, and the only rescue crew from Illinois. As the situation unfolded, and rescue operations continued into Tuesday, the news became increasingly discouraging. Tests Tuesday morning showed the levels of carbon monoxide considerably higher than the level immediately dangerous to life and health. However, miners and their families in West Virginia and in central Illinois were holding out for a miracle; and
WHEREAS, Central Illinois miners were being briefed on the rescue effort at the beginning of each shift and keeping up with the news via televisions in the mine office’s common areas. Late Tuesday, rescue crews found one trapped miner dead, but they held out hope the others were still alive; and
WHEREAS, unfortunately, news circulated Wednesday morning that all but one of the trapped miners died. Our hearts go out to all their friends and families, and to the entire mining community; and

WHEREAS, although their rescue attempt did not save the trapped miners, their deaths do not diminish the audacious courage and bravery of the Viper team, who deserve our heartfelt thanks and admiration. Their names, which had been withheld during operations in deference to their families, are Pete Bryant, Brett Bushong, Ty Hunt, Brad Kauffman, Paul Perrine, Brandon Sanson, and Alan Setzer:

THEREFORE, I Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 12, 2006 as VIPER MINE RESCUE CREW DAY, and recognize and commend the Viper team for their selfless sacrifice and willingness to help fellow miners, the loss of whom we all grieve and to whose families I offer my most profound condolences and sympathies.

Issued by the Governor January 12, 2006.
Filed by the Secretary of State January 12, 2006.

2006-8
CORN PRODUCTS INTERNATIONAL DAY

WHEREAS, with a central location in the heartland of America, Illinois has become one of the top producers of agricultural commodities; and

WHEREAS, Illinois’ 76,000 farms cover 28 million acres, which is nearly 80 percent of the state’s total land area. Corn is raised on 800,000 acres of that land, and Illinois is the second largest producer of corn in the nation; and

WHEREAS, Illinois also produces more ethanol, a corn-derived fuel alternative, than any other state in the nation; and

WHEREAS, in all, Illinois’ agricultural commodities generate more than $9 billion in revenue every year. Billions of additional dollars flow into the state’s economy annually from ag-related industries such as farm machinery manufacturing, agricultural real estate, and the production and sale of value-added food products. Of those agricultural commodities, corn accounts for nearly 40 percent of the revenue; and

WHEREAS, Corn Products International, headquartered in
Westchester, Illinois, is one of the world’s largest corn refiners and a major supplier of high-quality food ingredients and industrial products derived from the wet milling and processing of corn and other starch-based materials; and

WHEREAS, this year, Corn Products International will celebrate its 100th year of playing an integral role in Illinois corn production:

THEREFORE, I Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 6, 2006 as CORN PRODUCTS INTERNATIONAL DAY in Illinois in recognition of Corn Products International and all those who keep our state in the forefront of corn production.

Issued by the Governor January 12, 2006.
Filed by the Secretary of State January 12, 2006.

2006-9
NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK

WHEREAS, a form of domestic violence, teen dating violence is generally an unspoken problem that is only now beginning to receive attention. One in three female high school students report physical or sexual abuse by a dating partner, and more than 40 percent of male and female high school students have been victims of dating violence at least once; and

WHEREAS, those abused during adolescence are at a higher risk for substance abuse, eating disorders, risky sexual behavior, and suicide, and many will continue to be abused during their adult relationships; and

WHEREAS, unfortunately, 81 percent of parents either believe teen dating violence is not an issue or admit they do not know if it is an issue. Consequently, the American Bar Association has embarked on a national campaign to raise awareness about teen dating violence; and

WHEREAS, thanks to funding from the United States Department of Health and Human Services, the American Bar Association hosted a Teen Dating Violence Prevention National Summit in November of 2004. During the summit, state teams from across the country developed awareness and prevention toolkits for use by high schools during the 1st Annual National Teen Dating Violence Awareness and Prevention Week, which will be held from February 6-10; and
WHEREAS, children are extremely impressionable, and studies show that raising children today requires the help of an entire community. Remaining silent about teen dating violence sends a message that it is acceptable, but by working together we can prevent this deplorable behavior:

THEREFORE, I Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 6-10, 2006 as NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK in support of the American Bar Association’s wonderful campaign to bring attention to teen dating violence, which has been ignored for far too long, and to encourage all citizens to learn what they can do to prevent it.

Issued by the Governor January 13, 2006.
Filed by the Secretary of State January 13, 2006.

2006-10
REVEREND M. EARLE SARDON

WHEREAS, while risking his life in combat during the Second World War to secure liberty for millions who lost their freedom, Rev. M. Earle Sardon pledged to help secure freedom for his own countrymen when he returned home; and

WHEREAS, true to his word, Rev. Sardon dedicated himself to helping the disenfranchised. In 1946, he helped establish the first civil rights organization in Chicago called the Negro Labor Relations League, which waged nonviolent campaigns against businesses that only employed white Americans; and

WHEREAS, thanks to the relentless efforts of Rev. Sardon and the Negro Labor Relations League, many businesses opened employment to African Americans for jobs such as driver salesmen at beer, bread, cake, cookie, and pie companies, tellers and office staff at banks, ushers at sporting events, and money transport drivers; and

WHEREAS, as a community activist, Rev. Sardon was a leader during the Civil Rights Movement. Beginning in 1961, he joined the distinguished Dr. Martin Luther King, Jr. in Georgia, Washington, D.C., and Chicago in his efforts to secure freedom for masses of people; and

WHEREAS, in 1978, Rev. Sardon began a general campaign under the banner of Crusaders of Justice to help the poor and underprivileged. Staff
and volunteers have collected and distributed clothing, as well as prepared and distributed meals to the elderly, disabled, and homeless, and provided other vital and essential services for thousands of men, women, and children in need; and

WHEREAS, over the years, Rev. Sardon has also been a vocal advocate for religious freedom and served in a number of public capacities, including as a board member of the Illinois Citizens Utility Board and Director of the Chicago AmeriCorps*VISTA program site; and

WHEREAS, although Rev. E. Earle Sardon has spent most of his life serving the African American community and working to expand opportunities and improve living conditions for African Americans, as well as others, he has not received the appreciation that he so justly deserves for all his accomplishments and achievements:

THEREFORE, I Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize and commend Rev. M. Earle Sardon for his tireless commitment and dedication to racial equality and social justice, and encourage all citizens to join in acknowledging this great man and faithful public servant.

Issued by the Governor January 19, 2006.
Filed by the Secretary of State January 19, 2006.

2006-11
NATIONAL WOMEN’S HEART WEEK

WHEREAS, heart disease claims the lives of nearly 500,000 women in the United States every year, at a rate of about one death per minute, and is the leading cause of death among women. In Illinois alone, 15,796 women died in 2002 due to diseases of the heart; and

WHEREAS, the majority of women are not aware of their risk factors for a heart attack, nor are they even aware of the signs and symptoms of a heart attack. Risk factors for a heart attack include tobacco use, high blood cholesterol, high blood pressure, physical inactivity, diabetes and obesity; and

WHEREAS, signs and symptoms of a heart attack include uncomfortable pressure, squeezing, fullness or pain in the center of the chest that lasts more than a few minutes, or goes away and comes back; pain or discomfort in one or both arms, the back, neck, jaw or stomach; shortness of
breath along with, or before, chest discomfort; and cold sweat, nausea or lightheadedness; and

WHEREAS, heart disease is a serious problem that unnecessarily affects far too many Americans. Consequently, it is critical that Americans are also more attentive of certain habits that will both greatly improve their health and significantly reduce the risks of heart disease, such as exercising regularly; and

WHEREAS, in addition to reducing the risks of heart disease, exercising regularly also helps us keep in shape, relieve stress, and reduce the risks of diabetes. Consequently, the Women’s Heart Foundation is kicking off a nationwide 10,000 Steps Challenge during their 12th Annual Women’s Heart Week to promote exercise; and

WHEREAS, just walking 10,000 steps a day can significantly improve our health and quality of life. This year, National Women’s Heart Week is from February 1-7:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 1-7, 2006 as NATIONAL WOMEN’S HEART WEEK in Illinois in support of the wonderful campaign by the Women’s Heart Foundation, and to encourage all citizens, especially women, to exercise regularly.

Issued by the Governor January 23, 2006.
Filed by the Secretary of State January 23, 2006.

2006-12
LAND SURVEYORS' MONTH

WHEREAS, the profession of land surveying is one of the oldest technical services and essential for determining land and property rights, development, and construction; and

WHEREAS, land surveying is the art and science of establishing or reestablishing boundaries, corners, lines, and monuments of land and property based upon recorded documents, historical evidence, and present standards of practice; and

WHEREAS, land surveying also includes associated services such as written legal descriptions, utilization and analysis of survey data, subdivision planning and design, mapping, construction layout, and precision...
measurements of angle, elevation, length, area, and volume; and

WHEREAS, some of the most famous Americans have been land surveyors, including George Washington. Indeed, George Washington’s skills as a land surveyor helped him successfully plan and execute military campaigns and operations over terrain and on battlefields throughout New England and the mid-Atlantic states during the Revolutionary War; and

WHEREAS, another famous land surveyor from Illinois, Abraham Lincoln, saved the nation George Washington helped to forge. Incidentally, both President Lincoln and Washington were born during the month of February; and

WHEREAS, the month of February is also the anniversary of the Illinois Professional Land Surveyors Association. This year, they celebrate 78 years of representing the profession of land surveying:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2006 as LAND SURVEYORS’ MONTH in Illinois to recognize land surveyors for their indispensable work, and to congratulate the Illinois Professional Land Surveyors Association for their years of service to the profession of land surveying.

Issued by the Governor January 23, 2006.
Filed by the Secretary of State January 23, 2006.

2006-13
SCHOOL SOCIAL WORK WEEK

WHEREAS, every day, millions of parents entrust the education of their children to thousands of classroom teachers at hundreds of schools all across the state. Unfortunately, teaching is not easy when there are many distractions; and

WHEREAS, in addition to contending with personal and family problems that have always accompanied children, classroom teachers now have to compete with technology such as cell phones, computers, and television; and

WHEREAS, indeed, it is more difficult to engage children in the classroom today than ever before. That is why the role of school social workers is more important today than ever before; and

WHEREAS, school social workers have the critically important job
of helping classroom teachers provide the best education possible. They do so by offering a number of services to children such as academic assistance, conflict resolution, crisis intervention, group counseling, and coordination of school and community health resources; and

WHEREAS, school social workers also serve as a link between schools and parents when classroom teachers have not been able to reach them through normal channels. In all, there are more than 2,200 school social workers in Illinois; and

WHEREAS, for the past 19 years, the Governor of the State of Illinois has proclaimed a week in March to commend and honor school social workers in our state:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 5-11, 2006 as SCHOOL SOCIAL WORK WEEK in Illinois in recognition of school social workers for their essential and vital support of classroom teachers and their commitment and dedication to the well-being of children.

Issued by the Governor January 23, 2006.
Filed by the Secretary of State January 23, 2006.

2006-14
MEDICAL ASSISTANTS WEEK

WHEREAS, today, doctors in Illinois are under mounting pressure. Due to increasing medical liability insurance rates, many doctors have been forced to leave our state; and

WHEREAS, last year, the legislature passed, and I approved, legislation that amends medical liability insurance rates and regulation, which will hopefully keep and attract more doctors here; and

WHEREAS, in the meantime, medical assistants are helping doctors in Illinois cover the vacuum of medical services left behind by the departure of their colleagues; and

WHEREAS, doctors are seeing three to four times the number of patients they would normally see because of the loss of their peers, and medical assistants provide the necessary support needed to keep their offices functioning and running smoothly; and

WHEREAS, patients are also receiving better care and treatment
thanks to medical assistants, who improve their knowledge and skills through educational programs offered by professional organizations such as the Illinois Society of Medical Assistants:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim October 16-20, 2006 as MEDICAL ASSISTANTS WEEK in Illinois in recognition of medical assistants for their commitment and dedication to the medical profession and to the well-being of patients, especially during this trying time for them and doctors.

Issued by the Governor January 23, 2006.
Filed by the Secretary of State January 23, 2006.

2006-15
RONALD REAGAN DAY

WHEREAS, Ronald Reagan was born on February 6, 1911 in Tampico, Illinois. After attending high school in Dixon, Illinois, Reagan went on to earn a degree in economics and sociology from Eureka College, where he also played football and acted on stage; and

WHEREAS, Reagan began his professional career as a radio sports announcer, calling games for the University of Iowa, and later for the Chicago Cubs. In 1937, when in California to cover spring training for the Cubs, a screen test won him a seven-year acting contract with Warner Brothers Studio; and

WHEREAS, over the next two decades, Reagan appeared in more than 50 feature films. His clear voice, easy going manner, and athletic physique made him popular with audiences, which was undoubtedly one of the reasons he was selected to serve as president of the Screen Actors Guild in 1947; and

WHEREAS, it was during his tenure as president of the Screen Actors Guild that Reagan got his first taste of politics. In 1966, he ran for and was first elected Governor of California. He was reelected in 1970, and subsequently made several attempts to secure the Republican presidential nomination, finally succeeding in 1980; and

WHEREAS, Reagan went on to defeat incumbent President Jimmy Carter during the general election and was sworn in as the 40th President of the United States on January 20, 1981. His greatest achievements as president
were in the area of foreign policy. After he was reelected in 1984, President Reagan improved relations with the Soviet Union and negotiated a treaty to eliminate intermediate range nuclear missiles; and

WHEREAS, in November of 1994, Reagan publicly announced that he had Alzheimer’s disease. Nearly ten years later, on June 5, 2004, he passed away at the age of 93; and

WHEREAS, this year marks the 25th anniversary of President Reagan’s first inauguration. Today, Americans remember him for his strong and confident leadership while he was president, which endeared him to millions of Americans and people around the world:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 6, 2006 as RONALD REAGAN DAY in Illinois in honor and remembrance of President Reagan on what would have been his 95th birthday.

Issued by the Governor January 23, 2006.
Filed by the Secretary of State January 23, 2006.

2006-16
NATIONAL BLACK NURSES' DAY

WHEREAS, today, doctors in Illinois are under mounting pressure. Due to increasing medical liability insurance rates, many doctors have been forced to leave our state; and

WHEREAS, last year, the legislature passed, and I approved, legislation that amends medical liability insurance rates and regulation, which will hopefully keep and attract more doctors here; and

WHEREAS, in the meantime, the doctors who remain bear the brunt of the workload left behind by the departure of their colleagues. Unfortunately, a national shortage of nurses in the healthcare industry has also compounded the problem; and

WHEREAS, nurses have been critical to helping doctors in Illinois. Doctors are seeing three to four times the number of patients they would normally see because of the loss of their peers, and nurses provide the necessary support needed to keep their offices functioning and running smoothly; and

WHEREAS, in 1988, Congress declared the first Friday of February
as a day to acknowledge all African-American nurses for their contributions to healthcare. This year, the City of Chicago’s four African-American nursing associations are teaming up to celebrate the day, which falls on February 3:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 3, 2006 as NATIONAL BLACK NURSES’ DAY in Illinois to promote the nursing profession, and in recognition of all nurses, including African-American nurses, for their commitment and dedication to the medical profession and to the well-being of patients, especially during this trying time for them and doctors.

Issued by the Governor January 24, 2006.
Filed by the Secretary of State January 24, 2006.

2006-17
PERIANESTHESIA NURSE AWARENESS WEEK

WHEREAS, perianesthesia nursing is a specialized nursing practice dealing in all phases of preanesthesia and postanesthesia care, ambulatory surgery and pain management; and

WHEREAS, the depth and breadth of the perianesthesia nursing profession meets the varied and emerging health care needs of the American population in a diversified range of environments; and

WHEREAS, the demand for perianesthesia nurses will only increase due to an aging American population and advances in medicine that are prolonging life. Consequently, the role of these nurses is essential and vital in the quality of health care and safety of patients in the hospital and ambulatory surgery settings; and

WHEREAS, there are more than 49,000 perianesthesia nurses in the United States. The American Society of PeriAnesthesia Nurses represents them and is one of our nation’s premier specialty nursing organizations; and

WHEREAS, their mission is to advance the field of nursing by providing education, conducting research and developing professional standards of practice for their field; and

WHEREAS, the Illinois Society of PeriAnesthesia Nurses, founded in 1976 as a branch of the American Society, also represents perianesthesia nurses and promotes quality and cost-effective care for their patients; and

WHEREAS, the Illinois Society of PeriAnesthesia Nurses, in
PROCLAMATIONS

conjunction with the American Society of PeriAnesthesia Nurses will recognize perianesthesia nurses during PeriAnesthesia Nurse Awareness Week, with the theme, “Perianesthesia Nurses…Exceptional People touching your world:”

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 6-12, 2006 as PERIANESTHESIA NURSE AWARENESS WEEK in Illinois, and join the American and Illinois Society of PeriAnesthesia Nurses’ recognition of perianesthesia nurses for their indispensable service to the medical profession, as well as quality care and treatment of patients.

Issued by the Governor January 24, 2006.
Filed by the Secretary of State January 24, 2006.

2006-18
FOUR CHAPLAINS SUNDAY

WHEREAS, on February 3, 1943, four United States Army lieutenants and chaplains sacrificed their lives in one of the most inspiring acts of heroism during the Second World War; and

WHEREAS, once a luxury coastal liner, the U.S.A.T. Dorchester set out with three escort ships on February 2 for an American base in Greenland. Less than 150 miles from its destination, the ship was attacked by a German submarine shortly after midnight; and

WHEREAS, aboard the U.S.A.T. Dorchester, panic and chaos set in. The blast killed scores of men, and many more were seriously wounded. Alerted that the Dorchester was taking on water and sinking rapidly, the captain gave the order to abandon ship; and

WHEREAS, those who were capable made their way towards the deck through the darkness. Once topside, men jumped from the ship for lifeboats. Some were overcrowded and capsized. Others drifted away before soldiers and sailors could get in them; and

WHEREAS, through the pandemonium, Reverend George L. Fox, Rabbi Alexander D. Goode, Reverend John P. Washington and Reverend Clark V. Poling spread out among the soldiers to calm the frightened, tend the wounded and guide the disoriented toward safety; and

WHEREAS, at one point, Rabbi Goode gave away his own gloves to
a comrade who had the bad fortune of forgetting his. Shortly thereafter, the chaplains opened a storage locker filled with lifejackets and began distributing them; and

    WHEREAS, it was then that John Ladd witnessed an astonishing sight. When they ran out of lifejackets, the chaplains removed theirs and gave them to four frightened young men. John said, “It was the finest thing I have seen or hope to see this side of heaven;” and

    WHEREAS, as the ship went down, other survivors in nearby rafts saw the chaplains with arms linked and braced against the slanting deck. They were also heard offering prayers; and

    WHEREAS, the Dorchester sunk less than 27 minutes after it was struck. Of the 902 men aboard, 672 died, including all four chaplains. When news reached American shores, the nation was stunned by the magnitude of the tragedy and heroic conduct of the chaplains; and

    WHEREAS, all four chaplains were posthumously awarded the Distinguished Service Cross and Purple Heart, as well as a Special Medal of Heroism specially authorized for them by Congress. Every year, the Combined Veterans of Illinois sponsor a memorial service for them, which will be held this year at the Northwest Suburban Jewish Congregation on Sunday, February 5:

    THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 5, 2006 as FOUR CHAPLAINS SUNDAY in Illinois in honor and remembrance of the four brave and courageous chaplains who selflessly made the ultimate sacrifice to save the lives of others.

    Issued by the Governor January 26, 2006.
    Filed by the Secretary of State January 26, 2006.

2006-19
DELTA SIGMA THETA SORORITY SPRINGFIELD-DECATUR
AREA ALUMNAAE CHAPTER DAY

    WHEREAS, chartered in 1976, the Delta Sigma Theta Sorority Springfield-Decatur Area Alumnae Chapter will celebrate their 30th anniversary on Saturday, January 28 at the Springfield Hilton Hotel; and

    WHEREAS, Delta Sigma Theta Sorority is a minority public service
organization that was founded in 1913 by 22 students at Howard University who wanted to collectively promote academic excellence and provide assistance to those in need; and

WHEREAS, today, there are more than 200,000 African-American women members of the sorority from more than 900 chapters throughout the world, including the United States, England, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, and South Korea; and

WHEREAS, programming of Delta Sigma Theta Sorority revolves around five central areas: economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement; and

WHEREAS, the sorority’s Springfield-Decatur Area Alumnae Chapter has been active in each of those areas. For the past 12 years, they have sponsored a traveling fashion show, which showcases the latest in fashion. Funds from the event are awarded as youth enhancement grants to selected individuals and organizations; and

WHEREAS, recently, the alumni chapter held their 10th Annual Pre-Kwanzaa Holiday Expo to give the community an opportunity to complete their holiday shopping by supporting area minority businesses. Every year, the chapter also awards numerous scholarships to deserving college-bound students:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 28, 2006 as DELTA SIGMA THETA SORORITY SPRINGFIELD-DECATUR AREA ALUMNAE CHAPTER DAY in Illinois in recognition of the alumni chapter for their service to the community, and to congratulate them on their exciting milestone.

Issued by the Governor January 26, 2006.
Filed by the Secretary of State January 26, 2006.

2006-20
WILLIAM “BILL” RUTHERFORD DAY

WHEREAS, on February 3, William “Bill” Rutherford of Peoria, Illinois will receive the Rotary International Service Above Self Award, the highest honor for Rotarians; and

WHEREAS, Rotary International is a worldwide organization of
business and professional leaders that provides humanitarian service, encourages high ethical standards in all vocations, and helps build goodwill and peace in the world; and

WHEREAS, Paul Harris founded the first Rotary Club in Chicago on February 23, 1905. Today, there are more than 1.2 million members of more than 31,000 Rotary clubs in 166 countries united under the banner of Service Above Self; and

WHEREAS, the Rotary International Service Above Self Award was established in 1991 to recognize Rotarians who have demonstrated exemplary humanitarian service, in any form and at any level, with an emphasis on personal volunteer efforts and active involvement in helping others through Rotary; and

WHEREAS, Bill Rutherford is the first recipient of this award from his local district, and he has a long litany of public service. In 1949, Bill helped found the Institute of Physical Medicine and Rehabilitation. The initial mission of the center was to treat emotional and physical problems of veterans from the Second World War, during which Bill served as a flight instructor for the Navy. Today, the center treats amputees, stroke victims, and those suffering from head and spinal cord injuries; and

WHEREAS, in 1978, Bill Rutherford also helped turn 2,000 acres of strip mine land into a conservation and wildlife preserve, which is now home to a great variety of animals, including buffalo, bears, wolves, and elk. Subsequently, Bill consulted with New Zealand and Australian authorities to help them establish similar parks; and

WHEREAS, we should all leave the world a better place than when we were born into it. Bill has clearly done that by his wonderful contributions to Central Illinois and the country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 3, 2006 as WILLIAM “BILL” RUTHERFORD DAY in Illinois in recognition of Bill for his tireless and selfless service to others, and to congratulate him for his selection by Rotary International for their exclusive Service Above Self Award.

Issued by the Governor January 26, 2006.

Filed by the Secretary of State January 26, 2006.
WHEREAS, autism is the third most common developmental disability in the United States. Today, one in 166 Americans are afflicted with the disorder; and

WHEREAS, autism is caused by a neurological disorder that affects the normal functioning of the brain, and generally manifests during the first three years of life. The disorder is four times more likely in males than in females, but can affect anyone, regardless of race or ethnicity; and

WHEREAS, symptoms and characteristics of autism vary in combination from mild to severe. This complex and lifelong developmental disability can significantly impair one’s ability to learn, develop healthy social behaviors, and understand verbal as well as nonverbal communication; and

WHEREAS, although autism was first identified in 1943, it remains a relatively unknown disability. A majority of the public, including many professionals in the educational and medical fields, are still unaware of the best methods to diagnose and treat the disorder; and

WHEREAS, while there is no known cure for autism at this time, educators and therapists can help children and adults with autism overcome or adjust to many difficulties. Early and accurate diagnosis and special care and treatment are important for their successful development; and

WHEREAS, the Autism Society of Illinois is the state chapter of the nationally-recognized Autism Society of America. It is their mission to provide support and resources for children and adults with autism and their families; and

WHEREAS, this year is the 30th anniversary of the state chapter. On March 23, members from at least a couple dozen local support groups and provider organizations will join members of the Autism Society of Illinois at the State Capitol to address autism issues and concerns just before Autism Awareness Month in April:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 23, 2006 as AUTISM DAY and April 2006 as AUTISM AWARENESS MONTH in Illinois to raise awareness about autism, and in support and recognition of the Autism Society of Illinois
as they celebrate 30 years of service to autistic children and adults and their families.

Issued by the Governor January 26, 2006.
Filed by the Secretary of State January 26, 2006.

2006-22
LUNAR NEW YEAR CELEBRATION DAY

WHEREAS, January 29 is the first day of the Lunar New Year, also known as Chinese New Year or Spring Festival. The Chinese calendar has been in continuous use for centuries, predating the international calendar that we use at the present day, which goes back only some 425 years; and

WHEREAS, the Chinese calendar measures time from short durations of minutes and hours to intervals of time measured in months, years, and centuries that are entirely based on the astronomical observations of the movement of the sun, the moon, and the stars; and

WHEREAS, New Year’s Eve and New Year’s Day are celebrated as a family affair, a time of reunion and thanksgiving. Traditionally, the celebration was highlighted with a religious ceremony given in honor of Heaven and Earth, the gods of the household and the family ancestors; and

WHEREAS, the sacrifice to the ancestors, the most vital of all the rituals, united the living members with those who had passed away. Departed relatives are remembered with great respect because they were responsible for laying the foundations for the fortune and glory of the family; and

WHEREAS, today, the presence of the ancestors is acknowledged on New Year’s Eve with a dinner arranged for them at the family banquet table. The spirits of the ancestors, together with the living, celebrate the onset of the New Year as one great community. The communal feast, called “surrounding the stove” or weilu, symbolizes family unity and honors the past and present generations; and

WHEREAS, many Chinese began immigrating to America during the 1850’s, and this began a new era of Asian immigration in the United States:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 29, 2006 as LUNAR NEW YEAR CELEBRATION DAY in Illinois in recognition of this important holiday for Asian-Americans, who have made significant contributions to our great State,
and encourage all citizens to join their wonderful cultural tradition by
celebrating the Lunar New Year with friends and family.

Issued by the Governor January 27, 2006.
Filed by the Secretary of State January 31, 2006.

2006-23
AFRICAN-AMERICAN VETERANS RECOGNITION DAY

WHEREAS, in the face of great adversity, African-American men and
women have displayed a history of patriotism by courageously serving in all
branches of the United States Armed Forces; and

WHEREAS, African-American men and women have served and
distinguished themselves in times of peace as well as during every major
conflict since the birth of our nation; and

WHEREAS, certain African-American groups such as: Company E,
4th United States Colored Infantry; the Tuskegee Airmen; the Montford Point
Marines; the 555th Airborne Battalion; the 761st Tank Battalion; and the
“Golden Thirteen” have become historical icons in American military history;
and

WHEREAS, African-American men and women continue to bravely
serve in all branches of the United States Armed Forces and carry on a great
legacy of patriotism; and

WHEREAS, the State of Illinois is proud to participate in the “Salute
to African-American Veterans” on February 18, 2006, to acknowledge the
numerous accomplishments made by these brave men and women who have
served their country through military service:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim February 18, 2006 as AFRICAN-AMERICAN
VETERANS RECOGNITION DAY in Illinois, and encourage all citizens to
honor those veterans who have courageously served their country.

Issued by the Governor January 30, 2006.
Filed by the Secretary of State January 31, 2006.
WHEREAS, colorectal cancer, cancer of the colon or rectum, is the second leading cause of cancer-related deaths in the United States for both men and women combined. The disease surpasses both breast and prostate cancer in mortality, second only to lung cancer in numbers of cancer deaths; and

WHEREAS, Merle Rosenberg from Northbrook, Illinois was one victim of colorectal cancer. Although he underwent a sigmoidoscopy, the disease went undetected, and Merle passed away in 1998 after suffering a protracted battle with the insidious disease; and

WHEREAS, sadly, there are thousands of Americans like Merle who die from colorectal cancer every year. An estimated 56,000 men and women died from the disease just in 2005, and it is estimated that more than 145,000 Americans will be diagnosed with colorectal cancer this year; and

WHEREAS, today, approximately 90 percent of colorectal cancers and deaths are thought to be preventable thanks to a procedure called a colonoscopy, which, unlike a sigmoidoscopy, allows doctors to look inside the entire large intestine; and

WHEREAS, most cases of colorectal cancer begin as non-cancerous polyps, which are grape-like growths on the lining of the colon and rectum. These polyps can become cancerous. Consequently, their removal can prevent colorectal cancer from ever developing; and

WHEREAS, because there are often no symptoms related to polyps, it is important to get screened regularly. Men and women at an average risk for the disease should start getting screened after the age of 50. Recent research has shown that African Americans are more frequently diagnosed at a younger age. Experts suggest they begin screening after the age of 45; and

WHEREAS, colorectal cancer screening tests can even save lives when they detect polyps that have become cancerous. When discovered early, the disease can be cured in most cases. Unfortunately, less than 50 percent of Americans over the age of 50 receive regular screenings for colorectal cancer; and

WHEREAS, a number of organizations throughout the country will sponsor activities and events this March that educate the public about the
importance of getting screened regularly, as well as other ways to reduce the risk of colorectal cancer, such as adopting a healthy lifestyle and diet:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as COLORECTAL CANCER AWARENESS MONTH in Illinois to raise awareness about colorectal cancer, and to promote colonoscopies so that others can avoid the same fate as Merle Rosenberg or any of the victims of this terrible disease.

Issued by the Governor January 31, 2006.
Filed by the Secretary of State January 31, 2006.

2006-25
BURN AWARENESS WEEK

WHEREAS, severe burn injuries are a leading cause of death in the United States. Sadly, children, the elderly, and those with disabilities are most likely to become victims of serious burns. Young children are particularly vulnerable; and

WHEREAS, although approximately 75 percent of all burn injuries and deaths are preventable, more than one million Americans suffer burn injuries of some kind every year. Of those burn victims, more than one of every three are children; and

WHEREAS, there are care centers throughout the country that treat burn victims, including four Shriners Hospitals that provide medical aid and assistance totally and completely free of charge to burned children; and

WHEREAS, the Shriners of North America built the first Shriners Hospital in 1922 in Shreveport, Louisiana to treat crippled children. Three decades later, in 1963, they opened the first Shriners burn facility at the University of Texas Medical Branch in Galveston; and

WHEREAS, while children with burns over 45 percent of their body were considered fatal in 1968, many children with burns over 95 percent of their bodies survive today thanks to care centers such as Shriners Hospitals; and

WHEREAS, by being vigilant, we can even prevent most burn injuries. Consequently, educators and professionals promote burn prevention and safety every year during Burn Awareness Week, which is observed the first full week in February:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 5-11, 2006 as BURN AWARENESS WEEK in Illinois to raise awareness about the problem of burn injuries and deaths, and to recognize the Shriners Hospitals and all care centers that treat burn victims for their commitment and dedication to them.

Issued by the Governor January 31, 2006.
Filed by the Secretary of State January 31, 2006.

2006-26
STUDENT COUNCIL WEEK

WHEREAS, Student Council is a terrific opportunity for our leaders of tomorrow; and

WHEREAS, Student Council is a hands-on experience that teaches students the fundamentals of leading. The first ingredient of leadership is establishing a vision that others share and are willing to invest their personal resources for; and

WHEREAS, once a vision is established, it is important to determine how to get there, and essential to that success is communication, teamwork, and perseverance. Finding common ground, building consensus, and inspiring cooperation to achieve a goal is what leadership is all about; and

WHEREAS, the good leaders are those who know that, and the best leaders are those whose results support their vision; and

WHEREAS, Student Council is a civics lesson in motion, and in the process, members also promote school spirit, raise money for charity, and volunteer their time to community service. Indeed, Student Council is a wonderful organization that benefits students, schools, and the entire community; and

WHEREAS, this year, Woodstock High School will host the 72nd Annual Illinois Association of Student Councils State Convention at the Springfield Hilton and Renaissance Hotels from May 4-6. The conference will attract students from all across the state. There, they will participate in seminars and workshops to exchange event ideas and to help them become better leaders:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 30-May 7, 2006 as STUDENT COUNCIL
WEEK in Illinois in support of Student Council, and to encourage our future leaders attending the Illinois Association of Student Councils State Convention to share and apply what they learn there.

Issued by the Governor January 31, 2006.
Filed by the Secretary of State January 31, 2006.

**2006-27**

**UNIMIN CORPORATE CONSERVATION AWARENESS DAY**

WHEREAS, the Illinois Endangered Species Protection Act states that the Illinois Department of Natural Resources, with the advice of the Illinois Endangered Species Protection Board, shall actively plan and implement a program for the conservation of endangered and threatened species; and

WHEREAS, the official Illinois Endangered and Threatened Species List currently contains the names of 144 endangered and threatened animals, as well as 339 endangered and threatened plants. Among the animals named are the Indiana Bat, the Timber Rattlesnake, and the Southeastern Bat; and

WHEREAS, the Illinois Department of Natural Resources recognizes that only through partnership between public and private sectors can we truly achieve restoration and responsible management of our native flora and fauna; and

WHEREAS, the Unimin Corporation’s Tamms/Elco Plant is one facility that has consistently demonstrated excellence in the realms of wildlife habitat enhancement and endangered and threatened species restoration. They are located in southern Illinois and distinguished themselves by winning the coveted Wildlife Habitat Council’s 2005 Corporate Habitat of the Year award, which goes to one recertified program each year. Employees and volunteers take advantage of the opportunities created by the site’s mining and reclamation program to incorporate wildlife management projects for an incredible diversity of native species across 1,950 acres; and

WHEREAS, extensive education efforts are also undertaken by Unimin employees to teach school children about the components of the wildlife program. The site has been certified by the Wildlife Habitat Council for habitat since 1997 and Corporate Lands for Learning since 2004; and

WHEREAS, this is the second time the facility has been presented
with the honor, and representatives from the Department of Natural Resources will join them for a celebration on February 11:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 11, 2006 as UNIMIN CORPORATE CONSERVATION AWARENESS DAY in recognition of UNIMIN for their unwavering commitment and numerous contributions to environmental stewardship and native biodiversity, and in support of the efforts of all our corporate partners as we strive towards preservation through action, education, and leadership.

Issued by the Governor January 31, 2006.
Filed by the Secretary of State January 31, 2006.

2006-28
MYRA AND JOHN REILLY DAY

WHEREAS, the Midwest Eye-Banks makes the Gift of Sight possible by providing corneal tissue from donors to the people for whom a corneal transplant is a second chance for sight; and

WHEREAS, the Midwest Eye-Banks accomplishes its mission through public and professional education, donor coordination, and distribution of eye tissue for transplantation, research, and training; and

WHEREAS, this year, the Midwest Eye-Banks will be presenting its Gift of Sight Gala 2006 on March 24, at the Ritz-Carlton in Chicago; and

WHEREAS, this year, the Midwest Eye-Banks will honor Myra and John Reilly as the “2006 Woman and Man of Vision” for their outstanding community involvement and strong civic leadership in the City of Chicago; and

WHEREAS, Myra and John Reilly have served as chairperson and/or committee members for many Chicago civic and charitable causes including Service Club of Chicago, Lincoln Park Zoo, Parkways Foundation, Chicago Historical Society, Catholic Charities, Project Exploration, Hubbard Street Dance Company, Northwestern Memorial’s Women’s Board, Rush-St. Luke’s Women’s Board, and Board of Directors of Hinsdale Hospital:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 24, 2006 as MYRA AND JOHN REILLY DAY in Illinois in recognition of their significant contributions to our great
WHEREAS, congenital heart defects, the most common type of major birth defect and the leading cause of birth defect related deaths, develop during pregnancy when a baby’s heart fails to form properly, resulting in structural abnormalities; and

WHEREAS, every year, approximately 40,000 babies in the United States, including about 2,000 in Illinois, are born with congenital heart defects, resulting in thousands of families across America facing the challenge and hardship of raising children with this birth defect; and

WHEREAS, congenital heart defects are still a little known problem and, as a result, congenital heart defects may not be diagnosed until months or years after birth; and

WHEREAS, those born with congenital heart defects are usually not diagnosed and treated until later, which creates complications and concerns; and

WHEREAS, many deaths of young athletes due to cardiac arrest are attributed to treatable congenital heart defects that go undiagnosed, and

WHEREAS, the proper treatment for those with a congenital heart defect can mean living a healthy life well into adulthood, and

WHEREAS, by raising awareness about congenital heart defects and the importance of early detection and treatment, we can save countless lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 7-14, 2006 as CONGENITAL HEART DEFECT AWARENESS WEEK and February 14, 2006 as A DAY FOR HEARTS: CONGENITAL HEART DEFECT AWARENESS DAY in Illinois to promote early detection and treatment of the problem.

Issued by the Governor February 01, 2006.
Filed by the Secretary of State February 01, 2006.
WHEREAS, a commitment to career and technical education helps to ensure that Illinois has a strong, well-trained workforce that enhances productivity in business and industry, and solidifies the state’s leadership in the national and international marketplaces; and

WHEREAS, providing citizens with career and technical education can stimulate the growth and vitality of businesses and industries by preparing workers for the occupations forecasted to experience the largest and fastest growth in the next decade; and

WHEREAS, individual citizens benefit from a career and technical education because it enables them to find satisfying careers suited to their own skills and interests, provides technical skills that allow them to excel in their chosen careers and teaches leadership skills that serve them on the job, at home and in the community; and

WHEREAS, for over 60 years, the Illinois Association for Career and Technical Education (IACTE), the only association in Illinois dedicated to the support and service of career and technical educators, has been committed to the betterment of the profession, and to providing visibility and assistance for vocational and technical education; and

WHEREAS, each year, the IACTE celebrates Career and Technical Education Week to promote the advancement of the career and technical education profession in this state. The theme for this year’s week is “Career Tech: Education for Success”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 12-18, 2006 as CAREER AND TECHNICAL EDUCATION WEEK in Illinois, and encourage all citizens to become familiar with the services and benefits offered by career and technical education programs in our state, and to support and participate in these programs to enhance individual work skills and productivity.

Issued by the Governor February 02, 2006.

Filed by the Secretary of State February 02, 2006.
WHEREAS, 77 years ago, the founders of the League of United Latin American Citizens, better known as LULAC, joined together to establish an organization that would become the largest, oldest and most successful Hispanic civil rights and service organization in the United States; and

WHEREAS, since its inception on February 17, 1929 in Corpus Christi, Texas, LULAC has championed the cause of Hispanic Americans in education, employment, economic development and civil rights; and

WHEREAS, LULAC has developed a comprehensive set of nationwide programs fostering educational attainment, job training, housing, scholarships, citizenship, and voter registration; and

WHEREAS, LULAC members throughout the nation have developed a tremendous track record of success advancing the economic condition, educational attainment, political influence, health and civil rights of the Hispanic population of the United States; and

WHEREAS, LULAC has adopted a legislative platform that promotes humanitarian relief for immigrants, increased educational opportunities for our youth, and equal treatment for all Hispanics in the United States and its territories including the Commonwealth of Puerto Rico; and

WHEREAS, this year, the League of United Latin American Citizens will celebrate seventy-seven years of community service to increase educational opportunities and improve the quality of life for Hispanic Americans:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 13-19, 2006 as NATIONAL LULAC WEEK in Illinois, and encourage all citizens to recognize this organization’s seventy-five years of service and outstanding contributions LULAC has made to our state and country.

Issued by the Governor February 02, 2006.

Filed by the Secretary of State February 02, 2006.
2006-32
CORETTA SCOTT KING MEMORIAL DAY

WHEREAS, born on April 27, 1927 in Marion, Alabama, Coretta Scott graduated from Lincoln High School as valedictorian. She then went on to Antioch College in Yellow Springs, Ohio to receive a B.A. in music and education; and

WHEREAS, Coretta Scott moved to Boston to study voice and violin at the New England Conservatory of Music. It was in Boston that she met Martin Luther King, Jr, a young Baptist minister studying systematic theology at Boston University. They were married on June 18, 1953 in a ceremony that took place in her parent’s house in Marion, Alabama performed by Dr. King’s father; and

WHEREAS, in September 1954, the couple moved to Montgomery, Alabama where Dr. King became pastor of the Dexter Avenue Baptist Church. Most of Coretta Scott’s time was spent as a devoted mother to four children: Yolanda Denise (1955), Martin Luther, III (1957), Dexter Scott (1961), and Bernice Albertine (1963); and

WHEREAS, over the years, Mrs. King would balance her time as a mother by speaking before church, civic, college, fraternal and peace groups. She would also be at Dr. King’s side during his finest hours, including when he received the Nobel Peace Prize in 1964, and during his historic march for voting rights in Selma, Alabama in 1965; and

WHEREAS, only days after Dr. King’s assassination in 1968, Coretta Scott King flew to Memphis with her children to lead thousands marching in honor of her slain husband and to plead for his cause. Throughout the years after his death, Mrs. King continuously devoted her time and talent to developing programs and building the Atlanta-based Martin Luther King, Jr. Center for Nonviolent Social Change as a living memorial to her husband's life and dream; and

WHEREAS, besides being the founding President, Chair, and Chief Executive Officer of the King Center (1968-1995), Mrs. King lead the way to establish Dr. King's birthday as a national holiday. She chaired the Martin Luther King, Jr. Federal Holiday Commission after it was instituted by an act of Congress in 1983. And in January 1986, Mrs. King oversaw the first legal holiday in honor of her husband--a holiday which has come to be celebrated
by millions of people world-wide; and
WHEREAS, Corretta Scott King passed away on January 30, 2006. She leaves behind a legacy of courage and compassion, and her message of equal rights and peace for all will continue to make our world a better place:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 7, 2006 as CORETTA SCOTT KING MEMORIAL DAY in Illinois, and order all State facilities to fly their flags at half-staff from sunrise until sunset on this day, the day of her interment, in honor and remembrance of her incredible contributions to civil rights and peace.

Issued by the Governor February 02, 2006.
Filed by the Secretary of State February 02, 2006.

2006-33
DESSERT STORM REMEMBRANCE DAY

WHEREAS, since the birth of this great nation, millions of brave American men and women have courageously answered the call to defend their country’s ideals of freedom and democracy; and
WHEREAS, fifteen years ago, over 600,000 members of the United States Armed Forces risked their lives in the Persian Gulf to liberate Kuwait during Operation Desert Storm, some making the ultimate sacrifice for their country; and
WHEREAS, the men and women who served in the United States Armed Forces during Operation Desert Storm have earned the gratitude and respect of their nation; and
WHEREAS, the observance of the 15th anniversary of Operation Desert Storm allows citizens throughout Illinois, and across the country, the opportunity to honor those who served during this conflict for their valor and selflessness:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 28, 2006 as DESERT STORM REMEMBRANCE DAY in Illinois, and urge all citizens to honor those who courageously served their country during Operation Desert Storm.

Issued by the Governor February 03, 2006.
Filed by the Secretary of State February 03, 2006.
2006-34

PEACE CORPS WEEK

WHEREAS, in 1961, President John F. Kennedy established the Peace Corps in hopes of promoting world peace and friendship through volunteer work in developing countries; and

WHEREAS, since it’s inception, more than 182,000 men and women from across the United States, including almost seven thousand from Illinois, have served as Peace Corps volunteers in 138 different countries; and

WHEREAS, Peace Corps volunteers have made significant contributions around the world in agriculture, business development, information technology, education, health and HIV/AIDS, and the environment, and have improved the lives of individuals and communities around the world; and

WHEREAS, Peace Corps volunteers have strengthened the ties of friendship and understanding between the people of the United States and those of other countries; and

WHEREAS, Peace Corps volunteers, enriched by their experiences overseas, have brought to their communities throughout the United States a deeper understanding of other cultures and traditions; and

WHEREAS, this year, the Peace Corps is celebrating 45 years as an enduring symbol of our nation’s commitment to encouraging progress, creating opportunity, and expanding development at the grass-roots level across the globe:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 27 through March 5, 2006 as PEACE CORPS WEEK in Illinois, and encourage all citizens to recognize and appreciate the significant and lasting impact that these volunteers have made across the world.

Issued by the Governor February 03, 2006.
Filed by the Secretary of State February 03, 2006.

2006-35

RONALD MCDONALD HOUSE DAY

WHEREAS, in 1974, the Ronald McDonald House was established
as a temporary “home away from home” that gives parents a place to stay overnight while their seriously ill children are receiving medical treatment at a nearby hospital; and

WHEREAS, since it’s inception, approximately ten million families have benefited from the Ronald McDonald House programs; now, with over 250 Ronald McDonald Houses located in twenty-five countries, that number will undoubtedly continue to rise as the number of Houses continue to increase; and

WHEREAS, the Ronald McDonald House programs have given $400 million in grants and program services around the world to have a direct and positive impact on countless families with ill children; and

WHEREAS, the program is supported by more than 30,000 volunteers, who prepare meals, clean and do anything than can simplify the parents’ lives; and

WHEREAS, services have been offered to over 9,000 families in the state of Illinois and February 15, 2006, will mark twenty years of service for the Ronald McDonald House Charities of Central Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 15, 2006 as RONALD MCDONALD HOUSE DAY in Illinois in recognition of Ronald McDonald House programs, and valuable support they provide to families in their time of need.

Issued by the Governor February 03, 2006.
Filed by the Secretary of State February 03, 2006.

2006-36
COALITION FOR THE REMEMBRANCE OF ELIJAH MUHAMMAD DAY

WHEREAS, the Coalition for the Remembrance of Elijah Muhammad (C.R.O.E.) is celebrating their 19th Anniversary Founders’ Day on February 12, 2006; and

WHEREAS, founded in 1987 by Halif Muhammad, Shahid Muslim and Munir Muhammad, all of whom still serve the organization, C.R.O.E. exists to pay tribute to The Honorable Elijah Muhammad, and ensure that his accomplishments and ideas are not forgotten; and

WHEREAS, the Coalition for the Remembrance of Elijah
Muhammad continues to be an invaluable institution and an important voice in both the African-American community and among the general public:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 12, 2006 as COALITION FOR THE REMEMBRANCE OF ELIJAH MUHAMMAD DAY in Illinois, and encourage citizens to recognize the organization’s nineteen years of service to Illinois citizens and their ongoing commitment to ensuring the legacy of this influential African-American leader.

Issued by the Governor February 09, 2006.
Filed by the Secretary of State February 09, 2006.

2006-37
PARKLAND COLLEGE

WHEREAS, on March 12, 1966, Champaign area residents voted overwhelmingly in favor of a Class I Junior College; it was later named Parkland College; and

WHEREAS, as the third largest district in the State of Illinois, Parkland College covers 2,500 square miles; and

WHEREAS, Parkland College enrolls approximately 18,000 students annually and has delivered vocational-technical and academic instruction to more than 200,000 people since its classes began in 1967; and

WHEREAS, Parkland College is a melting pot of student life, with cultures as diverse as the communities served; students ranging in age from 16 to 66+, and a growing international student presence; and

WHEREAS, Parkland College is a center for educational opportunity and community enrichment in east central Illinois and has earned a national reputation for its excellent academic standards, innovative programs and quality instruction; and

WHEREAS, this year, the State of Illinois celebrates the contributions Parkland College has made in its forty years of excellence in education:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize PARKLAND COLLEGE for providing 40 years of quality, affordable higher education to the people of the 505 community college district and the state of Illinois.

Issued by the Governor February 09, 2006.
2006-38
NATIONAL FOREIGN LANGUAGE WEEK

WHEREAS, all citizens live and participate in an increasingly interdependent global community; and
WHEREAS, boundaries between countries are being dissolved by new technology, making foreign language study increasingly important as people begin to experience and enjoy the growing social, cultural, and economic ties between all nations; and
WHEREAS, in order to compete on a global scale, many employers are now seeking individuals proficient in foreign languages who are able to operate and adapt in the culturally diverse international marketplace; and
WHEREAS, recent studies show that the study of foreign languages contributes to improved academic performance and a greater understanding of people from different language and cultural backgrounds; and
WHEREAS, foreign language educators in Illinois urge the public to recognize the importance of foreign language study and its ability to expand the cultural and literary horizons of all people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 6 – 12, 2006 as NATIONAL FOREIGN LANGUAGE WEEK in Illinois, and encourage all citizens to recognize and appreciate the value that foreign language study brings to our society.

Issued by the Governor February 09, 2006.
Filed by the Secretary of State February 09, 2006.

2006-39
ILLINOIS STATE HISTORICAL SOCIETY MARKERS AWARENESS WEEK

WHEREAS, history shapes the way we view the present and helps us to understand our place in the world; and
WHEREAS, there are many places in Illinois which are significant sites of local, state, national and world history; and
WHEREAS, visitors to these sites are presented with information
regarding historical people, ideas and events that lead to a deeper appreciation of history; and

WHEREAS, increasing visitations at historic sites stimulates beautification, preservation, conservation, tourism and business in Illinois communities, and particularly in the counties where these sites are located; and

WHEREAS, the Illinois State Historical Society, organized in 1899 and established by the Illinois General Assembly in 1903, has already placed markers at more than four hundred locations around the state to inform residents and tourists of the historical significance of these sites; and

WHEREAS, the Illinois General Assembly, in conjunction with the Illinois State Historical Society, seek to heighten the historical awareness of Illinois residents and visitors by calling attention to these markers and historic sites throughout the state:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 27 through March 4, 2006 as ILLINOIS STATE HISTORICAL SOCIETY MARKERS AWARENESS WEEK in Illinois, and encourage all citizens to learn about and appreciate the rich history of our state.

Issued by the Governor February 09, 2006.
Filed by the Secretary of State February 09, 2006.

2006-40
CHICAGO BUSINESS OPPORTUNITY DAYS

WHEREAS, the 39th Annual Chicago Business Opportunity Fair will be held April 11-13, 2006; and

WHEREAS, this fair provides minority suppliers and purchasing personnel from major buying organizations the opportunity to meet and exchange information about mutual buying and selling needs; and

WHEREAS, the fair also assists in advancing the year-round efforts of its sponsor, the Chicago Minority Business Development Council, Inc., an organization devoted to stimulating minority purchasing in Chicago; and

WHEREAS, by promoting opportunities in business, the Chicago Business Opportunity Fair is playing a major role in revitalizing Illinois’ economy; and
WHEREAS, the Minority Business Committee of the Chicago Minority Business Development Council will hold its 28th Annual Awards Program on June 9, 2006, in honor of representatives from both the public and private sector who have contributed significantly to the growth and development of minority suppliers:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 11 - 13, 2006 as CHICAGO BUSINESS OPPORTUNITY DAYS in Illinois, and encourage all citizens to recognize the importance of supplier diversity in today’s global business arena.

Issued by the Governor February 09, 2006.
Filed by the Secretary of State February 09, 2006.

2006-41
ASIAN AMERICAN COALITION OF CHICAGO DAY

WHEREAS, the Asian American Coalition of Chicago exists to organize and promote equal opportunity in government, education, economic development, and international affairs in order to advance the integration of all Asian Americans into the mainstream of society; and

WHEREAS, Asian Americans comprise over 3 percent of the total population of the State of Illinois; and

WHEREAS, the 23rd Annual Asian American Coalition of Chicago Lunar New Year Celebration is sponsored by the Asian American Coalition of Chicago; and

WHEREAS, each year, a different Asian community hosts the celebration, and this year’s prestigious ceremony will be hosted by the Indonesian American community; and

WHEREAS, individuals and community-based agencies who have dedicated themselves to providing excellent service to the Asian American communities will be honored and awarded during this year’s celebration; and

WHEREAS, with the devastation of the South Asian Tsunami, and continued threats of terrorism, this annual event will promote the value of Asian Americans and other global leaders standing unified in the face of challenges. The theme for this year is, “Unity in Diversity;”

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 25, 2006 as ASIAN AMERICAN
COALITION OF CHICAGO DAY in Illinois, and encourage all citizens to be appreciative of the impact that Asian Americans have on our country, while taking the opportunity to learn about their rich heritage.

Issued by the Governor February 10, 2006.
Filed by the Secretary of State February 10, 2006.

2006-35 (REVISED)
RONALD MCDONALD HOUSE DAY

WHEREAS, in 1986, the Ronald McDonald House in Springfield, Illinois was established as a temporary “home away from home” that gives parents a place to stay overnight while their seriously ill children are receiving medical treatment at Springfield’s hospitals; and
WHEREAS, since 1993, the Springfield Ronald McDonald House has awarded $1 million in grants and program services to have a direct and positive impact on countless families with ill children; and
WHEREAS, the program is supported by thousands of volunteers, who prepare meals, work with the families, help with clerical duties, raise needed funding and do all that can be done to simplify the parents’ lives during this time of crisis; and
WHEREAS, February 15, 2006 will mark twenty years of service for the Ronald McDonald House Charities of Central Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 15, 2006 as RONALD MCDONALD HOUSE DAY in Illinois in recognition of Ronald McDonald House programs, and valuable support they provide to families in their time of need.

Issued by the Governor February 14, 2006.
Filed by the Secretary of State February 14, 2006.

2006-42
ESTONIAN INDEPENDENCE DAY

WHEREAS, the Republic of Estonia gained independence in 1918 after withstanding centuries of Danish, Swedish, German and Russian rule, approving the country’s first constitution in 1920; and
WHEREAS, joining the League of Nations in 1921, Estonia strived
to maintain good relations with all nations, while dealing with numerous domestic issues, including an attempted coup d’etat by the Russian Bolsheviks and the gradual introduction of authoritarian rule; and

WHEREAS, despite declaring themselves neutral at the outbreak of World War II, Estonia was forced to sign a mutual assistance pact with Moscow in 1939. At the end of the war, 282,000 Estonians had either died in combat, fled the country or been deported, reducing their population by a full quarter; and

WHEREAS, in 1940, Estonia was forcibly integrated into the Soviet Union, only to be occupied briefly by Germany during World War II, before the Soviets resumed control in 1944; and

WHEREAS, this forced occupation led to decades of repression, in which Estonians struggled to maintain their national identity, before finally coming to an end in 1991 with the collapse of the Soviet Union; and

WHEREAS, on September 2, 1991, the United States of America officially recognized Estonia’s independence, and, by the end of 1991, approximately one hundred nations had also done so. However, it was not until 1994 that the last of the Russian troops evacuated the country, leaving Estonia free to re-establish their diplomatic relations with the world; and

WHEREAS, Americans of Estonian descent are exemplary citizens, who continue to uphold their rich cultural traditions, take pride in their history, promote human rights and seek self-determination for their homeland:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 24, 2006 as ESTONIAN INDEPENDENCE DAY in Illinois in recognition of the country’s 88th Anniversary of Independence.

Issued by the Governor February 15, 2006.
Filed by the Secretary of State February 16, 2006.

2006-43
LEGENDARY LANDMARK LOIS WEISBERG DAY

WHEREAS, the Landmarks Preservation Council of Illinois is launching the “Legendary Landmarks Award” program to recognize prominent Illinois citizens who have made significant contributions to the
civic, cultural, political and business Life of the state; and

WHEREAS, in celebration of its 35th anniversary, the Landmarks Preservation Council will honor Lois Weisberg, commissioner of the Chicago Department of Cultural Affairs since 1989, with its very first “Legendary Landmarks Award”; and

WHEREAS, a prominent Illinois citizen, Ms. Weisberg is responsible for the creation of many cultural organizations, institutions and events that have had a lasting impact on Chicago; and

WHEREAS, from starting Friends of the Parks to promoting Millennium Park and its art and architecture, Ms. Weisberg’s imagination and energy have created landmarks that will be enjoyed by generations of Illinoisans; and

WHEREAS, Ms. Weisberg was also instrumental in saving and enhancing such architectural treasures as the Cultural Center, Clarke House, Glessner House, Maxim’s, Lookingglass Theatre in the Chicago Water Works and the gallery in the Water Tower; and

WHEREAS, coincidentally, the award will be presented on March 4th, the same day as Chicago’s 169th birthday:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 4, 2006 as LEGENDARY LANDMARK LOIS WEISBERG DAY in Illinois in recognition of her outstanding contributions to our great State.

Issued by the Governor February 16, 2006.
Filed by the Secretary of State February 16, 2006.

2006-44
BLACK HISTORY AWARDS DAY

WHEREAS, throughout the history of the United States, African Americans have made many significant sacrifices, achievements, and contributions to society; and

WHEREAS, in 1976, February was designated as African American History Month in order to honor and promote the history of African Americans. Illinois is proud to celebrate the heritage and achievements of African Americans during this month, as well as throughout the calendar year; and
WHEREAS, on February 28, 1999, Black History Awards Day was established in Memphis, Tennessee as a way to conclude African American History Month and honor the achievements of African Americans from each state, both past and present:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 28, 2006 as BLACK HISTORY AWARDS DAY in Illinois and encourage all citizens to learn about the important contributions that African Americans have made throughout the history of our society.

Issued by the Governor February 16, 2006.
Filed by the Secretary of State February 16, 2006.

2006-45
QUILL RECOGNITION DAY

WHEREAS, with an inventory of 50,000 items, the Quill Corporation is a mail-order distributor of office products to more than one million small and medium-sized United States’ businesses; and

WHEREAS, in 1956, Quill began as a small family business in the back of a chicken store. Now, with over 1,200 employees, Quill has grown into a major player in the business-to-business office products arena; and

WHEREAS, the Quill Corporation strives to provide their customers with complete satisfaction and to make ordering office supplies simple and easy; and

WHEREAS, the primary distribution center for the Quill Corporation is located in Lincolnshire, Illinois; eleven other Quill Corporation centers are located throughout the United States; and

WHEREAS, this year, the Quill Corporation is celebrating fifty years of outstanding service:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 23, 2006 as QUILL RECOGNITION DAY in Illinois, in recognition of this remarkable milestone in providing quality business products to offices throughout the state and country.

Issued by the Governor February 16, 2006.
Filed by the Secretary of State February 16, 2006.
2006-46
HARRIET TUBMAN DAY

WHEREAS, in or around the year 1820, Harriet Ross Tubman was born into slavery in Bucktown, Maryland; and
WHEREAS, in 1849, she escaped slavery and became a “conductor” on the Underground Railroad; and
WHEREAS, despite the great danger and challenge it would take to lead hundreds of slaves to freedom, Harriet Tubman undertook a reported nineteen trips as a conductor; and
WHEREAS, Harriet Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery; and
WHEREAS, she served in the Civil War as a soldier, spy, nurse, scout, and cook, and as a leader in working with newly freed slaves; and
WHEREAS, after the War, she continued to fight for human dignity, human rights, opportunity and justice; and
WHEREAS, the State of Illinois contained numerous Underground Railroad sites to aid fugitive slaves in their quest for freedom; and
WHEREAS, Harriet Tubman died at her home in Auburn, New York, on March 10, 1913. Her great spirit is forever etched in the fabric of American history and continues to inspire all people who cherish freedom:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 10, 2006 as HARRIET TUBMAN DAY in Illinois, and encourage all citizens to recognize her incredible contributions to human rights and freedom.

Issued by the Governor February 16, 2006.
Filed by the Secretary of State February 16, 2006.

2006-47
CHILDREN’S MEMORIAL HOSPITAL

WHEREAS, Children’s Memorial Hospital was the first freestanding pediatric hospital in the nation and the first hospital in Illinois to receive the Magnet Award for Nursing Excellence in 2001 by the American Nurses Credentialing Center; and
WHEREAS, last year, Children’s Memorial became the first hospital
in Illinois to be re-designated as a Magnet hospital for Nursing Excellence; and

WHEREAS, the Magnet Award is the highest accreditation awarded for nursing excellence, and is considered the equivalent of an Olympic gold medal in sports; and

WHEREAS, less than 3 percent of US hospitals have achieved and/or maintained this distinction; and

WHEREAS, the Magnet program recognizes hospitals that create an environment that focuses on attracting and retaining competent nurses through respect for the values, art, and science of nursing; and

WHEREAS, Magnet hospitals allow nurses to focus on patients, resulting in positive outcomes that can be directly attributed to nursing care; and

WHEREAS, The Children's Memorial Nursing Department and staff were recognized for seven exemplary characteristics: nursing autonomy, commitment and resources for professional development, high-quality interdisciplinary relationships, availability of supports for holistic patient care, establishment of an Endowed Chair for Nursing Practice Excellence, outstanding nursing research, a strong community service culture, and an exceptional image of nursing as competent, confident and committed professionals:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby congratulate the nursing staff and administration of Children’s Memorial Hospital on receiving this award and extend best wishes for many more successes in the years to come.

Issued by the Governor February 16, 2006.
Filed by the Secretary of State February 16, 2006.

2006-48
INTERNATIONAL MOTHER LANGUAGE DAY

WHEREAS, there are close to 6,000 languages estimated to be spoken in today’s world. About half of those languages are under threat of disappearing forever; and

WHEREAS, in the 1956 Pakistan Constitution, Bengali and Urdu were declared as state languages of Pakistan. In the constitution of
Bangladesh, adopted in 1972, it is stated, “The Language of the Republic would be Bengali.” In Bangladesh, efforts continue to establish Bangla in all walks of life; and

WHEREAS, International Mother Language Day, which is celebrated on February 21st every year, was launched at the 30th session of the General Conference of UNESCO in 1999; and

WHEREAS, the existence of different languages in a culture allows us to gain a different perspective of its history and illuminates the outstanding ability of any culture to create communication; and

WHEREAS, like previous years, International Mother Language Day aims at promoting linguistic diversity and multilingual education, and at raising awareness of linguistic cultural traditions based on understanding, tolerance and dialogue:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 21, 2006 as INTERNATIONAL MOTHER LANGUAGE DAY in Illinois, and encourage all citizens to recognize the value that languages have in understanding our shared cultural history.

Issued by the Governor February 21, 2006.
Filed by the Secretary of State February 21, 2006.

2006-49
MOTORCYCLE AWARENESS MONTH

WHEREAS, Illinois is a national leader in motorcycle education and safety; and

WHEREAS, sharing a roadway is where motorist awareness starts. The Illinois Department of Transportation urges all motor vehicle drivers to expect to see more motorcyclists riding in traffic in spring and summer months and to respect that they rightfully enjoy the same access to the roads as other traffic; and

WHEREAS, the Illinois Department of Transportation has been conducting the Illinois Cycle Rider Safety Training program since 1976; and

WHEREAS, the program is supported by state motorcycle registration fees and has been responsible for training more than 220,000 cyclists; and

WHEREAS, better rider education, licensing, and public awareness
lead to safer motorcycling:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as MOTORCYCLE AWARENESS MONTH in Illinois, and encourage all drivers to help keep our roadways safe through proper motorist awareness.

Issued by the Governor February 21, 2006.
Filed by the Secretary of State February 21, 2006.

2006-50
ILLINOIS ARTS EDUCATION WEEK

WHEREAS, the State of Illinois recognizes that arts education, which includes dance, drama, music and visual arts, is an essential part of basic education for all students, providing them with a balanced education that will aid in developing their full potential; and

WHEREAS, the arts enrich the lives of children in Illinois and throughout the country by helping them to develop creative ability, self-expression, self-reflection, cognitive skills, discipline, a heightened appreciation of beauty and cross-cultural understanding; and

WHEREAS, experience in the arts develops insights and abilities central to the experience of life; and

WHEREAS, the arts are collectively an important repository of our culture; and

WHEREAS, many national and state professional education associations hold celebrations in the month of March focused on students’ participation in the arts; and

WHEREAS, these celebrations give Illinois schools a unique opportunity to focus on the value of the arts for all students, to foster cross-cultural understanding, to recognize the state’s outstanding young artists, to focus on careers in the arts available to Illinois students, and to enhance public support for this important part of their curriculum; and

WHEREAS, the fine arts are a significant component of students’ educational development, teaching them the language and production of the arts, and helping them understand the role of the arts in civilizations, past and present:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim March 13-19, 2006, as ILLINOIS ARTS EDUCATION WEEK and encourage all citizens to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Issued by the Governor February 21, 2006.
Filed by the Secretary of State February 21, 2006.

2006-51
MONEY SMART WEEK

WHEREAS, the economic progress of our country is dependent upon the financial well-being of its citizens; and
WHEREAS, citizens have many choices on how they may manage their financial affairs, making it important that they educate themselves on the best options available; and
WHEREAS, becoming financially literate can be a long-term process that demands much discipline and intuition. Therefore, many people find it helpful to seek assistance outside of their own home; and
WHEREAS, educational and financial institutions, government entities and community-based organizations can work together to help consumers make informed choices about their personal finances; and
WHEREAS, improved financial literacy results in a higher standard of living for individuals, and greater community stability:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1 – 5, 2006 as MONEY SMART WEEK in Illinois, and encourage all citizens to make an effort to increase their financial literacy.

Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.

2006-52
SAVE ABANDONED BABIES DAY

WHEREAS, signed into law in August 2001, the Illinois Abandoned Newborn Protection Act allows parents to relinquish a newborn infant to personnel at a local hospital, police station, fire station, or emergency medical
WHEREAS, relinquished babies then may become custody of the state and are placed in a responsible and nurturing safe haven; and
WHEREAS, the Illinois Abandoned Newborn Protection Act provides a safe alternative to abandonment for Illinois parents who feel they cannot cope with the responsibility of caring for a newborn baby; and
WHEREAS, it is the hope of the State of Illinois that as awareness of this Act increases, it will stop the abandonment of newborn infants, a practice that has led to healthy babies being found harmed, deceased or in unsafe places; and
WHEREAS, the Illinois Abandoned Newborn Protection Act is a critical statute in the State of Illinois, as it affords the chance of a better life for abandoned newborn babies:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 4, 2006 as SAVE ABANDONED BABIES DAY in Illinois, and encourage all citizens to recognize the importance of protecting abandoned infants and giving them the proper care they deserve.

Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.

2006-53
DANVILLE AREA COMMUNITY COLLEGE

WHEREAS, Danville Area Community College is an accredited public two-year community college providing higher education opportunities for youth and adults in East Central Illinois; and
WHEREAS, the college was established in 1946, became a public junior college in 1949, an independent two-year college in 1966, and was named Danville Area Community College in 1979 to reflect its represented District #507: the people of Vermilion, Edgar, Iroquois, Ford and Champaign counties; and
WHEREAS, with an annual impact on more than 35,000 community members, Danville Area Community College partners with more than 150 area businesses, agencies and schools; and
WHEREAS, Danville Area Community College is the “College of Choice” for nearly 35% of recent area high school graduates and 20% of
recent area high school honor students; and

WHEREAS, Danville Area Community College is a critical partner in assisting economic development, supporting area arts initiatives and developing new educational opportunities for district residents; and

WHEREAS, this year, the State of Illinois celebrates the contributions Danville Area Community College has made to this State during its sixty years of excellence in education:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize DANVILLE AREA COMMUNITY COLLEGE for providing 60 years of quality, affordable higher education to the people of the 507 community college district and the State of Illinois.

Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.

2006-54
NUTRITION MONTH

WHEREAS, the problems of obesity and food insecurity are growing issues in Illinois and across the country; and

WHEREAS, it is crucial that we as a state do our part to promote good health and nutrition by encouraging all citizens to practice sound eating habits; and

WHEREAS, according to the Illinois Behavioral Risk Factor Surveillance System, over 36 percent of all Illinois citizens are overweight. At the same time, nearly 8 percent of the state’s population does not have routine access to adequate amounts of food; and

WHEREAS, it is important that people eat neither too much nor too little of any food or nutrient in order to help maintain a healthy lifestyle. Overindulgence in food can result in excess weight and related health complications, while eating too little can lead to numerous nutrient deficiencies and low body mass; and

WHEREAS, the Illinois Department of Human Services, along with the Illinois Interagency Nutrition Council, are joining forces with nutrition professionals in Illinois and throughout the United States to promote good nutrition during the month of March. The theme of this year’s awareness campaign is “Eat Right – Be Fit 4 Life!”:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as NUTRITION MONTH in Illinois, and encourage all citizens to support food programs and establish healthy eating habits in hopes of reducing the risk for obesity and preventing hunger.
Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.

2006-55
WOMEN VETERANS RECOGNITION MONTH

WHEREAS, throughout history, women have displayed their patriotism by courageously serving in the various branches of the United States Armed Forces; and

WHEREAS, although women did not officially receive permanent military status until President Harry Truman signed the Women’s Armed Services Integration Act in 1948, they have served and distinguished themselves in times of peace as well as during every major conflict since the birth of our great nation; and

WHEREAS, prior to 1948, women served in numerous support roles both on and off the battlefields in such capacities as nurses, saboteurs, cooks, mechanics, clerks, telephone operators, and drivers; and

WHEREAS, today, there are approximately 350,000 women, or almost 15 percent of the active duty, reserve and guard units, enlisted in the various branches of the United States Armed Forces; and

WHEREAS, the State of Illinois is proud to participate in the “Salute to Women Veterans” throughout the month of March, to acknowledge the numerous sacrifices and accomplishments made by the brave women who have served their country through military service:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as WOMEN VETERANS RECOGNITION MONTH in Illinois, and encourage all citizens to honor those women veterans who have courageously served their country.
Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.
2006-56
MEDICAL LABORATORY PROFESSIONALS WEEK

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and
WHEREAS, medical laboratory professionals, which include pathologists, medical technologists, cytotechnologists, histotechnologists, medical laboratory technicians, histologic technicians, phlebotomists, and other related professionals play a critical role in providing patients with the best possible health care; and
WHEREAS, the role of medical laboratory professionals is to perform and evaluate medical laboratory tests to detect, diagnose, monitor treatment, and help prevent diseases. In addition, they perform tests to identify and detect biohazardous substances; and
WHEREAS, the tireless efforts of these dedicated health care professionals have helped to save countless lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 23 – 29, 2006 as MEDICAL LABORATORY PROFESSIONALS WEEK in Illinois, and encourage all citizens to recognize the dedicated men and women who have made a vital contribution to the quality of health care in our state and across the United States.

Issued by the Governor February 23, 2006.
Filed by the Secretary of State February 23, 2006.

2006-57
PROFESSIONAL SOCIAL WORK MONTH

WHEREAS, social workers have the proper education and experience to assist individuals, families, and communities through complex issues and choices by guiding them to available resources; and
WHEREAS, serving as positive and compassionate professionals, social workers are dedicated to improving the society in which we live; and
WHEREAS, social workers stand up for others to make sure everyone has access to the same basic rights, protections and opportunities; and
WHEREAS, by helping people help themselves, social workers make
sures to assist whenever and wherever people need it most; and
WHEREAS, social workers have been the driving force behind important social movements in the United States and abroad:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as PROFESSIONAL SOCIAL WORK MONTH in Illinois in recognition of professional social workers for their essential and vital support of individuals, families and communities everywhere through legislative advocacy, service, research, and education.

Issued by the Governor February 24, 2006.
Filed by the Secretary of State February 24, 2006.

2006-54 (REVISED)
NUTRITION MONTH

WHEREAS, the problems of obesity and food insecurity are growing issues in Illinois and across the country; and
WHEREAS, it is crucial that we as a state do our part to promote good health and nutrition by encouraging all citizens to practice sound eating habits; and
WHEREAS, according to the Illinois Behavioral Risk Factor Surveillance System, over 36 percent of all Illinois citizens are overweight. At the same time, nearly 8 percent of the state’s population does not have routine access to adequate amounts of food; and
WHEREAS, it is important that people eat neither too much nor too little of any food or nutrient in order to help maintain a healthy lifestyle. Overindulgence in food can result in excess weight and related health complications, while eating too little can lead to numerous nutrient deficiencies and low body mass; and
WHEREAS, the Illinois Department of Human Services, along with the Illinois Interagency Nutrition Council, and the Illinois Department of Public Health is joining forces with nutrition professionals in Illinois and throughout the United States to promote good nutrition during the month of March. The theme of this year’s awareness campaign is “Eat Right – Be Fit 4 Life!”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as NUTRITION MONTH in Illinois,
and encourage all citizens to support food programs and establish healthy eating habits in hopes of reducing the risk for obesity and preventing hunger.

Issued by the Governor February 28, 2006
Filed by the Secretary of State February 28, 2006.

2006-58
FEDERATED CLUB WOMEN OF THE CHICAGO AND NORTHERN DISTRICT ASSOCIATION OF CLUB WOMEN, GIRLS AND BOYS, INCORPORATED DAY

WHEREAS, the Federated Club Women of The Chicago and Northern District Association of Club Women, Girls and Boys, Inc., on March 18, 2006, will recognize and celebrate their 100th Anniversary of service to the African community; and

WHEREAS, the Federated Club Women of The Chicago and Northern District Association of Club Women, Girls and Boys, Inc., will honor Cordelia West and Ida B. Wells Barnett as the Club founders; and

WHEREAS, the Federated Club Women of the Chicago and Northern District Association of Club Women, Girls and Boys, Inc., promote the education of women, raise the standards of the home, work for moral, economic, social, religious welfare of children, protects the rights of women and children, work toward the enforcement of civil rights for all people and promote interracial understanding so that justice may prevail for all people; and

WHEREAS, the Federated Club Women of the Chicago and Northern District Association of Club Women, Girls and Boys, Inc. is an active affiliate of the National Association of Colored Women’s Clubs and the Illinois Association of Club Women and Youth Affiliates, Inc; and

WHEREAS, the State of Illinois is proud to recognize this outstanding organization for their valuable support of our State’s youth through their Girls and Boys Clubs:

THEREFORE, I, Rod R. Blagojevich, Governor for the State of Illinois, do hereby proclaim, March 18, 2006, as FEDERATED CLUB WOMEN OF THE CHICAGO AND NORTHERN DISTRICT ASSOCIATION OF CLUB WOMEN, GIRLS AND BOYS, INCORPORATED DAY in honor of their 100 years of outstanding
contributions to local communities and our great State.
Issued by the Governor February 28, 2006.
Filed by the Secretary of State February 28, 2006.

2006-59
GHANA INDEPENDENCE DAY

WHEREAS, the Republic of Ghana is a nation in West Africa. In 1957, Ghana became the first sub-Saharan country in colonial Africa to gain its independence; and
WHEREAS, Ghana gained independence from the United Kingdom on March 6; and
WHEREAS, Ghana has 9 regions and the Ghana National Council is made up of three representatives of each region as well as the chairman, president and vice president; and
WHEREAS, the Ghana National Council of Metropolitan Chicago is dedicated to sponsoring various events and activities that create unity within the Ghanaian community in Metropolitan Chicago, as well as help develop surrounding communities. Their hard work is part of a collaborative effort to foster relationships within the Chicago Metropolitan area and the global community; and
WHEREAS, this year, the Ghana National Council of Metropolitan Chicago and the Ghanaian community are coming together to celebrate Ghana’s 49th Independence Day on March 4, 2006:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 1, 2006 as GHANA INDEPENDENCE DAY in Illinois in recognition of the country’s 49th Anniversary of Independence, and in tribute to all the Ghanaian Americans who call Illinois their home.
Issued by the Governor February 28, 2006.
Filed by the Secretary of State February 28, 2006.

2006-60
POSTPARTUM DEPRESSION AWARENESS MONTH

WHEREAS, the birth of a baby can be one of the biggest and happiest
events in a woman's life. However, at the same time, life with a new baby can be difficult and stressful; and

WHEREAS, women experience many physical and emotional changes while pregnant and after giving birth. These changes can leave new mothers feeling sad, anxious, afraid, or confused; and

WHEREAS, the “baby blues” is an extremely common reaction occurring in women during the first few days after delivery, which results in sudden mood swings, sadness, and anxiety. Usually appearing suddenly on the third or fourth day, it can affect up to 80 percent of women who have just given birth and can last only a few hours or as long as one to two weeks; and

WHEREAS, problems arise when women who have recently given birth experience reactions that exceed that of “baby blues.” Postpartum depression, which has symptoms similar to the “baby blues” only stronger, may affect a woman’s ability to function. Postpartum psychosis, an even more serious reaction to childbirth, is a very serious mental illness that can cause women to lose touch with reality; and

WHEREAS, treatment varies for disorders associated with depression after delivery, depending on the type and severity of symptoms. A woman experiencing any of the symptoms described should immediately contact a health care professional:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as POSTPARTUM DEPRESSION AWARENESS MONTH in Illinois, and encourage all citizens to become cognizant of the symptoms and the seriousness of this disorder for new mothers.

Issued by the Governor February 28, 2006.
Filed by the Secretary of State February 28, 2006.

2006-61
ONE NIGHT, ONE MIC, 100 MEETINGS DAY

WHEREAS, alcohol is the number one drug problem in Illinois, affecting millions of Illinoisans either directly or through a family member; and

WHEREAS, more than 48,000 Illinoisans, including 3,100 youth, received treatment for alcohol addiction through state-funded programs last
year; and
WHEREAS, more than two-thirds of Illinois teenagers report use of alcohol; and half of all fatal automobile accidents involving teenagers are alcohol-related; and
WHEREAS, underage drinking is a preventable problem; and
WHEREAS, there are prevention interventions that can effectively reduce underage drinking; and
WHEREAS, these prevention interventions needs to engage and target individuals (youth, families) and the community (coaches, teachers, retailers, clergy, etc.); and
WHEREAS, prevention interventions need to be proactive, comprehensive, ongoing and consistent; and
WHEREAS, the mission of the Department of Human Services (DHS), Division of Community Health and Prevention Office of Prevention is to promote and implement coordinated, innovative community-based prevention strategies and provide a wide range of comprehensive prevention efforts designed to prevent domestic violence; alcohol, tobacco, and other drug abuse; and juvenile delinquency; and
WHEREAS, the DHS Division of Community Health and Prevention, Office of Prevention is taking the lead in coordinating community-led town meetings on alcohol in 100 locations throughout the state; and
WHEREAS, this is the first time any such event has been planned in Illinois and is a significant milestone in the prevention of underage drinking:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 28, 2006 as ONE NIGHT, ONE MIC, 100 MEETINGS DAY in Illinois, and encourage all citizens to become involved in addressing the issue of underage drinking in their communities.
Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-62
AFFORDABLE HOUSING WEEK

WHEREAS, access to safe and affordable housing is one of the basic necessities of life; and
WHEREAS, over 1 million Illinois households have difficulties in
trying to afford housing. Nearly 800,000 renters and homeowners are paying more than 35% of their income on housing. Over 200,000 households are overcrowded in an effort to try and afford housing. This illustrates a housing affordability problem that often results in homelessness; and

WHEREAS, all citizens require stable and affordable housing in order to achieve individual and family success, and it is essential that we have a full range of quality housing options available and accessible to meet the needs of all income groups and special needs populations in communities across the state; and

WHEREAS, recognizing that housing is not just about bricks and mortar, it is crucial that grassroots organizations, non-profit housing professionals, financial institutions, elected officials, state agencies and others join forces to guide and promote affordable housing as fundamental to community and economic health; and

WHEREAS, the talents and efforts of grassroots organizations, non-profit housing professionals, financial institutions, elected officials, state agencies and others must be combined to address the challenge of increasing the amount of affordable housing:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 19 – 25, 2006 as AFFORDABLE HOUSING WEEK in Illinois, and encourage all citizens to recognize and appreciate the need for reasonably priced housing and its impact on our communities.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-63
FEDERAL EMPLOYEE OF THE YEAR DAY

WHEREAS, the hard work and dedication of men and women across the United States have been instrumental in making our nation strong and prosperous; and

WHEREAS, a special day is set aside each year to recognize the outstanding service of dedicated federal employees; and

WHEREAS, this year, the 49th Annual Federal Employee of the Year Awards Luncheon will be held on May 2nd at The Hyatt Regency Chicago.
The theme for this year’s ceremony is “Federal Employees – Postmark of Pride”; and

WHEREAS, at this prestigious ceremony, federal employees who have dedicated themselves to giving superior service to the American public will be honored; and

WHEREAS, awards will be given to the outstanding employee in each of eleven categories that cover various types of jobs within the federal workforce; and

WHEREAS, in conjunction with the ceremony, college scholarships will be awarded to two graduate students attending the University of Illinois at Chicago’s College of Urban Planning and Public Affairs:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2, 2006 as FEDERAL EMPLOYEE OF THE YEAR DAY in Illinois, and encourage all citizens to join in honoring these hard working individuals, and to recognize the exceptional services they provide for our society.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-64
ILLINOIS SENATE PRESIDENT EMIL JONES, JR. DAY

WHEREAS, the Honorable Emil Jones, Jr., President of the Illinois Senate, was born on October 18, 1935 in Chicago. This year, there will be a luncheon in President Jones’s honor to salute our nation’s only African-American Senate President; and

WHEREAS, a graduate of Chicago’s Tilden Technical High School and Loop Junior College, Jones also attended Roosevelt University, where he majored in Business Administration and received the Doctorate of Humane Letters Honoris Causa Degree in 2004; and

WHEREAS, Jones first took office in the Illinois House of Representatives in 1973, where he served until his election to the Illinois Senate in 1982. On January 12, 2005, he received the unanimous support of the Senate Democratic Caucus for Senate President in the 94th General Assembly, marking his second term as the Senate’s chief presiding officer; and
WHEREAS, among his many accomplishments in the Illinois Legislature, President Jones has been a staunch supporter of education issues, and has always worked hard to ensure that all Illinois children have the best possible opportunities for success. He is also a strong advocate for working families, and was instrumental in the passage of legislation in 1998 to double the personal exemption on the state income tax; and

WHEREAS, President Jones is active in his Chicago Southside community as a member of Holy Name of Mary Church, the Morgan Park Civic League, the Knights of St. Peter Claver, and the 111th Street YMCA Board of Directors. He is also involved with the National Black Caucus of State Legislators, the National Conference of State Legislators, and the Board of Directors of the State Legislative Leaders Foundation; and

WHEREAS, for both his legislative and community endeavors, President Jones has received numerous honors and awards throughout his career from various educational, business, labor, and civic organizations across the country; and

WHEREAS, on March 17, 2006, as Senate President Emil Jones, Jr. is honored for his accomplishments and contributions to the community, I am proud to recognize his exemplary service to the State of Illinois for over 30 years, and I join his family and friends in commemorating this special day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 17, 2006 as ILLINOIS SENATE PRESIDENT EMIL JONES, JR. DAY in Illinois.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-65

NATIONAL MARITIME DAY

WHEREAS, first observed in 1933, National Maritime Day commemorates the first voyage of a steamship across the Atlantic Ocean; and

WHEREAS, the S.S. Savannah departed, for what eventually became a 29-day journey, on May 22, 1819, sailing from Savannah, Georgia to Liverpool, England; and

WHEREAS, this historic voyage marked the beginning of the steamship age in maritime history; and
WHEREAS, according to information provided by the U.S. Department of Transportation’s Maritime Administration, in March 2004, more than 80 percent of the military cargo shipped to the Middle East in support of the United States Armed Forces during the Iraqi conflict arrived via U.S. flag commercial or government vessels; and

WHEREAS, we pay tribute to the men and women of the United States Merchant Marines, serving the country with valor and strength, who have contributed significantly to the strength and economic growth of our nation; and

WHEREAS, we salute the countless number of seamen who have lost their lives in World Wars I and II and other conflicts that have taken place throughout the history of our country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 22, 2006 as NATIONAL MARITIME DAY in Illinois, and encourage all citizens to recognize the important roles the Merchant Marines play in ensuring the safety and economic prosperity of our great nation.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-66
SEED MONTH

WHEREAS, the abundance of Illinois’ crops relies on fertile soil, diligent farmers, and high quality seeds; and

WHEREAS, to ensure that seeds are of the highest quality, there must be agricultural-minded seed producers, conscientious inspectors, skilled technicians, and concerned dealers; and

WHEREAS, agriculture and the seed industry significantly contribute to our state’s economy with value-added products marketed throughout the world; and

WHEREAS, the Bureau of Agricultural Products Inspection within the Illinois Department of Agriculture tests the purity and germination of seeds, validates the accuracy of product labels, and cooperates with the Illinois Crop Improvement Association, which is the state’s official seed-certifying agency, and an independent, nonprofit organization; and
WHEREAS, in cooperation with educational and regulatory agencies, the Illinois Seed (Trade) Association has sustained an informed membership, the latest research developments, the production of high-quality seed, and has developed an effective seed program advocating pertinent legislation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as SEED MONTH in Illinois in appreciation of the seed industry’s contribution to supplying food and fiber to the world through the production of Illinois crops.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-67
AMERICAN RED CROSS MONTH

WHEREAS, in 1881, the efforts of Clara Barton led to the establishment of the American Red Cross, which this year celebrates its 125th Anniversary of providing compassionate humanitarian care to all people; and

WHEREAS, since its inception, the American Red Cross has grown into an organization which is uniquely chartered by the United States Congress to act in times of need by providing assistance to persons afflicted by local, state, national or international disasters, as well as to assist American Military personnel and their families; and

WHEREAS, American Red Cross chapters in Illinois train residents on how to prepare for and respond to natural and man-made disasters by teaching the use of First Aid, CPR, and Automated External Defibrillators; and

WHEREAS, the American Red Cross is committed to assuring a safe and adequate blood supply for Illinois and the entire nation by performing blood drives where volunteers are asked to donate so that blood is readily available when needed by members of our communities; and

WHEREAS, through its work, the American Red Cross, an enduring American institution, restores hope at home and throughout the world every day. Furthermore, the vital services of this humanitarian organization would not be possible without generous contributions from the American people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as AMERICAN RED CROSS

...
MONTH in Illinois, and encourage all Illinois citizens to support the noble efforts of the American Red Cross by giving their time, money, or blood donations to this worthy organization so that it may continue to help our communities in time of need.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.

2006-68
SCHOOL HEALTH CENTER AWARENESS MONTH

WHEREAS, the growth and development of school age children is of paramount importance in Illinois, and across the country; and
WHEREAS, Illinois values its children and recognizes the need to provide them with the primary and preventative health care services necessary for their overall well-being; and
WHEREAS, approximately one in seven teenagers has no health insurance, and private health insurance plans often place restrictions on services for teens; and
WHEREAS, in 1982, school health centers began to emerge in Illinois as a way to provide health services to children and adolescents who would not otherwise have access to those services; and
WHEREAS, today, there are over forty school health centers in Illinois providing accessible, affordable and quality health care and health education to school aged children; and
WHEREAS, research has shown that school health centers contribute to fewer school absences, higher compliance with required immunizations and physical exams, decreased smoking of tobacco and marijuana, fewer hospitalizations and emergency room visits, lower school drop-out rates and a decline in teen pregnancy:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2006 as SCHOOL HEALTH CENTER AWARENESS MONTH in Illinois, and urge all citizens to recognize the role of local school-based and school-linked health centers in improving the lives of young people and their families.

Issued by the Governor March 07, 2006.
Filed by the Secretary of State March 07, 2006.
WHEREAS, in 1821, the Greeks began a War of Independence by rising up against 400 years of occupation and oppression by the Ottoman Empire; and

WHEREAS, independence was finally granted by the Treaty of Constantinople in July 1832 when Greece (Hellas) was recognized as a free country. Greeks celebrate their Independence day annually on March 25; and

WHEREAS, the leaders of the American Revolution and the Framers of the Constitution often drew inspiration from Athenian lawgivers and philosophers. In fact, ancient Greek thought has long served as an example for representative government and free political discourse, and we continue to embrace those philosophies in our Nation today; and

WHEREAS, without a doubt, Greeks and Americans both share a love of freedom and individual rights. Bound by history, mutual respect, and common ideals, America and Greece have been firm allies in the great struggles for human liberty; and

WHEREAS, embodying the independence and creativity that have made our country strong, Greece’s proud history is a source of inspiration for our Nation and our world; and

WHEREAS, this year, Greeks and Americans are coming together to celebrate the 185th anniversary of the Declaration of Independence of 1821, and Illinois is proud to join with the Federation of Hellenic American Organizations, all of its members, and the entire Greek American community of Illinois in celebration of this significant occasion:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 25, 2006 as GREEK INDEPENDENCE DAY in Illinois in recognition of the country’s 185th Anniversary of Independence, and in tribute to all the Greek Americans who call Illinois their home.

Issued by the Governor March 08, 2006.
Filed by the Secretary of State March 08, 2006.
WHEREAS, Project Ignition, sponsored by State Farm and coordinated by the National Youth Leadership Council, gives high school students and their teachers a unique opportunity to work together in addressing the critical issues of teen driver safety and how it affects them, their community and the world around them; and

WHEREAS, students of Gibson City-Melvin-Sibley High School in Gibson City were inspired to participate in the 2005-2006 Project Ignition program, largely because of a tragic accident involving twin brothers, Steve and Greg Arends; and

WHEREAS, the GCMS project team, including 43 students and 2 teachers, produced Safe Driving DVDs, original soundtracks, and PowerPoint presentations that were shown school-wide and throughout the community, all centered around the theme “License to Live – Shattered Dreams;” and

WHEREAS, media coverage for the “License to Live – Shattered Dreams” project encompassed three television stations, local radio stations and newspapers, and a Web site, reaching nearly 345,000 people; and

WHEREAS, as a result of the students’ and teachers’ untiring work, seat belt usage among students at GCMS High School increased, while the number of speeding tickets and automobile accidents decreased; and

WHEREAS, the State of Illinois’ Departments of Motor Vehicles, under the jurisdiction of Secretary of State Jesse White, plans to play the Project Ignition’s team Safe Driving DVD at every facility; and

WHEREAS, the GCMS Project Ignition team has been selected as one of ten finalists from across the country, winning a $5,000 stipend from State Farm to travel to the National Youth Leadership Council’s 17th Annual National Service-Learning Conference in Philadelphia, Pennsylvania in March 2006, to present their “License to Live – Shattered Dreams” Program before an international audience and a renowned panel of judges; and

WHEREAS, the GCMS team will compete for the national “Best of the Best” award and a grant of $10,000 to be used to continue the project; and

WHEREAS, the State of Illinois proudly recognizes the dedication and hard work of this outstanding team, and commends all those involved in making this project a success, thereby making a positive difference in our
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 16, 2006 as PROJECT IGNITION DAY in Illinois, and encourage all citizens to recognize the hard work put into the “License to Live – Shattered Dreams” project and the importance of driver safety in our communities.

Issued by the Governor March 10, 2006.
Filed by the Secretary of State March 10, 2006.

2006-71
ELMHURST JAYCEES DISTINGUISHED SERVICE AWARD

WHEREAS, the Elmhurst Jaycees, a local chapter of the U.S. Junior Chamber of Commerce, serves the local community through organizing events and service to others; and

WHEREAS, the Elmhurst Jaycees was established in 1920 and continues today to provide young people between the ages of 21 and 39 the tools they need to build the bridges of success for themselves in the areas of business development, management skills, individual training, community service, and international connections; and

WHEREAS, in addition to providing opportunities to develop personal and leadership skills, the Elmhurst Jaycees have honored deserving community volunteers with the Distinguished Service Award for more than 50 years; and

WHEREAS, the honoree for this evening, Larry Fricke, who is a volunteer for Elmhurst College’s Advancement Office has given much of his time as a “full time volunteer” for over twenty years. He has donated approximately 40,000 hours of service benefiting Elmhurst College and the surrounding community; and

WHEREAS, Mr. Fricke has worked hard for Elmhurst College in developing relationships with alumni, businesses, and the community, thus earning his distinction as “Friend Raiser.” Also, he has directly contributed to a fundraising effort that led to $2 million in donations to the college; and

WHEREAS, this year, the Elmhurst Jaycees will present the 2006 Distinguished Service Award to Larry Fricke at River Forest Country Club on April 6:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize LARRY FRICKE for receiving the ELMHURST JAYCEES DISTINGUISHED SERVICE AWARD, for his contributions to the Elmhurst community, service to humanity, and to our great State.

Issued by the Governor March 10, 2006.
Filed by the Secretary of State March 10, 2006.

2006-72
GREAT AMERICAN MEATOUT DAY

WHEREAS, a wholesome diet of vegetables, fresh fruits, and whole grains promotes health and reduces the risk of heart disease, stroke, cancer, diabetes, and other chronic diseases that debilitate then kill 1.3 million Americans annually; and

WHEREAS, such a diet helps preserve topsoil, water, energy, and other food production resources that are essential to human survival; and

WHEREAS, as a result, a change in eating habits will help preserve our forests, grasslands, and other wildlife habitats and reduces pollution of our waterways by crop debris, manure, and pesticides; and

WHEREAS, a healthy diet can help prevent the suffering and death of more than ten billion sentient animals each year in the US; and

WHEREAS, each year, dedicated Illinois Meatout volunteers encourage their neighbors to explore such a diet:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 20, 2006 as GREAT AMERICAN MEATOUT DAY in Illinois, and encourage all citizens to explore a wholesome diet of vegetables, fresh fruits, and whole grains.

Issued by the Governor March 10, 2006.
Filed by the Secretary of State March 10, 2006.

2006-73
SPECIAL KIDS DAY

WHEREAS, established in 1990, Special Kids Day is a not-for-profit organization located in Elmhurst, Illinois. It is an all-volunteer and totally
free holiday event for children who are developmentally delayed or physically challenged; and

WHEREAS, Special Kids Day builds on the United Nations resolution #47/3, which also sets aside December 3 as a day to promote integrating the disabled into society; and

WHEREAS, designed to be a family celebration, this event honors all special needs children and their families to have an opportunity to experience the joys and laughter of the holiday season in a friendly, obstacle free space; and

WHEREAS, during the event, children are able to visit with Santa Claus and have a photo taken, enjoy holiday treats and receive a free goodie bag; and

WHEREAS, this all-volunteer, free event is a result of a combined community effort among local businesses, the Department of Education at Elmhurst College and many dedicated individuals; and

WHEREAS, every year, Special Kids Day is held on the first Wednesday of December. This year, the event will be on December 6:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 6, 2006 as SPECIAL KIDS DAY in Illinois, and encourage all citizens to recognize this wonderful event and invest time into one of our most precious resources, our children.

Issued by the Governor March 10, 2006.

Filed by the Secretary of State March 10, 2006.

2006-74
DISASTER AREA - STATE OF ILLINOIS

Tornadoes and severe storms moved through Southern and Central Illinois beginning on Saturday, March 11, 2006, continuing through Sunday, March 12, 2006 and into Monday, March 13, 2006. These storms resulted in injuries to more than a dozen citizens and major damage and destruction to scores of homes and businesses.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Ford, Greene, Logan, Morgan, Randolph, Sangamon and Scott
counties as disaster areas, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in coordinating the State’s efforts in responding to local government requests for assistance in the counties most severely impacted by the disaster. This proclamation will also facilitate a full assessment of disaster damage and, if determined necessary, make a request for federal disaster assistance possible.

Issued by the Governor March 13, 2006.
Filed by the Secretary of State March 13, 2006.

2006-75
NATIONAL GARDEN WEEK

WHEREAS, the Garden Clubs of Illinois, in cooperation with the National Garden Clubs, Inc., is promoting National Garden Week in Illinois; and

WHEREAS, Garden Week involves setting aside a special week to strengthen communities by encouraging citizens of all ages to work toward common goals; and

WHEREAS, among Garden Week activities are: educational programs, environmental cleanup, community beautification, flower shows, garden walks, youth activities and workshops; and

WHEREAS, the Garden Clubs of Illinois is a non-profit organization with more than 9,650 members and 200 clubs throughout Illinois; and

WHEREAS, the members are concerned citizens willing to devote their time and talents to the conservation, preservation, and beautification of our state’s natural treasures and to expand and share our knowledge for the betterment of the environment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 4 – 10, 2006 as NATIONAL GARDEN WEEK in Illinois, and encourage all citizens to recognize and celebrate the importance of our state’s natural wonders.

Issued by the Governor March 16, 2006.
Filed by the Secretary of State March 16, 2006.
WHEREAS, digestive diseases, in general, rank first among illnesses for total economic burden making up about 15% of all direct health care costs, therefore being an important health care issue in our Nation; and
WHEREAS, the largest group of digestive diseases is made up of a family of digestive motility diseases/disorders that are caused by a poorly understood neuro-muscular dysfunction of the gut that may produce in any region of the digestive tract chronic motor and sensory disturbances characterized by weakened, spastic or failed propulsion of food through the digestive system; and
WHEREAS, these gut motor and sensory disturbances, ranging in severity from mild to digestive failure at the critical end of the spectrum, collectively affect 35 million Americans; and
WHEREAS, this family of digestive motility disturbances – loosely referred to as “dyspepsia” when affecting the upper digestive tract and commonly found in association with delayed gastric emptying – amounts to more than 2 million physician outpatient visits annually and almost 40% of all referrals to a gastroenterologist; and
WHEREAS, 10% of Americans are affected on a daily basis by heartburn, which for half of this group is caused by a motor disturbance of the stomach that results in delayed gastric emptying whose symptoms of bloating, a feeling of fullness with abdominal discomfort, and nausea are not addressed by acid-suppressing drugs alone; and
WHEREAS, 20 to 30% of the general North American population experience bothersome upper or lower digestive tract motility disturbances on a chronic basis; and
WHEREAS, lack of formal recognition of this continuum of serious digestive motility problems has resulted in discrimination against patients for disability claims, marginalization of care, and even refusal of care with the explanation that the symptoms are psychologically based; and
WHEREAS, national and international organizations, such as the Gastroparesis and Dysmotilities Association, the Gastroparesis and Dysmotilities Association –USA, and the Association for Gastrointestinal Motility Disorders, are committed to educating the health care community
and the general public regarding the serious nature of digestive motility diseases/disorders and to provide accurate information on treatment, early detection and symptom management:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as NATIONAL DIGESTIVE MOTILITY AWARENESS MONTH in Illinois, and encourage all citizens to commit to the promotion of knowledge and understanding of digestive motility diseases and disorders.

Issued by the Governor March 16, 2006.
Filed by the Secretary of State March 16, 2006.

2006-77
PETER WILT DAY

WHEREAS, Peter Wilt, a native of McHenry, Illinois, first came into the spotlight in Chicagoland sports as the General Manager (GM) of the Chicago Power of the National Professional Soccer League. He remained the GM with the Power from 1990 until 1994; the team won their only championship under his leadership during the 1990-91 season; and

WHEREAS, in 1997, Mr. Wilt was named GM of Chicago’s new Major League Soccer (MLS) franchise, the Chicago Fire. Throughout his tenure, he developed a reputation for being a “fan friendly” businessman in the soccer world who is always willing to answer questions and cheer on the team; and

WHEREAS, since the beginning of the Chicago Fire, Mr. Wilt has been a strong force behind the FireWorks for Kids Foundation. As President of the Foundation, Mr. Wilt helped raise over $1.8 million dollars to help advance recreational and educational opportunities for economically or otherwise disadvantage children throughout the Chicagoland area; and

WHEREAS, in the Fire’s inaugural season, Mr. Wilt built a team that won the U.S. Open CUP and the MLS Cup in 1998. The Fire went on to win two more U.S. Open Cup titles in 2000 and in 2003, and won division titles in 2000, 2001, and 2003; and

WHEREAS, Mr. Wilt served on the United States Soccer Federation board of directors and was instrumental in the memorandum being passed between the Fire, AEG and the Village of Bridgeview to bring a world class,
soccer specific stadium to the State; and

WHEREAS, for his many endeavors, Peter Wilt has received numerous honors and awards. In 1998, he was named the MLS’s Executive of the Year and the Northwest Herald’s Sportsman of the Year. In 2002, he was honored as the Naperville Person of the Year by the Daily Herald, and in 2004 he was named to the Marian Central High School Sports Hall of Fame and the Illinois Soccer Hall of Fame; and

WHEREAS, on March 31, the Chicago Storm will be honoring Peter Wilt for his contributions to soccer, Chicago, and our great State:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 31, 2006 as PETER WILT DAY in Illinois.

Issued by the Governor March 16, 2006.
Filed by the Secretary of State March 16, 2006.

2006-78
CHILD ABUSE PREVENTION MONTH

WHEREAS, no child should have to endure mistreatment or abuse, especially at the hands of an adult. However, the unfortunate truth is that far too often children are abused and neglected by the very people that should protect and care for them; and

WHEREAS, studies show that child abuse and neglect can ruin children’s lives by making them more likely to drop out of school, suffer from drug and alcohol abuse, and ultimately become abusers themselves; and

WHEREAS, discovering solutions to child abuse and neglect requires the involvement and collaboration of citizens, organizations, and government entities throughout Illinois; and

WHEREAS, it is important that society learns to recognize the warning signs that a child might be abused or neglected. These include: nervousness around adults; aggression toward children or adults; frequent or unexplained bruises or injuries; low self-esteem; and poor hygiene; and

WHEREAS, in Illinois, effective child abuse prevention programs have contributed to a decline in reports of child abuse and neglect, from 139,720 reports in Fiscal Year 1995 to 111,837 reports in Fiscal Year 2005; and
WHEREAS, child abuse prevention programs in Illinois are effective because of partnerships created by the Illinois Department of Children and Family Services, Prevent Child Abuse-Illinois, Parents Share & Care of Illinois, and other government entities, social service agencies, schools, religious organizations, law enforcement agencies, businesses and individual citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as CHILD ABUSE PREVENTION MONTH in Illinois, and encourage all citizens to support child abuse prevention programs and report suspected cases of abuse to the Illinois Child Abuse Hotline at 1 (800) 25-ABUSE.

Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-79
FOSTER PARENT APPRECIATION MONTH

WHEREAS, to foster means to nourish, cherish and encourage, which is what foster parents do for children whose natural parents can no longer provide them with care; and

WHEREAS, foster parents meet a very special need in our society by ensuring that these children receive attention, respect, love, understanding, compassion, and health and educational services; and

WHEREAS, more than 17,400 children are currently wards of the Department of Children and Family Services (DCFS) due to abuse, neglect or abandonment; and

WHEREAS, the contributions of Illinois foster parents to the welfare of these children are incalculable and irreplaceable; and

WHEREAS, DCFS is equipping an increasing number of grandparents and other relatives to serve as foster parents; and

WHEREAS, specialized training and support services are now being provided to foster parents serving older youth, who now constitute the majority of children in DCFS care; and

WHEREAS, there remains a great demand for additional caring adults in Illinois to consider opening their homes to older children in need of foster care; and

...
WHEREAS, Illinois foster parents deserve our gratitude and respect for the work they do everyday to ensure that our children receive the support they need throughout their maturing process:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as FOSTER PARENT APPRECIATION MONTH in Illinois, and encourage all citizens to recognize and support the gracious and loving foster parents in their communities.

Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-80
SONNENSCHEIN NATH & ROSENTHAL LLP CENTENNIAL ANNIVERSARY DAY

WHEREAS, on April 1, 2006, the law firm of Sonnenschein Nath & Rosenthal LLP ("Sonnenschein"), with offices in Chicago and eight other U.S. cities will observe the 100th year of its founding in Chicago in 1906; and

WHEREAS, the venerable Sonnenschein firm, with more than 700 lawyers and other professionals serving the legal needs of many of the world's largest and best-known businesses, nonprofits and individuals in Chicago and elsewhere, will commemorate this remarkable centennial milestone throughout 2006; and

WHEREAS, the focus of the firm's celebratory initiatives is devoted to positive ways and means by which to assist in improving education in its communities; and

WHEREAS, in addition to the contributions of firm assets to improving education for the less privileged and underserved youth of our great state, Sonnenschein encourages its attorneys and staff to generously volunteer their personal time and talents to such important endeavors; and

WHEREAS, Sonnenschein has founded Legacy Charter School in Chicago’s North Lawndale community in order to provide the best education possible for its children and a brighter future for one of the most economically challenged neighborhoods in the city; and

WHEREAS, to celebrate its Centennial, the Sonnenschein Scholars Foundation was created to fund, manage and direct a national program to
underwrite summer public service for law school students who otherwise could not afford to work in public service; and

WHEREAS, students at three university law schools in Illinois over the next five years will benefit from these summer stipends that underwrite their participation in such public service summer programs:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 1, 2006 as SONNENSCHEIN NATH & ROSENTHAL LLP CENTENNIAL ANNIVERSARY DAY in Illinois.

Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-81
STROKE AWARENESS MONTH

WHEREAS, stroke is the third leading cause of death in the United States, striking over 700,000 Americans each year, and stroke is a leading cause of long-term disability with about 4.5 million stroke survivors alive today; and

WHEREAS, stroke is the third leading cause of death in Illinois, killing an estimated 7,000 to 8,000 residents a year; and

WHEREAS, approximately 39,500 stroke patients are treated each year in Illinois hospitals at a cost of approximately $816 million; and

WHEREAS, the majority of Americans are not aware of the risk factors, signs and symptoms of a stroke, or that certain populations are at an increased risk of having a stroke; and

WHEREAS, risk factors for a stroke are high blood pressure, cigarette smoking, heart disease, diabetes, transient ischemic attacks (TIAs), physical inactivity and obesity; and

WHEREAS, new and effective treatments have been developed to treat and to minimize the severity and damaging effects of strokes and to improve disability following a stroke, but much more research is needed; and

WHEREAS, symptoms of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; confusion, trouble speaking or understanding; trouble seeing in one or both eyes; trouble walking, dizziness, loss of balance or coordination; and severe headache with no known cause; and
WHEREAS, Illinoisans need to recognize the symptoms of a stroke and the urgent need to call 911 when the signs and symptoms appear, because during a stroke, every minute counts; and
WHEREAS, acknowledging May 2006 as Stroke Awareness Month offers advocates for stroke awareness an opportunity educate the public and policymakers about the devastating effects of stroke:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as STROKE AWARENESS MONTH in Illinois, and encourage all citizens to familiarize themselves with the signs, symptoms and risk factors associated with stroke and the urgent need to call 911 when one should occur.
Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-82
WORLD TB DAY

WHEREAS, 596 cases of active tuberculosis disease were reported in Illinois in 2005; and
WHEREAS, Illinois reports the fifth highest number of tuberculosis cases of any state in the nation; and
WHEREAS, there is a disproportionate burden of TB in minorities and persons born outside the United States; and
WHEREAS, each year thousands of household members, health care employees and others who share the air of infectious tuberculosis patients are at risk of becoming infected with the tuberculosis bacterium and progressing to active disease; and
WHEREAS, in 2005 there was a 5 percent rise in the number of patients in Illinois with active tuberculosis; and
WHEREAS, the Illinois Department of Public Health is working to promote prompt diagnosis and treatment of tuberculosis cases; implementation of strategies to prevent tuberculosis in children; improved working relationships between public health providers and private providers, hospitals, long term care facilities, correctional facilities, managed care organizations and others; and decreased tuberculosis transmission in health care facilities and community settings; and
WHEREAS, the theme for this year’s World Tuberculosis Day, “Actions for Life Towards a World Free of Tuberculosis” recognizes that tuberculosis prevention and control is possible, and that Illinois is committed to working toward the elimination of tuberculosis:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 24, 2006 as WORLD TB DAY in Illinois and urge all citizens to increase their awareness and understanding of tuberculosis infection and disease and to join the global effort to stop the spread of this disease.

Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-83
STATE FARM DAY

WHEREAS, State Farm Insurance Companies was founded in 1922, by George J. Mecherle, a farmer from Merna, Illinois; and

WHEREAS, State Farm’s mission is to help people manage the risks of everyday life, recover from the unexpected, and realize their dreams; and

WHEREAS, State Farm has grown over the past 83 years from a small farm mutual auto insurer to the leading United States home insurer and one of the world’s largest financial institutions; and

WHEREAS, State Farm employs 68,000 associates, including more than 16,500 in Illinois; and

WHEREAS, about 17,000 State Farm agents are spread around the world, including 1,000 in Illinois who provide products and services to thousands of families and businesses; and

WHEREAS, State Farm is a model corporate citizen, demonstrating a proven commitment to helping to build safe, strong, and educated communities – not only in Illinois but throughout the nation; and

WHEREAS, State Farm’s Good Neighbor Citizenship shows through the company’s support and encouragement of associate and agent volunteerism, numerous initiatives to promote safety ranging from child passenger safety to financial safety, and working collaborations that strengthen and support public education; and

WHEREAS, State Farm’s success is built on a foundation of shared
values – quality service and relationships, mutual trust, integrity, and financial strength:


Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-84
NATIONAL UNIVERSITY OF HEALTH SCIENCES

WHEREAS, National University of Health Sciences, located in Lombard, Illinois was founded in 1906 as the National School of Chiropractic and Institute of Adjustment; and

WHEREAS, National University of Health Sciences became National College of Chiropractic in 1920 and National University of Health Sciences in 2000; and

WHEREAS, National University of Health Sciences was first accredited by the National Chiropractic Association in 1941, was accredited by the Council on Chiropractic Education in 1966, received approval to offer the baccalaureate degree by the Illinois Department of Higher Education in 1966, was recognized by the New York Board of Regents in 1971, and was the first institution of its kind to receive full accreditation by the North Central Association of Colleges and Schools in 1981 - 25 years ago; and

WHEREAS, National University of Health Sciences is recognized the world over as an institution dedicated to quality education in all of its programs and currently holds the highest entry standards of schools in its class; and

WHEREAS, National University of Health Sciences has demonstrated a commitment to research, publishing three scientific journals as well as contributing important findings in the field of spinal health and anatomy; and

WHEREAS, National University of Health Sciences has established as one of its purposes the promotion of collegiality among members of the chiropractic profession and members of complementary and alternative health professions as well as the allopathic profession; and
WHEREAS, National University of Health Sciences has had a major and positive economic impact on its local community, and has offered resources to the community including: a campus clinic that is open to the public, staff for two non-profit clinics in Chicago serving the medically underprivileged, two additional clinics in Chicago and Aurora; health and wellness information, lectures and presentations both at its campus and in outreach activities to local organizations; a library devoted to medical and health topics; facilities for local community and business group functions; and contributing its resources to cultural and civic events; thereby greatly enhancing the state of health of the citizens of Illinois and the world; and

WHEREAS, National University of Health Sciences now offers associate, baccalaureate, master's and first professional doctoral degrees in the healing arts, including certification or degrees in massage therapy, biomedical science, chiropractic medicine, acupuncture, oriental medicine, naturopathic medicine, radiology and advanced family practice:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize the NATIONAL UNIVERSITY OF HEALTH SCIENCES for their one hundred years of academic, research and service excellence in our great State.

Issued by the Governor March 21, 2006.
Filed by the Secretary of State March 21, 2006.

2006-85
WOMEN PRESIDENTS’ ORGANIZATION DAYS

WHEREAS, the Women Presidents’ Organization consists of 1000 members in 59 chapters throughout the United States and North America; and

WHEREAS, nearly half of all privately held U.S. firms are 50% or more women owned; and

WHEREAS, women entrepreneurs are making remarkable strides and achieving unprecedented success across the world; and

WHEREAS, the Women President’s Organization (WPO) connects top women entrepreneurs at the million and multi-million dollar level ($2 million in gross annual sales or $1 million for service-based business) – locally and internationally; and

WHEREAS, the estimated growth rate in the number of women-
owned firms was nearly twice that of all firms; and

WHEREAS, across the world, women-owned firms typically comprise between 1/4 and 1/3 of the business population; and

WHEREAS, 66% of women business owners are willing to take substantial risks when investing for their businesses; and

WHEREAS, WPO members are accomplished women presidents from diverse industries and backgrounds that invest time and energy in themselves and their businesses to drive them to the next level; and

WHEREAS, over 19.1 million people are employed by a women-owned firm; and

WHEREAS, the State of Illinois is proud to recognize the accomplishments of women entrepreneurs:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 27-29, 2006 as WOMEN PRESIDENTS’ ORGANIZATION DAYS in Illinois to support, promote and encourage the accomplishments of women business owners.

Issued by the Governor March 23, 2006.
Filed by the Secretary of State March 23, 2006.

2006-86
MAJOR ZIAUR RAHMAN DAY

WHEREAS, on March 25, 1971, Major Ziaur Rahman broadcasted a historic message of independence to the people of Bangladesh; and

WHEREAS, in 1976, the late President Ziaur Rahman introduced a multi-party democratic government in Bangladesh, as well as freedom of press and judiciary; and

WHEREAS, Major Ziaur Rahman encouraged friendship between Bangladesh and the United States; and

WHEREAS, this year, the Bangladesh community is honoring Major Ziaur Rahman on March 26, 2006 and Illinois is proud to join with the Bangladeshi-American community in celebration of this significant occasion:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 26, 2006 as MAJOR ZIAUR RAHMAN DAY in Illinois, and encourage all citizens to recognize his many contributions to the people of Bangladesh, and in tribute to all Bangladeshi-
Americans who call Illinois their home.
Issued by the Governor March 23, 2006.
Filed by the Secretary of State March 23, 2006.

2006-87
THE 19TH ANNUAL RITA HAYWORTH GALA BENEFITTING
THE ALZHEIMER’S ASSOCIATION DAY

WHEREAS, Alzheimer’s disease is a complex, progressive disease
where the affected individual begins to lose control of the part of their brain
that regulates thought, memory, and language. The disease usually begins to
appear in individuals over the age of 60, and the risk of acquiring it increases
with age; and

WHEREAS, approximately 4.5 million Americans suffer from
Alzheimer’s Disease, including approximately 222,000 Illinoisans. Although
it appears in older individuals, Alzheimer’s is a condition in itself, and is not
a normal part of the aging process; and

WHEREAS, established in 1980, the Alzheimer’s Association is the
leading national health organization dedicated to advancing Alzheimer’s
research and aid; and

WHEREAS, since its inception, the Alzheimer’s Association has been
the largest private sponsor of Alzheimer research, providing more than $185
million in funding for hundreds of research studies; and

WHEREAS, the Alzheimer’s Association is a proven authority on the
issues that affect citizens with Alzheimer’s disease and their families, serving
as a voice for them in the capitals of every state, hundreds of U.S.
congressional offices, and even the White House; and

WHEREAS, the Rita Hayworth Galas, held annually in New York
and Chicago, are crucial fund-raising events that the Alzheimer’s Association
relies heavily on for financial support; and

WHEREAS, since 1985, the Rita Hayworth Galas have raised more
than $40 million in funds, with one hundred percent going directly to the
Alzheimer’s Association; and

WHEREAS, Princess Yasmin Aga Khan, the general chair of the Rita
Hayworth Gala and the daughter of the late Rita Hayworth, has worked
tirelessly over the years in supporting the advancement of critical
Alzheimer’s research. Her efforts have touched the lives of countless people throughout the country; and

WHEREAS, the Chicago Rita Hayworth Gala celebrates and honors medical research into the causes, treatment, prevention, and eventual cure of Alzheimer’s disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 13, 2006 as THE 19th ANNUAL RITA HAYWORTH GALA BENEFITING THE ALZHEIMER’S ASSOCIATION DAY in Illinois and encourage all citizens to recognize the importance of continued research on this devastating disease.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 24, 2006.

2006-88
ILLINOIS ARTS WEEK

WHEREAS, the arts are the embodiment of all things beautiful and entertaining in the world; and

WHEREAS, the arts enhance every aspect of life in Illinois - improving our economy, enriching our civic life and exerting a profound influence on the education of our children; and

WHEREAS, arts education research shows that the arts help to foster discipline, creativity, imagination, self-expression, and problem solving skills while also helping to develop a heightened appreciation of beauty and cross-cultural understanding; and

WHEREAS, the arts summon the talents and creativity of all citizens, while also serving as a catalyst for economic growth and tourism; and

WHEREAS, since 1978, the Illinois Arts Council has partnered with artists and organizations to show support and encouragement of the arts through a weeklong celebration, while also heightening awareness of the intrinsic role the arts play in our lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 8 – 14, 2006 as ILLINOIS ARTS WEEK and urge all citizens to demonstrate their appreciation for the arts and the rich cultural experience it provides for our state.

Issued by the Governor March 24, 2006.
2006-89
RADIOLOGIC TECHNOLOGY WEEK

WHEREAS, the health and well-being of our citizens is a major concern of Illinois health care professionals; and
WHEREAS, qualified practitioners who specialize in the use of medical radiation and imaging technology to aid in the diagnosis and treatment of disease, share a commitment to creating for the people of this state a safer and more compassionate environment; and
WHEREAS, professionals in the radiologic sciences continually maintain their highest standards of professionalism through education, lifelong learning, credentialing and personal commitment; and
WHEREAS, Radiologic Technology Week, in conjunction with the 71st Annual Illinois State Society of Radiologic Technologists (ISSRT) Conference, will focus on the safe, medical radiation environment provided through the skilled and conscientious efforts of radiologic technologists:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 19 - 21, 2006 as RADIOLOGIC TECHNOLOGY WEEK in Illinois, and urge all citizens to recognize the importance of radiologic technology to the health industry in this state, and across the country.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 24, 2006.

2006-90
SARCIOIDOSIS AWARENESS MONTH

WHEREAS, sarcoidosis is a disease that causes inflammation of the body’s tissues. It can occur in any organ of the body and upsets cells until they eventually form granulomas, which are small lumps that stay within the organ; and
WHEREAS, sarcoidosis can affect people all across the globe. Although it was once viewed as a rare disease, over the last 35 years the affected population has increased. Sarcoidosis is now the most common
fibrotic lung disorder and one of the most common chronic diseases in the world; and

WHEREAS, symptoms of sarcoidosis are far ranging. Since the disease can affect any organ in the body, the symptoms are different for each organ. The most common symptoms include: fatigue, loss of appetite, fever, night sweats, enlarged lymph nodes, a skin rash, and shortness of breath and/or chest pain; and

WHEREAS, sarcoidosis is not easily diagnosed and can often go undetected or misdiagnosed for a long period of time. Because of this, it is difficult to estimate the number of people living with the disease today; and

WHEREAS, many patients with sarcoidosis do not require treatment and are able to function normally, particularly those without disabling symptoms. Although corticosteroids remain the primary treatment for sarcoidosis, a critical aspect of treatment is to keep the affected organs working and relieve the symptoms. Many times, symptoms will disappear spontaneously or without treatment; and

WHEREAS, there are many dedicated organizations in this country working to raise awareness about this disease. The National Sarcoidosis Society, Incorporated, provides educational awareness and support to the patients and their families as well as developing an ongoing campaign to promote awareness and medical research into the debilitating disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as SARCOIDOSIS AWARENESS MONTH in Illinois, and encourage all citizens to educate themselves on this unfortunate chronic illness, and do what they can to support those who are affected by it.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 24, 2006.

2006-91
PARKINSON’S DISEASE AWARENESS MONTH

WHEREAS, Parkinson’s disease is a progressive disorder of the central nervous system, affecting more than one million people in the United States; and

WHEREAS, approximately 1.5 million Americans are currently
afflicted with Parkinson’s disease and it is estimated that 60,000 new cases are diagnosed each year; and

WHEREAS, Parkinson’s disease affects both men and women in almost equal numbers. It shows no social, ethnic, economic or geographic boundaries; and

WHEREAS, in 1961, The American Parkinson Disease Association, Inc. was founded to provide patient and family support for those afflicted by this debilitating disorder. The association also supports and funds ongoing research in the hope of finding a cure; and

WHEREAS, the State of Illinois recognizes the efforts of the Midwest Chapter of the American Parkinson Disease Association to increase funds and promote awareness to fight Parkinson’s disease, thereby improving the quality of life for those living with the disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as PARKINSON’S DISEASE AWARENESS MONTH in Illinois, and encourage all citizens to recognize the indispensable services of the American Parkinson Disease Association, Inc. to the residents of our state.

Issued by the Governor March 24, 2006.

Filed by the Secretary of State March 24, 2006.

2006-92

AMERICAN EX-PRISONERS OF WAR RECOGNITION DAY

WHEREAS, many loyal and brave Americans who served in the wars of this nation were captured by the enemy or listed as missing in action while performing their duties; and

WHEREAS, despite strict rules and regulations set forth by international codes, American Prisoners of War have often suffered unconscionable treatment and many have died as a result of cruel and inhumane acts by their enemy captors; and

WHEREAS, it is exceedingly fitting that we recognize the sacrifices of American Prisoners of War and those missing in action; and

WHEREAS, these heroic soldiers have demonstrated their love and convictions in the people and freedoms of this country by enduring these tragedies, and in many unfortunate cases by giving the ultimate sacrifice:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 9, 2006 as AMERICAN EX-PRISONERS OF WAR RECOGNITION DAY in Illinois, and encourage all citizens to take a moment to honor and remember the men and women who suffered while fighting to make America a better place for all to live.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 24, 2006.

2006-93
BATAAN DAY AND NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

WHEREAS, since the birth of this great nation, America has been blessed with a population of brave men and women who have courageously answered the call to defend their country’s ideals of freedom and democracy. Many of the brave Americans who have answered their country’s call to service were captured by hostile forces or listed as missing while performing their duties; and

WHEREAS, the harsh conditions of enemy captivity are an unfortunate reality that many of our brave soldiers and their allies have experienced firsthand. During World War II, American and Filipino prisoners of war who fought in the Philippines experienced some of the cruelest treatment. They were forced by Japanese captors to participate in what has come to be known as the Bataan Death March and the survivors were put into forced labor camps; and

WHEREAS, American and Filipino former prisoners of war are national heroes whose service to our country will never be forgotten. These brave men and women fought for America and endured cruelties and deprivation as prisoners of war that no man or women should ever have to experience; and

WHEREAS, during World War II, the Korean War, Vietnam, the 1991 Gulf War, Operation Iraqi Freedom, and other conflicts, our service men and women have sacrificed much to secure freedom, defend the ideals of our nation, and free the oppressed. Each of these individuals should be honored for their strength of character and for the difficulties they and their families endured. By answering the call of duty and risking their lives to
protect others, these proud patriots continue to inspire us today as we work with our allies to extend peace, liberty, and opportunity to people around the world; and

WHEREAS, as we honor our former POWs, we must also recognize and honor all soldiers who remain unaccounted for, as well as those currently enlisted in the United States military who, like so many before them, proudly serve their country in an effort to advance peace throughout the world:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 9, 2006 as BATAAN DAY AND NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY in Illinois, and encourage all citizens to take a moment to honor and remember the men and women who suffered the hardships of enemy captivity while courageously serving their country.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 24, 2006.

2006-94
ILLINOIS OLYMPIANS DAY

WHEREAS, from February 10 - 26, 2006, the XX Winter Olympic Games were held in Turin, Italy (Torino 2006), featuring athletic competition at the highest level, and celebrating cooperation among the nations and people of the world; and

WHEREAS, the United States Olympic team featured dedicated and talented athletes from all across the country, 9 of which are from the State of Illinois: Lorenzo Smith III of Kankakee (Bobsled); Ben Agosto of Northbrook (Figure Skating); Melissa Gregory of Highland Park (Figure Skating); Evan Lysacek of Naperville (Figure Skating); Aaron Parchem of Oak Park (Figure Skating); Matt Savoie of Peoria (Figure Skating); Chris Chelios of Chicago (Men’s Ice Hockey); Margaret Crowley of Evanston (Speedskating); and Shani Davis of Chicago (Speedskating); and

WHEREAS, among these 9 athletes, two received medals for their achievements in the XX Winter Olympic Games; and

WHEREAS, Ben Agosto, along with his partner, Tanith Belbin, received a Silver medal for the Ice Dancing event in Figure Skating; and

WHEREAS, Shani Davis received two medals in Speedskating: Gold
for the Men’s 1000 meter and Silver for the Men’s 1500 meter; and

WHEREAS, the State of Illinois is proud to recognize all of these athletes for their terrific achievements in Turin, and for serving as role models for our youth by demonstrating the rewards of hard work and dedication to practice and training. To celebrate this wonderful display of athletic excellence from our state, on March 25, 2006 we join WGCI and the Mayor’s Office of the City of Chicago in honoring Shani Davis for his Gold and Silver medals on behalf of the United States of America:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 25, 2006 as ILLINOIS OLYMPIANS DAY in Illinois, and encourage all citizens to join in recognizing their great accomplishments at the XX Winter Olympics Games.

Issued by the Governor March 24, 2006.
Filed by the Secretary of State March 27, 2006.

2006-95
APPRENTICESHIP WEEK

WHEREAS, apprenticeship training is a key component in developing skilled workers in various trades and crafts. As part of a continuing program initiated by the government in 1937, this specialty training is supported by most industry and labor related fields; and

WHEREAS, industry professionals make cooperative efforts to encourage and improve apprenticeship training in Illinois in order to provide skilled journeymen in all trades; and

WHEREAS, the Illinois State Apprenticeship Conference will be held on May 15, 2006. This event is intended to promote the exchange of information and ideas between all crafts and trades:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 15 – 19, 2006 as APPRENTICESHIP WEEK in Illinois, and encourage all citizens to recognize the benefits that apprenticeship opportunities provide for the state.

Issued by the Governor March 27, 2006.
Filed by the Secretary of State March 27, 2006.
2006-96
HOME EDUCATION WEEK

WHEREAS, the growth and development of school age children is of paramount importance in Illinois, and across the country; and
WHEREAS, Illinois values its children and recognizes the importance of providing them with the best education possible so that they may realize their fullest potential and experience success in their future endeavors; and
WHEREAS, Illinois presents children and families with the opportunity to explore alternatives to public and private schools by authorizing home education as a legitimate and viable educational option; and
WHEREAS, home education allows parents the opportunity to develop and implement a learning program based on their children’s individual needs; and
WHEREAS, studies show that students who are educated at home typically score at or above the national average on standardized tests. Studies also confirm that children who are educated at home exhibit self-confidence and good citizenship, and are fully prepared academically to meet the challenges of today’s society:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 26 – April 1, 2006 as HOME EDUCATION WEEK in Illinois, and encourage all citizens to recognize the important role that home education plays in educating our children.

Issued by the Governor March 27, 2006.
Filed by the Secretary of State March 27, 2006.

2006-97
ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES
YOUTH DAY

WHEREAS, for the past 47 years, the Electric and Telephone Cooperatives of Illinois have sponsored a paid tour of Washington, D.C., for approximately 60 outstanding Illinois high school students; and
WHEREAS, the selection criteria for students to participate includes essay and youth leadership contests that are sponsored by member cooperatives; and
WHEREAS, students from Illinois, along with nearly 1,500 contest
winners from other states, will have an opportunity to witness their federal
government in action during the “Youth to Washington” tour taking place on
June 9 – 16, 2006; and
WHEREAS, in an effort to provide a broader educational experience
for students throughout the state, the Electric and Telephone Cooperatives of
Illinois will also sponsor a trip to our state capitol April 5, 2006 for 250
contest finalists; and
WHEREAS, these hard-working young men and women are the
future of our state and country, and deserve to be commended for their
achievements and their desire to learn more about their nation’s governing
bodies:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim April 5, 2006 as ILLINOIS ELECTRIC AND
TELEPHONE COOPERATIVES YOUTH DAY in Illinois, and encourage
all citizens to support youth programs that assist those interested in learning
about the United States government.
Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-98
NATIONAL DAY OF PRAYER

WHEREAS, in times of peril both at home and abroad, many
American citizens turn to prayer for help and guidance; and
WHEREAS, millions of men and women across the nation gratefully
continue the tradition of prayer in churches, synagogues, temples, mosques,
and other houses of worship across our country; and
WHEREAS, established in 1952 by an act of Congress, the National
Day of Prayer is now observed nationally every year on the first Thursday in
May; and
WHEREAS, the National Day of Prayer is a celebration of American
citizens’ freedom of religion, set forth in the First Amendment. Americans
treasure their religious freedom, which embraces the many diverse
communities of faith that have infused our society and our cultural heritage
over more than two centuries; and
WHEREAS, the theme for the National Day of Prayer 2006 is America, Honor God, inspired by the passage found in I Samuel 2:30: “Those who honor me I will honor”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 4, 2006 as NATIONAL DAY OF PRAYER in Illinois.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-99
PUBLIC SERVICE RECOGNITION WEEK

WHEREAS, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation functioning; and

WHEREAS, many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States; and

WHEREAS, public servants include teachers, mail carriers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, and many other occupations. Day in and day out, they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, for more than 20 years, the Public Employees Roundtable at the Council for Excellence in Government (a national, nonpartisan/nonprofit organization) has sought to highlight the accomplishments of the dedicated people who work tirelessly on behalf of all Americans; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1-7, 2006 as PUBLIC SERVICE RECOGNITION WEEK in Illinois, and encourage all citizens to recognize
the accomplishments and contributions of government employees at all levels – federal, state, county and municipal – to our great State.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-100
PUBLIC HEALTH WEEK

WHEREAS, across the country, the modern built environment – our buildings, roads, sidewalks and neighborhood design – adversely affects the health and safety of our children; and

WHEREAS, April 3 – 9, 2006 has been designated as National Public Health Week by the American Public Health Association and other distinguished state and national organizations; and

WHEREAS, this year’s theme for Public Health Week is Designing Healthy Communities: Raising Healthy Kids!; and

WHEREAS, all observances during National Public Health Week will be used to promote a healthy built environment and balanced solutions to create healthier communities and healthier kids; and

WHEREAS, the observation is a cooperative effort of state and local health departments, academic institutions, allied organizations, community groups, and professional and trade associations which have joined together to promote a common interest in public health; and

WHEREAS, communities are encouraged to assess the status of the built environment and children’s health, identify areas for improvement and implement model programs; and

WHEREAS, other public health initiatives in Illinois include the FamilyCare, KidCare and All Kids programs, which provide health care coverage and insurance for working families and children. These programs are helping to make sure all children are able to receive medical care when they need it; and

WHEREAS, the Illinois Public Health Association is a voluntary professional society whose members strive to improve the health of Illinois residents through leadership in and advancement of the practice of public health:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim April 3 – 9, 2006 as PUBLIC HEALTH WEEK in Illinois, and encourage all citizens to take part in the events planned for this observance.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-101
FEDERATION OF WOMEN CONTRACTORS DAY

WHEREAS, there has been a continuous struggle in our society for women to receive the same rights as their male counterparts. Equally as pervasive is their struggle for equality in the workplace; and
WHEREAS, males continue to have a seat at the decision-making table, especially in fields historically dominated by men, such as the construction industry; and
WHEREAS, the Federation of Women Contractors (FWC), created in 1989, is “committed to the advancement of entrepreneurial women in the construction industry;” and
WHEREAS, through educational, social and professional efforts, FWC provides an arena for its more than 100 members to have a voice; and
WHEREAS, the breadth of their message reaches far beyond the FWC membership, joining in alliance with other associations in the industry and other professional women’s organizations to make a difference:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 18, 2006 as FEDERATION OF WOMEN CONTRACTORS DAY in Illinois, and join FWC in celebration of their 17th Anniversary and 14th Annual Awards Reception.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-102
NATIONAL CANCER REGISTRARS WEEK

WHEREAS, chartered in May 1974, the National Cancer Registrars Association (NCRA) is a non-profit organization that represents more than 4,000 cancer registry professionals and Certified Tumor Registrars. The
mission of NCRA is to promote education, credentialing, and advocacy for cancer registry professionals; and

WHEREAS, cancer registrars are healthcare professionals and data management experts that capture a complete summary of patient history, diagnosis, treatment, and status for every cancer patient in the United States, and other countries as well. This data is fundamental to the nation’s cancer prevention and treatment efforts; and

WHEREAS, cancer registrars advocate at state and local levels on issues related to cancer surveillance and privacy of patient medical records. This year’s theme is “Cancer Registrars...Advocates in Action,” and was chosen to acknowledge the growing impact cancer registrars make in the nation’s response to public health challenges; and

WHEREAS, researchers working on epidemiological studies and public health officials developing cancer prevention programs use data collected by cancer registrars. Local and state data is also submitted to the National Cancer Database, a nationwide oncology outcomes database maintained by the American College of Surgeons that provides the basis for many patterns of care studies; and

WHEREAS, during the week of April 3-7, 2006, Cancer Registrars will be honored by observing National Cancer Registrars Week. This annual observance, organized by the National Cancer Registrars Association, honors their members and Cancer Registry professionals whose vision and core values are set in making a difference in the “war on cancer”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 3-7, 2006 as NATIONAL CANCER REGISTRARS WEEK in Illinois, and encourage all citizens to recognize these healthcare professionals for their tireless work in the fight against cancer.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-103
CENTER ON HALSTED DAY

WHEREAS, this is the 17th year of the Human First gala celebration; and
WHEREAS, Center on Halsted will be a multi-purpose, multi-functional facility for the lesbian, gay, bisexual, and transgender (LGBT) community of Chicago and the Midwest; and

WHEREAS, all the historical perspective of a successful 33-year-old social services agency (Horizons Community Services) is being brought to bear as the Center benefits the organization’s focus in three main areas: youth, mental health, and community programming; and

WHEREAS, in a safe and nurturing environment, Center on Halsted will serve as a catalyst that links and provides community resources and enriches life experiences; and

WHEREAS, the Center will empower individuals to live full, healthy, and integrated lives, and will help to strengthen the community by respecting all differences, celebrating diversity, and fostering collaborative responses to community needs; and

WHEREAS, the life-saving dream of the Center on Halsted is being realized through the generosity of the City, the community, and the neighborhood:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 8, 2006, as CENTER ON HALSTED DAY in Illinois, and encourage citizens to join in recognizing the terrific efforts that the Center on Halsted puts forth in service to the LGBT community of Chicago and the Midwest.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-104
TELECOMMUNICATIONS WEEK

WHEREAS, public safety telecommunicators, specialists in operating state-of-the-art radio and computer systems, are a cornerstone of the public safety community; and

WHEREAS, using state-of-the-art radio and computer systems, telecommunications professionals help to save countless lives by responding to emergency 9-1-1 calls, dispatching emergency professionals and equipment, and providing moral support to citizens in distress; and

WHEREAS, telecommunications professionals display poise under
pressure, use critical decision making skills, and offer aid and compassion in times of crisis; and
WHEREAS, these dedicated men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and
WHEREAS, one of the most important duties of telecommunications professionals is operation of the Illinois Amber Alert System, which allows storm warnings, abduction cases, and any other emergency messages to be immediately distributed to broadcasters, and in turn, to all citizens of Illinois:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 9-15, 2006 as TELECOMMUNICATIONS WEEK in Illinois, in recognition of the vital contributions telecommunication professionals make to the safety and well-being of our citizens.
Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

---

2006-105
ASPCA DAY

WHEREAS, the American Society for the Prevention of Cruelty to Animals (ASPCA) has provided service to millions of people and their animals since its establishment in 1866 by Henry Bergh; and
WHEREAS, the ASPCA was the first humane society established in the Western Hemisphere; and
WHEREAS, compassion, kindness, and respect for all God’s creatures are among the character-building virtues taught to children by the ASPCA; and
WHEREAS, through its promotion of humane animal treatment with programs on law enforcement, education, shelter outreach, poison control, government affairs, counseling, veterinary services, and behavioral training, the ASPCA has provided invaluable services to the people of the State of Illinois and their animals; and
WHEREAS, the dedicated veterinarians, directors, and staff of the ASPCA Animal Poison Control Center offer life-saving advice and services for animals all over the United States via its hotline from its office in Urbana, Illinois 24 hours per day, 7 days per week, 365 days per year; and
WHEREAS, the ASPCA Animal poison Control Center provides extensive veterinary toxicology expert consulting on a wide array of subjects including legal cases, formulation issues, product liability and regulatory reporting and has been doing so since its doors opened in 1978; and
WHEREAS, April 10, 2006 is the 140th Anniversary of the founding of ASPCA:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, hereby proclaim April 10, 2006 as ASPCA DAY in Illinois in recognition of its honorable service to people and their animals for 140 years.

Issued by the Governor March 28, 2006.
Filed by the Secretary of State March 28, 2006.

2006-106
ANGE MILNER DAY

WHEREAS, Illinois State University celebrates the 150th birth date of its first librarian, Angeline Vernon Milner (Ange) on April 10, 2006; and
WHEREAS, born on April 9, 1856, Illinois State Normal University’s (ISNU) first librarian served from 1890-1928. Through Ange Milner’s tireless work in cataloging and classification, extending more than 37 years, she transformed several thousand books into a systematically arranged collection totaling more than 40,000; and
WHEREAS, Ange Milner was active in the American Library Association, the National Education Association, and was a founder of the Illinois Library Association, for which she served as vice president and president; and
WHEREAS, Ange Milner was legendary for her service and devotion to library users - she initiated library instruction at ISNU and was recognized and emulated nationally. Her legacy continues today in the strong emphasis placed on library instruction and the use of library resources within the curriculum. She was also a prolific author of more than 70 articles and short monographs in library and educational journals; and
WHEREAS, on April 10, 2006, the faculty and staff of Milner Library will honor Ange Milner who passed away on January 13, 1928, by placing a monument on her grave:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim April 10, 2006 as ANGE MILNER DAY in Illinois, and honor Illinois State University’s first librarian for her remarkable, dedicated service

Issued by the Governor March 31, 2006.
Filed by the Secretary of State March 31, 2006.

2006-107
PASTOR THOMAS H. CROSS, SR. DAY

WHEREAS, born in Gadsden, Alabama on February 2, 1936, Pastor Thomas H. Cross was born in a hospital that his grandfather not only owned, but also worked as a surgeon; and

WHEREAS, in 1957, Pastor Cross obtained a Bachelor of Arts at Birmingham Southern College, graduated Vanderbilt University Divinity School in 1961, and received a Masters in Counseling at Northern Illinois University in 1977; and

WHEREAS, after moving to Illinois on June 18, 1966, Pastor Cross served at his first church in Chicago in the West Pullman neighborhood; and

WHEREAS, for 45 years, Pastor Thomas H. Cross has served the United Methodist Church, which has the slogan of “Open Hearts, Open Minds, Open Doors”; and

WHEREAS, Pastor Cross founded a lectionary study group of fellow pastors who strove for theological integrity in their preaching; and

WHEREAS, Pastor Cross initiated endowment funds to support church ministries, as well as provide a push to institute viable stewardship programs. Additionally, over the years he has written 540 Pastor’s columns for various church newsletters; and

WHEREAS, on May 19, 2006, as Pastor Thomas H. Cross, Sr. is honored for his accomplishments and contributions to the community, I am proud to recognize his exemplary service to the State of Illinois and to the First United Methodist Church of Elmhurst, Illinois for over 45 years, and I join his family and friends in commemorating this special day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 19, 2006 as PASTOR THOMAS H. CROSS, SR. DAY in Illinois.

Issued by the Governor March 31, 2006.
2006-108
NATIONAL ENVIRONMENTAL EDUCATION WEEK

WHEREAS, environmental education bolsters core environmental literacy in our K-12 students by featuring actual grade-appropriate “e-literacy” goals and content standards. It also encourages schools to partner with local museums, nature centers, zoos, science centers, aquariums, and local parks; and

WHEREAS, National Environmental Education Week, created as a full week of educational preparation for Earth Day, involves many K-12 classrooms, university campuses, and informal settings such as nature centers, zoos, aquariums, and museums; and

WHEREAS, collaborative efforts will increase the amount of environmental education taking place in America’s classrooms prior to Earth Day, while drawing educator attention to the larger opportunities and value of environmental education for both education and environmental stewardship; and

WHEREAS, also during this week, the professional environmental education community will have an opportunity to annually feature its accomplishments with the nation’s educational leaders; and

WHEREAS, National Environmental Education Week, coordinated by the National Environmental Education & Training Foundation in cooperation with hundreds of outstanding environmental education organizations, education associations, and agencies, will become an annually anticipated event for local participation in schools and various education centers in this state:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 16 - 22, 2006 as NATIONAL ENVIRONMENTAL EDUCATION WEEK in Illinois, and encourage all citizens to recognize the importance of our environment by participating in the week’s festivities in preparation for Earth Day 2006.

Issued by the Governor March 31, 2006.
Filed by the Secretary of State March 31, 2006.
WHEREAS, the safety and well being of children is a priority of this state; and

WHEREAS, more than 200,000 children are injured on playgrounds in the United States each year, equaling an average of one playground-related emergency room visit every two-and-one-half minutes; and

WHEREAS, the National Program for Playground Safety was created at the University of Northern Iowa to help inform the nation about playground injuries, and possible ways to reduce them; and

WHEREAS, the National Program for Playground Safety has identified key areas that could help substantially reduce the number of playground injuries and keep our children SAFE – providing: proper Supervision, Age appropriate equipment, materials to soften Falls to the surface, and Equipment maintenance; and

WHEREAS, spring is often a time that children head to the playground; as a result, a large percentage of playground injuries occur in the months of April through June; and

WHEREAS, it is essential that we take the time to inspect, repair, and sustain the many playgrounds that provide our children with much needed exercise and enjoyment; and

WHEREAS, the State of Illinois is committed to the notion that no child should play on an unsafe playground:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 24 – 28, 2006 as PLAYGROUND SAFETY WEEK in Illinois, and encourage all citizens to help to keep our children safe on community playgrounds.

Issued by the Governor March 31, 2006.

Filed by the Secretary of State March 31, 2006.

2006-110
HEALTH CARE WORKERS DAY

WHEREAS, the health and well-being of our citizens is a major concern of Illinois health care professionals; and
WHEREAS, the Chicago area is recognized as a preeminent medical resource and its commitment to the community is evident in its health care organizations; and

WHEREAS, a health care team, as a vital component in the provision of modern health care, consists of nurses, allied health professionals, support staff, financial services personnel, administrative staff, physicians and volunteers, and each of those individuals serve a vital role in the success of the team as a whole; and

WHEREAS, health care employees make much-needed contributions in every health care facility and help increase the greater Chicagoland area’s reputation for health care excellence; and

WHEREAS, the 140 hospitals and health care organizations that are members of the Metropolitan Chicago Healthcare Council honor health care workers for their many contributions to the health and well-being of the people in their communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 12, 2006 as HEALTH CARE WORKERS DAY in Illinois, and urge all citizens to recognize all the devoted health care workers in this state.

Issued by the Governor March 31, 2006.
Filed by the Secretary of State March 31, 2006.

2006-111
NATIONAL LIBRARY WORKERS DAY

WHEREAS, there are thousands of public, academic, school, governmental, and specialized libraries in the United States and they provide excellent and invaluable service to library users regardless of age, ethnicity, or socioeconomic background; and

WHEREAS, libraries provide millions of people with the knowledge and information they need to live, learn and work in the 21st Century; and

WHEREAS, librarians and library support staff bring the nation a world of knowledge in person and online, as well as personal service and expert assistance in finding what is needed when it is needed; and

WHEREAS, it is important to recognize the unique contributions of all library workers and the value of those contributions to individuals and to
society as a whole; and
WHEREAS, a steady stream of recruits to library work is necessary to maintain the vitality of library services in today’s information society; and
WHEREAS, librarians and other library workers must be brought to the table at public policy discussions on key issues, such as intellectual freedom, equity of access, and narrowing the digital divide; and
WHEREAS, the funding of libraries and salaries for library workers must be increased to attract more talented people to work in our nation’s libraries and to ensure that these vital services are delivered each day; and
WHEREAS, libraries, library workers, and library supporters across America are celebrating National Library Workers Day sponsored by the American Library Association-Allied Professional Association (ALA-APA):

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 4, 2006 as NATIONAL LIBRARY WORKERS DAY in Illinois, and encourage all citizens to take advantage of the variety of library resources available and to thank library workers for their exceptional contributions to American life.

Issued by the Governor March 31, 2006.
Filed by the Secretary of State March 31, 2006.

2006-112
CROSSING GUARD APPRECIATION DAY

WHEREAS, approximately 20,000 children under the age of fourteen suffer from motor vehicle-related pedestrian injuries, and more than half of those injuries require hospitalization; and
WHEREAS, many of these injuries could be avoided if children had proper road-safety education and did not choose to cross streets or use intersections unsupervised; and
WHEREAS, crossing guards are a dependable means of helping children to avoid unnecessary accidents and injuries; and
WHEREAS, motorists should be aware of children walking to and from school and be especially cautious in and around school zones. They also should follow the directions of all crossing guards and recognize that by doing so, road safety can be improved; and
WHEREAS, crossing guards play an integral role in our communities,
working hard to ensure the security of children as they walk to and from school and cross streets. In addition, they teach children to look both ways before crossing streets, as well as other essential safety rules:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby declare May 2, 2006 as CROSSING GUARD APPRECIATION DAY in Illinois, and encourage citizens to be appreciative of the service that these dedicated professionals provide to keep our citizens and their children safe.

Issued by the Governor April 04, 2006.
Filed by the Secretary of State April 04, 2006.

2006-113
CELEBRATING YOUR FREEDOMS DAY

WHEREAS, the Robert R. McCormick Tribune Foundation is a charitable grantmaking organization that supports work in journalism, communities, citizenship, and education; and
WHEREAS, as part of its 50th anniversary, the McCormick Tribune Foundation will build a museum dedicated to America’s freedoms, with a special emphasis on the First Amendment, which will encourage generations to understand, value, and protect our freedoms; and
WHEREAS, the McCormick Tribune Freedom Museum is inspired by the legacy of Col Robert R. McCormick, the longtime editor and publisher of the Chicago Tribune. McCormick was an ardent supporter of free press and free speech, but also maintained a strong belief in the responsibility of citizens to participate in and contribute to our democratic way of life; and
WHEREAS, featuring 10,000 square feet of exhibition space, the museum will be located in Chicago’s historic Tribune Tower on Michigan Avenue; and
WHEREAS, on April 11, 2006, the McCormick Tribune Freedom Museum will be celebrating their grand opening. This museum will bring visitors from throughout Illinois and this country to commemorate the freedoms that we enjoy, as well as the responsibility we hold as members of a democratic nation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 11, 2006 as CELEBRATING YOUR
FREEDOMS DAY in Illinois, and encourage all citizens to explore this museum and to reflect on the freedoms that are guaranteed by the First Amendment.

Issued by the Governor April 04, 2006.
Filed by the Secretary of State April 04, 2006.

2006-114
ELKS NATIONAL YOUTH WEEK

WHEREAS, the Benevolent and Protective Order of Elks is one of the largest and most active fraternal organizations in the world, boasting more than 1.1 million members nationwide; and

WHEREAS, the Elks are dedicated to providing youth with a future full of hope and promise each year by providing college scholarships to graduating high school seniors. This continued dedication has made the Elks the largest private source of college scholarships in the nation; and

WHEREAS, in 1997, the Elks made seven promises to America’s youth, among which were: sponsoring drug-free prom or graduation parties in 2,000 communities by the year 2000, developing mentoring relationships with 20,000 youth and involving 275,000 youth in community service initiatives, and donating $34.9 million a year in support of scouting, athletic programs, and other youth organizations and programs; and

WHEREAS, by making this commitment to future generations, members of the organization are taking the meaning of their motto, “Elks Care, Elks Share,” to a whole new level:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1-7, 2006 as ELKS NATIONAL YOUTH WEEK in Illinois, and encourage all citizens to pay tribute to these youth for their achievements and contributions to their communities.

Issued by the Governor April 04, 2006.
Filed by the Secretary of State April 04, 2006.

2006-115
UNIVERSAL NEWBORN HEARING SCREENING DAY

WHEREAS, each day in the United States, it is estimated that sixty
babies are born with moderate to severe hearing loss; and
WHEREAS, early detection is the single most important factor in successful treatment of hearing loss. In Illinois, there are approximately 180,000 newborn babies who have their hearing screened every year. Recent studies suggest that intervention within the first six months of a hard of hearing infant’s life is crucial to them reaching their speech, language, and learning potential; and
WHEREAS, in Illinois, nearly five-hundred children are born with congenital hearing loss each year; and
WHEREAS, to better deal with congenital hearing loss, the Illinois Hearing Screening for Newborns Act, passed in July of 1999, requires all birthing hospitals in the state to implement universal newborn hearing screening and reporting. The Universal Newborn Hearing Screening program was established to implement and administer the provisions of the act; and
WHEREAS, the Universal Newborn Hearing Screening program is a joint effort of two state agencies: the Department of Human Services and the Department of Public Health. These agencies, along with the University of Illinois at Chicago's Division of Specialized Care for Children, the Bureau of Early Intervention, hospital personnel, healthcare professionals, and community-based organizations, strive to ensure that parents of babies who have a hearing loss receive follow-up diagnostic testing and information regarding communication options and other services for their children; and
WHEREAS, the State of Illinois realizes the importance of universal newborn hearing screening and its impact on not only the lives of our children but their families and communities as well:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 11, 2006 as UNIVERSAL NEWBORN HEARING SCREENING DAY in Illinois, and urge all citizens to become cognizant of the role that early detection plays in the successful treatment of hearing loss.

Issued by the Governor April 04, 2006.
Filed by the Secretary of State April 04, 2006.
2006-116
DISASTER AREA - STATE OF ILLINOIS

Tornadoes and severe storms moved through Central Illinois on Sunday, April 2, 2006. These storms resulted in one death, injuries to a dozen citizens and damage to over 564 homes and 91 businesses creating significant debris.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Christian, Champaign, Clay, Cumberland, Effingham, Fayette, Iroquois, Jasper, Jefferson, Lawrence, Macon, McLean, Moultrie, Richland, St. Clair, Sangamon, Shelby and Wayne counties as disaster areas, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the disaster relief fund for extraordinary costs incurred by these counties in responding to and recovery from the damage and debris. This proclamation will facilitate coordination of state assets in responding to local government requests for assistance in the counties most severely impacted by the disaster.

Issued by the Governor April 05, 2006.

Filed by the Secretary of State April 05, 2006.

2006-117
PARALYZED VETERANS OF AMERICA AWARENESS WEEK

WHEREAS, as citizens of the United States of America, we are deeply indebted to our veterans, who have courageously defended this country throughout its history, in times of war and peace; and

WHEREAS, thousands of Illinois citizens have served as members of the Armed Forces, and in doing so they have honored our nation with exemplary dedication; and

WHEREAS, courageous service to our nation does not come without a cost, as illustrated by the approximately 35,000 disabled veterans in Illinois. It is important that the dedication and sacrifices made by Illinois’ veterans
who are paralyzed is recognized and appreciated; and

WHEREAS, Illinois’ paralyzed veterans embody the highest ideals: service to country, sacrifice of self, and perseverance in overcoming adversity; and

WHEREAS, the stories of Illinois’ paralyzed veterans are ones of hardship and triumph, and the strong will and spirit which they exhibit provide life-affirming lessons for us all:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 9 – 15, 2006 as PARALYZED VETERANS OF AMERICA AWARENESS WEEK in Illinois, and urge all citizens to reflect upon the sacrifices endured by our many brave veterans who have, in numerous cases, endured permanent injury in service to their country.

Issued by the Governor April 05, 2006.
Filed by the Secretary of State April 06, 2006.

2006-118
DAY OF THE CHILD

WHEREAS, the Mexican Fine Arts Center Museum is hosting the 10th annual anniversary celebration of Dia del Nino (Day of the Child) Family Festival on April 8, 2006; and

WHEREAS, as the largest museum in the country dedicated to Mexican and Mexican American art and culture, the Mexican Fine Arts Center Museum is one of the only free museums in the Chicagoland area; and

WHEREAS, to kick off Dia del Nino Family Health Week, the Mexican Fine Arts Museum will celebrate children, promote the arts, and healthy children with people from many different cultural backgrounds by providing interactive games, health screenings, nutrition activities, musical performances, and much more; and

WHEREAS, making it the largest Dia del Nino celebration in the United States, this festival has had a record attendance in both 2004 and 2005 of 10,000 people; and

WHEREAS, the Illinois Department of Children and Family Services is among the sponsors for this wonderful event celebrating families and the rich heritage in the Latino community:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 8, 2006 as DAY OF THE CHILD in Illinois, and encourage all citizens to take this opportunity to celebrate children, families, and cultural heritage.

Issued by the Governor April 06, 2006.

Filed by the Secretary of State April 06, 2006.

2006-119

ILLINOIS RESCUE AND RESTORE OUTREACH DAY

WHEREAS, human trafficking is a modern-day form of slavery. Victims of human trafficking are subjected to force, fraud, or coercion, for the purpose of sexual exploitation or forced labor. Victims are young children, teenagers, men, and women; and

WHEREAS, approximately 600,000 to 800,000 victims annually are trafficked across international borders worldwide, and between 14,500 and 17,500 of those victims are trafficked into the U.S. According to the U.S. Department of State, these estimates include women, men, and children; victims are generally trafficked into the U.S. from Asia, Central and South America, and Eastern Europe; and

WHEREAS, prior to the enactment of the Trafficking Victims Protection Act of 2000 (TVPA) in October 2000, no comprehensive Federal law existed to protect victims of trafficking or to prosecute their traffickers. The TVPA is intended to prevent human trafficking overseas, to increase prosecution of human traffickers in the United States, and to protect victims and provide Federal and state assistance to certain victims so that they can rebuild their lives in the United States; and

WHEREAS, many victims trafficked into the United States do not speak and understand English and are therefore isolated and unable to communicate with service providers, law enforcement, and others who might be able to help them; and

WHEREAS, if you think you have come in contact with a victim of human trafficking, call the Trafficking Information and Referral Hotline at (888) 373-7888. This hotline will help you determine if you have encountered victims of human trafficking, will identify local resources available in your community to help victims, and will help you coordinate with local social
service organizations to help protect and serve victims so they can begin the process of restoring their lives. More information on human trafficking can be found at www.acf.hhs.gov/trafficking:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 22, 2006 as ILLINOIS RESCUE AND RESTORE OUTREACH DAY in Illinois to encourage all citizens to learn more about human trafficking, as well as thank all those who have helped the victims of this true injustice.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-120
ARTS IN EDUCATION SPRING CELEBRATION MONTHS

WHEREAS, arts are the personification of beauty in the world, and help to preserve our cultural heritage; and
WHEREAS, the State of Illinois declares that arts education, which includes dance, drama, music and visual arts, plays an essential role in the education of all students, providing them with a balanced education that will aid in developing their full potential; and
WHEREAS, the Peoria County Regional Office of Education is committed to the establishment and continuation of school programs that provide students with the opportunity to achieve academic excellence; and furthermore, they are committed to supporting the development and promotion of fine and applied arts programs; and
WHEREAS, winner of several awards, the Arts in Education Spring Celebration, an annual event, is held at the Peoria County Courthouse Plaza and provides a venue for students in grades pre-Kindergarten through 12 to showcase their works and talents; and
WHEREAS, this year, the Arts in Education Spring Celebration will be held April 19th through May 26th; and
WHEREAS, the State of Illinois resolutely supports events such as the Arts in Education Spring Celebration, and commends the students and teachers who work to bring the beauty of art to this great state:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April and May 2006 as ARTS IN EDUCATION
SPRING CELEBRATION MONTHS in Illinois, and encourage all citizens to recognize the benefits of arts programs in our schools.
Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-121
BETTER SPEECH AND HEARING MONTH

WHEREAS, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing licensed speech-language pathologists and audiologists; and
WHEREAS, speech-language pathologists identify communication or swallowing problems that pre-exist, and determine the best treatment solutions; and
WHEREAS, audiologists specialize in the prevention, identification, and evaluation of hearing disorders; and
WHEREAS, founded in 1960, ISHA has three goals: to make the public aware of services available to persons with speech, language and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and
WHEREAS, forty-six million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with speech, voice or language disorders; and
WHEREAS, forty-five percent of individuals reported to have a chronic speech-language disorder are under the age of 18:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as BETTER SPEECH AND HEARING MONTH in Illinois and encourage all citizens to be aware of the help that is available to those individuals with a language or hearing problem.
Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.
2006-122
ALPHA-1 AWARENESS MONTH

WHEREAS, one of the most common serious hereditary disorders in the world, Alpha-1 Antitrypsin Deficiency, also referred to as Alpha-1, affects 100,000 children and adults in the United States; and
WHEREAS, Alpha-1 is characterized by low levels of Alpha 1-antitrypsin, a protein found in the blood; and
WHEREAS, this deficiency is usually manifested in three forms: lung disease (which is the most common), liver disease, or a skin condition called panniculitis; and
WHEREAS, less than 10 percent of those predicted to have Alpha-1 have been diagnosed. It often takes an average of three doctors and seven years, from the time symptoms first appear, before proper diagnosis is made; and
WHEREAS, lung disease is the most frequent cause of disability and early death among affected persons, and also a major reason for lung transplants; and
WHEREAS, it is extremely important for someone who has been diagnosed with Alpha-1 to immediately stop smoking and drinking. Smoking and excessive alcohol consumption can speed up the progression of lung and liver damage:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as ALPHA-1 AWARENESS MONTH in Illinois and encourage all citizens to become educated on the seriousness of this disease, and the negative impact it has on our communities.
Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-123
LIONS CANDY DAY

WHEREAS, the Lions Club was founded in 1917 by Melvin Jones. His goal was to create an organization of businesses who shared a common goal of bettering the community; and
WHEREAS, Lions Club International has grown to incorporate 1.4
million members who participate in 46,000 clubs in 193 countries across the globe; and

WHEREAS, the Lions Club of Illinois has raised an unprecedented amount of money for those who are visually and hearing impaired over the years through events such as Candy Day; and

WHEREAS, Candy Day allows the citizens of Illinois citizens to contribute to an organization that will in turn, give back to the public. The candy they receive is a token of appreciation from the Lions Club for their donation; and

WHEREAS, all proceeds made from Candy Day will go to the programs the Lions Club of Illinois promotes to continue to help the visually and hearing impaired:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 13, 2006 as LIONS CANDY DAY in Illinois, and applaud the Lions Club for so nobly serving the public for so many years.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-124
LIONS AND LIONESS TOOTSIE POP DAY

WHEREAS, the Lions and Lioness Clubs of Illinois have dedicated their time to helping the blind, visually impaired, deaf, and hearing impaired; and

WHEREAS, the Lions and Lioness Clubs of Illinois are sponsoring Lions and Lioness Tootsie Pop Day for Sight and Sound throughout our State May 5, 2006; and

WHEREAS, Tootsie Pop Day is being held under the auspices of the Lions and Lioness of Illinois Foundation, a nonprofit organization that raises money for worthwhile projects through Tootsie Pop sales; and

WHEREAS, the proceeds from Tootsie Pop Day will help to provide detection treatment and rehabilitation programs for the blind, visually impaired, deaf, and hearing impaired residents of Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 5, 2006 as LIONS AND LIONESS
TOOTSIE POP DAY in Illinois, and encourage all citizens to support this noble endeavor aimed at creating a better and more independent life for the blind, visually impaired, deaf, and hearing impaired of our communities.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-125
ARMENIAN MARTYRS DAY

WHEREAS, the Armenian community, as well as the global community, remembers the Armenian Genocide, which occurred 91 years ago; and

WHEREAS, during this tragic historical period between the years of 1915 and 1923, Armenians were forced to witness the genocide of their loved ones, and the loss of their ancestral homelands; and

WHEREAS, this extermination and forced relocation of over 1.5 million Armenians by the Ottoman Turks is recognized every year; and

WHEREAS, Armenians continue to be a people full of hope, courage, faith, and pride in their heritage, working together to rebuild a firm foundation for Armenia; and

WHEREAS, many of the fifteen-thousand Armenian-Americans in Illinois are descendants or survivors of the Armenian genocide, and have been forthright in their efforts to preserve their culture, heritage, and language, while contributing much to our state and our nation’s diverse society and economy; and

WHEREAS, both recognition and education concerning past atrocities such as the Armenian Genocide is crucial in the prevention of future crimes against humanity:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 24, 2006 as ARMENIAN MARTYRS DAY in Illinois, in honor of the 91st Anniversary of the Armenian Genocide.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.
2006-126
SIERRA LEONE INDEPENDENCE DAY

WHEREAS, Sierra Leone is a former British colony on the west coast of Africa. It is slightly smaller than South Carolina and has a population of about 5 million; and

WHEREAS, in 1787, Britain helped 400 freed slaves from the United States, Nova Scotia, and Britain return to Sierra Leone to settle in what they called the “Province of Freedom.” The settlement was joined by other groups of freed slaves and soon became known as Freetown. Freetown became one of Britain’s first colonies in West Africa in 1792; and

WHEREAS, Sierra Leone gained independence on April 27, 1961, and has a parliamentary system within the British Commonwealth; and

WHEREAS, following successive military governments and a one-party dictatorship, a bloody civil war erupted in 1991. For more than a decade, Sierra Leoneans witnessed a massive internal displacement of nearly a million people; and

WHEREAS, the Sierra Leone Community Association of Chicago plays a vital role in assisting new refugee families overcome the initial hurdles in the way of full integration; and

WHEREAS, some Sierra Leonean refugees were resettled in various parts of the United States, including Illinois. Their presence affirms the state’s historic commitment to remain an enduring beacon of hope for refugees and immigrants from all over the world:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 27, 2006 as SIERRA LEONE INDEPENDENCE DAY in Illinois in recognition of the country’s 45th Anniversary of Independence, and in tribute to all the Sierra Leonean-Americans who call Illinois their home.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-127
NATIONAL VOLUNTEER WEEK

WHEREAS, the hard work and determination of American citizens
continue to be among our nation’s greatest resources; and

WHEREAS, one person can effect a positive change with just a single volunteer action, no matter how big or small; and

WHEREAS, the basis for a safe and productive nation is the willingness of citizens to work together, without prejudice, to find solutions to the everyday struggles of our society; and

WHEREAS, the United States is blessed with men and women who selflessly dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, in Illinois, my Commission on Volunteerism and Community Service strives to improve our communities by supporting volunteer and community service efforts throughout the state; and

WHEREAS, the annual observance of National Volunteer Week allows all citizens the opportunity to recognize and thank the compassionate and caring nature of our citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 29 – May 5, 2006 as NATIONAL VOLUNTEER WEEK in Illinois, and urge all citizens to promote the spirit of volunteerism in our families and communities by expressing their gratitude to the noble volunteers across our state.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-128
LINCOLN TRAIL HIKE DAY

WHEREAS, in 1926, R. Allan Stephens, a former Boy Scout Commissioner of Springfield, Illinois, developed the idea that Boy Scouts would acquire a greater appreciation of the obstacles that Abraham Lincoln overcame in his rise to the presidency if they walked the same 20-mile route that he followed from New Salem to Springfield; and

WHEREAS, this walk is known as the Lincoln Trail Hike, and Boy Scouts that successfully complete the trail are given a special award honoring their perseverance, with it also considered as a mark of respect to President Lincoln; and

WHEREAS, the 20-mile route is located closely to the roadways of
Lincoln’s New Salem days, keeping hikers on secondary roads, byways and trails; and

WHEREAS, beginning in 1995, in commemoration of the 25th Anniversary of the first Earth Day, the Illinois Environmental Protection Agency teamed up with the Abraham Lincoln Council of the Boy Scouts of America to support litter collection along the Lincoln Trail, in order to further Earth stewardship and promote environmental consciousness among the scouts; and

WHEREAS, the Illinois Environmental Protection Agency employees support the goals of the Lincoln Trail Hike by volunteering their services to assisting the scouts during the hike; and

WHEREAS, in 2006, approximately 1,000 scouts will walk the Lincoln Trail Hike, and maintain the 61st Annual Lincoln Pilgrimage:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 29, 2006 as LINCOLN TRAIL HIKE DAY in Illinois, and encourage all citizens to recognize all the committed scouts paying tribute to one of Illinois’ greatest historical figures.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-129

FAMILY DAY - A DAY TO EAT DINNER WITH YOUR CHILDREN

WHEREAS, belonging to family is important for the health and well-being of all children; and

WHEREAS, children are more likely to develop behavioral and social problems without the care and love of their family; and

WHEREAS, one great way for families with children to prevent behavioral and social problems is by eating dinner together; and

WHEREAS, research by The National Center on Addiction and Substance Abuse (CASA) at Columbia University has consistently found that children are less likely to smoke, drink alcohol, and use illegal drugs the more their families eat together; and

WHEREAS, additionally, other research shows that children who eat dinner with their families are less prone to dangerous and violent activities
and more likely to have positive peer relationships and to excel in school; and

WHEREAS, like previous years, TV Land, Nick at Nite, and CASA have teamed up to declare the fourth Monday in September Family Day – A Day To Eat Dinner With Your Children, in recognition of the importance of family and to encourage families with children to eat dinner together:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 25, 2006 as FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN in Illinois in support of the commendable campaign by TV Land, Nick at Nite, and CASA to promote family and the health and well-being of children.

Issued by the Governor April 06, 2006.
Filed by the Secretary of State April 06, 2006.

2006-129 (REVISED)
FAMILY DAY- A DAY TO EAT DINNER WITH YOUR CHILDREN

WHEREAS, belonging to family is important for the health and well-being of all children; and

WHEREAS, children are more likely to develop behavioral and social problems without the care and love of their family; and

WHEREAS, one great way for families with children to prevent behavioral and social problems is by eating dinner together; and

WHEREAS, research by The National Center on Addiction and Substance Abuse (CASA) at Columbia University has consistently found that children are less likely to smoke, drink alcohol, and use illegal drugs the more their families eat together; and

WHEREAS, additionally, other research shows that children who eat dinner with their families are less prone to dangerous and violent activities and more likely to have positive peer relationships and to excel in school; and

WHEREAS, like previous years, TV Land, Nick at Nite, and CASA have teamed up to declare the fourth Monday in September Family Day – A Day To Eat Dinner With Your Children, in recognition of the importance of family and to encourage families with children to eat dinner together:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 25, 2006 as FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN in Illinois in support of the
commendable campaign by TV Land, Nick at Nite, and CASA to promote family and the health and well-being of children.

Issued by the Governor April 13, 2006.
 Filed by the Secretary of State April 13, 2006.

2006-130
NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works infrastructure, facilities and services are of vital importance to the health, safety and well being of the people of Illinois, and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, and administrators, representing state and local units of government, who are responsible for and must design, build, operate, and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to serving our citizens; and

WHEREAS, it is in the public interest for the citizens and civic leaders of this country to gain knowledge of, and to maintain a progressive interest in public works needs and programs of their respective communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 21-27, 2006 as NATIONAL PUBLIC WORKS WEEK in Illinois, and encourage all citizens to recognize the benefit of public works in our state.

Issued by the Governor April 13, 2006.
 Filed by the Secretary of State April 13, 2006.

2006-131
CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH

WHEREAS, the Chicago and Quad Cities Chapters of the Association of Government Accountants (AGA) is a professional organization, belonging to the Association of Government Accountants, which has more than 15,000 members in 90 chapters throughout the United States and around the world; and
WHEREAS, there are approximately 210 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and

WHEREAS, AGA Chicago and Quad Cities Chapter members have responded to AGA’s mission of Advancing Government Accountability, as it continues its broad education efforts with emphasis on high standards of conduct, honor, and character in its Code of Ethics; and

WHEREAS, the AGA Chicago and Quad Cities chapter are making significant advances both in professional ability and in service to the citizens of Illinois by mastering increasingly technical and complex requirements; and

WHEREAS, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history and to pass a 3-part examination requiring expertise in the Government Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting, and requires each CGFM holder to maintain certification by completing comprehensive training sessions totaling 80 hours over a 2-year period:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH in Illinois, and encourage all citizens to recognize the hard work put forth by financial managers in our communities.

Issued by the Governor April 13, 2006.
Filed by the Secretary of State April 13, 2006.

2006-132
NATIONAL LANDSCAPE ARCHITECTURE MONTH

WHEREAS, landscape architecture is a diverse profession that blends elements from architecture, civil engineering and urban planning to form aesthetic relationships between people and the land; and

WHEREAS, landscape architects use design skills and aesthetic sense to enhance and add beauty to our surroundings; and

WHEREAS, the work of landscape architects increases the quality of life in our communities; and

WHEREAS, landscape architects plan the communities, public spaces
and infrastructure that will support our housing, commercial and transportation needs; and

WHEREAS, the State of Illinois continues to benefit from the skills of landscape architects who create and preserve our parks, local schoolyards, and commercial streetscapes:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as NATIONAL LANDSCAPE ARCHITECTURE MONTH in Illinois, and encourage all citizens to recognize the legacy of landscape architects and their important contributions to the State of Illinois.

Issued by the Governor April 13, 2006.

Filed by the Secretary of State April 13, 2006.

2006-133
DAYS OF REMEMBRANCE

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and

WHEREAS, during this sad time in history, six million were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

WHEREAS, the people of the State of Illinois also should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and

WHEREAS, the Days of Remembrance have been set aside for the people of the state of Illinois to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and

WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of victims of the Holocaust to be Tuesday, April 25 through Sunday, April 30, 2006, including the International Day of
Remembrance known as Yom Hashoah:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 25-30, 2006 as a DAYS OF REMEMBRANCE in Illinois, in memory of the victims of the Holocaust, and in honor of the survivors, as well as the rescuers and liberators, and urge all citizens to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor April 13, 2006.
Filed by the Secretary of State April 13, 2006.

GREEK PONTIAN GENOCIDE REMEMBRANCE DAY

WHEREAS, the State of Illinois prides itself on its vast cultural diversity, and each of the many ethnic communities that comprise our State carry with them stories of their country’s past – some tragic and some triumphant. These stories are important not only to preserving the rich heritage of our different ethnic populations, but they also teach valuable lessons from which our greater society benefits; and

WHEREAS, one such event is the Genocide of the Greek population in the Pontus region on the northern coast of Asia Minor (present day Turkey). This tragedy, occurring from 1914-1923, saw an estimated 353,000 Pontian Greeks, and an estimated 150,000 people from the rest of Asia Minor, die during a forced march without provisions across the Anatolian Plains to the Syrian border; and

WHEREAS, these Greek peoples, whose ancestors had lived in Asia Minor for 3,000 years, were targeted by the Ottoman Turkish authorities for expulsion along with Armenians and Assyrians, and during this awful nine-year span, the Greek population of Pontus endured immeasurable cruelty during a Turkish Government-sanctioned campaign to displace them; and

WHEREAS, those who survived through this dark time in history were exiled from Turkey, and today, they and their descendents live all throughout the Greek Diaspora, including the United States. Here in Illinois we are proud of our vibrant Greek communities, and it is fitting that the citizens of this State, along with all freedom-loving people throughout the world, join in solemn commemoration of the Greek Pontian Genocide of
1914-23; and

WHEREAS, as we work hard in Illinois to instill in our youth a universal respect for other cultures, races, religions and viewpoints, we look to stories like the Greek Pontian Genocide to help teach such critical lessons. The acknowledgement and awareness of this shameful historical event will not only teach future generations, but also will help mankind prevent such crimes from ever being repeated:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 19, 2006 as GREEK PONTIAN GENOCIDE REMEMBRANCE DAY, and join with all the people of this State in honoring the memory and sacrifices of its noble victims. Furthermore, I hereby direct that this document be filed with the Office of the Secretary of State as a permanent record.

Issued by the Governor April 15, 2006.
Filed by the Secretary of State April 17, 2006.

2006-135
PHIL AYALA ST. FRANCIS WILDCATS MAN
OF THE YEAR DAY

WHEREAS, born in Chicago, Illinois, Philip Ayala attended the St. Francis Elementary School, went on to serve in the Army and was an Airborne Ranger in Viet Nam; and

WHEREAS, Phil Ayala attended Malcolm X College and went on to earn his bachelor’s degree in psychology from Northeastern University. He did graduate and post-graduate work in social and clinical psychology at George Williams College. He holds a Masters in Public Administration from Northern Illinois University and has earned a certificate from the Graduate School of Business Administration at the University of Notre Dame; and

WHEREAS, in 1979, Mr. Ayala had the distinct honor of being one of 200 Hispanic leaders invited by President Carter to attend a White House conference on national policies. Also, he has served as a commission member to the Illinois committee to the United States Commission on Civil Rights. He has helped to develop Latino studies programs at several colleges, and the curriculum for early childhood development for Chicago City colleges. Mr. Ayala has served on numerous other commissions and boards at the local and
national levels; and

WHEREAS, Phil is perhaps best known as the Executive Director of the Latin American Youth Center, which he co-founded 34 years ago. This agency has provided a variety of social, recreational and educational services for all age groups that total 10,000 to 12,000 people per year; and

WHEREAS, on April 22, 2006, Phil Ayala is being honored by the Fraternal Order of St. Francis Wildcats as their Man of the Year for 2006 and the State of Illinois is proud to join them in this recognition. His compassion and dedication continues to make a successful impact in the Hispanic community and this great State:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 22, 2006 as PHIL AYALA ST. FRANCIS WILDCATS MAN OF THE YEAR DAY in Illinois.

Issued by the Governor April 17, 2006.
Filed by the Secretary of State April 17, 2006.

2006-136
CHILDREN’S MEMORIAL FLAG DAY

WHEREAS, approximately 3 million children are reported abused and neglected in this country each year; and

WHEREAS, the negative effects of child abuse are felt in every state and in every community in this country, and therefore it is important that these issues are addressed on a national level; and

WHEREAS, the Child Welfare League of America has promoted the Children’s Memorial Flag as a way of memorializing the thousands of children and teenagers in the United States who die violently every year from child abuse; and

WHEREAS, the Children’s Memorial Flag has become a recognizable symbol of the need to remain diligent in the mission of protecting children from abuse; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS, it is essential that as a country, we become more aware
of the negative effects of child abuse and its prevention within our communities, and become involved in supporting parents to raise their children in a safe and nurturing environment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 28, 2006 as CHILDREN’S MEMORIAL FLAG DAY in Illinois, and encourage all citizens to memorialize the thousands of children across the country who die from child abuse each year, and furthermore, ask all citizens to increase their participation in efforts to prevent child abuse.

Issued by the Governor April 17, 2006.
Filed by the Secretary of State April 17, 2006.

2006-137
RIDE FOR KIDS DAY

WHEREAS, each July, participants in the Annual Chicagoland Ride for Kids meet in the Village of Northbrook to raise money and awareness for the Pediatric Brain Tumor Foundation; and

WHEREAS, Ride for Kids is the motorcycling community’s way of showing their support and compassion for individuals afflicted with brain tumors and their families; and

WHEREAS, last year, more than 2,700 motorcycles and more than 3,000 riders participated in the 17th Annual Chicagoland Ride for Kids; and

WHEREAS, over $368,000 were raised by last year’s event to help benefit the Pediatric Brain Tumor Foundation of the United States, a non-profit organization working diligently to find the cause and cure of childhood brain tumors; and

WHEREAS, during the 17 years that the Chicagoland area has participated in this event, over $2 million have been raised in total for the Pediatric Brain Tumor Foundation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16, 2006 as RIDE FOR KIDS DAY in Illinois, and encourage all citizens to support this worthy cause.

Issued by the Governor April 17, 2006.
Filed by the Secretary of State April 17, 2006.
PARTICLE ACCELERATOR DAY

WHEREAS, particle accelerators are the scientific tools for discovery of the fundamental nature of the universe; and

WHEREAS, advances in the technology of particle accelerators produce significant benefits not only to basic science but to health care, medical research, manufacturing, materials science, and to the economy of the State of Illinois and the nation; and

WHEREAS, Northern Illinois, the home of Fermi National Accelerator Laboratory, Argonne National Laboratory, and of Illinois research universities, is a world leader in advanced accelerator research and development; and

WHEREAS, particle accelerators at Fermi National Accelerator Laboratory and Argonne National Laboratory provide unparalleled scientific research opportunities for thousands of scientists and students from throughout the State of Illinois, the nation, and the world; and

WHEREAS, Argonne National Laboratory and Fermi National Accelerator Laboratory have signed a Memorandum of Understanding combining their scientific and technical capabilities for accelerator research and development to accomplish unique scientific goals and to strengthen the world leadership of the State of Illinois in accelerator physics:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 21, 2006 as PARTICLE ACCELERATOR DAY in Illinois, and encourage all citizens to recognize the contributions of particle accelerators to scientific discovery and to the economic strength of Illinois and the nation.

Issued by the Governor April 17, 2006.
Filed by the Secretary of State April 17, 2006.

HUNGER AWARENESS MONTH

WHEREAS, hunger and poverty are issues of grave concern in the United States; and

WHEREAS, more than 650,000 individuals in Illinois rely upon food
WHEREAS, in the State of Illinois, the Illinois Food Bank Association provides food to adults and children each week through its network of 2,000 food pantries, soup kitchens, shelters and after-school programs; and

WHEREAS, the Illinois Food Bank Association distributes over 94.5 million pounds of food annually; and

WHEREAS, the Illinois Food Bank Association’s members include the Greater Chicago Food Depository, Central Illinois Food Bank, Peoria Area Food Bank, St. Louis Area Food Bank, Eastern Illinois Food Bank, Northern Illinois Food Bank, River Bend Food Bank, and Tri-State Food Bank; and

WHEREAS, the Illinois Food Bank Association works to provide food to hungry people while educating the public about the purpose of food banks serving Illinois counties and the role of food banks in addressing hunger; and

WHEREAS, America’s Second Harvest has declared June 7th, 2006 to be NATIONAL HUNGER AWARENESS DAY; and WHEREAS, more than 200 America’s Second Harvest affiliates, including the Illinois Food Bank Association’s members, will host numerous local events during the month of June for National Hunger Awareness Day to raise awareness of this serious issue:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as HUNGER AWARENESS MONTH in Illinois and encourage all citizens to recognize hunger in the State of Illinois and initiate a dialogue to help prevent hunger every day of the year.

Issued by the Governor April 17, 2006.

Filed by the Secretary of State April 17, 2006.

2006-140

INFANT IMMUNIZATION AWARENESS WEEK

WHEREAS, vaccines were named among the 20th Century’s most successful and cost-effective public health tools available for preventing disease and death; and

WHEREAS, immunizations are one of the most important ways
parents can protect their children against serious diseases; and
WHEREAS, children need a series of vaccinations, starting at birth, to be fully protected against 12 potentially serious diseases; and
WHEREAS, national immunization levels are at or near record highs for most vaccines and most vaccine-preventable diseases have been reduced by 99 percent or more since the introduction of vaccines; and
WHEREAS, National Infant Immunization Week (NIIW) focuses local and national attention on the importance of timely and proper immunization for infants and toddlers 24 months and under; and
WHEREAS, in the twelve years since its inception, NIIW has served as a call to parents, caregivers, and healthcare providers to participate in activities and events to increase the awareness of immunizing children before their 2nd birthday; and
WHEREAS, the Illinois Department of Public Health has partnered with local health departments, the Illinois Chapter of American Academy of Pediatrics, local child health coalitions, the Chicago Area Immunization Campaign and the Illinois Health Education Consortium to promote and support immunization activities throughout the state; and
WHEREAS, the week of April 22 – 29, 2006 has been declared National Infant Immunization Week to help ensure that children receive all recommended vaccinations by the age of 2:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim the week of April 22 – 29, 2006 as INFANT IMMUNIZATION AWARENESS WEEK in Illinois, and encourage all citizens to spread the immunization message throughout their communities, and urge public and private health care providers, parents, and children’s caregivers in Illinois to advance the health of children by ensuring early and on-time immunization against preventable childhood diseases.

Issued by the Governor April 18, 2006.
Filed by the Secretary of State April 18, 2006.

2006-141
EQUAL PAY DAY

WHEREAS, forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to
suffer the consequences of inequitable pay differentials; and

WHEREAS, according to statistics released in 2005 by the U.S. Census Bureau, year-round, full-time working women in 2004 earned only 77% of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and

WHEREAS, according to a January 2002 report released by the General Accounting Office (the investigative arm of Congress), women managers in 7 of 10 industries surveyed actually lost ground in closing the wage gap between 1995 and 2000; and

WHEREAS, according to an analysis of data in over 300 classifications provided by the U.S. Department of Labor Statistics in 2001, women earn less in every occupational classification for which enough data is available, including occupations dominated by women (e.g., cashiers, retail sales, registered nurses and teachers); and

WHEREAS, higher education is not free from wage discrimination according to a U.S. Department of Education analysis, reporting that, after controlling for rank, age, credentials, field of study and other factors, full-time female faculty members earn nearly 9% less than their male counterparts; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family an estimated $523,000 in lost wages, impacting Social Security benefits and pensions; and

WHEREAS, fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors. It also strengthens the security of families today and eases future retirement costs, while enhancing the American economy; and

WHEREAS, in Illinois, the Equal Pay Bill was signed in 2003, which provides that no employer may pay wages solely on the basis of the employee's gender, and it expands the federal Equal Pay Act to cover employers with four or more employees, rather than 15. In conjunction with efforts to educate employees and employers about the Equal Pay Act of 2003, the state launched a toll-free number, 1-866-EPA-IDOL; and

WHEREAS, Tuesday, April 25th symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim April 25, 2006 as EQUAL PAY DAY in Illinois, and urge all citizens to recognize the full value of women's skills and significant contributions to the labor force, and further encourages businesses to conduct an internal pay evaluation to ensure women are being paid fairly.

Issued by the Governor April 18, 2006.
Filed by the Secretary of State April 18, 2006.

2006-141 (REVISED)
ILLINOIS EQUAL PAY DAY

WHEREAS, more than forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to suffer the consequences of inequitable pay differentials; and
WHEREAS, according to statistics released in 2005 by the U.S. Census Bureau, year-round, full-time working women in 2004 earned only 77% of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and
WHEREAS, according to a January 2002 report released by the General Accounting Office (the investigative arm of Congress), women managers in 7 of 10 industries surveyed actually lost ground in closing the wage gap between 1995 and 2000; and
WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family an estimated $523,000 in lost wages, impacting Social Security benefits and pensions; and
WHEREAS, equal pay for equal work strengthens the security of families today and eases future retirement costs, while enhancing Illinois’ economy; and
WHEREAS, Tuesday, April 25th symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year; and
WHEREAS, in 2003, Illinois enacted the Illinois Equal Pay Act prohibiting employers with four or more employees from paying unequal wages to men and women for doing the same or substantially similar work:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 25, 2006 as ILLINOIS EQUAL PAY DAY in Illinois and call for all citizens to recognize the full value of women’s
skills and significant contributions to the labor force, and all employers to provide equal pay for equal work, both as a matter of fairness and as a matter of good business.

Issued by the Governor April 20, 2006.
Filed by the Secretary of State April 20, 2006.

2006-142
PROBATION AND COURT SERVICES OFFICER DAY

WHEREAS, the safety of Illinois citizens and the rights of crime victims require a competent and thorough administration of the criminal justice system; and

WHEREAS, Illinois law requires that all counties must provide full-time probation and court services, and offer a wide range of sentencing options and a continuum of sanctions to protect and safeguard every Illinois community; and

WHEREAS, the continuum of sanctions provided by Illinois probation and courts services departments include: pre-trial investigations and supervision, intensive supervision, juvenile intake screening, home confinement, detention, electronic monitoring, community service, teen courts, drug monitoring, drug courts, community corrections, pre-sentencing investigations, and specialized services for crime victims like dispute resolution and collection of restitution, among many other services; and

WHEREAS, probation and court service professionals work in collaboration with police, prosecutors, the circuit court, and community organizations to provide supervision, programs and services to both juvenile and adult offenders; and

WHEREAS, more than 100,000 juvenile and adult offenders are currently sentenced to a continuum of sanctions, receive active probation supervision, or are participating in court-ordered programs; and

WHEREAS, more than 3,000 dedicated probation, detention, and court services officers supervise the vast majority of Illinois’ juvenile and adult offenders; and

WHEREAS, these probation, detention, and court services officers work in a professional and diligent manner and continuously seek avenues to improve the administration of criminal justice in Illinois and work to improve
their job performance with continuing education at the Spring Conference of the Illinois Probation and Court Services Association in Springfield: 

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 26, 2006 as PROBATION AND COURT SERVICES OFFICER DAY in Illinois.

Issued by the Governor April 20, 2006.
Filed by the Secretary of State April 20, 2006.

2006-143
MELANOMA/SKIN CANCER DETECTION AND PREVENTION MONTH

WHEREAS, the skin of a person is the largest and most visible organ of the human body and performs many essential tasks; and
WHEREAS, more than 1 million new cases of skin cancer will be diagnosed in the United States this year, with 111,900 Americans developing melanoma - the deadliest form of skin cancer; and
WHEREAS, 75 percent of all skin cancer deaths are from melanoma, and one person dies almost every hour from melanoma. In fact, more than 7,910 people are expected to die of melanoma this year; and
WHEREAS, melanoma and other skin cancers, if detected early through skin self-examinations, are highly treatable; and
WHEREAS, sources of skin cancer typically develop from external environmental factors such as overexposure to the sun and to ultraviolet rays, therefore suggesting that it is preventable; and
WHEREAS, the State of Illinois is proud to join in the many efforts taking place to raise awareness of ways in which we can prevent skin cancer from affecting our lives, and the lives of our families:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as MELANOMA/SKIN CANCER DETECTION AND PREVENTION MONTH in Illinois, and encourage all citizens to be aware of the importance of skin cancer prevention, early detection, and treatment.

Issued by the Governor April 20, 2006.
Filed by the Secretary of State April 20, 2006.
2006-144
ILLINOIS COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICE WEEK

WHEREAS, “Inspire By Example” is the theme for the 2006 Annual Volunteer Week; and
WHEREAS, a volunteer is someone that performs charitable or helpful tasks without pay; and
WHEREAS, one person can effect a positive change with just a single volunteer action, no matter how big or small; and
WHEREAS, the basis for a safe and productive nation is the willingness of citizens to work together, without prejudice, to find solutions to the everyday struggles of our society; and
WHEREAS, the United States is blessed with men and women who selflessly dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and
WHEREAS, in Illinois, my Commission on Volunteerism and Community Service strives to improve our communities by supporting volunteer and community service efforts throughout the state; and
WHEREAS, the annual observance of National Volunteer Week allows all citizens the opportunity to recognize and thank the compassionate and caring nature of our citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 23 – 29, 2006 as ILLINOIS COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICE WEEK in Illinois, and urge all citizens to promote the spirit of volunteerism in our families and communities by expressing their gratitude to the noble volunteers across our state.

Issued by the Governor April 20, 2006.
Filed by the Secretary of State April 20, 2006.

2006-145
HEPATITIS C AWARENESS AND EDUCATION MONTH

WHEREAS, hepatitis C is a “silent epidemic” and is the most common chronic blood-borne viral infection in the United States; and
WHEREAS, hepatitis C has been characterized by the World Health Organization as a disease of primary concern to humanity and currently infects approximately 3.9 million people in the United States; each year there are approximately 25,000 new infections nationwide; and

WHEREAS, hepatitis C is now one of the leading causes of liver disease, placing infected individuals at elevated risk for chronic liver disease, liver cancer, liver transplantation, and other hepatitis C virus-related illnesses; and

WHEREAS, the National Institute of Health estimates that approximately 10,000 to 12,000 persons die annually from the consequences of Hepatitis C, and this number continues to grow each year; and

WHEREAS, hepatitis C infection is three to four times more prevalent in the United States than HIV/AIDS and approximately one-fourth of all HIV-infected persons are co-infected with hepatitis C; and

WHEREAS, approximately 60-70 percent of hepatitis C virus-infected persons are chronically infected, and few of those are aware that they are infected since symptoms often do not develop until 10 to 20 years after the infection is contracted; and

WHEREAS, in Illinois, there are 250,000 estimated unidentified hepatitis C-infected persons Statewide based on a 2001 passive surveillance and national prevalence statistics; and

WHEREAS, educating the public and health care community throughout the State about hepatitis C will ensure an optimal approach to controlling this potentially lethal disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as HEPATITIS C AWARENESS AND EDUCATION MONTH in Illinois, and encourage all citizens to become learn more about the risk factors associated with hepatitis C.

Issued by the Governor April 20, 2006.

Filed by the Secretary of State April 20, 2006.

2006-146
BRAND TUMOR ACTION WEEK

WHEREAS, this year marks the 9th Annual Brain Tumor Action Week sponsored by the North American Brain Tumor Coalition; and
WHEREAS, every five minutes another American is diagnosed with a brain tumor, representing more than 190,000 people in the United States each year; and

WHEREAS, progress continues because of dedicated researchers, and because of charitable organizations, such as the ones in the North American Brain Tumor Coalition, that are committed to the eradication of brain tumors through raising awareness and advocating for increased research funding; and

WHEREAS, brain tumor patients now have hope and options available to them because of promising new treatments; and

WHEREAS, there is still much to be done to assure effective treatment for all brain tumor patients; and

WHEREAS, the State of Illinois is proud to join the North American Brain Tumor Coalition in an effort to raise awareness and to support all of the patients and families affected by this disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1-7, 2006 as BRAIN TUMOR ACTION WEEK in Illinois, and urge all citizens to join me in support for continued progress in the fight against brain tumors.

Issued by the Governor April 20, 2006.

Filed by the Secretary of State April 20, 2006.

2006-147

IN RECOGNITION OF RAFAEL PULIDO

WHEREAS, broadcast in Chicago, Illinois on WOJO “LA Que Buena” 105.1 FM, Rafael Pulido, who is popularly known as “El Pistolero”, has successfully established a substantial and loyal listening audience for his weekday morning radio show in Chicago, as well as throughout the State and nation; and

WHEREAS, having been born in Mexico and with previous successes in Oregon and California, Rafael Pulido has been well prepared to entertain, inform and serve the people of Mexican origin who live in Chicago for whom he has proven and used his success to raise funds for families in need, respond to his community’s emergencies, as well as raise thousands of dollars for Hurricane Katrina Victims; and

WHEREAS, demonstrating his ability to discuss controversial issues,
Rafael Pulido was able to raise the consciousness in Chicago and across the nation in order to defeat anti-immigrant legislation HR 4437 that would have criminalized undocumented immigrant families and anyone who would provide support to them; and.

WHEREAS, as a consistent advocate for family unity, Rafael Pulido has given notice to the movement to stop the separation of families due to harshly enforced and excessively stringent immigration laws; and

WHEREAS, Rafael Pulido has used his success and popularity to call for the massive immigrant March on March 10th that mobilized over 500,000 U.S. Citizens, Legal Residents, and undocumented together from all nationalities in unity; and

WHEREAS, Rafael Pulido and his team, including his partner Abel Vences and team members Gregorio Villanueva, Julio Hernandez, and Ruben Lomely, have been fundamental in spiriting the nationwide movement and mobilizations that are still taking place across the country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize and commend Rafael Pulido for his tireless commitment and contributions to entertain, inform, and defend human rights, and I encourage all citizens to join in acknowledging this great man.

Issued by the Governor April 20, 2006.
Filed by the Secretary of State April 20, 2006.

2006-148
NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK

WHEREAS, safety and health hazards in the workplace include: contact with harmful chemicals, unsafe electrical outlets, fires, bacteria-related diseases, cuts, prolonged exposure to excessive heat or cold, and many more. They are extremely dangerous and often result in serious injuries, and in some cases, death; and

WHEREAS, millions of people go to work and return home safely everyday, due in part to the efforts of occupational safety, health and environmental practitioners who work hard to identify hazards, implement safe practices, and prevent fatalities and illnesses in all industries and workplaces; and
WHEREAS, it is imperative that employers, employees, and the general public are aware of the importance of preventing illness and injury in the workplace, and understand the many procedures that make prevention possible; and

WHEREAS, strictly following safety guidelines, minimizing possible workplace risk factors, and providing accessible, and thorough first aid kits for employees, are all ways citizens can cut down workplace injuries and hazards; and

WHEREAS, the more than 30,000 members of the non-profit organization, the American Society of Safety Engineers, work to protect people, property, and the environment each and everyday; and

WHEREAS, during the week of April 30 through May 6, 2006, members of the American Society of Safety Engineers will work to raise public awareness on prevention and safety measures, and hope that their involvement will save lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 30 – May 6, 2006 as NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK in Illinois, and encourage all citizens to become cognizant of safety procedures in the workplace.

Issued by the Governor April 25, 2006.
Filed by the Secretary of State April 25, 2006.

2006-149
EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY

WHEREAS, Emergency Medical Services for Children (EMSC) focuses on the specific attention that children need in medical and traumatic emergencies; and

WHEREAS, EMSC supports a specialized approach to pediatric care; and

WHEREAS, EMSC endorses the high-level emergency care given by emergency medical services providers with pediatric emergency skills, who are prepared to respond to sick or injured children and restore them to an optimum level of health; and

WHEREAS, EMSC espouses the tenets and practices of family-
centered and culturally competent care for children and their families; and

WHEREAS, EMSC assists in training with advanced technical equipment and services in preparation to save the life of a child; and

WHEREAS, EMSC works with physicians, nurses, social workers, psychologists, emergency medical technicians, paramedics, firefighters, educators, administrators and others to identify and address issues surrounding pediatric care; and

WHEREAS, EMSC assists in the development of training programs and guidelines for emergency care providers, so that children with special health care needs get timely, appropriate care; and

WHEREAS, in Illinois, there are 11,330 first responders, 21,329 basic EMTs, 1,357 intermediate EMTs and 11,546 paramedic dedicated to promoting preventive measures, pre-hospital care, outpatient and specialized services, and inpatient and rehabilitative care; and

WHEREAS, the State of Illinois proudly recognizes these dedicated men and women of EMSC for aiding and saving the lives of Illinois children:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 17, 2006 as EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY in Illinois, and encourage all citizens to commend those that use their advanced training and talents to help children in times of crisis.

Issued by the Governor April 25, 2006.
Filed by the Secretary of State April 25, 2006.

2006-150
EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, emergency medical services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, emergency medical technicians (EMTs) – basic, coal miner, intermediate and paramedic – field nurses, emergency communication nurses, trauma nurse specialists, emergency dispatchers and first responders who are dedicated to saving lives; and

WHEREAS, in Illinois there are 62 EMS resource hospitals, 64 trauma centers, 11,330 first responders, 21,329 basic EMTs, 1,357
intermediate EMTs, and 11,546 paramedic EMTs, selflessly providing 24-hour service to the people of Illinois; and

WHEREAS, this year’s national theme, “EMS – Serving on Health Care’s Front Line,” underscores the immediate nature of the situations to which EMS personnel must respond; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 14 – 20, 2006 as EMERGENCY MEDICAL SERVICES WEEK in Illinois, and encourage all citizens to recognize the dedication and lifesaving work that the men and women of emergency medical services teams provide to the communities of this state.

Issued by the Governor April 25, 2006.
Filed by the Secretary of State April 25, 2006.

2006-151
STATE EMPLOYEE RECOGNITION DAY

WHEREAS, throughout Illinois, state employees dedicate their careers to enhancing the lives of people in this State; and

WHEREAS, Illinois’ state employees perform a variety of challenging and important tasks, including preserving public safety and protecting the health of our citizens, working to ensure clean air and water, caring for crime victims and the economically disadvantaged, rehabilitating and counseling people in need, attracting and supporting commerce, building and maintaining our highways, schools, and other infrastructure, administering justice, protecting citizens’ rights, inspecting our food, licensing our cars, educating our children, and striving to advance medicine, science, and technology for the benefit of our residents; and

WHEREAS, with the current budgetary struggles that Illinois is
facing, these dedicated servant leaders have assumed additional responsibilities and extra duties with compassion, professionalism, and a commitment to those they serve, while continually seeking ways to cut costs and use taxpayer resources wisely; and

WHEREAS, the 2006 observance of Illinois State Employee Recognition Day provides a special time to express our appreciation and gratitude to our state employees for their hard work and dedication to our continued well-being and quality of life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 3, 2006 as STATE EMPLOYEE RECOGNITION DAY in Illinois, and encourage all citizens to recognize state employees for their hard work, sacrifices, and dedication to the people of Illinois.

Issued by the Governor April 25, 2006.
Filed by the Secretary of State April 25, 2006.

2006-152
COLD WAR VICTORY DAY

WHEREAS, September 2, 1945 thru December 26, 1991, marked the time our country led the forces of democratic nations in a long and costly struggle for freedom, against the tyranny and brutality of the Union of Soviet Socialist Republics; and

WHEREAS, the Cold War began after World War II with the threat of world domination of Europe and Asia by communist ideology and military action; and

WHEREAS, the Cold War was marked by periodic confrontations between the West and the East, including the Berlin Airlift in 1948, the Korean War from 1950-1953, the Cuban Missile Crisis of 1962 and the Vietnam War from 1960-1975; and

WHEREAS, the end of the longest undeclared war in United States’ history began with the fall of the Berlin Wall in 1989 and culminated with the collapse of the Soviet Union’s communist government in December of 1991; and

WHEREAS, tens of thousands of Illinois Veterans valiantly served in our nation’s armed forces during this long conflict, with many sacrificing
their lives; and

WHEREAS, the State of Illinois joins with veterans of the Cold war in commemorating our victory of the Cold war, and we commend our brave Cold War veterans for their acts of heroism, distinguished service, and devotion to our country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1, 2006 as COLD WAR VICTORY DAY in Illinois, and encourage all citizens to recognize the sacrifices these noble men and women made for the safety and security of the people of this great State and nation.

Issued by the Governor April 25, 2006.
Filed by the Secretary of State April 25, 2006.

2006-153
WORLD T'AI CHI AND QIGONG DAY

WHEREAS, T’ai Chi, a traditional Chinese exercise, is a slow, graceful set of movements developed centuries ago for self defense and self development; and

WHEREAS, Qigong (Chi Kung), with roots thousands of years ago in China, is the art of internal energy development using breath, movement and mind; and

WHEREAS, T’ai Chi is becoming very popular and has been scientifically shown to have strong physical and psychological benefits, such as gaining inner strength while toning muscles, increasing flexibility, and boosting immune power; and

WHEREAS, people have practiced T’ai Chi and Qigong for centuries in other parts of the world for health, rejuvenation and longevity; and

WHEREAS, the people of Illinois deserve to know these techniques are available for their health, personal development, and enjoyment; and

WHEREAS, T’ai Chi is a natural and safe vehicle for people to learn and experience the benefits of being able to channel, concentrate, and coordinate their bodies and minds; and

WHEREAS, World T’ai Chi & Qigong Day falls on the last Saturday in April and is designed to expose these powerful health and development tools to as many people as possible in order to elevate Public Health; and
WHEREAS, this year, World T’ai Chi and Qigong Day will be celebrated in Illinois at the Capital Rotunda in Springfield, to coincide with many other events taking place throughout the State, nation, and world on April 29, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 29, 2006 as WORLD T’AI CHI AND QIGONG DAY in Illinois.

Issued by the Governor April 27, 2006.
Filed by the Secretary of State April 27, 2006.

2006-154
ILLINOIS INJURY PREVENTION MONTH

WHEREAS, in the U.S., the health and social costs associated with injury exceed $180 billion dollars annually. Further, unintentional injury is the leading cause of years of potential life lost for people under 65; and
WHEREAS, in Illinois, injury is the leading cause of death for persons ages 1 to 44, and the 4th leading cause of death overall; and
WHEREAS, unintentional injuries represent a major public health problem in Illinois, annually resulting in more than 4,000 deaths; and
WHEREAS, one in four Illinoisans suffer a preventable injury each year; and
WHEREAS, motor vehicle crashes claimed the lives of 1,454 passengers in Illinois in 2003, and resulted in an additional 131,279 persons being non-fatally injured; and motor vehicle crashes remain the number one cause of injury-related deaths among children ages 14 and under; and
WHEREAS, fires claimed the lives of 3,900 Americans in 2004, and another 17,785 persons were non-fatally injured in fires; and an average of eight children ages 14 and under die from scalding injuries each year; and
WHEREAS, in 2003, more than 2.3 million children ages 14 and under were treated in hospital emergency rooms for fall-related injuries; and
WHEREAS, the Illinois Department of Public Health and the Illinois Injury Prevention Coalition have developed a community planning toolkit for community groups to plan special awareness and prevention activities in an effort to educate residents about injury prevention during May 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim MAY 2006 as ILLINOIS INJURY PREVENTION MONTH in Illinois, and call upon all the residents of this state to join with me in supporting the efforts and activities of the Illinois Department of Public Health to prevent injuries.

Issued by the Governor April 27, 2006.

Filed by the Secretary of State April 27, 2006.

2006-155
TOXIC INJURY/MULTIPLE CHEMICAL SENSITIVITY AWARENESS AND EDUCATION MONTH

WHEREAS, toxic injury, also known as multiple chemical sensitivity or MCS, is a chronic debilitating condition for which there is no known cure; and

WHEREAS, this condition is characterized by heightened sensitivity to very small amounts of air pollution, petrochemicals and other toxins found in the environments of our homes, schools, and work places; and

WHEREAS, symptoms of toxic injury vary, but may include: flu like symptoms, severe headaches, chronic fatigue, a metallic taste in the mouth, or difficulty breathing and concentrating. Once sensitized, our bodies react more easily to a greater number of substances; and

WHEREAS, getting rid of all aerosol products, disposing of all scented products, eliminating permanent press sheets and clothing, and drinking, eating and storing food items in glass, ceramic, or stainless steel, are steps that can be taken to better protect toxic injury sufferers; and

WHEREAS, the “MCS” Beacon of Hope Foundation was established in July 2000 to raise awareness and educate the public on this growing health issue:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as TOXIC INJURY/MULTIPLE CHEMICAL SENSITIVITY AWARENESS AND EDUCATION MONTH in Illinois, and encourage all citizens to become conscientious of the toxic hazards that plague our environment.

Issued by the Governor April 27, 2006

Filed by the Secretary of State April 27, 2006
2006-156
NATIONAL RN RECOGNITION DAY AND NATIONAL NURSES WEEK

WHEREAS, the more than 2.9 million nurses in the United States comprise our nation’s largest health care profession; and

WHEREAS, there are over 148,000 registered nurses in the state of Illinois; and

WHEREAS, the depth and extensiveness of the registered nursing profession meets the diverse, and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality care of hospitalized patients; and

WHEREAS, currently, there is a nursing shortage in the State of Illinois, as well as across the United States, and therefore it is important that we work to encourage people to take up this noble line of work; and

WHEREAS, the future will bring a great demand for registered nursing services due to a large, aging American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will no doubt become an even more important component to the U.S. health care system in the years to come:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 6, 2006 as NATIONAL RN RECOGNITION DAY and May 6-12, 2006 as NATIONAL NURSES WEEK in Illinois, and encourage all citizens to recognize and honor nurses in their communities, for the hard work, and invaluable services they provide for citizens.

Issued by the Governor April 27, 2006.

Filed by the Secretary of State April 27, 2006.
WHEREAS, a stroke is a serious condition that occurs when the blood supply to part of the brain is suddenly interrupted or when a blood vessel in the brain bursts, resulting in cell death and loss of brain function; and

WHEREAS, while strokes are generally thought of as affecting an older population, the unfortunate truth is that children can also suffer strokes; and

WHEREAS, childhood strokes occur more frequently in children less than 2 years of age. Strokes occur at a rate of one in every 4,000 births, and affect six out of every 100,000 children, with 12 percent dying due to the stroke; and

WHEREAS, signs of stroke in children can include headaches, speech difficulties, seizures, eye movement problems, and numbness; and

WHEREAS, more than half of the children who have a stroke will have serious, long-term neurological disabilities, including hemiplegia (paralysis of one side of the body), seizures, speech and vision problems, and learning difficulties; and

WHEREAS, little is known about the cause, treatment, and prevention of childhood stroke. Only through medical research can effective treatment and prevention strategies for pediatric stroke be identified and developed; and

WHEREAS, early diagnosis and treatment of pediatric stroke greatly improves chances for recovery and reduces the likelihood of recurrence; and

WHEREAS, organizations like the Children’s Hemiplegia and Stroke Association and Parents’ Association for Children with Hemiplegia and/or Stroke look to create a greater public awareness of the presence of these disorders in children:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 6, 2006 as CHILDHOOD STROKE AWARENESS DAY in Illinois and urge all citizens to support the efforts, programs, services, and advocacy of those who strive to enhance awareness and treatment of childhood stroke.

Issued by the Governor April 27, 2006.
2006-158

ASIAN PACIFIC AMERICAN HERITAGE MONTH

WHEREAS, each May is officially recognized as Asian Pacific Heritage Month in the United States; and

WHEREAS, in June 1977, Congressmen Frank Horton of New York and Norman Y. Mineta of California introduced a House resolution calling upon the president to proclaim the first 10 days of May as Asian/Pacific Heritage Week. The following month, Senators Daniel Inouye and Spark Matsunaga introduced a similar bill in the Senate. Both were passed; and

WHEREAS, on Oct. 5, 1978, President Jimmy Carter signed a joint resolution designating the annual celebration; and

WHEREAS, in May 1990, the holiday was further expanded when President George H.W. Bush designated May to be Asian Pacific American Heritage Month; and

WHEREAS, May was chosen to commemorate the immigration of the first Japanese immigrants to the United States in 1843; and

WHEREAS, many immigrants of Asian heritage came to the United States in the nineteenth century to work in the transportation industry; and

WHEREAS, in 1869, laboring under very difficult conditions, Asian immigrants helped construct the transcontinental railroad which vastly expanded economic growth and development across the country; and

WHEREAS, Asian Pacific American Heritage Month is celebrated annually with community festivals, government-sponsored events and educational activities for students; and

WHEREAS, Asian Pacific Americans have made valuable contributions to the history and growth of the United States and have achieved at a high level in a variety of disciplines, including: government, business, science, technology and the arts:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as ASIAN PACIFIC AMERICAN HERITAGE MONTH in Illinois.

Issued by the Governor April 28, 2006.

Filed by the Secretary of State April 28, 2006.
WHEREAS, born October 20, 1927 in Paola, Kansas, Mother Margaret Jackson Threlkeld moved to Chicago, Illinois and became a member of Roberts Temple Church of God in Christ. While there, Mother Margaret was President of the Purity Class and a member of the choir and usher board; and

WHEREAS, Mother Margaret was married forty-nine years to Mr. Albert Threlkeld, Sr. Together, they had one daughter, Angela Faye Dodd, one son, Albert Threlkeld, Jr. Also, they have one granddaughter, Zoë Elise Dodd, and one son in law, Jerome Dodd; and

WHEREAS, in 1967, Mother Margaret joined St. Paul Church of God in Christ under the leadership of Bishop Louis Henry Ford. She served the church as a Sunday School Teacher, radio announcer for twenty-three years, active member of the Unity Circle, Aide to Pastor, Officer to the breakfast club, advisor to the District Missionary, and State Field Representative for thirty years. Additionally, she worked under four State Superintendents, three Bishops, and two State Mothers. On the international level, she served as a second Assistant State Field Representative, under four International Sunday School Superintendents, and three International Representatives; and

WHEREAS, Mother Margaret has been honored with numerous awards, including Sunday School Region 8 & 11 Distinctive Service Awards, the Mother Mary Davis Memorial Award, the International Sunday School Dedicated Service Award 2002, and countless Certificates of commendation; and

WHEREAS, on May 6, 2006, Bishop Ocie Booker of the First Jurisdiction of the Church of God in Christ of Illinois will recognize Mother Margaret Jackson Threlkeld as the Woman of the Year 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 6, 2006 as MOTHER MARGARET JACKSON THRELKELD DAY in Illinois.

Issued by the Governor April 28, 2006.
File by the Secretary of State April 28, 2006.
ANNUAL DEBUTANTE COTILLION DAY

WHEREAS, the Links, Inc. is a volunteer service organization of women committed to promoting civic, cultural, and educational programs at the community level; and

WHEREAS, in 1946, the Links was founded in Philadelphia, Pennsylvania by the late Margaret Hawkins and Sarah Scott. The two hundred sixty plus chapters includes more than nine thousand members across the United States, Bahamas, and Germany; and

WHEREAS, on May 21, 1950, fifteen women in Chicago joined the chain of Links, becoming the nineteenth chapter. The organizer and first president of this chapter, Portia M. Searcy, was also a national officer; and

WHEREAS, the Chicago Illinois Chapter, along with its many service programs and projects, has sponsored an annual Debutante Cotillion for forty-six years. The Debutante Cotillion, which has achieved recognition as an outstanding community event, makes it possible for the Chicago Illinois Chapter to provide financial support for worthwhile service efforts being undertaken by local community organizations; and

WHEREAS, the Chicago Illinois Chapter has received several regional and national awards for its civic, cultural, educational, and social programmatic partnerships with local community organizations; and

WHEREAS, this year, sixteen very talented young African American women will be honored during the 46th Annual Debutante Cotillion:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 27, 2006 as ANNUAL DEBUTANTE COTILLION DAY in Illinois in recognition of the sixteen young African American women being honored during this 46th anniversary.

Issued by the Governor April 28, 2006.
Filed by the Secretary of State April 28, 2006.

BUILDING SAFETY WEEK

WHEREAS, building safety affects many aspects of American life. Because of building safety code enforcement, citizens enjoy the comfort of
buildings that are safe and structurally sound; and

WHEREAS, building safety and fire prevention officials work with citizens to address building safety and fire prevention concerns everyday; and

WHEREAS, the dedicated members of the International Code Council, including building safety and fire prevention officials, architects, engineers, and others in the construction industry, develop and enforce the codes that safeguard Americans in the buildings where people live, work, play and learn; and

WHEREAS, the International Codes, the most widely adopted building safety and fire prevention codes in the nation, are used by most U.S. cities, counties and states; and

WHEREAS, building safety codes provide safeguards to protect the public from natural disasters that can occur all across the country, such as snowstorms, hurricanes, tornadoes, wild land fires, and earthquakes. Building safety codes also work to minimize other potential building catastrophes; and

WHEREAS, Building Safety Week, sponsored by the International Code Council Foundation, is an opportunity to educate and increase public awareness of the hard work put forth by building safety and fire prevention officials, local and state building departments, and federal agencies; and

WHEREAS, this year’s theme, “Building a Safer World Together,” encourages all Americans to raise their awareness of building and fire safety, and to take appropriate steps to ensure that the places where they live, work, play, and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; and

WHEREAS, this year, while observing Building Safety Week, we ask all Illinoisans to recognize the local building safety and fire prevention officials and the important role that they play in public safety:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 7 – 13, 2006 as BUILDING SAFETY WEEK in Illinois, and encourage all citizens to recognize the importance of improving building safety in this state.

Issued by the Governor May 01, 2006.

Filed by the Secretary of State May 01, 2006.
2006-162
NATIONAL SCHOOL NURSE DAY

WHEREAS, school nursing is a specialized practice that advances the well-being, academic success and life-long achievement of students; and

WHEREAS, the State of Illinois values its children and recognizes the importance of providing them with the best education possible so that they may realize their fullest potential and experience success in their future endeavors; and

WHEREAS, Illinois’ school nurses are dedicated health care professionals who work in collaboration with families, schools and communities to develop and promote comprehensive health care programs for our youth; and

WHEREAS, in addition to providing for students’ immediate health needs, school nurses continually promote healthy lifestyles and provide health and safety education to students and staff; and

WHEREAS, the State of Illinois is proud to join the Illinois Association of School Nurses (IASN) and the National Association of School Nurses, Inc. (NASN) in recognizing school nurses for their contributions to the health of our children:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 10, 2006 as NATIONAL SCHOOL NURSE DAY in Illinois, and encourage all citizens to promote good health of our students and recognize the valuable role these caregivers have in our schools by improving the health and well-being of children across this great State and nation.

Issued by the Governor May 01, 2006.
Filed by the Secretary of State May 01, 2006.

2006-163
NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS DAY

WHEREAS, the National Association of Women Business Owners (NAWBO) maintain more than 90 chapters in the United States; and

WHEREAS, the Chicago Area Chapter is among the largest with
more than 600 members representing businesses in all major industrial, service, and retail sectors; and

WHEREAS, since 1978, Chicago NAWBO has provided women business owners with leadership, education, procurement, and networking opportunities. It also serves as a voice for its members on economic, social, and public policy issues; and

WHEREAS, currently, there are over 450,000 women business owners in Illinois, with 70 percent of these businesses in the Chicagoland area; and

WHEREAS, NAWBO is an organization with a customer first philosophy that: strengthens the wealth creating capacity of its members and promotes economic development, creates innovative and effective changes in the business culture, builds strategic alliances, coalitions and affiliations, and transforms public policy and influences opinion makers; and

WHEREAS, NAWBO represents and gives women opportunities to expand and excel in the business world:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 11, 2006 as the NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS DAY in Illinois, and encourage all citizens to commemorate its 28 years of service to all women entrepreneurs.

Issued by the Governor May 01, 2006.
Filed by the Secretary of State May 01, 2006.

2006-164
CORNELIA DE LANGE SYNDROME AWARENESS DAY

WHEREAS, Cornelia de Lange Syndrome (CdLS) is a congenital syndrome, meaning it is present from birth. Most of the signs and symptoms may be recognized at birth or shortly thereafter; and

WHEREAS, children with CdLS are usually born with low birth weight and develop at a slower rate, both mentally and physically, and possess other physical complications. Presently, many dedicated medical professionals are involved in valuable research and education activities to explore new possibilities and to offer hope; and

WHEREAS, common characteristics of CdLS include: low birth-
weight (often under five pounds), slow growth and small stature, and small head size (microcephaly). Typical facial features include thin eyebrows which frequently meet at midline (synophrys), long eyelashes, short upturned nose and thin, downturned lips; and

WHEREAS, other frequent findings include excessive body hair (hirsutism), small hands and feet, partial joining of the second and third toes, incurved fifth fingers, gastroesophageal reflux, seizures, heart defects, cleft palate, bowel abnormalities, feeding difficulties, and developmental delay. Limb differences, including missing limbs or portions of limbs, usually fingers, hands or forearms, are also found in some individuals; and

WHEREAS, the State of Illinois is pleased to join the Cornelia de Lange Syndrome Foundation, a non-profit family support organization, in promoting a special celebration that seeks to raise awareness of Cornelia de Lange Syndrome, designed to have a positive and productive impact on the lives of people with CdLS and their caregivers:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 13, 2006 as CORNELIA DE LANGE SYNDROME AWARENESS DAY in Illinois, and encourage all citizens to recognize this rare birth defect in order to create awareness and hope for those who have CdLS.

Issued by the Governor May 01, 2006.
Filed by the Secretary of State May 01, 2006.

2006-165
COVER THE UNINSURED WEEK

WHEREAS, rising health care costs in the United States continually make it difficult for individuals, businesses and state governments to purchase quality, affordable health care coverage; and

WHEREAS, uninsured children and adults usually experience poorer health and have shorter life-expectancies than insured individuals; and

WHEREAS, here in Illinois, we are making great progress in the mission of providing health insurance to those that are currently lacking coverage; and

WHEREAS, since the beginning of my administration in 2003, over 400,000 more children and working parents now have health coverage
through the KidCare and FamilyCare programs. Because of this accomplishment, Illinois was recognized in 2004 by the Kaiser Foundation as the nation's leader in providing health care to low-income families; and

WHEREAS, even with the KidCare and FamilyCare programs, there are an estimated 250,000 children without any kind of health insurance. That's why I created the All Kids program: to make health care a reality for hundreds of thousands of families across the state. Illinois will be the first state in the nation to provide affordable, comprehensive health insurance for every child; and

WHEREAS, through an innovative new program called I-SAVE Rx, Illinoisans can now save up to 79% on the cost of their prescription drugs by purchasing them from safe and inspected pharmacies in Canada and the United Kingdom and drugs from Ireland. Additionally, Illinois senior citizens who may not benefit from I-SAVE Rx can join the Illinois Rx Buying Club, and save an average of 24% on all of their medications at over 2,300 pharmacies in this state; and

WHEREAS, Illinois’ commitment to providing health coverage to the greatest number of people possible does not stop with All Kids, KidCare, FamilyCare, and prescription drugs. We have also launched plans to: offer low-income women who are leaving Medicaid the informational tools necessary to avoid unwanted pregnancies and have successful transitions from welfare to work; expand funding for breast and cervical cancer screenings and AIDS prevention; and various other programs and initiatives aimed at ensuring the health and well-being of all citizens; and

WHEREAS, this year, the week of May 1 – 7 has been nationally designated as Cover The Uninsured Week to bring attention to the many people throughout the United States who are currently living without health insurance, and the need to assist those people in obtaining coverage. Illinois is proud to join in this important observance:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 1 – 7, 2006 as COVER THE UNINSURED WEEK in Illinois, and encourage all citizens to support efforts, both statewide and nationally, that help individuals and families gain access to quality, affordable health care.

Issued by the Governor May 03, 2006.

Filed by the Secretary of State May 03, 2006.
2006-166
CHRISTOPHER HOUSE DAY

WHEREAS, in 1906, the First Presbyterian Church of Evanston founded Christopher House as a settlement house on Chicago’s north side. For a century, Christopher House has grown in response to the needs of people in the community; and
WHEREAS, Christopher House is a catalyst for strengthening and empowering low-income children and their families, providing a web of support that helps families become self-sufficient and resilient, therefore building stronger communities; and
WHEREAS, Christopher House served 1,200 individuals in the first year of operation, with an annual budget of $4,612, and now serves over 3,500 children and families, with an annual budget of $6,600,000; and
WHEREAS, today, Christopher House is a seven-site family resource center that helps families overcome the consequences of poverty, enabling them to thrive. Through early childhood and youth development, parent enrichment, literacy, counseling, pregnant and parenting teen support, and the meeting of basic human needs, Christopher House is a catalyst in their journey toward stability and resiliency; and
WHEREAS, 2006 is Christopher House’s Centennial Year that will be marked by a number of celebrations including a Centennial Kick-Off Open House, the Centennial Gala, the Annual Fall Fest, the Annual Holiday Adopt-a-Family program and Food Walk:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 13, 2006 as CHRISTOPHER HOUSE DAY in Illinois, and encourage all citizens to join in this worthy observance.
Issued by the Governor May 03, 2006.
Filed by the Secretary of State May 03, 2006.

2006-167
FOOD ALLERGY AWARENESS WEEK

WHEREAS, there are eight types of foods that account for ninety percent of allergic reactions, such as: peanuts, tree nuts (walnuts, pecans, brazil nuts, etc.) fish, shellfish, eggs, milk, soy, and wheat. The leading cause
of severe allergic reactions, however, is peanuts; and
WHEREAS, approximately 11 million Americans suffer from food allergies, and it is estimated that as many as 150 people die from food allergy reactions each year; and
WHEREAS, the Food Allergy and Anaphylaxis Network (FAAN) has a membership of more than 26,000 people worldwide. Established in 1991, the mission of FAAN is to raise public awareness, educate, and advance research on the issue of food allergies and anaphylaxis; and
WHEREAS, a food allergy occurs when the immune system mistakenly believes that a food is harmful, therefore, may cause a person to have a severe allergic reaction or an anaphylaxis; and
WHEREAS, food intolerance is different than a food allergy in that a food intolerance is a metabolic disorder, not involving the immune system. Lactose intolerance is a common example; and
WHEREAS, swelling of the tongue and throat, vomiting, difficulty breathing, or the presence of a rash, are some symptoms of food allergy and anaphylaxis, and typically appear within minutes to two hours after a person has eaten the food he or she is allergic to; and
WHEREAS, currently, there is no cure for food allergies and the only way to avoid a reaction is for an individual to avoid the food that is causing the reaction:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 14 – 20, 2006 as FOOD ALLERGY AWARENESS WEEK in Illinois, and encourage citizens with known food allergies to make others aware of their history to reduce the chance of a severe reaction.
Issued by the Governor May 03, 2006.
Filed by the Secretary of State May 03, 2006.

2006-168
SQUARE DANCE WEEK

WHEREAS, on May 7, 1983, the State Council of Illinois Square Dance Associations was formed to promote square dancing in all its forms, including square dancing, round dancing, contra dancing, and line dancing; and
WHEREAS, the square dance is a popular type of folk dance in the United States. This dance for four couples, or groups of four couples, is performed in a compact framework of a square, each couple forming a side. Traditionally accompanied by a fiddle, accordion, banjo, and guitar, the couples perform a variety of movements prompted by the patter or singing calls (instruction) of a “caller.” Cooperative movement is the hallmark of well-executed square dancing; and

WHEREAS, the origin of the square dance can be traced to English derivation and to the stately French cotillion performed in square formation that was popular at the court of Louis XIV, later replaced by the quadrille (another square dance); and

WHEREAS, in 1990, the square dance was adopted as the American Folk Dance of the State of Illinois by an act of the General Assembly; and

WHEREAS, the 2006 Illinois State Square and Round Dance Convention will be held July 28-30, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 23 - 29, 2006 as SQUARE DANCE WEEK in Illinois, and encourage all citizens to celebrate this truly American recreational folk dance.

Issued by the Governor May 03, 2006.

Filed by the Secretary of State May 03, 2006.

2006-169
NAVY WEEK

WHEREAS, the United States Navy (USN) is the branch of the United States Armed Forces responsible for conducting naval operations with sailors protecting our nation domestically and overseas; and

WHEREAS, the United States Navy can trace its origins to the Continental Navy, which was established during the American Revolutionary War, but was disbanded in the year 1790. The 1789 ratification of the United States Constitution supported the existence of a standing navy by giving Congress the right "to provide and maintain a navy." Following conflict with Barbary Coast corsairs, Congress enacted this right in 1794 by ordering the construction and manning of six frigates, thus establishing a permanent U.S. Navy; and
WHEREAS, the 21st century U.S. Navy maintains its presence in the world as an instrument of American policy. Despite decreases in the number of ships and personnel following the Cold War, the U.S. Navy remains the world’s largest navy with a tonnage greater than 17 of the next largest world navies combined; and

WHEREAS, the U.S. Navy currently numbers nearly half a million men and women on active or ready reserve duty and consists of 281 ships and over 4,000 operational aircraft; and

WHEREAS, from its earliest settlement and conflicts, Illinois has had a rich Naval tradition and the proud name of “USS Illinois” has been present on four U.S. Navy ships; and

WHEREAS, currently, Illinois is home to the Naval Station Great Lakes, which is the United States Navy's Headquarters Command for training issues, located in North Chicago, Illinois. Featured at this command center: the Recruit Training Center (Boot Camp), the Naval Hospital, and the Naval District Headquarters; and

WHEREAS, Navy Week in Illinois has been developed in order to celebrate the past, present, and future of Illinois’ long standing support of Navy service members:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 15 - 19, 2006 as NAVY WEEK in Illinois, and encourage all citizens to join in recognizing the noble men and women who have served and currently serve in the Navy.

Issued by the Governor May 04, 2006.
Filed by the Secretary of State May 04, 2006.

2006-170

SALVATION ARMY WEEK

WHEREAS, over 125 years ago, the Salvation Army marched into the United States battling poverty, hunger, disease, abuse, loneliness, and other evils of society; and

WHEREAS, to this day, the Salvation Army continues its crusade to restore hope to countless men, women, and children who have nowhere else to turn; and

WHEREAS, the Salvation Army serves as a symbol of compassion,
but more so as an active participant in the provision of services to thousands of Illinois men, women, and children across the country; and

WHEREAS, the Salvation Army provides its services to people in need without regard to race, color, creed, sex, or age; and

WHEREAS, the Salvation Army in Illinois provides much more than spiritual counseling and basic human necessities to the needy and hurting on a daily basis. Moreover, the countless hours given to the community have touched the lives of many in immeasurable ways; and

WHEREAS, the State of Illinois proudly recognizes the Salvation Army and everyone who is involved in their invaluable work that so greatly benefits our communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 15-21, 2006 as SALVATION ARMY WEEK in Illinois, and encourage all citizens to celebrate and honor the dedicated men and women who work or volunteer for this noble organization.

Issued by the Governor May 04, 2006.
Filed by the Secretary of State May 04, 2006.

2006-171
NORTHSHORE CONCERT BAND DAY

WHEREAS, the Northshore Concert Band (NCB) is a 110-member symphonic band that performs through the Chicago metropolitan area. The ensemble has a rich 50-year history and has become internationally known and respected for its musical excellence, leadership in community music, and service to music education; and

WHEREAS, founded in 1956, the NCB was led for 40 years by the late John P. Paynter, who was director of bands at Northwestern University, an accomplished arranger and president of many band organizations, including the American Bandmasters Association. Mr. Paynter built what started as an 11-member, rather informal group into one of the most influential and respected symphonic bands in the world today; and

WHEREAS, Dr. Mallory Thompson, director of bands and professor of conducting at Northwestern University, is NCB’s artistic director. Dr. Thompson is in great demand as a guest conductor and clinician throughout the United States and is widely regarded as one of the leading wind
conductors in the nation; and
WHEREAS, one of the objectives of the NCB is to make a substantial contribution to musical life locally, nationally, and internationally; and
WHEREAS, the Northshore Concert Band is celebrating their 50th season:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 4, 2006 as NORTHSHORE CONCERT BAND DAY in Illinois, and encourage all citizens to join in this worthy observance of a lasting musical tradition.

Issued by the Governor May 04, 2006.
Filed by the Secretary of State May 04, 2006.

2006-172
ILLINOIS MEDICAL CODERS DAY

WHEREAS, medical coders succeed by identifying and addressing patterns of disease, illness, and injury in populations, as well as by identifying the trends and patterns in the procedures and services they provide by reviewing all tests, diagnoses, results, and medications and translating them to a numerical value; and
WHEREAS, the use of medical codes for disease and injury prevention has contributed to understanding correlations in illness and injury to treatment, including heart disease, stroke, viral infections, infectious diseases, and motor vehicle and workplace injuries; and
WHEREAS, medical coders help preserve the history of communities through the abstracting of information from birth and death records; and
WHEREAS, over the past decade, medical coders have achieved significant milestones in the sophistication of their profession through extensive education and training; and
WHEREAS, the need for qualified medical coders continues to increase nationally in physician offices, and outpatient and hospital settings; and
WHEREAS, the integrity and high standards of medical coders have contributed to the U.S. Department of Health and Human Services’ campaign against fraud and abuse in medical reimbursement; and
WHEREAS, my administration is proud to recognize medical coders
for all their hard work in this state, and throughout the country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 17, 2006 as ILLINOIS MEDICAL CODERS DAY in Illinois, and encourage all citizens to recognize and honor the medical coders for their hard work in our communities.

Issued by the Governor May 05, 2006.
Filed by the Secretary of State May 05, 2006.

2006-173
NATIONAL WOMEN’S HEALTH WEEK

WHEREAS, National Women’s Health Week celebrates the extraordinary progress in women’s health and recognizes that still more needs to be done to safeguard the health of women for generations to come; and

WHEREAS, it may be believed that all women’s health can be viewed one dimensionally, but this is far from true. For instance, heart disease is the number one killer among women in general, but cancer ranks first among Asian/Pacific Islander women; and

WHEREAS, when it comes to lung cancer, Caucasian women have the highest mortality rate, while African American women have the highest mortality rate from heart disease; and

WHEREAS, there are five health habits that can contribute to the betterment of women’s health, including maintaining regular check ups, exercising, maintaining a healthy diet, not smoking, and following general safety rules; and

WHEREAS, keeping women healthy and safe and promoting awareness of women’s health issues depends on partnerships with social, health, and other services; and

WHEREAS, under my administration, the Illinois Healthy Women program has been created to provide health care to women who otherwise would go without. In addition, Illinois has dramatically increased the number of mammograms and cervical cancer screenings since I took office; and

WHEREAS, in 2005, Illinois became the first state to require pharmacists to dispense female contraceptives when I issued an emergency rule requiring pharmacists whose pharmacies sell contraceptives to dispense birth control to women with valid prescriptions; and
WHEREAS, women’s health remains a priority for families, communities, and government, and our commitment to keeping women healthy is stronger than ever:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 14 – 20, 2006 as NATIONAL WOMEN’S HEALTH WEEK in Illinois, and encourage all women, during this week, to renew their commitment to their health and well-being.

Issued by the Governor May 05, 2006.
Filed by the Secretary of State May 05, 2006.

2006-174
NATIONAL NURSING HOME WEEK

WHEREAS, Legends In Our Own Time is this year's theme for National Nursing Home Week; and
WHEREAS, during this week, we recognize all of the people that play unique parts leading to the success story for the quality care performed at nursing facilities; and
WHEREAS, the elderly and developmentally challenged residents of long-term care facilities have led exceptional and extraordinary lives which have helped enhance the quality of life in this great State; and
WHEREAS, the long-term care facilities in Illinois are dedicated to providing the finest in health care and rehabilitation for our convalescent, aged, and developmentally challenged citizens; and
WHEREAS, this dedication has been forcefully demonstrated through continual striving to upgrade standards of care and improve service; and
WHEREAS, National Nursing Home Week is an opportunity to bring into the limelight the celebration of this focus on quality with residents, staff, families, volunteers, and members of our communities; and
WHEREAS, the Illinois Health Care Association is contributing to activities in observance of National Nursing Home Week beginning May 14, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 14-20, 2006 as NATIONAL NURSING HOME WEEK in Illinois, and encourage all citizens to recognize all the individuals who have continually committed themselves to quality care and
service in our state’s long-term care facilities.

Issued by the Governor May 05, 2006.
Filed by the Secretary of State May 05, 2006.

2006-175
ASSOCIATION WEEK

WHEREAS, the Association Forum of Chicagoland represents CEOs and executives from associations located in Chicago, and its surrounding communities; and

WHEREAS, the associations that the Association Forum serves generate more than three billion dollars annually for Chicago’s economy and employ 33,000 professionals in various capacities; and

WHEREAS, the Association Forum represents institutions such as the American Bar Association, the American Medical Association, the American Hospital Association, and many others; and

WHEREAS, Chicago is home to the second most association headquarters in America, and ranks first for healthcare-related organizations; and

WHEREAS, the Association Forum will celebrate Association Week from June 19 – 23, 2006; and

WHEREAS, the contributions of associations and their employees will be recognized this week through such events as the Association All-Star Day, and the Forum Honors Gala:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 19 – 23, 2006 as ASSOCIATION WEEK in Illinois, and encourage all citizens to recognize and celebrate the innumerable contributions that Illinois headquartered associations make to the health, education, and overall well-being of the people of this great State.

Issued by the Governor May 05, 2006.
Filed by the Secretary of State May 05, 2006.

2006-176
THE HONORABLE LOVANA "LOU" JONES MEMORIAL DAYS

WHEREAS, Representative Lovana “Lou” Jones, a loyal public
servant to the State of Illinois, was born on March 28, 1938 in Mansfield, Ohio, and moved to the Douglas/Grand Boulevard neighborhood of Chicago with her family in 1959; and

WHEREAS, Representative Jones’ service to Illinois began in 1987 when she was elected to represent the 26th Representative District, which stretches from Chicago’s Near North Side to the Kenwood neighborhood. Loved and respected by her constituency, she was re-elected to this post for nine more consecutive terms; and

WHEREAS, throughout her tenure in the Illinois House, Representative Jones was a vocal leader on children’s issues, women’s issues and reforming the state correctional system. She also worked hard to bring more financial options to inner city residents and has fought for greater protections for consumers; and

WHEREAS, on Monday, May 8, 2006, Representative Lou Jones passed away at the age of 68. She is survived by her two children and eight grandchildren; and

WHEREAS, Representative Jones’ service to Illinois for nearly 20 years was truly exemplary, and she will be greatly missed not only by her family and friends, but also by her peers, colleagues and everyone who was fortunate enough to have met or worked with her over the years; and

WHEREAS, on this solemn occasion, the State of Illinois will fly flags at half-staff on May 9th and 10th to honor the life and achievements of Representative Jones:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 9 - 10, 2006 as THE HONORABLE LOVANA “LOU” JONES MEMORIAL DAYS in Illinois, and order all state facilities to fly their flags at half-staff for the entirety of these two days.

Issued by the Governor May 09, 2006.

Filed by the Secretary of State May 09, 2006.

2006-177
NATIONAL TRANSPORTATION WEEK

WHEREAS, our transportation system not only gives us freedom and mobility, allowing us to move from place to place, but it also boosts the nation’s economy, and strengthens our nation’s security; and
WHEREAS, advancing knowledge of the transportation industry and increasing public awareness on the significant nature transportation plays in the nation’s economy, are two goals the National Defense Transportation Association (NDTA) has set forth for National Transportation Week; and

WHEREAS, the first National Transportation Week was observed in 1953 with the help of the Women’s Transportation Club of Houston. This group originally set up a scholarship program benefiting transportation degree students at the University of Houston, but with no interested applicants; and

WHEREAS, seeing that the students and the public were virtually unaware and uninterested in the transportation industry, attempts were then made to sway past Presidents of the United States to proclaim National Transportation Week as a way of promoting the transportation industry, though their efforts were not officially honored until 1962; and

WHEREAS, in Illinois, not only has our Department of Transportation been expanding the road system and supporting public transportation, but has been successful in reducing highway fatalities, improving opportunities for small, women, and minority owned businesses and upgrading process management throughout the organization. IDOT was the first state Department of Transportation to receive ISO 9001:2000 certification, an international standard that provides a universal baseline for quality process management; and

WHEREAS, this year, the annual National Transportation Week Conference and Expo will culminate the week’s events:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 15 – 19, 2006 as NATIONAL TRANSPORTATION WEEK in Illinois, and commend the outstanding accomplishments of the men and women who keep our transportation systems going, whether they be the distributors that transport goods, or the laborers of our highways.

Issued by the Governor May 09, 2006.
Filed by the Secretary of State May 09, 2006.

2006-178
PROVIDER APPRECIATION DAY

WHEREAS, early childhood is the most critical developmental period
for all children; and

WHEREAS, 2.8 million people earn a living by teaching and caring for young children or by working in jobs directly related to this field; and

WHEREAS, of the 21 million children under age six in America, 13 million are in child care at least part time. An additional 28 million school-age children are in some form of child care outside of school time; and

WHEREAS, seeing the need for a day to appreciate and recognize child care providers, a group of volunteers in New Jersey started Provider Appreciation Day in 1996; and

WHEREAS, by calling attention to the importance of high quality child care services for all children and families in our state, these provider groups hope to improve the quality and availability of such services:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 12, 2006 as PROVIDER APPRECIATION DAY in Illinois and urge all citizens to join me in recognizing Illinois’ child care providers for their commitment and dedication to our children.

Issued by the Governor May 09, 2006.

Filed by the Secretary of State May 09, 2006.

2006-179

KIDS DAY AMERICA/INTERNATIONAL

WHEREAS, Kids Day America/International is a special day that Chiropractors’ offices around the world host every year to teach kids about health, safety, and the environment; and

WHEREAS, Kids Day America/International offers children a fun atmosphere where they can not only learn, but also win prizes and enjoy recreational activities; and

WHEREAS, the day’s educational safety activities includes local police and fire officials teaching children proper bicycle helmet safety and fire and smoke safety; and

WHEREAS, during Kids Day America/International, kids also learn about healthy eating and exercise habits, as well as the negative effects that drugs and alcohol can have on a person’s health. Additionally, children can get a free spinal health examination from local chiropractors; and

WHEREAS, Kids Day America/International teaches children about
pollution control, and how they can help the environment by recycling and performing other environmentally conscious activities; and

WHEREAS, with the aid of local police and sheriff’s departments, every child that attends Kids Day America/International has the opportunity to complete their very own Child Safety ID Card, which is an important measure in keeping our children safe; and

WHEREAS, this year’s Kids Day America/International in Illinois is being held on May 20, 2006 in Algonquin. It will provide children with information on vital issues in our society, and help to make them safer, healthier and more environmentally conscious citizens of Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2006 as KIDS DAY AMERICA/INTERNATIONAL in Illinois, and encourage all citizens to support events that help the children of Illinois to become better educated, and more well-rounded individuals.

Issued by the Governor May 09, 2006.

Filed by the Secretary of State May 09, 2006.

2006-180
NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK

WHEREAS, insurance professionals work in every facet of the industry – as agents for both property and causality and/or life & health, brokers, adjusters, underwriters, claims professionals, risk managers, financial advisors, attorneys, certified public accountants, and information technology professionals; and

WHEREAS, they are increasingly effective locally and statewide in promoting public awareness of important issues such as automobile safety and drunk driving; and

WHEREAS, they are committed to maintaining the highest professional standards and ethics in the insurance industry; and

WHEREAS, founded in 1940, the National Association of Insurance Women, International, which has 39 women representing 17 regional insurance clubs, has been dedicated to the professional development of its members and the insurance and risk management industries though innovative education programs and meetings offered at the local, state, and
region; and

WHEREAS, these insurance professionals have earned this recognition for their outstanding accomplishments in the economically vital insurance industry; and

WHEREAS, the United States Chamber of Commerce recognizes National Association of Insurance Women Week every year in May:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 21–27, 2006 as NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK in Illinois, and encourage all citizens to recognize the important role insurance professionals play in our society.

Issued by the Governor May 09, 2006.
Filed by the Secretary of State May 09, 2006.

2006-181
ALS AWARENESS MONTH

WHEREAS, amyotrophic lateral sclerosis (ALS), most commonly known as Lou Gehrig’s Disease, is a progressive fatal neurodegenerative disease that attacks the motor neurons, making even the simplest movements – walking, speaking, gesturing – nearly impossible; and

WHEREAS, named after former New York Yankees first baseman Lou Gehrig, an ALS sufferer who was forced to prematurely retire from the game of baseball in 1939, ALS is a debilitating disease, generally resulting in paralysis; and

WHEREAS, the initial symptoms of ALS may include muscle weakness, atrophy, cramping, twitching, stiffness, slowness of movement, or spasticity, and can result in loss of the muscles involved in mobility as well as speaking, swallowing, and breathing, though the intellect and ability to think and feel emotions continue to function; and

WHEREAS, approximately 15 new cases of ALS are diagnosed every day, with a person losing their battle with the disease every 90 minutes; and

WHEREAS, ALS, a disorder for which there is no known cure and has a life expectancy between three and five years, currently affects an estimated 35,000 Americans, most commonly in late middle age, but ranging from teenage years to over 80 years, with over 5,000 new ALS cases
diagnosed annually; and

WHEREAS, ALS Awareness Month increases the public’s understanding of the impact this devastating disease has not only on the person living with ALS but also on his or her family and friends as well, and recognizes the critical research underway to eradicate ALS:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as ALS AWARENESS MONTH in Illinois, and urge all citizens to support the efforts of those dedicated to ending this ravishing disease.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.

2006-182
ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION
"PARTNERS IN PROGRESS" DAY

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other Italian immigrants who came to the United States during the great Italian migration (1880-1923); and

WHEREAS, their aim was to create a support system for all Italian immigrants that would assist them in becoming U.S. citizens, and providing their health/death benefits and educational opportunities; and

WHEREAS, over the years, the OSIA has achieved much success in their goals of serving the public. Not only have they established free schools and centers to teach immigrants English and to help them become citizens, but they have also instituted orphanages and homes for the elderly, and helped to raise money for those in need; and

WHEREAS, the National Council of the Order Sons of Italy in America has adopted Alzheimer’s disease as one of its primary charities, and plans to support this cause by implementing a fund raising campaign throughout the nation; and

WHEREAS, joining their cause will be the Alzheimer’s Association, a group that provides services to Alzheimer’s patients and their families; and

WHEREAS, together, they will be holding the Illinois portion of this benevolent fundraiser on May 20, 2006. Members of the Order, along with
other volunteers, will be collecting donations to help the 2.5 million Americans affected by this debilitating disease:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2006 as ORDER SONS OF ITALY/ALZHEIMER’S ASSOCIATION “PARTNERS IN PROGRESS” DAY in Illinois, and encourage all citizens to recognize and aid in the charitable work these organizations carry out for the benefit of others.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.

2006-183
MEMORIAL DAY 2006

WHEREAS, throughout the history of this great country, millions of brave men and women have answered their call to duty and served in the United States Armed Forces in times of war and peace. Sadly, many of those soldiers have paid the ultimate sacrifice; and

WHEREAS, it is a great tragedy when a member of the Armed Forces is killed in the line of duty; and

WHEREAS, in May of each year, a commemoration of Memorial Day gives Americans the opportunity to remember the soldiers that have lost their lives in the name of freedom and democracy; and

WHEREAS, through every American conflict, Illinoisans have served in the Armed Forces with great honor and distinction. Those who have died will be forever remembered as true American Heroes, and Illinois is proud to recognize each and every one of those individuals on this Memorial Day 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize MEMORIAL DAY 2006 as a chance for all citizens to honor our fallen heroes, and to reflect on the great sacrifices they have made to protect our freedom and spread democracy across the globe.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.
2006-184
ANGELMAN SYNDROME AWARENESS DAY

WHEREAS, Angelman Syndrome is a rare genetic condition that was first discovered in the 1960’s by Dr. Harry Angelman. The disorder is characterized by an irregularity in Chromosome 15; and
WHEREAS, symptoms of Angelman Syndrome include: seizures; profound mental retardation; little or no speech; feeding and sleeping problems; and hyperactivity; and
WHEREAS, Angelman Syndrome occurs in about 1 in 20,000 individuals, and it is most prevalent in children between the ages of three and seven. Although those affected have a normal life expectancy, they are never able to live independently; and
WHEREAS, Angelman Syndrome is an extremely complex disorder, and not enough information is known to find an effective cure. Medical scientists continue working daily to increase research for Angelman Syndrome in the hopes of one day eradicating it from society:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20, 2006 as ANGELMAN SYNDROME AWARENESS DAY in Illinois, and encourage all citizens to become cognizant of this disorder, and learn more about what they can do to assist in the efforts to develop a cure.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.

2006-185
TEEN APPRECIATION WEEK

WHEREAS, teenagers in this state and across the country play a variety of important roles in families and communities; and
WHEREAS, throughout the teenage years, a person undergoes transitional stages in human development between childhood and adulthood; and
WHEREAS, during these transitions, teenagers need and deserve the community’s understanding, guidance, and support; and
WHEREAS, the creativity, energy, and passion of adolescents often
help to refresh our culture and constructively challenge our ideas in a way that benefits our society; and

WHEREAS, negative publicity about teenagers often overshadows community awareness of their overwhelming accomplishments and positive contributions to the life of our community and society:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 6 – 12, 2006 as TEEN APPRECIATION WEEK in Illinois, and encourage all citizens to join in recognizing the great impact teenagers have on our communities.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.

2006-186
NATIONAL GYMNASTICS DAY

WHEREAS, gymnastics is a great way to engage Illinois children in healthy activities while teaching them valuable personal and social skills such as teamwork, commitment, and sportsmanship; and

WHEREAS, USA Gymnastics, whose mission it is to encourage participation and the pursuit of excellence in sports, established National Gymnastics Day in 1999 to promote physical fitness and healthy lifestyles; and

WHEREAS, in support of National Gymnastics Day, gymnastics clubs across the United States partner with USA Gymnastics to heighten the visibility of the sport and encourage participation at the grassroots level; and

WHEREAS, National Gymnastics Day aims to serve the community and our nation’s youth by raising funds and awareness for the Children’s Miracle Network in order to provide comfort and assistance to children who are unable to provide for themselves:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 5, 2006 as NATIONAL GYMNASTICS DAY in Illinois to encourage citizens of the state to support the worthy and charitable efforts of USA Gymnastics.

Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.
2006-187
WE REMEMBER, WE CARE FOR INDIGENT PERSONS DAY

WHEREAS, the world of an indigent person is accompanied by many mental, emotional, psychological and physical stresses that can affect them for the rest of their lives. Depression runs rampant, living conditions are meager at best, and social isolation is common; and
WHEREAS, the plight of the needy, homeless, and less fortunate has become everyone’s problem, not just their own. For many years, this devastating existence has been overlooked; and
WHEREAS, the State of Illinois, along with private organizations, are making attempts to remedy these situations, creating programs that deal with the immediate and long term problems associated with the indigent population. These social service programs have been created as a way to help them help themselves by providing multidimensional assistance; and
WHEREAS, the Departments of Health and Family Services and Human Services lead the way in providing valuable assistance to qualified persons in the State of Illinois. My administration continues to support the social service organizations that improve the quality of life of this special population:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 24, 2006 as WE REMEMBER, WE CARE FOR INDIGENT PERSONS DAY in Illinois, and encourage all citizens to be mindful of the silent struggles many members of our state have to endure, including poverty, disability, and abandonment.
Issued by the Governor May 11, 2006.
Filed by the Secretary of State May 11, 2006.

2006-188
INTERNATIONAL CHILDREN’S DAY

WHEREAS, there is a strong need for us to take action and ensure that the children of this state are being provided a healthy start. It is with this need in mind that we dedicate this day as International Children’s Day and celebrate children in Illinois and around the world; and
WHEREAS, International Children’s Day was first celebrated in 1925
in Geneva, Switzerland, during the “World Conference for the Well-Being of Children.” This conference focused on issues relating to child welfare, including poverty, prevention of child labor, and education; and

WHEREAS, there are many health and social problems associated with childhood that can continue to haunt children into adulthood; and

WHEREAS, it is important that families and educational systems work together to replace our children’s fears with a sense of hope; and

WHEREAS, the celebration of International Children’s Day serves to bring joy to children and to draw the attention of society to critical children’s issues that are facing families in the 21st Century; and

WHEREAS, here in Illinois, we place the utmost value on the safety and welfare of our children, and we are in support of programs designed to advocate for their best interests:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 1, 2006 as INTERNATIONAL CHILDREN’S DAY in Illinois, and encourage all citizens to use this day as a catalyst to strengthen the relationship between you and a special child in your life.

Issued by the Governor May 12, 2006.
Filed by the Secretary of State May 12, 2006.

2006-189
ONE RIVER MISSISSIPPI DAY

WHEREAS, One River Mississippi is a national performance project that honors the Mississippi River, promotes its watershed as a shared resource, and encourages communities and individuals to become better stewards; and

WHEREAS, One River Mississippi is a free public event created in partnership with the community of the Quad Cities. There will be seven sites along the river, including Itasca, Minneapolis, Quad Cities, St. Louis, Memphis, New Orleans, and Plaquemines Parish, performing simultaneously to honor the “One River” that spans our nation; and

WHEREAS, the performances will create beauty and joy using art, ecology, and community. In each city, a local team will showcase community talents and radio simulcasts will have music playing at the same moment in
order to unite each city in its effort to support the mighty river; and 
WHEREAS, the Mississippi River is an important marker for delineating the boundaries of the State of Illinois; and 
WHEREAS, through simultaneous Mississippi River performances, we join in a national effort to recognize the health of this river, its shared cultures, and its value as a natural resource:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 24, 2006 as ONE RIVER MISSISSIPPI DAY in Illinois, and encourage all citizens to observe this day with appropriate civic vigor in honor of the Mississippi River.

Issued by the Governor May 12, 2006.
Filed by the Secretary of State May 12, 2006.

2006-190
NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH

WHEREAS, emigration from the Caribbean region to the American Colonies began as early as 1619 with the arrival of indentured workers in Jamestown, Virginia; and 
WHEREAS, much like the United States, the countries of the Caribbean faced obstacles of slavery and colonialism and struggled for independence; and 
WHEREAS, the independence movements in many countries in the Caribbean during the 1960’s and the consequential establishment of independent democratic countries in Caribbean strengthened ties between the region and the United States; and 
WHEREAS, Alexander Hamilton, a founding father of the United States and the first Secretary of the Treasury, was born in the Caribbean; as also were Jean Baptiste Point du Sable, the pioneer settler of Chicago, Shirley Chisholm, the first African-American Congresswoman and first African-American woman candidate for President, and Celia Cruz, the world renowned queen of salsa music; and 
WHEREAS, the many other influential Caribbean-Americans in the history of the United States also include Colin Powell, the first African-American Secretary of State; Sidney Poitier, a Bahamian-American who was the first actor of African decent to receive the Academy Award for best actor
in a leading role; Roberto Clemente, the first Latino inducted into the baseball hall of fame; and Al Roker, a meteorologist and television personality; and

WHEREAS, Caribbean-Americans have contributed greatly to education, fine arts, business, literature, journalism, sports, fashion, politics, government, the military, music, science, technology, and other areas in the United States; and

WHEREAS, Caribbean-Americans share their culture through carnivals, festivals, music, dance, film, and literature that enrich the cultural landscape of the United States; and

WHEREAS, the people of the Caribbean region share the hopes and aspirations of the people of the State of Illinois, and the United States, for peace and prosperity:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH in Illinois, and encourage all citizens to learn about the wonderful contributions that Caribbean-Americans have made to our state, and to the nation as a whole.

Issued by the Governor May 16, 2006.
Filed by the Secretary of State May 16, 2006.

2006-191
NATIONAL WATER SAFETY WEEK

WHEREAS, water safety education plays a vital role in preventing drownings and recreational water-related injuries; and

WHEREAS, by taking proactive steps learned through water-safety education, people can ensure healthy practices when enjoying water recreation. These healthy practices, for example, can prevent water-borne illnesses; and

WHEREAS, trained and certified aquatics professionals who develop water-safety rules allow for water recreation activities to be both fun and safe at the same time; and

WHEREAS, the safest aquatic recreational activities are in treated-water facilities; and

WHEREAS, effective water-safety programs are one of the best ways
to prevent water-related injuries and drownings:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 4 – 10, 2006 as NATIONAL WATER SAFETY WEEK in Illinois, and encourage all citizens to support and promote the importance of practicing safety in water recreation.

Issued by the Governor May 16, 2006.
Filed by the Secretary of State May 16, 2006.

2006-192
CHICAGO SHRINERS HOSPITAL DAY

WHEREAS, the Shriners Hospitals for Children is a network of pediatric specialty hospitals, founded by the Shrine, where children under the age of 18 receive excellent medical care absolutely free of charge; and

WHEREAS, there are 18 orthopaedic Shriners Hospitals, three Shriners Hospitals dedicated to treating children with severe burns, and one Shriners Hospital that provides orthopaedic, burn, and spinal cord injury care. Shriners Hospitals are located throughout North America — 20 in the United States and one each in Mexico and Canada. These "Centers of Excellence" serve as major referral centers for children with complex orthopaedic and burn problems; and

WHEREAS, since its inception 80 years ago, the Chicago Shriners Hospital is a leading Midwest children's hospital providing high quality pediatric orthopaedic surgery, plastic, reconstructive and craniofacial surgery, and spinal cord injury care. Located on the northwest side of Chicago, the hospital is a short term, 60-bed facility that combines quality medical care with innovative education and research; and

WHEREAS, Shriners Hospitals are open to all children without regard to race, religion or relationship to a Shriner. Although the care is the very best, it is policy never to charge a patient or parent for any medical care or services provided at a Shriners Hospital. A child may be eligible for care at any one of the 22 Shriners Hospitals for Children if: the child is under the age of 18 and there is a reasonable possibility the child's condition can be treated at the Shriners Hospital; and

WHEREAS, to refer a child to the Shriners Hospital for Children in Chicago or to obtain an application, you may call: Chicago Shriners
WHEREAS, the Village of Savoy is celebrating its 50th anniversary in May 2006; and
WHEREAS, in 1955, fire services to Savoy and other rural areas was terminated; and
WHEREAS, a few Savoy residents decided to petition for Savoy to incorporate, in order to create their own Fire Department; and
WHEREAS, after a lot of time spent and hard work done by John Jones and other men, a time was set for the first election to decide if Savoy should incorporate; and
WHEREAS, on April 7, 1956, the first election to decide to incorporate was held and won only by 1 vote. On May 2, 1956, the count was contested and on May 28, 1956, the suit action waited for a second count, but the numbers did not change; and
WHEREAS, on May 28, 1956, the Village was officially incorporated; and
WHEREAS, on June 3, 1956, the first Board of Trustees of the Village of Savoy was organized. John Jones was elected the first President. The first Trustees were Kenneth Fisher, James Trover, Vernon Brown, James Johnson, Henry Lawson, and Willard Koss. James Corwin was the first Treasurer and Bernard Grussing was the first Clerk. The Village had a yearly budget of $600 covering the period of April 1956 to April 1957; and
WHEREAS, the State of Illinois is proud to recognize the Village of
Savoy and its residents on the occasion of the 50th anniversary of its founding:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2006 as VILLAGE OF SAVOY MONTH in Illinois, in honor of this village’s 50th anniversary.

Issued by the Governor May 16, 2006.
Filed by the Secretary of State May 16, 2006.

2006-194
SOUTH SIDE HELP CENTER DAY

WHEREAS, the South Side Help Center is a not-for-profit social service agency established in 1987 that serves the entire city of Chicago and its suburbs; and

WHEREAS, the mission of the South Side Help Center is to provide community residents with prevention and intervention services to empower them with life-saving information and develop social interaction skills of youth through positive and constructive activities; and

WHEREAS, the South Side Help Center is committed to preparing children, teens, and young adults to make positive health and life choices by providing a plethora of free services that address specific, critical risks of inner-city youths; and

WHEREAS, the South Side Help Center has provided numerous programs such as: substance abuse prevention, HIV/AIDS education and risk prevention, mentoring, case management, and mental health; and

WHEREAS, the South Side Help Center will hold its annual fundraiser and award ceremony on June 8, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 8, 2006 as SOUTH SIDE HELP CENTER DAY in Illinois, and encourage the people of Illinois to recognize the difficulties that many families go through and offer their support in prolonging a service that is fundamental to the healthy growth of humanity.

Issued by the Governor May 16, 2006.
Filed by the Secretary of State May 16, 2006.
IN RECOGNITION OF MARGENE PAPPAS

WHEREAS, Margene Pappas has been a music teacher for 37 years for both the junior high and high school levels in Oswego Community Unit School District 308; and

WHEREAS, Mrs. Pappas received her B.S. and M.S. in Music Education from the University of Arizona and VanderCook College of Music; and

WHEREAS, Mrs. Pappas’ professional associations include the NBA (Board of Directors 1994-96 as a middle school representative and 2000-2004 as a high school representative), ASBDA, Phi Beta Mu, MENC, IMEA, and she is on the advisory board for the BOA National Concert Band Festival; and

WHEREAS, bands under her direction have performed and consistently received superior ratings at The Midwest Clinic, the Bands of American National Concert Band Festival, the ASBDA National Convention, the IMEA All-State Conference, and the University of Illinois Superstate Band Festival; in addition, the high school bands have earned grand championships and sweepstakes awards from the Outback Bowl Music Festival, the Dixie Classic, and Musicfest Orlando (three times); and

WHEREAS, Mrs. Pappas’ honors include the John Philip Sousa Foundation Sudler Legion of Honor Award, the Illinois Chapter Phi Beta Mu Hall of Fame, the NBDA Citation of Excellence, the 2000 Studs Terkel Humanities Council Award, the Chicago Outstanding Music Educator Award, the Illinois State Board of Education Award of Recognition for “Those Who Excel in Education”, and the Illinois Grade School Music Association Cloyd Myers Memorial Award for Excellence in Music Education; and

WHEREAS, in 1999, she was featured in THE INSTRUMENTALIST Magazine and was a recipient of the “Mr. Holland’s Opus” Award; in 2002, she was recognized by S30 Magazine to represent Illinois as one of “50 Band Directors Who Make a Difference”; the Ledger-Sentinel, Oswego’s weekly newspaper, selected Mrs. Pappas as one of the 50 most influential people of the century in Oswego; and

WHEREAS, after 37 years of service in the field of music education,
Margene Pappas, a native of Champaign and the current Director of Bands at Oswego High School, is retiring:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize and commend Mrs. Margene Pappas for her tireless commitment and service to the music education field, and I encourage all citizens to join in acknowledging the great career of this dedicated educator.

Issued by the Governor May 17, 2006.
Filed by the Secretary of State May 19, 2006.

2006-196
HAITIAN FLAG DAY

WHEREAS, the state of Illinois is proud of its diversity and recognizes the value it brings to our communities; and

WHEREAS, as is evidenced by the famous Haitian citizen, Jean Baptiste Point Du Sable, who established the first permanent settlement in the city of Chicago in 1779, the country of Haiti, its citizens and Haitian-Americans have played an important role in the history of our state and our nation; and

WHEREAS, the flag of the Republic of Haiti was adopted on May 18, 1803; and

WHEREAS, Haiti had been colony of France since 1697, but the people rebelled in 1803 and Haiti achieved independence on January 1, 1804; and

WHEREAS, the Haitian flag is a red and blue bicolor; for state occasions, the Arms of Haiti are added to the center of the flag on a white background. The colors red and blue were chosen from the French flag. The Haitian arms depict a royal palm in the center topped with a red and blue cap of liberty. There are also six blue and red flags, two smaller red banners on the sides, many weapons, a drum, an anchor, green grass, and a white banner reading, “L’UNION FAIT LA FORCE,” meaning “Union is Strength”; and

WHEREAS, this year, Haitians from around the world celebrate the national flag as symbol of pride:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 18, 2006 as HAITIAN FLAG DAY in
WHEREAS, on average, 700 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, between 1993 - 2005, the State of Illinois registered 4,521,660 recreational boats. During these years 1,783 boating accidents were reported that resulted in 230 fatalities and 1,117 injuries; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today’s boating public:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 20 - 26, 2006 as NATIONAL SAFE BOATING WEEK in Illinois, and encourage all citizens to practice safe boating.

Issued by the Governor May 18, 2006.
Filed by the Secretary of State May 19, 2006.

2006-198
ELDER ABUSE AWARENESS MONTH

WHEREAS, according to the Illinois Department on Aging, between four and five percent of persons in the United States aged sixty and older are subject to some form of mistreatment or abuse. This includes physical, emotional, and sexual abuse, as well as financial exploitation, neglect, and abandonment; and
WHEREAS, Illinois has approximately two million citizens over the age of sixty. This means that there could be as many as 90,000 Illinois seniors currently suffering from some form of abuse; and
WHEREAS, here in Illinois, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of this plight against our most vulnerable elderly, and to promote increased reporting of elder abuse; and
WHEREAS, it is essential that the citizens of Illinois recognize the signs of abuse, neglect, and exploitation and report suspicions of abuse; and
WHEREAS, it is important that we, as a state and as a country, work to create greater awareness of the prevalence and severity of elder abuse, in hopes of eradicating it from our society:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 2006 as ELDER ABUSE AWARENESS MONTH in Illinois, and encourage all citizens to recognize this problem and join in working toward its prevention.

Issued by the Governor May 19, 2006.
Filed by the Secretary of State May 19, 2006.

2006-199
LET'S TALK, LET'S TEST FOUNDATION
"I NEED YOU TO SURVIVE" DAY

WHEREAS, established in 2002 by Illinois State Representative Constance A. “Connie” Howard, State Senator Kimberly Lightford, Mr. Lloyd Kelly, and with the unwavering support of the Illinois Legislative Black Caucus, Congressman Danny Davis, Alderman Freddrenna Lyle, Clerk of the Circuit Court, Dorothy Brown, and Cook County Commissioner Bobbie Steele, the mission of the LET'S TALK, LET'S TEST FOUNDATION (LTLTF) is to raise awareness of the devastating impact of HIV/AIDS on the African-American community; and
WHEREAS, according to the Center for Disease Control and Prevention’s latest numbers, African-Americans make up 12 percent of the United States population, but they account for 50% of all new HIV/AIDS diagnoses; and
WHEREAS, the CDC reports that HIV/AIDS is among the top 3
causes of death for African-American men aged 25-54 years and among the
top 4 causes of death for African-American women in the same age group.
According to the CDC, HIV/AIDS is the number one cause of death for
African-American women aged 25-34 years; and

WHEREAS, the State of Illinois joins the LTLTF in hopes of keeping
HIV/AIDS at the forefront of consciousness in our nation; and

WHEREAS, this year, the Illinois General Assembly passed and today
I will sign Senate Bill 1001, creating the Illinois African American
HIV/AIDS Response Fund, which will provide for the prevention of HIV
transmission in this state; and

WHEREAS, on May 20, 2006, the annual signature event, “I Need
You To Survive” African American HIV/AIDS Walk, Run, and Bike Ride,
will offer free health screenings, fun and games for adults and children, food,
vendors, and a concluding R&B hip-hop concert:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim May 20, 2006 as LET’S TALK, LET’S TEST
FOUNDATION “I NEED YOU TO SURVIVE” DAY in Illinois, and
encourage all citizens to raise their awareness of the devastating impact of
HIV/AIDS, and join in the struggle to halt the spread of this disease.

Issued by the Governor May 19, 2006.
Filed by the Secretary of State May 19, 2006.

2006-200
MISSING CHILDREN’S DAY

WHEREAS, there are 2,203 pending missing children under the age
of 18 in the State of Illinois, which represents only a small percentage of the
children that are estimated to be missing nationwide as reported through a
national study conducted by the United States Department of Justice; and

WHEREAS, there are four different categories that classify missing
children. The largest number of missing children are runaways, followed by
those that have been abducted by family members, those that are lost, injured,
or otherwise missing, and the smallest category, but the one in which the
child is at the greatest risk of injury or death, are those that have been
abducted by non-family members; and

WHEREAS, locating and safely returning missing children to their
homes is a statewide, national, and international objective; and

WHEREAS, on August 29, 1985 in Chicago, Illinois, Governors from the states of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin signed the “Interstate Agreement on Missing and Exploited Children,” and since then, the states of Ohio, Kansas, Michigan, Minnesota, North Dakota, South Dakota and Nebraska have also joined in the initiative. This agreement was the beginning of the development of an interstate network established to improve the process of identifying and recovering missing children in our communities; and

WHEREAS, in 2002, the Illinois State Police implemented the America’s Missing: Broadcast Emergency Response (AMBER) Alert Notification Plan. AMBER Alert was developed as a quick and efficient way to notify the public and any city, town, village, county, or state law enforcement agency in Illinois, of specific information regarding the abduction of a child whose life may be in danger. To date, AMBER Alert has been instrumental in recovering 16 missing children; and

WHEREAS, teaching your children to run away from danger, never letting your children go places alone, knowing where and with whom your children are at all times, talking openly with your children about safety and having a list of family members who can be contacted in case of an emergency, are among the list of preventative tips that will help keep your children safe from kidnapping and abductions:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 25, 2006 as MISSING CHILDREN’S DAY in Illinois, and encourage all citizens to observe this day by turning on porch lights and vehicle headlights to “LIGHT THE WAY HOME” for our missing children throughout the country.

Issued by the Governor May 23, 2006.
Filed by the Secretary of State May 24, 2006.

2006-201

OCTAVE CHANUTE AEROSPACE MUSEUM’S 99TH PURSUIT SQUADRON DAY

WHEREAS, the Chanute Air Museum, a non-profit institution dedicated to the preservation of Chanute Field’s legacy and the history of
aviation, collects, preserves, exhibits and interprets aviation and aerospace artifacts. Special emphasis is directed to the life and accomplishments of Octave Chanute, Chanute Field/Chanute Air Force Base and its technical training programs, the history of Illinois aviation, and the community of Rantoul, Illinois; and

WHEREAS, the Chanute Air Museum is developing the 99th Pursuit Squadron Project, with an objective to preserve and interpret the story of the 99th Pursuit Squadron, the core of the first Tuskegee Airmen, from its beginnings at Chanute Field through its service in World War II Italy and beyond; and

WHEREAS, the 99th Pursuit Squadron was activated on March 19, 1941 at Chanute Field on the east central Illinois prairie. There, the core officers of the 99th began their technical training, and embarked on an odyssey which would forge a timeless legacy for all Americans; and

WHEREAS, the exhibit will allow visitors to understand the struggles encountered by an all Black flying unit, which is now known as the Tuskegee Airmen, that set an academic record never equaled in the history of Chanute, despite problems of segregation and race relations of the current day; and

WHEREAS, over 1,000 square feet of exhibit space will engage visitors with artifacts, photographs, and an inviting design. The exhibit will include two model dioramas and integrated artwork; and

WHEREAS, on June 3, 2006, the Octave Chanute Aerospace Museum is holding the Grand Opening Gala for their newest exhibit: The 99th Pursuit Squadron Project:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 3, 2006 as OCTAVE CHANUTE AEROSPACE MUSEUM’S 99TH PURSUIT SQUADRON DAY in Illinois in recognition of the opening of this exhibit that honors the sacrifice, courage, and triumph of the men in the 99th Pursuit Squadron.

Issued by the Governor May 24, 2006.
Filed by the Secretary of State May 24, 2006.

2006-202
ENSEMBLE ESPAÑOL DAY

WHEREAS, Northeastern Illinois University’s in-residence dance
company, Ensemble Espanol Spanish Dance Theater, is celebrating its 30th anniversary in 2006; and

WHEREAS, the 30th anniversary is a yearlong event, which began with the Flamenco Festival on January 28, 2006 sponsored by the City of Chicago and the Instituto Cervantes, and the highlight celebration will be the American Spanish Dance Festival running from June 8 – 25, 2006; and

WHEREAS, the Ensemble Espanol, which is recognized nationally and internationally, has played an exceptional role in making the City of Chicago artistically unique; and

WHEREAS, the Ensemble Espanol Spanish Dance Theater is a not-for-profit corporation charted to share the rich tradition of dance, music, literature, and culture of Spain with all our communities, and to be a center which encourages new artistic creativity within the framework of the Ibero-Hispanic experience; and

WHEREAS, the Ensemble Espanol is hailed as the “Center for Spanish Dance in America” and recognized as the leader in Hispanic dance and music, uniting all of our communities via their mission of art, culture, and education; and

WHEREAS, the company founder and artistic director, Dame Libby Komaiko, is the first American artist in history to be decorated with the Lazo de Dama de Orden de Isabel la Católica (Ribbon of the Dame), Spain’s highest honor, by Juan Carlos I, King of Spain, for her work in spreading the cultural values of Spain via music and dance throughout the United States; and

WHEREAS, with an extraordinary repertoire of over 120 works, this dance company exemplifies their cultural and artistic mission to further the artistic awareness of the Hispanic culture, allowing them to design the foundation of an international center for Spanish dance education:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 8, 2006 as ENSEMBLE ESPANOL DAY in Illinois.

Issued by the Governor May 24, 2006.

Filed by the Secretary of State May 24, 2006.
WHEREAS, the dairy industry directly employs over 11,600 Illinois citizens and contributes over 600 million dollars annually in taxes in producing, processing, and distributing dairy products; and

WHEREAS, the total state wide economic impact of the Illinois dairy industry is almost 8 billion dollars; and

WHEREAS, the State of Illinois is home to over 90 dairy processing plants that employ over 8,000 workers; and

WHEREAS, dairy products are a prime source of calcium, protein, and other nutrients that are essential to a healthy diet; and

WHEREAS, the newly released 2005 Dietary Guidelines for Americans recommends 3 servings of low-fat and fat-free dairy foods every day; and

WHEREAS, organizations such as Midwest Dairy Association and St. Louis District Dairy Council work to educate students and consumers, and to promote the goodness of dairy products and 3-A-Day of dairy; and

WHEREAS, organizations such as the Illinois Milk Producers Association, state purebred dairy cattle associations, and the University of Illinois Illini Dairy Science Club work to promote and enhance the Illinois dairy industry on behalf of Illinois’ dairy farmers; and

WHEREAS, June is set aside annually to honor the dairy producers and dairy industry for its contributions to the nutritional well-being of all people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as DAIRY MONTH in Illinois, and encourage all citizens to join in this worthy observance.

Issued by the Governor May 24, 2006.

Filed by the Secretary of State May 24, 2006.

2006-204
AUTOMOTIVE SERVICE PROFESSIONALS WEEK

WHEREAS, the automotive service professional, an invaluable member of the automotive service industry in Illinois, is a highly trained and
skilled individual; and

WHEREAS, there are over 15,000 ASE Certified Automotive Service Professionals working in over 7,800 automotive service and repair facilities in Illinois; and

WHEREAS, the goal of the automotive service and repair industry in Illinois is to provide motorists with the best possible vehicle repair and service; and

WHEREAS, this goal can only be accomplished by developing and using the highly technical and diagnostic skills of automotive service professionals, who are responsible for maintaining, servicing, and repairing the vehicles that the motoring public depends on to travel safely and securely over our nation’s roads; and

WHEREAS, automotive service professionals provide prompt, complete, accurate, and quality service to the increasingly complex vehicles consumers depend upon daily, while diligently adhering to standards of professionalism and continuing technical education and training; and

WHEREAS, automotive service professionals’ ongoing efforts to fix it right the first time are worthy of recognition and appreciation for their dedication to the car owners and vehicles in Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 12-18, 2006 as AUTOMOTIVE SERVICE PROFESSIONALS WEEK in Illinois, and encourage all citizens to recognize the valuable and meaningful contributions that automotive service professionals make to keep our cars and trucks running.

Issued by the Governor May 25, 2006.

Filed by the Secretary of State May 25, 2006.

2006-205

AMATEUR RADIO MONTH

WHEREAS, the Federal Communications Commission (FCC) defines the Amateur Radio Service as a voluntary, noncommercial communication service, used by persons interested in radio technique as a hobby, and not for reasons of financial gain or broadcast; and

WHEREAS, there are approximately 675,000 amateur radio operators in the United States, and more than 22,000 in the state of Illinois; and
WHEREAS, amateur radio operators, also known as ham radio operators, use radio technology mostly as a form of personal enjoyment, however, amateur radio is also a vital asset in the field of emergency communications, and has been formally recognized by a number of national relief organizations; and

WHEREAS, during natural disasters, normal telephone and cell phone systems are disrupted, creating a need for amateur radio operators to step in and coordinate their communication efforts with disaster relief teams; and

WHEREAS, amateur radio operators have played a significant role in aiding relief workers in national emergencies, including the Oklahoma City Bombing in April 1995, the terrorist attacks on September 11, 2001, and the tornadoes that ravaged Illinois communities in April 2004 and March 2006; and

WHEREAS, this year’s Amateur Radio Field Days will take place on June 24 - 25, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as AMATEUR RADIO MONTH in Illinois, and encourage all citizens to recognize the services this state’s amateur radio operators provide in keeping our communities safe.

Issued by the Governor May 25, 2006.

Filed by the Secretary of State May 25, 2006.

2006-206
NATIONAL MEN’S HEALTH WEEK

WHEREAS, in 1994, the Men’s Health Network worked with Congress to develop National Men’s Health Week as a special campaign to help educate men and their families about preventable health problems, and encourage early detection and treatment of disease among men and boys; and

WHEREAS, it is fundamental that men view their health as an issue of utmost importance, as it effects not only themselves, but also the well-being of their families; and

WHEREAS, men who are educated about the value of preventative health will be more likely to participate in health screenings, and take on healthy eating habits with regular exercise regimens; and
WHEREAS, during Men’s Health Week, men should focus on implementing healthier life choices, and ask their doctors about a range of common men’s health issues, including: heart disease; diabetes; and prostate, testicular, and colon cancers; and
WHEREAS, early detection of male health problems will result in reducing rates of mortality from disease, and offer men a chance at more fulfilling and energetic lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 12 – 18, 2006 as NATIONAL MEN’S HEALTH WEEK in Illinois, and encourage all men to make a conscious effort to undergo health screenings, and to make a commitment to a healthy lifestyle for themselves, and for their families.

Issued by the Governor May 26, 2006.
Filed by the Secretary of State May 26, 2006.

2006-207
NATIONAL HUNGER AWARENESS DAY

WHEREAS, America’s Second Harvest, the largest hunger-relief organization in the United States, has seen an increase in demand for food, particularly among families with children, and it has launched a national campaign to secure additional resources to help ease child hunger; and has declared June 6th, 2006 to be NATIONAL HUNGER AWARENESS DAY; and
WHEREAS, hunger and poverty are issues of grave concern in the United States, with more than one million adults and children in Illinois alone who are at or below the poverty level and likely in need of food assistance; and
WHEREAS, the Illinois Food Bank Association provides food to adults and children in Illinois each week through its network of 2,000 food pantries, soup kitchens, shelters and after-school programs; and
WHEREAS, the Illinois Food Bank Association’s members include the Greater Chicago Food Depository, Central Illinois Food Bank, Peoria Area Food Bank, St. Louis Area Food Bank, Eastern Illinois Food Bank, Northern Illinois Food Bank, River Bend Food Bank, and Tri-State Food Bank; and
WHEREAS, the Illinois Food Bank Association works to provide food to hungry people while educating the public about the purpose of food banks serving Illinois counties and the role of food banks in addressing hunger; and

WHEREAS, more than 200 America’s Second Harvest affiliates, including the Illinois Food Bank Association’s members, will host numerous local events during the month of June for National Hunger Awareness Day to raise awareness of this serious issue:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 6, 2006 as NATIONAL HUNGER AWARENESS DAY in Illinois, and encourage all citizens to recognize the problem of hunger in the State of Illinois and initiate a dialogue to help prevent hunger each and every day of the year.

Issued by the Governor May 26, 2006.

Filed by the Secretary of State May 26, 2006.

2006-208
FRIEND FAMILY HEALTH CENTER

WHEREAS, the Friend Family Health Center (FFHC) provides numerous services to people in the Chicagoland area, including: primary care related to pediatrics, internal medicine, adolescents, OB/GYN, and lab services. Additionally, they offer social services specific to family case management, social work, community outreach and specialty programs, as well as health education, ophthalmology, immunization programs, dental services, pharmacy assistance and women, infant & children (WIC) nutritional services; and

WHEREAS, in 2005, FFHC had over 50,000 medical visits and over 4,400 social service visits, including family case management, nutritional and other social services; and

WHEREAS, with 64 percent of their patients under the age of 13, FFHC ensures that children are properly immunized and treated for other childhood illnesses such as asthma and developmental delays; and

WHEREAS, eighty-nine percent of FFHC’s patients live at or below 200% of the federal poverty level and 77% live at or below 100% of the Federal Poverty Level. In order to meet its financial obligations, FFHS relies
on third party payers with many patients using State sponsored programs as
their medical insurance providers; and

WHEREAS, the FFHC is a Federally Qualified Health Center
providing medical services to patients regardless of their inability to pay, and
they continually strive to eliminate health disparities in our State:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby recognize and commend the FRIEND FAMILY HEALTH
CENTER for their tireless commitment to providing medical services in the
state of Illinois.

Issued by the Governor May 31, 2006.
Filed by the Secretary of State June 02, 2006.

2006-209
UNITED STATES ARMY DAY

WHEREAS, the United States Army is the branch of the United
States Armed Forces that has primary responsibility for land-based military
operations; and

WHEREAS, the United States Army can trace its origins to the
Continental Army, which was formed on June 14, 1775, before the
establishment of the United States, to meet the demands of the American
Revolutionary War; and

WHEREAS, Congress created the United States Army on June 3,
1784 after the end of the American Revolutionary War, to replace the
disbanded Continental Army. However, the US Army considers itself to be
an evolution of the Continental Army, and thus dates its inception from the
origins of the Continental Army; and

WHEREAS, as of this year, there are over 700,000 soldiers currently
enlisted in the army risking what our founders called “their lives, their
fortune, and their sacred honor,” and there are millions more that have served
this great Country since the Army’s inception; and

WHEREAS, the United States Army will celebrate its 231st birthday
on June 14, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim June 14, 2006 as UNITED STATES ARMY
DAY in Illinois, and encourage all citizens to join in recognizing the United
States Army, and the noble men and women who serve this branch, for their 231 years of protecting our freedoms in this country.

Issued by the Governor June 01, 2006.
Filed by the Secretary of State June 02, 2006.

2006-210
CULTURAL MONTH OF MICHOACAN

WHEREAS, the Michoacanos represent the largest group of Mexican immigrants living in the United States; and
WHEREAS, of the 500,000 Michoacanos living in the Midwest, 250,000 of those have chosen the State of Illinois to be their newly adopted home; and
WHEREAS, the Federacion de Clubes Michoacanos en Illinois is a not for profit organization that promotes the well-being and advancement of the Michoacanos in the Midwest as well as Mexico through education, cultural, civic and social projects in a bi-national content to promote the formation of proactive citizens that seek a full participation in the societies in which they live; and
WHEREAS, the Casa Michoacan, headquarters of the Federacion de Clubes Michoacanos en Illinois, has been a focus of social, educational and cultural enrichment, as well as a beacon for the March 10 and May 1 Immigration Rights rallies that put Chicago and Illinois in the forefront of the national immigration debate; and
WHEREAS, The Honorable Lazaro Cardenas Batel, Governor of the Mexican State of Michoacan, will be present June 4 – June 24 to participate in the annual PRESENCIA MICHOACANA 2006, a cultural and civic event that since 2000 has gathered Michoacanos from all over the region to celebrate their culture and history, and strengthen their presence in the Midwest:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as CULTURAL MONTH OF MICHOACAN in Illinois.

Issued by the Governor June 02, 2006.
Filed by the Secretary of State June 08, 2006.
2006-211

WHEREAS, the Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine for North America is an international fraternity of approximately 500,000 members throughout the United States, Canada, Mexico, and Panama. The term Imperial refers to the officers and organization of the international fraternity; and

WHEREAS, the Shrine’s official philanthropy is the Shriners Hospitals for Children, a network of 22 hospitals that provide expert, no-cost orthopedic and burn care to children under the age of 18; and

WHEREAS, originally established in 1872, the first Shrine Temple proved unsuccessful and a new body was created on June 6, 1876 to help advance the growth of the young fraternity; and

WHEREAS, this governing body was called “The Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine for North America.” From this initial beginning, Shrine has grown to a total 191 Temples located in the United States, Canada, Mexico, and Panama; and

WHEREAS, Ansar Shrine was the 136th Shrine Temple established in 1914 and chartered in 1915 by the Imperial Council. Today, Ansar has 4,679 members; and

WHEREAS, to celebrate the 130th anniversary of Shrine, an all Masonic Parade and membership ceremonial will be held in Springfield, Illinois on June 17, 2006:


Issued by the Governor June 08, 2006.

Filed by the Secretary of State June 08, 2006.
WHEREAS, organized by laymen in 1862 as Bethel Mission, Bethel African Methodist Episcopal (AME) Church is among the oldest African-American churches in the Midwest, and is the third oldest Black church in Chicago, Illinois; and

WHEREAS, Bethel Church was established primarily to relieve overcrowding at the famed Quinn Chapel African Methodist Episcopal Church; and

WHEREAS, the Bethel AME Church was formed about three years before President Lincoln signed the Emancipation Proclamation, and it soon became a stop on the Underground Railroad; and

WHEREAS, among many renowned leaders, Frederick Douglas, former slave and international spokesman for the abolitionist movement, and President Theodore Roosevelt delivered speeches at Bethel Church’s pulpit; and

WHEREAS, many Black Movement activities have taken place and been organized in the Bethel AME Church. Ida B. Wells Barnett organized the National Federation of Colored Women’s Clubs at Bethel; Attorney Robert Abbott launched the Chicago Defender Newspaper from the kitchen table of Mrs. Harriet Moore, who was one of the founders of Bethel Church; the 37th Street Wabash YMCA was organized in Bethel; Harold Washington’s father was an assistant minister at Bethel; A plebiscite was held at Bethel, which gave rise to the candidacy of Harold Washington for Chicago’s Mayor; and the Chicago Urban League and the Chicago Branch NAACP were organized in Bethel; and

WHEREAS, on June 25, 2006, Bethel AME Church will be celebrating their 144th anniversary:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize and commend the Bethel African Methodist Episcopal Church on the occasion of their 144th anniversary of serving their local community and the State of Illinois.

Issued by the Governor June 08, 2006.

Filed by the Secretary of State June 08, 2006.
2006-213
NATIONAL FLAG DAY

WHEREAS, on August 3, 1949, an act of Congress was signed designating June 14th of each year as National Flag Day. This day is significant because it commemorates June 14, 1777 when the Continental Congress adopted the stars and stripes flag as the official flag of the republic; and

WHEREAS, the stars and stripes design is symbolic of qualities the world has come to expect of this great nation – the white stripes signifying purity and innocence, the red stripes signifying valor and bravery, and the blue background signifying perseverance and justice; and

WHEREAS, on December 8, 1982, the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to Pause for the Pledge of Allegiance on National Flag Day, June 14. The annual Pause for the Pledge of Allegiance asks Americans across the nation to pause and recite the Pledge as a way of commemorating Flag Day. The idea originated in 1980 and in 1985 Public Law 99-54 was passed recognizing the Pause for the Pledge as part of National Flag Day activities; and

WHEREAS, National Flag Day celebrates our nation’s symbol of unity, a democracy in a republic, and stands for our country’s devotion to freedom, to the rule of law, and to equal rights for all:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 14, 2004 as NATIONAL FLAG DAY in Illinois, and encourage all citizens to take time to reflect upon the liberty and freedom we enjoy and that our flag has come to represent.

Issued by the Governor June 08, 2006.
Filed by the Secretary of State June 08, 2006.

2006-214
HELEN KELLER DEAF-BLIND AWARENESS WEEK

WHEREAS, Helen Keller was one of the most accomplished, respected, and renowned deaf-blind Americans; and

WHEREAS, deaf-blindness is one of the most severe of all
disabilities; and
WHEREAS, in today’s society, people who have dual-sensory loss, such as hearing or vision, should be able to have options to choose from when making important life-changing decisions; and
WHEREAS, it is in the interest of the State of Illinois to encourage the full participation of American citizens with multi-sensory disabilities in our economy by fostering the employment of, and promoting housing and recreational options for, people who are deaf-blind, thus maximizing their opportunities for a productive life in the community of their choice; and
WHEREAS, it is highly appropriate and necessary to publicize the abilities and potential of our fellow citizens who are deaf-blind, or severely vision and hearing impaired, and to recognize Helen Keller as a guiding example of courage, hope, determination, and achievement for other individuals who are deaf-blind:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 25 – July 1, 2006 as HELEN KELLER DEAF-BLIND AWARENESS WEEK in Illinois, and encourage all citizens to recognize the abilities and talent that people with vision and hearing disabilities can bring to our communities across this great State.

Issued by the Governor June 08, 2006.
Filed by the Secretary of State June 08, 2006.

2006-215
SOUTHERN ILLINOIS BLUEGRASS AND BBQ FESTIVAL DAY

WHEREAS, on September 9, 2006, the 16th annual “Southern Illinois Bluegrass and BBQ Festival” will be held in Salem, Illinois; and
WHEREAS, the “Southern Illinois Bluegrass and BBQ Festival,” as an Illinois State Championship, allows teams to qualify for national level barbeque competitions; and
WHEREAS, like previous years, this event, a Kansas City Barbecue Society (KCBS) sanctioned event, will bring together amazing bluegrass music and award winning BBQ competitors; and
WHEREAS, the State of Illinois is proud to recognize the many talented individuals who are putting their barbeque grilling skills to the test during this event:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 9, 2006 as the SOUTHERN ILLINOIS BLUEGRASS AND BBQ FESTIVAL DAY in Illinois, and encourage all citizens to recognize and participate in this entertaining event that will undoubtedly showcase a variety of tasty barbeque recipes.
Issued by the Governor June 09, 2006.
Filed by the Secretary of State June 09, 2006.

2006-216
NATIONAL CLEAN BEACHES WEEK

WHEREAS, beaches are used for many recreational activities; and
WHEREAS, 180 million Americans make nearly 2 billion annual trips to the ocean, gulf, and inland beaches and contribute significant resources to the local, state, and national economy; and
WHEREAS, 75% of all recreational activity occurs within a half mile corridor around the shorelines of our beaches, rivers, and lakes; and
WHEREAS, coastal tourism and healthy seafood contribute to strong economies, sustaining communities, and supporting jobs along the coastal U.S.; and
WHEREAS, many communities and departments in the State of Illinois have undertaken significant measures to keep beaches clean and healthy; and
WHEREAS, the Clean Beaches Council, as part of Great Outdoors Month, has designated June 29 – July 5, 2006 as National Clean Beaches Week:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 29 – July 5, 2006 as NATIONAL CLEAN BEACHES WEEK in Illinois, and encourage all citizens to visit, enjoy, and protect one of our greatest natural resources.
Issued by the Governor June 09, 2006.
Filed by the Secretary of State June 09, 2006.
WHEREAS, the links between Illinois and Quebec are numerous and stretch back centuries to the French-speaking missionaries and voyageurs who left Quebec City and Montreal to explore le pays des Illinois and eventually to settle here; and

WHEREAS, in 1969, Quebec established its delegation in the city of Chicago, due to the business and cultural preeminence of the city; and

WHEREAS, Quebec is active, along with Illinois, in both the Council of Great Lakes Governors and the Great Lakes Commission as an associate member; and

WHEREAS, trade between Illinois and Quebec exceeded $3 billion U.S. dollars in 2005; and

WHEREAS, the staff of the Quebec Delegation in Chicago has established commercial links between Illinois and Quebec companies, and has brought Quebec performing artists, intellectuals, and writers to the theatres and universities of this state; and

WHEREAS, the Quebec Delegation in Chicago seeks to broaden the economic, cultural, educational and tourism links between Quebec and the Midwest; and

WHEREAS, there will be a celebration on June 25, 2006 to celebrate Quebec’s National Holiday, La Saint-Jean, which is actually on June 24, 2006 and is the feast day of St. John the Baptist:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 19-25, 2006 as QUEBEC WEEK in Illinois, and encourage all citizens to join in this vibrant and spirited commemoration.

Issued by the Governor June 09, 2006.
Filed by the Secretary of State June 09, 2006.

2006-218
ELZIE L. HIGGINBOTTOM DAY

WHEREAS, Elzie L. Higginbottom is the Chairman and CEO of East Lake Management & Development Corporation, which has become one of the pre-eminent real estate development and management firms in the
WHEREAS, Elzie Higginbottom is a graduate of the University of Wisconsin where he majored in Economics; and

WHEREAS, in 1965, Mr. Higginbottom joined Baird & Warner, Inc. where he established and directed the Government Assisted Multifamily Finance Division that produced an annual loan volume of $50 million to $100 million for 12 consecutive years; and

WHEREAS, in 1975, Elzie Higginbottom created ELH Properties, which is the predecessor firm to East Lake Management & Development Corp.; and

WHEREAS, as principal of East Lake, Mr. Higginbottom currently oversees the management of over 10,000 residential units. In addition, East Lake manages two shopping centers, one downtown food court, several small office buildings, and other commercial sites. East Lake is also joint venture partner in the management of the new Midway Airport terminal; and

WHEREAS, Elzie Higginbottom is recognized as a major developer within the Chicago Metropolitan Area and is respected for both his commercial and residential work; and

WHEREAS, Elzie Higginbottom is receiving the Man of the Year Award at the Coalition for United Community Action’s 34th Annual Unity Testimonial Awards Banquet on June 17, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 17, 2006 as ELZIE L. HIGGINBOTTOM DAY in Illinois.

Issued by the Governor June 09, 2006.
Filed by the Secretary of State June 09, 2006.

2006-219

CAROLE ROBERTSON CENTER FOR LEARNING DAY

WHEREAS, the Carole Robertson Center for Learning currently serves over 1000 children through child, youth, and family development programs; and

WHEREAS, founded in 1976, the Carole Robertson Center is named in memory of Carole Robertson, Addie Mae Collins, Cynthia Wesley, and Denise McNair, the four children who were tragically killed in the 1963
Birmingham church bombing; and

WHEREAS, from the Center’s beginning, the multicultural nonprofit partnership has assured that parents are the dominant voices in agency management and program development; and

WHEREAS, with children ranging in age from infancy through teenagers, the Carole Robertson Center for Learning offers a variety of program activities designed to promote and support success in school, as well as increase literacy development, music and arts education, and many other areas of development; and

WHEREAS, parents and other community members are able to benefit from basic literacy, GED, and ESL classes through their Adult Learning Institute; and

WHEREAS, on June 23, 2006, the Carole Robertson Center for Learning will celebrate its 30th anniversary:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 23, 2006 as CAROLE ROBERTSON CENTER FOR LEARNING DAY in Illinois in recognition of the Center’s longstanding impact on low-income families in this State.

Issued by the Governor June 15, 2006.
Filed by the Secretary of State June 15, 2006.

2006-220
LET FREEDOM RING DAY

WHEREAS, for centuries, great occasions have been marked by the ringing of bells; and

WHEREAS, when America's Independence was proclaimed in Philadelphia in 1776, the Liberty Bell rang to summon the citizenry for the first public reading of the Declaration of Independence; and

WHEREAS the adoption of this historic document marked the birth of the United States of America as a free and independent nation; and

WHEREAS, in 1963, the Congress of the United States resolved that the anniversary of the signing of the Declaration of Independence should be observed each year by the ringing of bells throughout the United States at 2 o’clock in the afternoon, eastern standard time, on the 4th day of July; and

WHEREAS, Illinois is proud to participate in this nationwide bell
ringing ceremony to celebrate the freedoms granted to all citizens by our founding fathers:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim July 4, 2006 as LET FREEDOM RING DAY in Illinois, and encourage citizens throughout our state to participate in the observance of the national bell ringing ceremony.

Issued by the Governor June 15, 2006.
Filed by the Secretary of State June 15, 2006.

2006-221
AFRICAN/CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS

WHEREAS, just as the landscapes of America and Illinois are eclectic, so too are its people; and
WHEREAS, our democratic institutions have demonstrated that diverse peoples can pursue their dreams while living together peacefully and building strong communities; and
WHEREAS, this year, Martin’s International Culture, Inc., its affiliate Martin’s Inter-Culture, and several sponsors will host African/Caribbean International Festival of Life Days in Illinois from June 30 to July 4 in Chicago to bring Americans of different cultures, ethnicities, and nationalities together in celebration of diversity and to promote peace and unity; and
WHEREAS, the African/Caribbean Festival will feature a variety of music, including blues, calypso, gospel, highlife, hip-hop, pop, rap, rock, reggae, rhythm and blues, salsa, and spoken words; and
WHEREAS, the African/Caribbean Festival will also feature exhibitors from around the country who will showcase an assortment of cultural attire, crafts, and food from Africa and the Caribbean:


Issued by the Governor June 20, 2006.
Filed by the Secretary of State June 20, 2006.
2006-222
KIDNEY CANCER AWARENESS MONTH

WHEREAS, each year more than 36,000 people in the United States are diagnosed with Kidney cancer, and more than 100,000 kidney cancer survivors are currently living throughout the U.S.; and
WHEREAS, the exact cause of kidney cancer is still unknown; and
WHEREAS, kidney cancer occurs nearly twice as often in men as in women, and it mostly occurs in men over 40 years old; and
WHEREAS, the American Cancer Society predicts that in 2006 there will be about 38,890 new cases of kidney cancer in the U.S., and 12,840 people will die from the disease; and
WHEREAS, signs and symptoms of kidney cancer may include: blood in the urine; low back pain on one side (not from an injury); a mass or lump in the belly; tiredness; weight loss (if you are not trying to lose weight); fever that does not go away after a few weeks and that is not from a cold, the flu, or other infection; and swelling of ankles and legs. A doctor should be consulted if any of these problems are occurring; and
WHEREAS, other than surgery, the most commonly used treatments for kidney cancer are immunotherapy, radiation, and chemotherapy; and
WHEREAS, breakthroughs in research over the last year have given renewed hope to patients who previously had few treatment options:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 2006 as KIDNEY CANCER AWARENESS MONTH in Illinois to raise awareness of kidney cancer, and encourage all citizens to be extra cognizant of the symptoms and causes of this disease, so that we can continue to strive toward more effective treatments.
Issued by the Governor June 20, 2006.
Filed by the Secretary of State June 20, 2006.

2006-223
SUMMER LEARNING DAY

WHEREAS, the education of America’s youth is of critical importance, and the summer is as good a time as any for children to further their pursuit of information and knowledge; and
WHEREAS, a wide array of public agencies, non-profit organizations, schools, universities, museums, libraries, and summer camps across the country will celebrate the annual Summer Learning Day on July 13, 2006; and

WHEREAS, Summer Learning Day is an opportunity to reflect on the importance of high-quality summer learning opportunities in the lives of young people and their families; and

WHEREAS, Summer Learning Day is designed to highlight the need for more young people to be engaged in learning activities over the summer and to support local summer programs that benefit children, families and communities; and

WHEREAS, Illinois is proud to join with the Center for Summer Learning at Johns Hopkins University and the Staples Foundation for Learning in promoting learning activities for our young people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 13, 2006 as SUMMER LEARNING DAY in Illinois, and encourage all citizens to learn about the many educational programs available to children during the summer months here in this state.

Issued by the Governor June 28, 2006.
Filed by the Secretary of State June 28, 2006.

2006-224
HONORING THE LIFE OF REVEREND DR. ALVIN J. WESLEY

WHEREAS, born on October 7, 1925 in Paintcourtville, Louisiana, Reverend Doctor Alvin John Wesley moved to Chicago in 1946 with his wife Oneida, who died in 1967 and with whom he produced three children: Rev. Alvin Claude, Debra, and Brude; and

WHEREAS, in 1970, Rev. Wesley married Dr. Helene Wesley (Johnson) and their union produced Rev. Dr. Howard-John; and

WHEREAS, Rev. Wesley enlisted in the U.S. Army when he was 17 and served for 25 years both in active and reserve duty. After his discharge from the service, Rev. Wesley pursued his entrepreneurial dreams and became a prominent businessman in Chicago, an independent retailer and owner of two Wesley Shoes Stores, and a distinguished member of the Local Merchants Council of Hyde Park and the Hyde Park Business Association;
and

WHEREAS, he has served in many roles, including: Director of Finance/Treasurer for the National Baptist Congress of Christian Education; Director of Finance for the Pastor's Conference of Chicago and Vicinity; Director General of the Baptist General Congress of Christian Education; and Moderator for the Greater New Era District Association. He also holds two honorary doctoral degrees; and

WHEREAS, in 1946, Rev. Wesley joined the Zion Hill Baptist Church where he served as a deacon for 25 years, Chairman of the Trustee Board for 3 years, Director of Finance, and Superintendent of the Sunday School; and

WHEREAS, after joining the Lilydale Progressive Missionary Baptist Church, Rev. Wesley received, acknowledged, and accepted his calling into the ministry and was licensed in December 1977 and ordained on April 1, 1978. Rev. Wesley served Lilydale for 8 years as an Associated and Outreach Minister; and

WHEREAS, in November 1986, Rev. Wesley was called to be the Pastor of the historic Hermon Baptist Church. During his 20 year tenure as pastor, Hermon underwent great numeric, spiritual, and physical growth; and

WHEREAS, during this time of mourning, Reverend Dr. Alvin J. Wesley is honored for his accomplishments and contributions to the community:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor the life of Reverend Dr. Alvin J. Wesley for his passion and motivation, and I am proud to recognize his exemplary service to this State.

Issued by the Governor June 28, 2006.

Filed by the Secretary of State June 28, 2006.

2006-225
NATIONAL BATON TWIRLING WEEK

WHEREAS, the art of baton twirling positively affects the lives of nearly one-half million young Americans; and

WHEREAS, baton twirling can build the confidence of these young girls and boys, and the dedication learned in training for and practicing the
sport is beneficial to many situations in life; and
WHEREAS, baton twirling is one of the largest nationwide beneficial movements for today’s young girls; and
WHEREAS, baton twirling is used in children’s hospitals as a unique and effective method of physical therapy; and
WHEREAS, baton twirlers provide inspiration and wholesome entertainment in our communities; and
WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame July 16-22, 2006, to conduct a colorful pageant entitled “America’s Youth On Parade”:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as NATIONAL BATON TWIRLING WEEK in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.
Issued by the Governor June 28, 2006.
Filed by the Secretary of State June 28, 2006.

2006-226
NIKOLA TESLA DAY

WHEREAS, Nikola Tesla was a Serbian-American inventor, engineer, humanitarian, and scientist; and
WHEREAS, in 1884 at age 28, Nikola Tesla emigrated to the United States, where he worked on the more than 760 inventions he patented; and
WHEREAS, Nikola Tesla, the inventor and developer of the alternating electric current that serves as the standard in the United States today, demonstrated in 1893 the wonders of alternating electric current at the Chicago World’s Fair; and
WHEREAS, one of Mr. Tesla’s most notable accomplishments was designing and supervising the construction of the first hydro-electric generating plant in the United States, Niagara Mohawk Power; and
WHEREAS, in 1956, Nikola Tesla joined the firm of Volt, Watt, Ohm, et al. when the unit of electromagnetic flux density was named the “tesla” in his honor; and
WHEREAS, born on July 10, 1856, this year we celebrate the 150th anniversary of Nikola Tesla’s birth, a man who made many contributions to
modern life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 10, 2006 as NIKOLA TESLA DAY in Illinois, and encourage all citizens to recognize his many inventions and contributions, as well as recognize him as a source of inspiration to the many immigrants in the United States.

Issued by the Governor June 28, 2006.
Filed by the Secretary of State June 28, 2006.

2006-227
NATIONAL AQUATIC WEEK

WHEREAS, people of almost all ages and conditions can enjoy swimming; and

WHEREAS, the physical exercise of swimming provides lasting health benefits, including improved cardiovascular fitness, stronger muscles, and greater flexibility; and

WHEREAS, swimming is an especially beneficial means of exercise for pregnant women, the overweight, and those rehabilitating from physical injuries; and

WHEREAS, swimming and aquatic-related facilities provide a valuable source of recreation for the whole family and are ideal places for relieving stress; and

WHEREAS, the state of Illinois’ many lakes and rivers, along with countless local swimming facilities, provide the opportunity for all of our residents to receive the great benefits of swimming:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as NATIONAL AQUATIC WEEK in Illinois, and encourage all citizens to recognize the role that swimming plays in improving the physical and mental health of people in this state and throughout the country.

Issued by the Governor June 30, 2006.
Filed by the Secretary of State June 30, 2006.
2006-228
CAPTIVE NATIONS WEEK

WHEREAS, Captive Nations Week has been recognized since July 17, 1959, originating from U.S. Public Law 86-90, a joint resolution of the 86th Congress; and

WHEREAS, every year, Captive Nations Week organizers focus international attention on the plight and struggle of captive nations to rid themselves of oppressive rulers by organizing and unifying these country’s voices of freedom; and

WHEREAS, although several former Captive Nations have been liberated from devastating and militaristic rule, the United States and the international community must remain cognizant of those countries still straining for freedom under precarious regimes; and

WHEREAS, this week should serve as a time of reflection and remembrance for all of the millions of people tragically lost to genocide and other forms of persecution under these cruel governments; and

WHEREAS, the 48th Annual Captive Nations week will highlight the struggle for freedom around the world in occupied territories:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as CAPTIVE NATIONS WEEK in Illinois, and encourage all citizens to join in observance of this important week.

Issued by the Governor June 30, 2006.
Filed by the Secretary of State June 30, 2006.

2006-229
JET MAGAZINE’S 1ST ANNUAL HEALTH & FAMILY FITNESS AFFAIR DAY

WHEREAS, in 1951, the Johnson Publishing Company founded JET magazine in Chicago, Illinois. Today, JET is the only African-American news and entertainment weekly magazine that reaches over 9 million readers; and

WHEREAS, influential in the early days of the American Civil Rights movement, with its coverage of the murder of Emmett Till and the Montgomery Bus Boycott, today JET is part of Johnson Publishing's “Ebony”
publishing organization; and

WHEREAS, on July 8, 2006, JET will be hosting the first Annual Health & Family Fitness Affair in Washington Park in Chicago, Illinois; and

WHEREAS, the Club JET Family Health & Fitness Affair is a wonderful community outreach event created to motivate African-Americans to take charge of their health. The event will include live entertainment, group workouts, mini health and wellness workshops by medical professionals, sponsor exhibits, and demonstrations to educate visitors on the benefits of daily exercise and healthy eating habits as vital elements to maintain and improve their well being; and

WHEREAS, the State of Illinois is proud to recognize the Family Health & Fitness Affair for bringing awareness to the importance of maintaining healthy habits in our daily lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 8, 2006 as JET MAGAZINE’S 1ST ANNUAL HEALTH & FAMILY FITNESS AFFAIR DAY in Illinois, and present this proclamation to Tina Turner-Andrews on behalf of Jet Magazine.

Issued by the Governor June 30, 2006.
Filed by the Secretary of State June 30, 2006.

2006-230
ASIAN LONGHORNED BEETLE DEREGULATION DAY

WHEREAS, the Asian Long-horned Beetle is an invasive species that originated in Asia and poses a tremendous threat to the trees and forest resources of North America; and

WHEREAS, the Asian Long-horned Beetle was first detected in the United States in New York City and has also been found in Illinois and New Jersey; and

WHEREAS, infested trees numbering 1,551 have been found and removed from Northeastern Illinois and over 2,682 non-host trees have been replanted; and

WHEREAS, over the last several years, 290,991 potential host trees have been treated with insecticide as a protective measure against infestation development; and

WHEREAS, various groups and organizations including the United
States Department of Agriculture’s Animal & Plant Health Inspection Service and Forest Service, the Illinois Department of Agriculture, the City of Chicago, the Morton Arboretum, and other towns and villages in Northeastern Illinois have worked tremendously well together to detect, control, and eradicate this pest from our state; and

WHEREAS, two quarantined areas referred to as Summit and Addison were deregulated in 2004, several other quarantined areas known as Ravenswood, Kilbourne Park, Park Ridge, Bensenville, and Loyola were deregulated in 2005, and the final remaining quarantined area in and around Oz Park located in the City of Chicago has experienced over two years of negative beetle survey results and is being deregulated by the State of Illinois’ Director of Agriculture on July 12, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 12, 2006 as ASIAN LONGHORNED BEETLE DEREGULATION DAY in Illinois, and urge all citizens to recognize the tremendous work put forth by these groups involved and join in their efforts in the complete eradication of this pest.

Issued by the Governor July 07, 2006.
Filed by the Secretary of State July 07, 2006.

2006-231
CATHOLICATE DAY

WHEREAS, His Holiness Moran Mar Baselios Mar Thoma Didymos I, Catholicos of the East and Malankara Metropolitan, the supreme head of Malankara Orthodox Syrian Church of the East (The Indian Orthodox Church) and the 90th successor of the throne of St. Thomas is coming to Chicago, Illinois on July 15, 2006; and

WHEREAS, the Church is in the Oriental Orthodox family following the Orthodox faith of the three Ecumenical Councils of Nicaea, Constantinople, and Ephesus; and

WHEREAS, dating back to 52 A.D., when St. Thomas traveled to India and established Christianity in the region, the Malankara Orthodox Syrian Church of the East has thrived in South Western Asia, and has provided a source of spiritual strength and support to millions. The present headquarters is in Devalokom Aramana, Kottayam Kerala, India; and
WHEREAS, His Holiness is the successor of St. Thomas and administers the affairs of the Church sitting on the Throne of Apostle St. Thomas as an autonomous ruler over an autocephalous Church; and

WHEREAS, His Holiness started his service to the Church as a monk when he was a teenager. He was called to the monastic life by the late Metropolitan Mar Dionysius of Niranam; and

WHEREAS, on October 31, 2005, His Holiness Moran Mar Baselios Mar Thoma Didymos I (born October 29, 1920) was enthroned Catholicos of the East. The designation “Catholicos of the East”, to the successors of St. Thomas the Apostle, was given by the Jerusalem Synod of A.D. 231; and

WHEREAS, the Church has been recognized by all world Christian denominations, Roman Catholics, Protestant, and the Eastern and the Oriental Orthodox Churches along with the World Council of Churches as an independent, indigenous, autocephalous Church; and

WHEREAS, Chicago-area parishes will be holding a reception in honor of His Holiness on July 16, 2006 at the Dominican University Chapel located in River Forest:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16, 2006 as CATHOLICATE DAY in Illinois in honor of the visit of His Holiness Moran Mar Baselios Mar Thoma Didymos I to our great state.

Issued by the Governor July 11, 2006.
Filed by the Secretary of State July 11, 2006.

2006-232
YEAR OF THE MUSEUM

WHEREAS, the American Association of Museums has proclaimed 2006 The Year of the Museum; and

WHEREAS, the American Association of Museums invites all museums, museum service organizations, the American public, and local, state, and federal government to use this milestone to recognize and celebrate the contributions of America’s museums as they serve communities, the nation, and the world; and

WHEREAS, museums hold in trust for future generations a substantial part of humankind’s material patrimony produced by the skill of
our ancestors and our contemporaries; and
WHEREAS, museums encourage curiosity in the very young, offer enlightenment and education to the student, and provide a continuing source of enjoyment and cultural enrichment for all; and
WHEREAS, museums are centers of research for scholars and contribute significantly to our knowledge of history, science, and the arts; and
WHEREAS, museums enhance the quality of life in our communities and provide a sense of continuity and perspective which reinforces the cultural opportunities offered by schools, colleges, universities, libraries, and other institutions of learning; and
WHEREAS, museums contribute to the economic vitality of our communities; and
WHEREAS, the City of Chicago and the State of Illinois will host the 101st national meeting of the American Association of Museums in May, 2007; and
WHEREAS, the museums of the State of Illinois deserve recognition for their contribution to the preservation of the heritage of Illinois and to the furtherance of understanding concerning the peoples of the United States and the peoples of other countries in the past, present, and future; and
WHEREAS, there are more than 1000 museums in Illinois including art, history, natural history, children’s museums, science museums, historical and genealogical societies, zoos, nature centers, arboreta, and other cultural agencies; and
WHEREAS, museums in Chicago host more visitors each year than all of the major sport team events combined; and
WHEREAS, museums throughout Illinois are vibrant institutions that provide high-quality, exciting, and affordable educational experiences for their communities; and
WHEREAS, Illinois museums have a strong impact on tourism, economy, employment, and the quality of life of all citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim 2006 as YEAR OF THE MUSEUM in Illinois.

Issued by the Governor July 13, 2006.
Filed by the Secretary of State July 13, 2006.
WHEREAS, the Americans with Disabilities Act (ADA), passed by Congress in 1990, established a “clear and comprehensive prohibition of discrimination on the basis of disability,” with a disability being defined as “a physical or mental impairment that substantially limits one or more of the major life activities” of an individual; and

WHEREAS, the passage of the ADA represented a major step toward protecting civil rights and improving the quality of life for disabled persons, who had previously not only lacked federal protection, but were also often subjected to discrimination and even ridicule of the most flagrant kind; and

WHEREAS, the year 2006 marks the 16th anniversary of the ADA’s civil rights guarantee for individuals with disabilities; and

WHEREAS, Illinois has a long history of commitment to protecting the rights of disabled persons, going back 27 years to the passage of the Illinois Human Rights Act, which made discrimination against any person with a “physical or mental handicap” illegal; and

WHEREAS, an estimated 1.5 million citizens of Illinois are classified as having a disability; and

WHEREAS, the State of Illinois and its agencies are committed to continuing efforts to ensure that citizens with disabilities are able to fully participate in employment, transportation, education, communication, and community opportunities; and

WHEREAS, during the month of July 2006, the Illinois Department of Human Services, in cooperation with numerous other state agencies, councils, and consumers, will celebrate the anniversary of the ADA with special events in Springfield and Chicago:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 20, 2006 as AMERICANS WITH DISABILITIES ACT DAY in Illinois, and encourage all citizens to recognize the historical significance of the ADA, and in turn, do their part to ensure that people with disabilities live happy and productive lives.

Issued by the Governor July 13, 2006.

Filed by the Secretary of State July 13, 2006.
WHEREAS, human milk provides optimal nutrition for infant growth and development, protects against infections and allergies, reduces the risk of later obesity and diabetes, and enhances cognitive development; and

WHEREAS, breastfeeding is an important part of preventive health care, providing nursing mothers with short and long-term benefits, including decreased risk of osteoporosis and breast, cervical, and ovarian cancers, and reducing the risk for long term obesity; and

WHEREAS, Illinois Breastfeeding Promotion Month reminds us that breastfeeding benefits infants, mothers, and society through lower health care costs, a healthier workforce, stronger family bonds, and less waste; and

WHEREAS, governments and communities have the moral responsibility to protect the health of women and children and recognize breastfeeding as the normal and preferred method of infant feeding; and

WHEREAS, healthcare systems recognize the importance of educating, counseling and supporting breastfeeding mothers and families before, during, and after delivery; and

WHEREAS, the Department of Human Services will continue to establish links between maternity facilities and community breastfeeding support networks to ensure that all families will live, work, and receive health care in a breastfeeding friendly culture.

WHEREAS, during the month of August, the Department of Human Services will collaborate with local groups to protect, support, and motivate women to continue to breastfeed exclusively for 6 months and beyond, in accordance with the American Academy of Pediatrics guidelines:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 2006 as BREASTFEEDING PROMOTION MONTH in Illinois to promote breastfeeding and its benefits of lower health care costs for infants, a healthier workforce, stronger family bonds, and less waste.

Issued by the Governor July 13, 2006.

Filed by the Secretary of State July 13, 2006.
2006-235

TRADE SHOW WEEK

WHEREAS, TS2 2006 is a conference and exposition for exhibitors and event education focusing on best practices, proven strategies, new ideas, and new resources to enhance performance for trade show exhibitors and corporate event managers; and

WHEREAS, TS2 is sponsored by the Chicago-based Trade Show Exhibitors Association (TSEA) and owned and produced by the National Trade Productions (NTP), a leader in the production, management, and marketing of trade expositions, conferences, and special events; and

WHEREAS, the workshops throughout the week will serve as an opportunity for many industry professionals to learn trends and benchmarks that directly impact decisions for the exhibit and event professional; and

WHEREAS, TS2 2006 will take place in Chicago, Illinois at McCormick Place from July 25-27, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 23-29, 2006 as TRADE SHOW WEEK in Illinois, in recognition of this “trade show for trade shows.”

Issued by the Governor July 18, 2006.
Filed by the Secretary of State July 18, 2006.

2006-236

CHILD SUPPORT AWARENESS MONTH

WHEREAS, the Department of Healthcare and Family Services has been given the responsibility of providing child support services to all Illinois families; and

WHEREAS, Illinois recognizes that children need strong family support; and

WHEREAS, Illinois works to focus attention on the needs of children to have both parents’ involvement in their children’s lives; and

WHEREAS, under my administration, Illinois Child Support Enforcement was named the Most Improved Program in the nation for 2006 by the National Child Support Enforcement Association; and

WHEREAS, Illinois’ focus on improving outcomes for Illinois
families has resulted in record-breaking collections of more than $1.14 billion dollars; and

WHEREAS, the Department of Healthcare and Family Services is working closely with the Departments of Human Services, Public Health, Children & Family Services, Employment Security, Corrections, Revenue, other state and county agencies as well as community groups to increase the number of children for whom paternity is established and whose families receive child support services; and

WHEREAS, Illinois is playing a lead role in helping strengthen Illinois families through innovation and sound practices in child support services:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 2006 as CHILD SUPPORT AWARENESS MONTH in Illinois to promote the importance of child support and to affirm the continued commitment of my administration to helping our children receive the love and care that is vital to their success and the future welfare of Illinois.

Issued by the Governor July 18, 2006.
Filed by the Secretary of State July 18, 2006.

2006-237
OPERATION SUPPORT OUR TROOPS

WHEREAS, Operation Support Our Troops has been a dedicated source of support for the thousands of members of the United States Armed Forces who are currently on active duty in Iraq, Afghanistan, and other war zones; and

WHEREAS, Operation Support Our Troops Illinois has sent over 8400 “Care Packages” to the men and women bravely serving our country; and

WHEREAS, the troops and their loved ones truly appreciate the outpouring of generosity by the people of Illinois; and

WHEREAS, Illinois recognizes the efforts of those sending packages, letters, and pieces of home that have brought joy to the men and women serving our country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby honor and commend Operation Support Our Troops in recognition of their noble effort to support and recognize the men and women who are in service of the United States.

Issued by the Governor July 18, 2006.
Filed by the Secretary of State July 18, 2006.

2006-238
SCIENCE DAY

WHEREAS, science is an essential and vital field of study. It helps answer critical questions such as how we think and behave, what happened in the past, and what comprises the universe; and

WHEREAS, science is a fundamental part of a child’s education in Illinois and is very important to our state’s future and economic development; and

WHEREAS, the children of Illinois deserve the best science education possible and Illinois is dedicated to improving the quality of a science education in order to keep our children competitive in the world; and

WHEREAS, parents, guardians, grandparents, and other family members are encouraged to do a simple science experiment with their children, to honor science teachers in their community, and to recognize the importance of science and how it plays an important role in our children’s futures:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 3, 2006 as SCIENCE DAY in Illinois, and encourage all citizens to recognize the importance of science in our children’s future.

Issued by the Governor July 19, 2006.
Filed by the Secretary of State July 19, 2006.

2006-239
MOTHERS OF MULTIPLES WEEK

WHEREAS, according to the United States Census Bureau, expecting mothers have a 1 in 32 chance of delivering twins; and

WHEREAS, there are two kinds of twins: fraternal twins develop
from two separate eggs that are fertilized at the same time, while identical twins develop from one fertilized egg that splits into two separate eggs; and

WHEREAS, twins and their mothers share a special bond, but often, twins can bring about unforeseen challenges and lifestyle adjustments; and

WHEREAS, for that reason, the Illinois Organization of Mothers of Twins Clubs was formed in 1962 to provide assistance and support to mothers of twins; and

WHEREAS, every third week of October, the Illinois Organization of Mothers of Twins Clubs hosts a convention that brings mothers of twins throughout the state together to share new information and engage in networking opportunities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 15-21, 2006 as MOTHERS OF MULTIPLES WEEK in Illinois to recognize mothers of twins for the care and love they, like all mothers, provide to our children, and in support of the Illinois Organization of Mothers of Twins Clubs for all of their valuable work in this state.

Issued by the Governor July 19, 2006.
Filed by the Secretary of State July 19, 2006.

2006-240

NATIONAL ASSOCIATION OF PARLIAMENTARIANS/ILLINOIS ASSOCIATION OF PARLIAMENTARIANS DAY

WHEREAS, parliamentary law is the embodiment of the democratic principles of justice, obedience to law and order, courtesy, and a regard for the rights of all; and

WHEREAS, knowledge and practice of parliamentary procedure facilitates efficiency and harmony in organizational meetings; and

WHEREAS, the National Association of Parliamentarians is dedicated to the promotion of principles underlying the rules of deliberate assemblies and to further NAP members’ skills, knowledge, and abilities; and

WHEREAS, members of the National Association of Parliamentarians give their time and effort to teach, conduct workshops, and to provide service; and
WHEREAS, members of the Illinois Association of Parliamentarians have provided Illinoisans with public programs and activities that help promote democratic processes in numerous organizational meetings throughout the state for more than forty years; and

WHEREAS, the Illinois Association of Parliamentarians is hosting the 2006 National Training Conference in Oak Brook, Illinois from September 1-3, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 1, 2006 as NATIONAL ASSOCIATION OF PARLIAMENTARIANS/ILLINOIS ASSOCIATION OF PARLIAMENTARIANS DAY in Illinois.

Issued by the Governor July 20, 2006.
Filed by the Secretary of State July 20, 2006.

2006-241
PERU DAY

WHEREAS, July 28, 1821 marks the beginning of Peruvian independence from Spanish rule, led by liberator José de San Martín; and

WHEREAS, this day is internationally recognized as Peruvian Independence Day, and 2006 marks the 185th Anniversary of Peruvian independence; and

WHEREAS, there are approximately 50,000 Peruvians currently living in the state of Illinois, more than 15,000 of which live in the Chicagoland area; and

WHEREAS, the Peruvian community is active and successful, with only a 2 percent unemployment rate, and over 75% of the population earning more than $20,000 annually; and

WHEREAS, Peruvian-Americans have greatly added to the rich cultural diversity of Chicago through their vibrant presence in the Little Village Neighborhood and their many art exhibitions throughout city museums and galleries; and

WHEREAS, Peruvians have a strong and organized presence in the city of Chicago with eleven ethnic organizations including the Peruvian American Medical Society, the Peruvian Chamber of Commerce, and the Peruvian Arts Society among others:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 26, 2006 as PERU DAY in Illinois, and I encourage all citizens to join in celebrating the great contributions of Peruvian-Americans to the State of Illinois.

Issued by the Governor July 20, 2006.

Filed by the Secretary of State July 20, 2006.

2006-242
DISASTER AREA - STATE OF ILLINOIS

Severe storms with high winds moved through Illinois on Wednesday, July 20, 2006. These storms resulted in extensive power outages and damage to homes and businesses creating significant debris. In addition the extreme heat causes the need to address life safety issues to impacted areas. An additional round of severe storms with high winds struck the region Friday, July 21, 2006 slowing down recovery and causing additional damage.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Madison and St. Clair counties as disaster areas, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the disaster relief fund for extraordinary costs incurred by local units of government in responding to and recovery from the damage and debris. This proclamation will facilitate coordination of state assets in responding to local government requests for assistance in the counties most severely impacted by the disaster.

Issued by the Governor July 21, 2006.

Filed by the Secretary of State July 21, 2006.

2006-242 (REVISED)
DISASTER AREA - STATE OF ILLINOIS

Severe storms with high winds moved through Illinois on Wednesday
July 19, 2006. These storms resulted in extensive power outages and damage to homes and businesses creating significant debris. In addition the extreme heat causes the need to address life safety issues to impacted areas. An additional round of severe storms with high winds struck the region Friday, July 21, 2006 slowing down recovery and causing additional damage.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Madison and St. Clair counties as disaster areas, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the disaster relief fund for extraordinary costs incurred by local units of government in responding to and recovery from the damage and debris. This proclamation will facilitate coordination of state assets in responding to local government requests for assistance in the counties most severely impacted by the disaster.

Issued by the Governor July 21, 2006.
Filed by the Secretary of State July 21, 2006.

2006-243
DISASTER AREA - STATE OF ILLINOIS

Severe storms with high winds moved through Illinois on Friday, July 21, 2006. These storms resulted in extensive power outages and damage to homes and businesses creating significant debris from the Metro East area continuing through Mt. Vernon.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Clinton and Jefferson counties as disaster areas, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the
disaster relief fund for extraordinary costs incurred by local units of government in responding to and recovering from the damage and debris. This proclamation will facilitate coordination of State assets in responding to local government requests for assistance in the counties most severely impacted by the disaster.

Issued by the Governor July 22, 2006.
Filed by the Secretary of State July 24, 2006.

2006-244
ALLIED HEALTH PROFESSIONALS DAY

WHEREAS, the Chicago area is recognized as a major resource for medical care, and its health institutions are visited each year by people from around the world seeking the latest and most advanced medical treatment; and

WHEREAS, health care professionals engaged in allied health functions - including dieticians, occupational therapists, radiation technicians, recreational therapists, phlebotomists, physical therapists, and many others – are an important part of the health care delivery team; and

WHEREAS, in today’s constantly changing health care environment, allied health professionals are continuing to expand their scope while maintaining multiple duties; and

WHEREAS, allied health employees make much-needed contributions in every health care facility and help increase the greater Chicagoland area’s reputation for health care excellence; and

WHEREAS, more than 140 hospitals and health care organizations that are members of the Metropolitan Chicago Healthcare Council honor allied health care staff for their many achievements in both their institutions and to the people of their communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 19, 2006 as ALLIED HEALTH PROFESSIONALS DAY in Illinois and urge all citizens to recognize the hard work of these devoted healthcare professionals.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.
2006-245
FAMILY DAY

WHEREAS, on the first Monday in August, the Dr. Martin Luther King, Jr. Family Life Institute will make it an annual national celebratory event to promote values of home and family, for the purpose of preserving the assembly of family, and for the encouragement of creating new conjugal families as a national celebratory tradition; and

WHEREAS, every man, woman, and child in this great nation participate in cross cultural socialization that reduces segmentation on a day that offers a common theme to play a part in reshaping our world; and

WHEREAS, the Dr. Martin Luther King, Jr. Family Life Institute encourages American families to spend quality time together in order to discuss family issues, to set foals for the future, allow time for families to bond with extended family, to introduce new family members, or to celebrate the joining of families through marriage; and

WHEREAS, on August 1, a petition to Congress for a new American national holiday will begin by families coming together on July 29, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 1, 2006 as FAMILY DAY in Illinois.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.

2006-246
PICK UP AMERICA DAY

WHEREAS, it is important for all people to recognize that pollution from litter endangers not only our land, but also the air we breathe and the water we drink; and

WHEREAS, our future environment protection involves the education of all our citizens; and

WHEREAS, partnerships between government offices, organizations, and communities to effectively educate American citizens is yet another step toward meeting this problem of pollution; and

WHEREAS, the participation of all Americans is the only way we can begin to solve the problem of littering and ensure the future protection of our
environment; and

WHEREAS, Pick up America (PuA), a non-profit environmental organization with the mission to clean up America one neighborhood at a time, is asking that all Americans across the nation go out and fill one trash bag of litter from within their community:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 1, 2006 as PICK UP AMERICA DAY in Illinois, and encourage all citizens to join in this worthy effort to help clean up our environment.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.

2006-247
CAREER AND TECHNICAL ORGANIZATIONS WEEK

WHEREAS, career and technical education, also known as vocational education, complement formal education programs by providing students with an opportunity to gain hands-on experience in their future profession or trade; and

WHEREAS, in addition to the hands-on experience that vocational education affords students, there are a number of career and technical student organizations in Illinois that also build character and foster leadership skills essential to their future success; and

WHEREAS, for more than 28 years, the Illinois Coordinating Council for Career and Technical Student Organizations (ICCCTSO) has promoted career and technical student organizations as an integral part of the educational curriculum; and

WHEREAS, career and technical student organizations in Illinois include the Business Professionals of America, Future Business Leaders of America (FBLA), Illinois Association of Family, Career and Community Leaders of America (FCCLA), Health Occupations Students of America (HOSA), Illinois Association of FFA (FFA), Illinois Association of DECA (DECA), Illinois Postsecondary Agricultural Student Organization (PAS), Phi Beta Lambda (PBL), Illinois Association of SkillsUSA (SkillsUSA), and Technology Student Association (TSA); and

WHEREAS, this year, the ICCCTSO will recognize career and
technical organizations during the week of October 1:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as CAREER AND TECHNICAL ORGANIZATIONS WEEK in Illinois to raise awareness about the value of those organizations to the educational experiences of our young people.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.

2006-248

CHAMBER OF COMMERCE WEEK

WHEREAS, chambers of commerce encourage the growth of existing industries, services, and commercial firms, encourage new businesses and individuals to invest locally, and act as liaisons with government and the larger business community; and

WHEREAS, Illinois is home to international chambers of commerce, the Great Lakes Regional Office of the U.S. Chamber of Commerce, the Illinois Chamber of Commerce, and more than 455 local chambers of commerce; and

WHEREAS, this year marks the 87th anniversary of the Illinois Chamber of Commerce, which represents businesses throughout the state; and

WHEREAS, this year also marks the 91st anniversary of the Illinois Association of Chamber of Commerce Executives (IACCE), a career development organization for chamber of commerce professionals; and

WHEREAS, during the week of September 11–15, various local chambers of commerce in Illinois will be hosting open houses, business expos, business of the year awards, and other promotional events in order to promote their involvement in the local economy:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 11-15, 2006 as CHAMBER OF COMMERCE WEEK in Illinois, and encourage all citizens to recognize the important role that chambers of commerce play in the economic well being of their communities.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.

2006-249

LAST CALL OF THE FALL BBQ COMPETITION DAYS

WHEREAS, on October 20th and 21st, 2006, the first annual “Last Call of the Fall BBQ Competition” will be held at Lambs Farm in Libertyville, Illinois; and

WHEREAS, the “Last Call of the Fall BBQ Competition,” as an Illinois State Championship, allows teams to qualify for national level barbeque competitions; and

WHEREAS, this event, a Kansas City Barbecue Society (KCBS) sanctioned event, will bring together amazing entertainment and award winning BBQ competitors; and

WHEREAS, the State of Illinois is proud to recognize the many talented individuals who are putting their barbeque grilling skills to the test during this event:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 20-21, 2006 as the LAST CALL OF THE FALL BBQ COMPETITION DAYS in Illinois, and encourage all citizens to recognize and participate in this entertaining event that will undoubtedly showcase a variety of tasty barbeque recipes.

Issued by the Governor July 25, 2006.
Filed by the Secretary of State July 25, 2006.

2006-250

DISASTER AREA - STATE OF ILLINOIS

Severe storms with high winds moved through Illinois on Friday, July 21, 2006. These storms resulted in extensive power outages and damage to homes and businesses creating significant debris from the Metro East area continuing through Mt. Vernon.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Washington County as a disaster area, pursuant to the provisions of

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the disaster relief fund for extraordinary costs incurred by local units of government in responding to and recovering from the damage and debris. This proclamation will facilitate coordination of State assets in responding to local government requests for assistance in the counties most severely impacted by the disaster.

Issued by the Governor July 26, 2006.
Filed by the Secretary of State July 26, 2006.

2006-251
NURSE APPRECIATION DAY

WHEREAS, the more than 2.9 million nurses in the United States comprise our nation’s largest health care profession; and

WHEREAS, there are over 148,000 registered nurses in the state of Illinois; and

WHEREAS, the depth and extensiveness of the registered nursing profession meets the diverse, and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality care of hospitalized patients; and

WHEREAS, currently, there is a nursing shortage in the State of Illinois, as well as across the United States, and therefore it is important that we work to encourage people to take up this noble line of work; and

WHEREAS, the future will bring a great demand for registered nursing services due to a large, aging American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will no doubt become an even more important component to the U.S. health care system in the years to come:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 11, 2006 as NURSE APPRECIATION
DAY in Illinois, and encourage all citizens to recognize and honor nurses in their communities for the hard work and invaluable services they provide for citizens.

Issued by the Governor August 01, 2006.
Filed by the Secretary of State August 01, 2006.

2006-252
MDA FIREFIGHTER APPRECIATION MONTH

WHEREAS, firefighters are our unsung heroes - each day risking their lives to save the lives of others; and
WHEREAS, when these heroes are not battling life-threatening situations, they are unselfishly contributing to their communities in other ways, including raising money for local charities and volunteering with agencies such as the Muscular Dystrophy Association (MDA); and
WHEREAS, the Illinois Firefighters, who have pledged their lives to saving the lives of others, have also pledged their efforts to help find cures for devastating diseases by supporting MDA’s fights against neuromuscular diseases; and
WHEREAS, the State of Illinois is proud to recognize Illinois Firefighters as they conduct fundraising projects in our state for the MDA:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 2006 as MDA FIREFIGHTER APPRECIATION MONTH in Illinois, and encourage all citizens to acknowledge the ongoing contributions of these brave men and women.

Issued by the Governor August 01, 2006.
Filed by the Secretary of State August 01, 2006.

2006-253
FARMERS MARKET WEEK

WHEREAS, farmers markets are important outlets in Illinois and the entire United States for agricultural producers, providing them with increased marketing opportunities; and
WHEREAS, direct marketing of farm products through farmers markets continues to be an important sales outlet for agricultural producers
nationwide with approximately 19,000 farmers selling their produce only at farmers markets; and

WHEREAS, more than 180 farmers markets in Illinois and 3,800 farmers markets across the country offer consumers farm-fresh, affordable, convenient, and healthy products such as fruits, vegetables, cheeses, herbs, fish, flowers, baked goods, meat, and much more; and

WHEREAS, farmers markets serve as an integral link between urban, suburban, and rural communities; and

WHEREAS, the popularity of farmers markets continues to rise as more and more consumers discover the joys of shopping for unique ingredients sold directly from the farm as well as the pleasure of buying familiar products in their freshest possible state; and

WHEREAS, the farmers of Illinois as well as the entire United States provide for the consumer’s needs while at the same time continue to be excellent stewards of the land; and

WHEREAS, according to the 2003 Illinois Specialty Crop Survey there are more than 117,000 acres in Illinois devoted to the production of fresh and processed specialty crops, which result in $136,664,000 in specialty crop sales for Illinois farmers; and

WHEREAS, farmers markets support economic development in villages, towns, and cities throughout the State:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 6 - 12, 2006 as FARMERS MARKET WEEK in Illinois, and encourage all citizens to visit their local farmers markets and support the State’s specialty crop growers by “Buying Fresh & Buying Local.”

Issued by the Governor August 04, 2006.
Filed by the Secretary of State August 04, 2006.

2006-254
AGING NETWORK RECOGNITION MONTH (AGEOPTIONS)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois,
and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the AgeOptions for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-255
AGING NETWORK RECOGNITION MONTH (AREA AGENCY ON AGING FOR LINCOLNLAND, INC.)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and
WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Area Agency on Aging for Lincolnland, Inc. for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-256
AGING NETWORK RECOGNITION MONTH (AREA AGENCY ON AGING FOR SOUTHWESTERN ILLINOIS)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the
federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Area Agency on Aging for Southwestern Illinois for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-257
AGING NETWORK RECOGNITION MONTH (CENTRAL ILLINOIS AREA AGENCY ON AGING)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and
WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Central Illinois Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-258
AGING NETWORK RECOGNITION MONTH (CHICAGO DEPARTMENT ON AGING)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Chicago Department on Aging for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-259
AGING NETWORK RECOGNITION MONTH (EAST CENTRAL ILLINOIS AREA AGENCY ON AGING, INC.)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the East Central Illinois Area Agency on Aging, Inc. for a job well done.
WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Egyptian Area Agency on Aging, Inc. for a job well done.
WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Midland Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.
WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and
WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and
WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and
WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and
WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and
WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Northeastern Illinois Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.

Filed by the Secretary of State August 07, 2006.
WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Northwestern Illinois Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.

Filed by the Secretary of State August 07, 2006.
WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Southeastern Illinois Area Agency on Aging, Inc. for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.
2006-265
AGING NETWORK RECOGNITION MONTH (WEST CENTRAL ILLINOIS AREA AGENCY ON AGING)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the West Central Illinois Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.

Filed by the Secretary of State August 07, 2006.
2006-266
AGING NETWORK RECOGNITION MONTH (WESTERN ILLINOIS AREA AGENCY ON AGING)

WHEREAS, brand name drugs have become substantially less affordable for the elderly. At the same time, they are directly linked to increased longevity and are essential to good medical care; and

WHEREAS, about two million Medicare beneficiaries live in Illinois, and almost 250,000 citizens have benefited from state programs to help with the cost of prescription drugs; and

WHEREAS, it is the mission of the Illinois Department on Aging and its network of service providers to increase public awareness of federal and state programs and benefits that will improve their quality of life; and

WHEREAS, the aging network, including both professional providers and dedicated volunteers, took on the task of conveying the message to Illinoisans about the new federal Medicare Part D drug benefit program, and Illinois Cares Rx, the new state program that covers the gaps left by the federal program for people on limited incomes; and

WHEREAS, paid and unpaid messengers committed themselves to informing the public about the new prescription drug benefits by working tirelessly for extended hours throughout the course of several months; and

WHEREAS, these dedicated people put the public’s interest ahead of personal gratification by sacrificing their time in order to meet the goal of reaching more than 1.6 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois do hereby proclaim August 2006 as AGING NETWORK RECOGNITION MONTH in Illinois, and encourage all citizens to recognize these dedicated people and to thank the Western Illinois Area Agency on Aging for a job well done.

Issued by the Governor August 07, 2006.
Filed by the Secretary of State August 07, 2006.

2006-267
THE CHICAGO DEFENDER CHARITIES’ BUD BILLIKEN DAY

WHEREAS, for seventy-six years, the annual Defender Charities Bud
PROCLAMATIONS

Billiken® Parade and Picnic has provided wholesome fun and entertainment without charge to thousands of children; and

WHEREAS, the Bud Billiken® Parade and Picnic observance gives adults an opportunity to share fun and fellowship with youth; and

WHEREAS, Chicago Defender Charities, Incorporated, the sponsoring organization for this event, provides services to those in need. Some of the services included are scholarships and financial assistance to deserving high school and college youths, gift baskets provided to over 3,000 public housing residents during the holiday season, and numerous other acts performed throughout the community; and

WHEREAS, the Bud Billiken® Parade and Picnic has been one of the most distinguished and outstanding events in Illinois, worthy of the wholehearted support of all citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 12, 2006 as THE CHICAGO DEFENDER CHARITIES BUD BILLIKEN® DAY in Illinois, and encourage all citizens to join in the splendid spirit and purpose for which this occasion is designated.

Issued by the Governor August 08, 2006.
Filed by the Secretary of State August 08, 2006.

2006-268
WOMEN’S BUSINESS DEVELOPMENT DAYS

WHEREAS, the Women's Business Development Center (WBDC) is a nationally-recognized nonprofit women's business assistance organization, devoted to providing services and programs that support and accelerate women's business ownership and strengthen the impact of women on the economy; and

WHEREAS, the Women's Business Development Center will hold its 20th Anniversary Entrepreneurial Woman's Conference on September 27 & 28, 2006 at Chicago’s Navy Pier; and

WHEREAS, this Conference marks the commencement of the third decade of the WBDC's commitment to the demands of women entrepreneurs for greater opportunities in business ownership and development; and

WHEREAS, the WBDC has, in response, put forth creative and
innovative approaches to empowering women and their families, striving to influence the larger political and economic environment in a way that encourages and supports women's economic empowerment; and

WHEREAS, the WBDC was founded in 1986 by S. Carol Dougal and Hedy M. Ratner and since then, more than 50,000 women business owners have used its programs and services: one-on-one counseling; workshops; entrepreneurial training; the Women's Business Finance Program; the Women's Business Enterprise Certification Program; Procurement and Technical Assistance Program and Child Care Business Initiative and Program; and Women’s Venture Program; and

WHEREAS, there are now over 10.6 million women-owned businesses in the U.S., employing over 19.1 million workers, and over 350,000 of those businesses are in Illinois. Minority-owned businesses are growing faster than all firms, and 1 in 5 women-owned firms in the U.S. is owned by a woman of color. Women-owned businesses nationally generate over $2.46 trillion in sales:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 27-28, 2006 as WOMEN'S BUSINESS DEVELOPMENT DAYS in Illinois, in recognition of the Women's Business Development Center's 20th Anniversary Entrepreneurial Woman's Conference, and in celebration of two decades of the WBDC's outstanding advocacy and service to women business owners.

Issued by the Governor August 08, 2006.
Filed by the Secretary of State August 08, 2006.

2006-269
THIRD JURISDICTION ILLINOIS CHURCHES OF GOD IN CHRIST

WHEREAS, led by Bishop Robert R. Sanders, the Third Jurisdiction Illinois Churches of God in Christ (COGIC) was established on August 21, 1996 and includes over 50 churches under its jurisdiction; and

WHEREAS, COGIC is commonly known as being Pentecostal in nature because of the importance ascribed to the events which occurred on the Day of Pentecost, the 50th day after the Passover, or Easter; and

WHEREAS, organized in 1897, the national Church of God in Christ
has experienced an increase in membership from 3 million in 1973 to an estimated 5.2 million in 1997; and

WHEREAS, Third Jurisdiction COGIC is the second largest jurisdiction in the State of Illinois; and

WHEREAS, on August 21, 2006, Third Jurisdiction Illinois Churches of God in Christ will be celebrating their 10th anniversary:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize and commend the Third Jurisdiction Illinois Churches of God in Christ on the occasion of their 10th anniversary of serving their local community and the State of Illinois.

Issued by the Governor August 10, 2006.

Filed by the Secretary of State August 10, 2006.

2006-270
LYMPHOMA RESEARCH FOUNDATION DAY AND LYMPHOMATHON DAY

WHEREAS, lymphoma is a type of cancer that results when abnormal lymphocyte cells are created. These cells can grow in many parts of the body, including the lymph nodes, bone marrow, or spleen. There are more than 30 subtypes of cancer of the lymphatic system: 5 types of Hodgkin’s disease and over 25 types of non-Hodgkin’s lymphoma; and

WHEREAS, symptoms of lymphoma come in several forms, but are hard to detect because they are generally the same as those of the common cold. A very persistent cold or respiratory infection may be a sign of lymphoma; and

WHEREAS, of the nearly 500,000 Americans that have lymphoma, 332,000 have Non-Hodgkin’s lymphoma. Over 60,000 new cases are diagnosed and 20,000 Americans die from the disease each year. Treatment for the disease comes in three different manners – chemotherapy, radiation therapy, and biologic therapy. These treatments, or combinations of thereof, can put the cancer in remission for years; and

WHEREAS, approximately 168,000 people with lymphoma have Hodgkin’s disease. This form of lymphoma has a much higher survival rate – 84 percent over five years. Each year 7,800 new cases are diagnosed and 1,490 Americans die from the disease. Those treated often receive some form
of chemotherapy or radiation therapy or a combination of the two; and

WHEREAS, the Lymphoma Research Foundation (LRF) was created to eradicate Lymphoma and serve those touched by the disease. The Foundation is the nation’s largest lymphoma-focused organization dedicated to funding lymphoma research. To date, LRF has funded over $29.5 million for cancer research; and

WHEREAS, the LRF will be hosting its 40th Annual Chicago LYMPHOMATHon, a 5K walk and run to help raise money for the cause. This event will begin at Montrose Harbor on Lake Michigan:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 27, 2006 as LYMPHOMA RESEARCH FOUNDATION DAY and LYMPHOMATHON DAY in Illinois, and encourage all citizens to join in supporting the search for a cure to this life-threatening disease.

Issued by the Governor August 10, 2006.
Filed by the Secretary of State August 10, 2006.

2006-271
LIFE INSURANCE AWARENESS MONTH

WHEREAS, life insurance provides families and loved ones of deceased individuals with monetary compensation to help them emotionally and financially deal with their losses; and

WHEREAS, surveys consistently indicate that the vast majority of Americans believe that life insurance is an essential part of a sound financial plan; and

WHEREAS, the unfortunate reality today is that 44 percent of US households say they lack adequate life insurance protection; and

WHEREAS, when someone who provides for other family members dies prematurely, insufficient life insurance coverage often results in financial hardship for surviving family members, forcing them to take such measures as work additional jobs or longer hours, borrow money from family and friends, scale back educational plans for children, spend down money from savings and investment accounts, and move to less expensive housing; and

WHEREAS, determining how much and what kind of insurance to buy is one of the most important financial decisions consumers will ever
make; individuals, families, and businesses can benefit greatly from the expert advice of a qualified life insurance professional; and

WHEREAS, the Life and Health Insurance Foundation for Education (LIFE), the National Association of Insurance and Financial Advisors (NAIFA), and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2006 as “Life Insurance Awareness Month,” whose goal is to make consumers more aware of their life insurance needs, seek professional advice, and take the actions necessary to achieve the financial security of their loved ones:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as LIFE INSURANCE AWARENESS MONTH in Illinois, and encourage citizens to learn about life insurance and its benefits.

Issued by the Governor August 15, 2006.
Filed by the Secretary of State August 15, 2006.

2006-272
LITTLE SAUCE ON THE PRAIRIE CONTEST DAY

WHEREAS, on September 22nd and 23rd, 2006, the “Septemberfest” festival, which is being held by the Bloomington Normal Jaycees, is expanding to include the “Little Sauce on the Prairie Contest”; and

WHEREAS, the “Little Sauce on the Prairie Contest,” as an Illinois State Championship, allows teams to qualify for national level barbeque competitions; and

WHEREAS, this event, as a Kansas City Barbecue Society (KCBS) sanctioned event, will bring together amazing entertainment and award winning BBQ competitors; and

WHEREAS, the State of Illinois is proud to recognize the many talented individuals who are putting their barbeque grilling skills to the test during this event:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 22-23, 2006 as the LITTLE SAUCE ON THE PRAIRIE CONTEST DAY in Illinois, and encourage all citizens to recognize and participate in this entertaining event that will undoubtedly showcase a variety of tasty barbeque recipes.
WHEREAS, on August 24, 1991, the Parliament of Ukraine formally declared its independence from the Soviet Union; and

WHEREAS, in the aftermath, the economy and quality of life in Ukraine suffered; and although they were independent, Ukrainians were not free. During his two-five year terms, President Leonid Kuchma created an authoritarian administrative machine; and

WHEREAS, in response, the Ukrainian people showed their unity and desire to live in a democratic society by organizing a non-violent uprising throughout Ukraine, known as the Orange Revolution, that resulted in the free and fair election of Viktor Yushchenko as Ukraine’s new president in December 2004; and

WHEREAS, today, Ukraine is gradually progressing toward its goal of joining the World Trade Organization, a valuable short-term goal for Ukraine’s pro-Western government that will help position Ukraine into the global market economy and spur much needed foreign investment and the improvement of living standards for its 48 million citizens; and

WHEREAS, Americans have a vital interest in the success of democracy and freedom in Ukraine, and Ukrainians around the world, including those in the United States and the State of Illinois, anxiously await their progress:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 24, 2006 as UKRAINIAN INDEPENDENCE DAY in Illinois in celebration of Ukrainian Independence, and in support of their worthy efforts to establish a stable and prospering republic.

Issued by the Governor August 15, 2006.
Filed by the Secretary of State August 15, 2006.
WHEREAS, Illinois ranks 2nd in the nation in corn production, with over 2 billion bushels of corn produced annually by Illinois farmers; and
WHEREAS, corn refiners are important markets in Illinois and the entire United States for agricultural producers, providing them with significant marketing opportunities for their product; and
WHEREAS, corn refiners produce a large number of consumer products that are used throughout the world, including, sweeteners, starches and food oils. From a single bushel of corn we can produce: 32 pounds of starch, or 33 pounds of sweetener, plus 1.5 pounds of corn oil and 2.6 pounds of gluten meal; and
WHEREAS, Corn Products International is headquartered in Westchester, Illinois and is one of the world’s largest corn refiners with net sales of $2.36 billion annually. It is also the number-one worldwide producer of dextrose and a leading regional manufacturer of starch, high fructose corn syrup and glucose; and
WHEREAS, Corn Products International manufactures products and ingredients used by companies in more than 60 diverse industries including food, beverage, pharmaceutical, paper products, corrugated and laminated paper, textile, brewing, animal nutrition and others; and
WHEREAS, Corn Products International employs approximately 600 people at its Argo Plant in Bedford Park and its headquarters in Westchester, Illinois, providing a major economic anchor for these communities and the state by pumping millions of dollars into the local economy each year; and
WHEREAS, Corn Products International was founded in 1906, began construction of its Argo Plant in Bedford Park, Illinois that same year, and celebrated 100 years of continuous business operations on February 6 of this year; and
WHEREAS, the Argo Plant has purchased billions of bushels of corn from U.S. farmers during its first century of operation in Bedford Park; and
WHEREAS, Corn Products International is now completing construction of a new, state-of-the-art coal fired steam plant at its Argo Plant in Bedford Park, signaling its ongoing commitment to conduct business in Illinois; and
WHEREAS, Corn Products International expects to utilize roughly 500,000 tons annually of Illinois-mined coal at its new steam plant, supporting fifty coal-mining jobs in the southern part of state as well as thousands of secondary jobs in businesses involved in transportation, banking, marketing, food manufacturing and other industries;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 15, 2006 as CORN PRODUCTS ARGO PLANT DAY in Illinois, in recognition of the significant contribution of this company and facility to the people, communities and economy of the state.

Issued by the Governor August 15, 2006.
Filed by the Secretary of State August 15, 2006.

2006-275
HARLAND DAY

WHEREAS, in 1971, the John H. Harland Company opened a plant in Bolingbrook, Illinois. Thirty-five years later, the company has become a leading provider of products and services to both the financial and educational markets. This year marks the thirty-fifth anniversary of the John H. Harlan Company’s Bolingbrook Plant; and

WHEREAS, John Herdman Harland founded the John H. Harland Company on June 16, 1923, after immigrating to the United States from Ireland in the early part of the 20th century. John Harland demonstrated the power of the American Dream. Through hard work, initiative and perseverance, he established a company that has become a leader in the industry. By giving back to employees and the communities in which the company operated, he gave others the opportunity to live their own American Dream; and

WHEREAS, in the true spirit of John Harland, the company has continued to contribute significantly to Illinois and the national economy by improving both the quantity and quality of the company’s products and services and providing opportunities for its employees and their families. The John H. Harland Company also continues to invest in its communities, believing – as John Harland did – that the strength of a company is measured by the strength of the community; and

WHEREAS, today, the Bolingbrook plant employs more than 190
people and has grown to the size of 120,000 square feet. Since opening 35 years ago, Harland’s employees have played a crucial role in helping the company meet the needs of its customers and the community:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 18, 2006 as HARLAND DAY in Illinois, on the occasion of the 35th anniversary celebration of the John H. Harland Company’s Bolingbrook Plant.

Issued by the Governor August 16, 2006.
Filed by the Secretary of State August 16, 2006.

2006-276
PEACE DAYS

WHEREAS, Peace Day has been celebrated annually in Chicago, Illinois since September 7, 1978 through the observance of One Minute of Silence for World Peace; and

WHEREAS, in 1981, the United Nations proposed a resolution declaring one day every year as an International Day of Peace. This Day is observed as one of global cease-fire and non-violence from every country across the globe; and

WHEREAS, the day is used as a means of spreading the message of world peace and its vital importance to the future of the human race; and

WHEREAS, the goal of Peace Day is to contribute to the peace-making process through positive peace-building activities, and to allow all individuals to harness their abilities and actively participate in creating a more peaceful world; and

WHEREAS, the Peace School, an Illinois not-for-profit organization, has sponsored Peace Day since its inception and has been awarded the United Nations Peace Messenger designation for its significant contributions to peace; and

WHEREAS, in 2001, a resolution was passed by the United Nations declaring September 21 of every year as International Day of Peace as a way of rededicating the United Nations to its goals of strengthening the ideals of peace and alleviating the tensions and causes of conflict; and

WHEREAS, these events encourage all individuals to take a minute for peace every day as a positive step toward making every day Peace Day:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 7 - 21, 2006 as PEACE DAYS in Illinois, and encourage all citizens to share in One Minute of Silence for World Peace during this period as part of a sincere effort to build a more peaceful state, a more peaceful county, and a more peaceful world.

Issued by the Governor August 21, 2006.
Filed by the Secretary of State August 21, 2006.

2006-277
CANAVAN DISEASE AWARENESS MONTH

WHEREAS, Canavan Research Illinois is an Illinois nonprofit corporation established in April 2000 to meet a critical need to support medical research to treat, cure, and improve the quality of lives of all children battling Canavan disease, a rare fatal genetic neurological disorder; and

WHEREAS, the majority of the victims of Canavan disease do not reach their 10th birthday. These innocent children face the loss of all motor functions, blindness, paralysis, feeding tubes, and eventual disintegration of the brain, at which point they fall into a vegetative state from which they cannot recover; and

WHEREAS, Canavan Research Illinois is an all volunteer charity dedicated to raise funds to support cutting-edge research, increase public awareness, and provide a network for Canavan families; and

WHEREAS, on October 21, 2006, Canavan Research Illinois will hold the 8th Annual Canavan Charity Ball:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as CANAVAN DISEASE AWARENESS MONTH in Illinois, and encourage all citizens to observe this month with appropriate programs, ceremonies, and activities to raise awareness of Canavan disease and to improve the quality of life of those who are battling this disease.

Issued by the Governor August 21, 2006.
Filed by the Secretary of State August 21, 2006.
WHEREAS, the Chicago Bar Association (CBA) and the Chicago Bar Foundation (CBF) will co-sponsor the second annual Pro Bono Week 2006 from October 16-20, 2006; and

WHEREAS, members of the legal community are making a difference every day by donating thousands of hours in free legal services and by making financial contributions to legal aid organizations; and

WHEREAS, the Illinois Supreme Court has placed a greater importance on pro bono work in the legal community when it approved a new rule earlier this year requiring all lawyers in Illinois to report their pro bono service hours to the state; and

WHEREAS, the hard work of these attorneys assists the most vulnerable children and adults in our community with a range of legal issues that include child support, consumer fraud, elder abuse, civil rights, domestic violence, housing discrimination, and various other issues that are often critical to their safety and independence; and

WHEREAS, the Young Lawyers Section of the Chicago Bar Association will host its 13th Annual Pro Bono and Community Service Fair on Thursday, October 19, 2006 to help lawyers and law students make volunteer connections with legal service providers and tutor/mentor programs; and

WHEREAS, the Chicago Bar Foundation’s Young Professionals Board will soon launch its “Meet the Need” Campaign to increase the Foundation’s grants to dozens of legal aid and public interest law organizations; and

WHEREAS, Pro Bono Week will feature several events for attorneys to showcase pro bono opportunities, connect lawyers to legal aid organizations, and, through media outreach, emphasize the pro bono efforts of local attorneys and the tremendous impact their efforts have on their clients:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 16 - 20, 2006 as PRO BONO WEEK in Illinois, and encourage all citizens to recognize the contributions of the legal community to help those in need.
WHEREAS, substance addiction is a chronic illness linked to brain chemistry that can often be treated medically; and

WHEREAS, substance abuse, and its co-existing mental and physical disorders, are major public health problems that affect millions of Americans of every age, race and ethnic background, in all communities; and

WHEREAS, alcohol and drug use disorders have enormous medical, societal and economic costs, with a significant negative impact on families, often resulting in increased conflict, emotional and physical abuse, stress, and financial strife; and

WHEREAS, in 2004, an estimated 22.5 million Americans met the criteria for substance dependence or abuse. That year, only 16.8 percent of Americans 12 and older who needed treatment for an alcohol or drug use disorder actually received treatment; and

WHEREAS, the primary reason that most of those afflicted did not receive treatment is that they incorrectly believed that treatment was not necessary; and

WHEREAS, those who do realize that they need treatment often face various barriers to recovery. These barriers include the cost of treatment, stigma associated with substance abuse problems, inadequate facilities, and simply a lack of information about treatment options; and

WHEREAS, since 1967, the Illinois Alcoholism and Drug Dependence Association (IADDA) has worked to educate the public about substance abuse and addiction, while also representing more than 100 treatment and prevention agencies across Illinois; and

WHEREAS, the theme of this year’s Recovery Month, “Join the Voices for Recovery – Build a Stronger, Healthier Community” aims to promote the societal benefits of alcohol and drug use disorder treatment, laud the contributions of treatment providers and promote the message that recovery from alcohol and drug use disorders in all its forms is possible; and
WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, and The Illinois Department of Human Services, Division of Alcoholism and Substance Abuse, invite all residents of Illinois to participate in National Alcohol and Drug Addiction Recovery Month:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH in Illinois, and call on all citizens to celebrate the lives of those who have successfully recovered, while encouraging those struggling with substance abuse to seek treatment.

Issued by the Governor August 22, 2006.
Filed by the Secretary of State August 23, 2006.

2006-280
CAMPUS FIRE SAFETY MONTH

WHEREAS, fire education and prevention is vital to ensuring the safety of Americans and Illinoisans; and

WHEREAS, college students living on their own for the first time are particularly susceptible to the danger posed by fires; and

WHEREAS, since January of 2000, more than 88 children, students, and parents throughout the country have died in student housing fires, and almost 80 percent of those deaths occurred in off-campus occupancies where the majority of students live unsupervised; and

WHEREAS, most fires can be avoided by practicing some simple commonsense behaviors and routines, such as: checking and turning off the oven and stove before going to sleep or leaving home, not overloading electrical circuits, safely stowing all dangerous and hazardous materials, keeping any electrical devices clear of water, checking and maintaining alarm and sprinkler systems, and noting the location of fire extinguishers to use in the event of an emergency; and

WHEREAS, education significantly helps minimize the risk of fire by raising awareness of those behaviors and routines, but many students do not receive effective fire safety education during their college career when they are generally most at risk:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as CAMPUS FIRE SAFETY MONTH in Illinois to encourage educators to provide educational programs on the dangers and prevention of fire as students begin and return to college.
Issued by the Governor August 22, 2006.
Filed by the Secretary of State August 23, 2006.

2006-281
DEVRY UNIVERSITY

WHEREAS, DeVry University, Chicago Campus, opened in 1931 as DeForest Training School. In the 1950s, the school became known as DeVry Technical Institute. The name was changed to DeVry Institute of Technology in 1968 and to DeVry University in 2002; and
WHEREAS, with rigorous, career-oriented undergraduate and graduate degree programs in technology, business, and management, DeVry University students are able to access these programs through a North American system of 80 locations as well as through DeVry University Online, all of which meet the needs of a diverse and geographically dispersed student population of approximately 46,000; and
WHEREAS, DeVry University is accredited by The Higher Learning Commission and is a member of the North Central Association, and various technical programs are accredited by NCA, TAC/ABET, OACETT, and ASET; and
WHEREAS, 2006 marks the 75th anniversary for DeVry University of Chicago, Illinois:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize DeVry University for their seventy-five years of educational excellence in our great State.
Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-282
GYNECOLOGIC CANCER AWARENESS MONTH

WHEREAS, approximately 9 women are diagnosed with gynecologic
cancer in America every hour. More than 77,000 will be diagnosed this year alone; and

WHEREAS, gynecologic cancer accounts for 10 percent of all cancer deaths and is the fourth largest cancer killer of women in the United States; and

WHEREAS, in Illinois, 12 percent of all cancer victims are diagnosed with gynecologic cancer, which accounts for 10 percent of all cancer deaths in the state; and

WHEREAS, the Society of Gynecologic Oncologists, whose doctors first train as obstetricians and gynecologists and then receive three to four years of additional training as cancer specialists, is the only United States medical society dedicated to the prevention, detection, and cure of gynecologic cancers; and

WHEREAS, based out of Chicago, the Gynecologic Cancer Foundation, founded by the Society of Gynecologic Oncologists in 1991, raises funds in support of programs that assist women at risk of developing gynecologic cancer, as well as those currently living with the disease; and

WHEREAS, during the month of September, the Gynecologic Cancer Foundation works with over 3,000 physicians, community partners, and the media to provide women with potentially life-saving information about gynecologic cancer; and

WHEREAS, my administration is committed to supporting and raising awareness in the critical fight against gynecologic cancer. Women in Illinois can receive assistance through such programs as the Illinois Breast and Cervical Cancer Program, which is administered by the Illinois Department of Public Health and provides free breast and cervical cancer screenings to women between the ages of 35 and 64 who have limited financial resources and/or are without health insurance:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as GYNECOLOGIC CANCER AWARENESS MONTH in Illinois, and encourage citizens of the State to support the worthy efforts of the Society of Gynecologic Oncologists and Gynecologic Cancer Foundation.

Issued by the Governor August 24, 2006.

Filed by the Secretary of State August 24, 2006.
2006-283
OVARIAN CANCER AWARENESS MONTH

WHEREAS, approximately 1 in every 69 women will be diagnosed with ovarian cancer in their lifetime. More than 26,000 will be diagnosed this year alone, including 627 from Illinois; and

WHEREAS, an estimated 15,000 women, including more than 650 from Illinois, will die of ovarian cancer this year, making ovarian cancer the deadliest gynecological cancer; and

WHEREAS, the cause of ovarian cancer is unknown, and there may be no symptoms or only mild ones in the early stages of the disease. Later symptoms include loss of appetite, feeling of fullness after a light meal, abdominal discomfort, nausea, and other digestive problems, excessive weight loss or gain, and abnormal bleeding in the vaginal area; and

WHEREAS, the risk of developing ovarian cancer may be reduced by cutting the amount of fat in a diet, breast feeding, using birth control pills and other methods of minimizing the number of ovulations, and surgical procedures, such as a hysterectomy, ovary removal, and tubal ligation; and

WHEREAS, raising awareness of the precautions, symptoms, and scope of ovarian cancer can save lives by increasing the chances of early detection and treatment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as OVARIAN CANCER AWARENESS MONTH in Illinois, and encourage citizens of the State to take preventative and proactive measures to ensure the health and safety of themselves and their families.

Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-284
YOUTH SOCCER MONTH

WHEREAS, soccer is one of the fastest growing sports in the United States. More than 19 million children, including 83,000 Illinois youth, play soccer; and

WHEREAS, soccer is a great way to engage Illinois children in a
healthy activity while teaching them valuable personal and social skills such as teamwork, commitment, and sportsmanship; and

WHEREAS, the United States Youth Soccer Organization, Soccer Federation, and President’s Council on Physical Fitness and Sport commemorates September as Youth Soccer Month to celebrate and raise awareness about the benefits of playing soccer; and

WHEREAS, Illinois Youth Soccer, a member of the United States Youth Soccer Organization, supports Youth Soccer Month and will sponsor celebrations and special events throughout the month at games and tournaments in Illinois; and

WHEREAS, this year marks the Fourth Annual Youth Soccer Month, and inner city, special needs, recreational, and elite soccer programs will all benefit from the exposure:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as YOUTH SOCCER MONTH in Illinois, and encourage citizens of the State to support the worthy efforts of all the sponsoring organizations, as well as to join in promoting the sport of soccer in this state and across the country.

Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-285
PAIN AWARENESS MONTH

WHEREAS, today, 50 to 75 million Americans and Illinoisans live with chronic pain caused by a variety of diseases and disorders, and nearly 25 million suffer from acute pain every year; and

WHEREAS, medical technology can help relieve and reduce most pain, yet many who suffer from pain are improperly treated, undertreated, or not treated at all; and

WHEREAS, the Northern Illinois Pain Resource Nurse Consortium, American Pain Foundation, and American Alliance of Cancer Pain Initiatives have teamed up to prepare a “Power Over Pain” campaign for the month of September to raise awareness about pain, and to encourage those living with pain to become their own best advocates; and
WHEREAS, as part of the “Power Over Pain” campaign, community events throughout Northern Illinois will educate medical professionals and the public about the undertreatment of pain, inadequate access to pain care, and barriers to pain management:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 PAIN AWARENESS MONTH in Illinois in support of the “Power Over Pain” campaign and efforts to improve and promote the management and treatment of pain.

Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-286
AMERICAN INDIAN DAY

WHEREAS, long before the arrival of Europeans to North American shores, Native Americans settled and lived throughout the United States, including the State of Illinois; and

WHEREAS, Native Americans established loose bands of tribes and confederations with sophisticated agricultural and hunting economies and social and political systems, which were designed to secure domestic peace and comfort within their communities; and

WHEREAS, after the arrival of Europeans, many Native Americans aided European colonization, especially by instructing European migrants in vital farming techniques and methods unique to the land; and

WHEREAS, sadly, European civilizations displaced many Native American communities, and many Native Americans were forced to assimilate into the new culture. Despite that, Native Americans have faithfully and heroically served in all American wars to defend democracy and freedom; and

WHEREAS, there are more than 550 federally recognized tribes in the United States, sharing a special, legal relationship with the federal government; and

WHEREAS, Native Americans and Alaska Natives are subject to the same federal laws and often state and local laws, in addition to tribal laws, while living as U.S. citizens or on a reservation, and thus ought to be accorded the same rights and privileges as any citizen of the United States;
and

WHEREAS, some Native American communities are beginning to thrive again thanks to the creativity, innovation, and above all, indomitable spirit of Native Americans:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 1, 2006 as AMERICAN INDIAN DAY in Illinois in honor and remembrance of those Native Americans who preceded us, without whom the success of European civilization would not have been possible, and in recognition of the contributions Native Americans have made to the United States, State of Illinois, and their own success.

Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-287
CULTURAL MONTH OF JALISCIENSES

WHEREAS, Jaliscienses represent one of the largest group of Mexican immigrants living in the United States; and

WHEREAS, of the 300,000 Jaliscienses living in the Midwest, 192,000 of those have chosen the State of Illinois to be their home; and

WHEREAS, the Federación Jalisciense del Medio Oeste is a not for profit organization that promotes the welfare and advancement of Jaliscienses in the Midwest as well as Mexico through educational, cultural, civic and social projects in a bi-national context to promote the formation of proactive citizens that seek a full participation in the societies in which they live; and

WHEREAS, The Honorable Francisco Ramírez Acuña, Governor of the Mexican State of Jalisco, will be present in Chicago August 24-26 to participate in the annual Semana Cultural Jalisciense 2006, a cultural and civic event that since 2000 has gathered Jaliscienses from all over the region to celebrate their culture and history, and strengthen their presence in the Midwest:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 2006 as CULTURAL MONTH OF JALISCIENSES in Illinois, in honor of the 192,000 Jaliscienses that make their homes in this great state.

Issued by the Governor August 24, 2006.
Filed by the Secretary of State August 24, 2006.

2006-288
LEMONT LITTLE LEAGUE DAY

WHEREAS, the 2006 Little League Team from Lemont, Illinois had a remarkable 2006 season. After defeating Mundelein National to earn the Illinois State Championship, they lost the first two games of the Great Lakes Region tournament, but rallied to win four games in a row to win the Great Lakes Championship and earn a spot as one of only 8 American teams to compete in the 2006 Little League World Series; and

WHEREAS, game one of the Little League World Series for Lemont ended in defeat at the hands of Arizona, but they bounced back the very next day in a 1-0 victory over New York. The win was characterized by an outstanding one-hit shutout performance by pitcher David Hearne; and

WHEREAS, in game three, Lemont matched up against the team from Columbus, Georgia, and pitching was again the highlight. Pitcher Brian Ferry tossed Lemont’s second consecutive one-hitter, struck out 13 batters, and led his team to victory by a score of 2-0. That win advanced the team to the U.S. Semifinals; and

WHEREAS, the Lemont team once again played skillfully in game one of the Semifinals, fighting hard to the very end with the winning run in scoring position in the bottom of the sixth inning, but the game ended in defeat to Beaverton, Oregon by a score of 4-3. Despite their elimination from the tournament, the Lemont Little League team made an amazing run at the title, and became the first Illinois team since 1992 to make it to the Little League World Series; and

WHEREAS, Illinois is proud of the Lemont Little League team for their outstanding play, and delighted that they are a part of this state’s rich tradition of excellence in sporting and athletics. We commend players Josh Ferry, Michael Hall, David Hearne, Andrew Hoffmeister, Marty Joyce, Michael Kamp, Dane Kemple, Zak Kutsulis, Austin Mastela, David Rimkus, Zack Soria, Chris Stoeberl, and Jeff Worsech, along with manager Mike Hall and coaches Dave Rimkus and Bob Soria for their amazing accomplishments in this 2006 Little League Season:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of

Filed by the Secretary of State August 25, 2006.

2006-289
Y-ME ILLINOIS DAY

WHEREAS, breast cancer is the second most common type of cancer in women, and approximately 212,900 women in the United States will be diagnosed with breast cancer this year; and

WHEREAS, in 1978, the Y-ME National Breast Cancer Organization was founded by two breast cancer patients, Mimi Kaplan and Ann Marcou, for the purpose of ensuring that no one confronts breast cancer alone; and

WHEREAS, Y-ME accomplishes their mission by raising awareness and providing peer support, and Y-ME Illinois has a multitude of programs and services available to support those afflicted with breast cancer here in this state; and

WHEREAS, open door support groups, teen and adult education workshops, the Gerry Weinberg Resource Library, the IlliNOISY Advocacy Network, the Sharon Rose Wig and Prosthesis Salon, and the 24-Hour Y-ME National Breast Cancer Hotline, are all offered without expense. Y-ME Illinois also issues a newsletter called In Touch to present the latest news on breast cancer issues; and

WHEREAS, these programs and services are only possible with the aid and support of the community, and the annual Y-ME Fashion Show is their major fundraiser; and

WHEREAS, this year, the Y-ME National Breast Cancer Organization celebrates the 26th anniversary of the Fashion Show, and Y-ME Illinois will celebrate their 6th Fashion Show on October 28:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 28, 2006 as Y-ME ILLINOIS DAY in recognition of the meritorious service Y-ME and Y-ME Illinois provides to those with cancer, and to encourage citizens of the State to support their worthy efforts.
WHEREAS, the polio vaccines have not yet eliminated naturally occurring cases of polio outside of the United States; and
WHEREAS, in 2005, polio was reported in five unvaccinated children in Minnesota and one unvaccinated adult in Arizona, the result of the poliovirus being imported into North America from abroad; and
WHEREAS, the Centers for Disease Control estimates that ten percent of toddlers, or one million American children, are not vaccinated against polio; and
WHEREAS, poor children in cities are least likely to be vaccinated against polio and most likely to be those first affected by an American polio epidemic; and
WHEREAS, the mission of the International Center for Post-Polio Education and Research includes educating about polio vaccination and Post-Polio Sequelae. The unexpected and often disabling symptoms: overwhelming fatigue, muscle weakness, muscle and joint pain, sleep disorders, heightened sensitivity to anesthesia, cold intolerance, and difficulty swallowing and breathing, occur in 75% of paralytic and 40% of non-paralytic polio survivors approximately 35 years after the poliovirus attack:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as POLIO VACCINATION MONTH in Illinois, and encourage all parents to vaccinate their children against polio and all diseases, and remind school districts to enforce the regulations requiring vaccination before admission.

Filed by the Secretary of State August 28, 2006.

WHEREAS, on August 29, 2005, the Gulf Coast was ravaged by
Hurricane Katrina, leaving thousands of people without homes and taking the lives of hundreds more; and

WHEREAS, in the wake of this terrible tragedy, states throughout the nation, including Illinois, as well as nations all across the world provided much needed assistance for the relief, recovery and cleanup operations; and

WHEREAS, with the need to help hundreds of thousands of displaced residents, other states opened their doors to the victims and assisted those individuals and families in getting their lives back in order. Here in Illinois, the outpouring of support from our citizens was wonderful, taking in more than 10,000 people from the Gulf states ravaged by the storm, and providing them with health care, food, shelter, and schools for their children; and

WHEREAS, Illinois’ involvement went beyond providing just emergency care. Anyone displaced by the hurricane who wished to stay in Illinois, stayed, and we continue to provide services for those who need them; and

WHEREAS, on the one year anniversary of Hurricane Katrina, Illinois takes time to remember this great national tragedy, and pay tribute to those who were killed or displaced in its ravages. We also take this opportunity to commend all those in Illinois who opened their hearts and arms to their brothers and sisters in distress:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 29, 2006 as HURRICANE KATRINA REMEMBRANCE DAY in Illinois, in tribute to the victims of Hurricane Katrina, and the compassionate Illinoisans who assisted them in their time of need.

Issued by the Governor August 28, 2006.
Filed by the Secretary of State August 28, 2006.

2006-292
NATIONAL PAYROLL WEEK

WHEREAS, more than 140 million Americans, including approximately 12.5 million Illinoisans, contribute millions of dollars to federal and state treasuries through payroll taxes each year; and

WHEREAS, payroll taxes help subsidize vital civic programs and projects, such as education, Medicare, parks, roads, and Social Security; and
WHEREAS, by paying and reporting worker wages and collecting and paying employment taxes, which account for 66 percent of United States Treasury revenue from workers, payroll professionals perform an essential role in supporting the country; and
WHEREAS, payroll professionals also play a key role in maintaining our state’s economic health, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting, and depositing; and
WHEREAS, the American Payroll Association, and its Diamond Sponsor, Automatic Data Processing, conducts a nationwide public awareness campaign that explains the payroll withholding system, promotes the benefits of payroll, and pays tribute to American workers and payroll professionals; and
WHEREAS, these dedicated professionals meet regularly with federal and state officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 4-8, 2006 as NATIONAL PAYROLL WEEK in Illinois in recognition of all the hardworking Americans in this state, and in support of the worthy efforts of the American Payroll Association and their Chicago Chapter.

Issued by the Governor August 29, 2006.
Filed by the Secretary of State August 29, 2006.

2006-293
FAITH IN ACTION DAY

WHEREAS, throughout the history of our nation, the spirit of volunteerism has been reflected in neighbors helping neighbors to overcome obstacles; and
WHEREAS, in 1993, Faith in Action was established with support from the Robert Wood Johnson Foundation, as a program to provide volunteer care for people with long-term health needs such as arthritis, diabetes, cancer, Alzheimer's, and HIV/AIDS; and
WHEREAS, Faith in Action programs are coalitions of local religious
congregations, health care providers, community organizations and service providers who work together to provide those in need with non-medical assistance; and

WHEREAS, through Faith in Action, Americans of every faith including Catholics, Hindus, Jews, Muslims, and Protestants work together to help members of their community with long-term health needs to maintain their independence for as long as possible; and

WHEREAS, there are thirty-three active Faith in Action programs in Illinois where volunteers assist those in need by performing duties such as shopping for groceries, providing rides to medical appointments, cooking meals, doing light housework, running errands, and providing companionship:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17, 2006 as FAITH IN ACTION DAY in Illinois, and encourage all citizens to promote the spirit of volunteerism in our families and communities by expressing their gratitude to the noble volunteers across our state.

Issued by the Governor August 29, 2006.
Filed by the Secretary of State August 29, 2006.

2006-294
5-A-DAY MONTH

WHEREAS, the prevention of obesity, cancer, and heart disease are three of the most urgent health challenges of our day, with heart disease being the leading cause of death in Illinois; and

WHEREAS, the Illinois Department of Human Services and the Illinois Department of Public Health recommend that people should increase their consumption of fruits and vegetables and be physically active each day, to help reduce the risk of obesity, cancer, and heart disease; and

WHEREAS, only 22.6 percent of Illinoisans eat five or more fruits and vegetables a day and only 40.2 percent of Illinoisans get the recommended 30 minutes of physical activity a day; and

WHEREAS, the Center for Disease Control continues their work to support the 5-A-Day for Better Health national disease prevention and health promotion program; and
WHEREAS, the Illinois Department of Human Services and the Illinois Department of Public Health support the 5-A-Day goal and 5-A-Day Month. The theme of this observance is “Fruits and Vegetables Count: What is your Number”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 2006 as 5-A-DAY MONTH in Illinois, and encourage all citizens to recognize the health benefits of eating healthy foods on a daily basis.

Issued by the Governor August 30, 2006.
Filed by the Secretary of State August 30, 2006.

2006-295
FETAL ALCOHOL SYNDROME DISORDERS AWARENESS DAY

WHEREAS, Fetal Alcohol Syndrome (FAS) is one of the most preventable causes of mental retardation and birth defects. Sadly, as many as 40,000 infants are still born every year in the United States with fetal alcohol effects; and

WHEREAS, Fetal Alcohol Syndrome Disorders are the leading cause of mental retardation in western civilization, including the United States, and are 100 percent preventable; and

WHEREAS, FAS is a lifelong, mentally and physically disabling condition caused by mothers who drink during pregnancy; and

WHEREAS, research has found that even minimal drinking during pregnancy can kill developing brain cells and result in brain damage, facial deformities, and growth abnormalities. Heart, kidney, and liver defects are also common; and

WHEREAS, those with FAS typically have difficulty communicating, learning, and memorizing. Consequently, they have trouble in school and are often deficient in interpersonal skills; and

WHEREAS, unfortunately, there is no cure for FAS. However, with early detection and diagnosis, children with FAS can receive services that increase their chance for a better life; and

WHEREAS, since 1999, September 9 has been observed as International FAS Day to encourage expecting mothers to abstain from alcohol during their nine months of pregnancy:
THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim September 9, 2006 as FETAL ALCOHOL SYNDROME DISORDERS AWARENESS DAY in Illinois to raise awareness about Fetal Alcohol Syndrome, and to urge all expecting mothers to take extra precautions while pregnant for the health and well-being of their children.

Issued by the Governor August 30, 2006.
Filed by the Secretary of State August 30, 2006.

2006-296
GORDON D. BUSH ELEMENTARY SCHOOL DAY

WHEREAS, Gordon D. Bush is a native of East St. Louis and was educated in School District 189. He is a graduate of SIUE with Bachelors and Masters Degrees in City Planning. The University honored him with its coveted “Distinguished Alumni Award.” Gordon has received two honorary doctorate degrees: from Wiley College in Marshall, Texas; and from Mount Sanario College in Ladysmith, Wisconsin; and

WHEREAS, Gordon served 28 years as a Commissioned Officer, U.S. Army Corps of Engineers, including 25 years with the 102nd U.S. ARCOM, St. Louis, MO. Gordon retired as a Lieutenant Colonel and was commended by President Bill Clinton for “Meritorious Military Service to his Country”; and

WHEREAS, in 1993, Mayor Bush brought the Casino Queen to East St. Louis causing the greatest economic boom in the city’s history. He appeared on “Good Morning America” and was featured in “TIME” Magazine to explain how he leveraged these new funds to bring fiscal solvency to his city; and

WHEREAS, Gordon was appointed by the Honorable Secretary of State Jesse White to serve as Chief Liaison for the Department of Senior and Community Services for downstate Illinois; and

WHEREAS, Gordon’s illustrious 30 years in public service includes: elected East St. Louis (ESL) Democratic Committeeman, elected ESL City Commissioner, elected ESL City Treasurer, elected first Black Member and Chairman of St. Clair County Board of Review, elected Mayor of ESL, and elected St. Clair County Assessor; and

WHEREAS, a ribbon-cutting/open house ceremony will be held for
the new Gordon D. Bush Elementary School, named in his honor, on September 7, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 7, 2006 as GORDON D. BUSH ELEMENTARY SCHOOL DAY in Illinois.

Issued by the Governor August 31, 2006.
Filed by the Secretary of State August 31, 2006.

2006-297
CARIBBEAN FESTIVAL DAYS

WHEREAS, on September 9th and 10th, 2006, the 3rd Annual Caribbean Festival will be hosted by Martin’s International Culture, Inc., its affiliate Martin’s Inter-Culture Ltd., and several sponsors; and
WHEREAS, this year’s Caribbean Festival is dedicated to “Teens In Crisis,” and Unity among all Nations, with the belief that “Out of Many We are One People”; and
WHEREAS, the primary objective of the Festival is to bring together, under one umbrella, people of various nationalities, cultures, and ethnic backgrounds; and
WHEREAS, the Caribbean Festival will give a Back-to School Scholarship for students to help with school tuition and expenses; and
WHEREAS, a “Chi-Town Idol” contest will be conducted to find Illinois’ most talented artists in song, spoken word, and dance:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 9th and 10th, 2006 as CARIBBEAN FESTIVAL DAYS in Illinois, and encourage all residents to participate in this family event.

Issued by the Governor August 31, 2006.
Filed by the Secretary of State August 31, 2006.

2006-298
GEORGIA DOTY HEALTH EDUCATION FUND DAY

WHEREAS, the Georgia Doty Health Education Fund (GDHEF) is a non-profit organization that works to raise awareness of community health
issues; and

WHEREAS, named after the late Georgia Doty, a pioneer in the healthcare industry and philanthropic entrepreneur, the Georgia Doty Scholarship Fund was established in 1985 as a community-based initiative to provide scholarships to low-income and disadvantaged minorities seeking a career in medicine; and

WHEREAS, the GDHEF is committed to working with health organizations and public agencies, as well as individuals, to develop partnerships resulting in quality programming and good public policy making, based on accurate information regarding health disparities. The mission of GDHEF is served through activities that include the dissemination of vital health care information to underserved communities, which is provided through symposiums, seminars, and literature; and

WHEREAS, after being diagnosed with Hepatitis C in 1998, Ronald Doty, son of the late Georgia Doty and founder of the Georgia Doty Scholarship Fund, immediately began researching the disease, its causes, progression and treatment, and launched a passionate campaign to educate the public about its prevention, intervention, and treatment. In line with Georgia's vision, he focused his attention on ensuring that Chicago's women and minorities became well-informed about the dangers of this disease; and

WHEREAS, to further ensure a focused campaign, the Georgia Doty Scholarship Fund's name was changed to the Georgia Doty Health Education Fund (GDHEF) in 2001, expanding its mission to focus on the prevention and early detection of Hepatitis C; and

WHEREAS, on October 28, 2006, the Georgia Doty Health Education Fund will be holding their annual Health Warriors Awards Ceremony:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 28, 2006 as GEORGIA DOTY HEALTH EDUCATION FUND DAY in Illinois, in recognition of this organization’s vital impact on our great State.

Issued by the Governor August 31, 2006.

Filed by the Secretary of State August 31, 2006.
2006-299
ITALIAN HERITAGE MONTH/CHRISTOPHER COLUMBUS DAY

WHEREAS, the first Italian to set foot in this hemisphere was an explorer named Christopher Columbus. Daring to find a western route to Asia, Columbus set sail in 1492 and stumbled upon the Caribbean that same year; and

WHEREAS, today, there are more than 15 million Italian-Americans living in just the United States. Of them, nearly 750,000 live in the State of Illinois; and

WHEREAS, Italian-Americans have made significant contributions to American life. From sciences to the arts, their influences can be clearly seen throughout the country; and

WHEREAS, in 1976, President Jimmy Carter issued a proclamation to recognize the many achievements and successes of Italian-Americans. Since then, every October has been designated the official month to celebrate Italian-American heritage; and

WHEREAS, the second Monday of every October is also designed as a national holiday in honor of Christopher Columbus. In commemoration, the Joint Civic Committee of Italian Americans hosts an annual Columbus Day Parade in Chicago:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as ITALIAN HERITAGE MONTH and October 9, 2006 as CHRISTOPHER COLUMBUS DAY in Illinois in recognition of Italian-American heritage, and in honor of Christopher Columbus and his contributions to the birth of this nation.

Issued by the Governor August 31, 2006.
Filed by the Secretary of State August 31, 2006.

2006-300
KINDERGARTEN DAY

WHEREAS, enrollment in pre-primary education in the United States has increased significantly since 1991. According to the National Center for Education Statistics, from 1991 – 2001, pre-primary enrollment of children
between the ages of three and five increased by twenty percent; and

WHEREAS, during the kindergarten years, children often make considerable gains in reading and math. In addition, they begin to develop advanced social skills from the constant interaction that they have with one another; and

WHEREAS, those different skills and abilities that kindergarteners acquire lay the foundation for success at future grade levels. History has shown that in many cases, these children go on to become more competent learners, and are less likely to be held back in school; and

WHEREAS, my administration is committed to improving education in Illinois at all levels. Since taking office, significant increases have been made for K-12 spending and per-student state aid funding. This year, with the support of the General Assembly, Illinois became the first state in the nation to offer three and four-year-olds the opportunity to attend preschool through the Preschool for All program. With these efforts, we are aiming to not only enhance the educational experiences of current students, but also to continue increasing enrollment in pre-school and kindergarten programs in this state:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim the second Tuesday of September, September 12, 2006, as KINDERGARTEN DAY in Illinois, and encourage all parents to enroll their children in kindergarten to enhance their abilities, and provide them with better chances to succeed later in life.

Issued by the Governor September 01, 2006.
Filed by the Secretary of State September 01, 2006.

2006-301
YELLOW RIBBON SUICIDE AWARENESS AND PREVENTION WEEK

WHEREAS, suicide is a devastating problem among American youths, families, and communities today; and

WHEREAS, more than 30,000 Americans commit suicide every year, and suicide is now the fastest growing killer of youth. Among youth between the ages of 15 and 24 in the United States, suicide is the third leading cause of death; and

WHEREAS, research shows that almost all youth suicides are
preventable, and there are a number of resources available to help those contemplating suicide; and

WHEREAS, for these reasons, one of the main goals of the Yellow Ribbon Suicide Prevention Program is to combat the stigma that prevents people from seeking the help they need; and

WHEREAS, the Yellow Ribbon Suicide Prevention Program has been working for years with the endorsement of many counties, mental health organizations, education departments, and Safe and Drug Free School Programs; and many schools, churches, and youth groups are using the program to help save lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17-23, 2006 as YELLOW RIBBON SUICIDE AWARENESS AND PREVENTION WEEK in Illinois to raise awareness about suicide, and to encourage citizens of the State to support the worthy efforts of the Yellow Ribbon Suicide Prevention Program.

Issued by the Governor September 06, 2006.
Filed by the Secretary of State September 06, 2006.

2006-302
NATIONAL ASSISTED LIVING WEEK

WHEREAS, the number of elderly and disabled Americans is dramatically increasing; and

WHEREAS, assisted living is a long-term care service that fosters choice, dignity, independence, and autonomy in our elderly nationwide; and

WHEREAS, the National Center for Assisted Living proudly created National Assisted Living Week and the Illinois Health Care Association proudly serves its assisted living facility members; and

WHEREAS, the theme of National Assisted Living Week 2006, “Hearts in Harmony,” provides us the opportunity to promote the special bond between our beloved seniors and the staff who care for them. That bond is the most special of bonds and one of great love, trust, and friendship; and

WHEREAS, the weeklong national celebration begins on Grandparents Day, September 10-16, 2006, to promote and recognize the special role assisted living and residential care facilities play in caring for more than one million seniors and people with disabilities:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 10-16, 2006 as NATIONAL ASSISTED LIVING WEEK in Illinois, and encourage all citizens to visit friends and loved ones who reside at these facilities throughout Illinois and also to learn more about assisted living services and how they benefit our communities.

Issued by the Governor September 06, 2006.
Filed by the Secretary of State September 06, 2006.

2006-303
NATIONAL POW/MIA RECOGNITION DAY

WHEREAS, throughout American history, thousands of American soldiers have been captured and gone missing during war. To this day, hundreds are still imprisoned or unaccounted for; and
WHEREAS, despite that, many families still hold out hope that their loved ones will be found or recovered; and
WHEREAS, the National League of Families of American Prisoners and Missing in Southeast Asia has been representing the families of those veterans not yet returned since 1970; and
WHEREAS, because of their efforts, and the efforts of countless others, the United States government has taken active measures to find the answers to the many questions families of prisoners of war and missing in action have; and
WHEREAS, today, the United States government is cooperating with the governments of Cambodia, the People’s Republic of China, Laos, North Korea, Russia, Vietnam, and other countries to expedite the process of finding our soldiers; and
WHEREAS, in honor of those still imprisoned and missing and their families, the President of the United States, the United States Secretary of Defense, and the National League of Families of American Prisoners and Missing in Southeast Asia will observe September 15 as National POW/MIA Recognition Day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 15, 2006 as NATIONAL POW/MIA RECOGNITION DAY in Illinois, and encourage all citizens of our state to
PRINCIPALS WEEK AND PRINCIPALS DAY

WHEREAS, principals play an important role in the education of our children in elementary, middle, and secondary schools all across the State of Illinois; and

WHEREAS, principals are responsible for promoting education and working with parents and teachers to ensure that each child receives services that meet their needs to excel in the classroom; and

WHEREAS, the Illinois Principals Association, which represents 4,200 principals statewide, believes that learning is a lifelong process and that the education of our children is the highest priority; and

WHEREAS, for that reason, the Illinois Principals Association is dedicated to the improvement of elementary and secondary education in Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim the week of October 15-21, 2006 as PRINCIPALS WEEK and October 20, 2006 as PRINCIPALS DAY in Illinois to recognize principals and the Illinois Principals Association for all that they do to help our children learn and succeed.

Issued by the Governor September 06, 2006.

Filed by the Secretary of State September 06, 2006.

2006-305
CONSTITUTION WEEK

WHEREAS, the Second Continental Congress declared independence of the United States from Great Britain in 1776, and asserted their inalienable rights, including life, liberty, and the pursuit of happiness; and

WHEREAS, in 1787, a convention of delegates from 12 of the original 13 states met in Philadelphia and framed the United States Constitution, which was ratified in 1788 and replaced the Articles of
Confederation the following year as the supreme law of the land; and

WHEREAS, two years later, 10 amendments, commonly referred to as the Bill of Rights, were adopted to establish and protect certain individual rights, such as freedom of speech and exercise of religion; and

WHEREAS, since that time, more than 10,000 amendments to the Constitution have been proposed, yet only 27 have been adopted; and today, the Constitution is the oldest living government covenant in the world; and

WHEREAS, in accord with Public Law 915, the President of the United States issues a proclamation designating September 17-23 as Constitution Week every year; and

WHEREAS, this year, we celebrate the 219th birthday of the Constitution of the United States, under which Illinois became the 21st state in 1818:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17-23, 2006 as CONSTITUTION WEEK in Illinois in tribute to the enduring greatness of the United States Constitution.

Issued by the Governor September 06, 2006.
Filed by the Secretary of State September 06, 2006.

2006-306
NATIONAL SURGICAL TECHNOLOGIST WEEK

WHEREAS, surgical technologists in Illinois play a vital role in the care and health of surgical patients; and

WHEREAS, surgical technologists, also called scrubs and surgical or operating room technicians, are members of operating room teams, which most commonly include surgeons, anesthesiologists, and circulating nurses; and under the supervision of surgeons, registered nurses, or other surgical personnel, surgical technicians assist medical operations in a number of capacities; and

WHEREAS, today, all major hospitals in Illinois employ surgical technologists to work with surgeons in the operating room to provide quality patient care; and

WHEREAS, as the baby boomer generation, which accounts for a large percentage of the general population, approaches retirement age, and
technological advances, such as fiber optics and laser technology, permit new surgical procedures that surgical technologists often operate, employment of surgical technicians is expected to grow faster than the average for all occupations; and

WHEREAS, encouragingly, the Illinois community college system currently has 16 programs that graduate top quality students each year; and

WHEREAS, the Association of Surgical Technologists annually designates a week in September as National Surgical Technologist Week to celebrate and promote the profession:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17-23, 2006 as NATIONAL SURGICAL TECHNOLOGIST WEEK in Illinois in honor of the outstanding service surgical technologists perform for surgical patients, and in support of the Association of Surgical Technologist’s efforts to raise public awareness about the profession.

Issued by the Governor September 06, 2006.
Filed by the Secretary of State September 06, 2006.

2006-307
NATIONAL ADULT DAY SERVICES WEEK

WHEREAS, adult day service centers in Illinois provide professional and compassionate services for functionally and cognitively impaired adults; and

WHEREAS, adult day service centers offer an array of services, including restorative and functional maintenance rehabilitation, skilled and preventative care, individual and group activities; and

WHEREAS, adult day service centers also offer participants an opportunity for educational, therapeutic, and social enrichment outside the home; and

WHEREAS, thanks to their services, adult day service centers have helped thousands of adults receive needed care and services in a community setting. Furthermore, these centers have provided much needed assistance and counseling for caregivers and loved ones; and

WHEREAS, in recognition of adult day service centers, the National Adult Day Services Association has designated September 17 to 23 as Adult
Day Services Week:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17 - 23, 2006 as NATIONAL ADULT DAY SERVICES WEEK in Illinois to join the National Adult Day Services Association in recognizing adult day service centers, which help so many men and women in our state.

Issued by the Governor September 06, 2006.
Filed by the Secretary of State September 06, 2006.

2006-308
DISASTER AREA - STATE OF ILLINOIS

Severe storms moved through Winnebago County and the City of Rockford, Illinois on Monday, September 4, 2006. These storms resulted in Flash flooding forcing many residents from their homes, causing damage to homes, businesses and infrastructures.

In the interest of aiding the citizens of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and specifically, declare Winnebago County including the City of Rockford as a disaster area, pursuant to the provisions of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7.

This gubernatorial proclamation of disaster will facilitate the Illinois Emergency Management Agency in providing financial assistance from the disaster relief fund for extraordinary costs incurred by local units of government in responding to and recovery from the damage and debris. This proclamation will facilitate coordination of state assets in responding to local government requests for assistance in the areas most severely impacted by the disaster.

Issued by the Governor September 07, 2006.
Filed by the Secretary of State September 07, 2006.

2006-309
DAY OF REMEMBRANCE FOR SEPTEMBER 11

WHEREAS, on September 11, 2001, a great tragedy befell American
soil when four commercial airliners were hijacked by terrorists and sent on a mission that would result in mass destruction and the loss of thousands of innocent lives; and

WHEREAS, at 8:46 a.m. (EST) on that fateful day, American Airlines Flight 11 crashed into the north tower of the World Trade Center in New York City, tearing a gaping hole into the building and setting it on fire. Less than 20 minutes later, United Airlines Flight 175 crashed into the south tower, causing similar destruction. To the horror of onlookers and viewers across the world, both towers collapsed to the ground within two hours initial impact; and

WHEREAS, at 9:43 a.m., American Airlines Flight 77 struck the Pentagon in Arlington, Virginia, sending up a large cloud of smoke and prompting the immediate evacuation of the building; and

WHEREAS, the fourth and final plane, United Airlines Flight 93, crashed into a field in Pennsylvania at 11:26 a.m. It was because of the heroics of passengers onboard this flight that the plane was diverted from striking its intended target. No passenger or crew member on any of the four flights survived; and

WHEREAS, in all, the death toll on September 11, 2001 reached in the thousands and in the wake of these attacks, our country was in a state of sadness and turmoil, searching for answers and finding comfort in one another. But the overwhelming acts of heroism and patriotism were inspiring, giving us the will to push forward and make our nation even stronger than before; and

WHEREAS, the United States will never fully recover from the events of September 11, which equaled perhaps the greatest tragedy our country has ever seen. But by commemorating this dark day in our history, we are reminded to always remain vigilant in our efforts to stop terrorism and make this world a more safe and peaceful place; and

WHEREAS, this year, as we recognize the fifth anniversary of the September 11 attacks and mourn the innocent lives that were lost on that day, we also take time to reflect on our freedom and thank the brave men and women who work hard everyday to defend that freedom for future generations of Americans:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 11, 2006 as a DAY OF
REMEMBRANCE FOR SEPTEMBER 11 in Illinois, and order the flag of the United States of America to fly at half-staff at all State facilities from sunrise until sunset on this day in recognition of the fifth anniversary. Additionally, I call upon all the people of this state to join in observing a moment of silence at 7:46 a.m. on this day as a solemn gesture of tribute to the victims of the September 11 terrorist attacks and their families.

Issued by the Governor September 07, 2006.
Filed by the Secretary of State September 07, 2006.

2006-310
NATIONAL CREDIT EDUCATION WEEK

WHEREAS, the use of credit has become increasingly important to the American consumer and to the nation’s economy, evidenced by the fact that consumer installment purchases have more than doubled in the past decade; and

WHEREAS, along with this new trend also comes the need for the American consumer to be more financially responsible. While most consumers are aware of mistakes that should be avoided when dealing with personal finances, they are less likely to actually follow these rules; and

WHEREAS, the Association of Credit and Collection Professionals International, in conjunction with the Illinois Student Assistance Commission, will sponsor National Credit Education Week; and

WHEREAS, National Credit Education Week is a public service campaign intended to help consumers develop good money management habits, including using credit with caution and paying bills promptly:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 18 – 23, 2006 as NATIONAL CREDIT EDUCATION WEEK in Illinois and urge all Illinoisans to educate themselves on ways to become better informed consumers.

Issued by the Governor September 08, 2006.
Filed by the Secretary of State September 08, 2006.
2006-311
CONSTITUTION DAY

WHEREAS, the Second Continental Congress declared independence of the United States from Great Britain in 1776, and asserted their inalienable rights, including life, liberty, and the pursuit of happiness; and

WHEREAS, in 1787, a convention of delegates from 12 of the original 13 states met in Philadelphia and framed the United States Constitution, which was ratified in 1788 and replaced the Articles of Confederation the following year as the supreme law of the land; and

WHEREAS, two years later, 10 amendments, commonly referred to as the Bill of Rights, were adopted to establish and protect certain individual rights, such as freedom of speech and exercise of religion; and

WHEREAS, since that time, more than 10,000 amendments to the Constitution have been proposed, yet only 27 have been adopted; and today, the Constitution is the oldest living government covenant in the world; and

WHEREAS, in accord with Public Law 108-447, the President of the United States issues a proclamation designating September 17 as Constitution Day every year; and

WHEREAS, this year, we celebrate the 219th birthday of the Constitution of the United States, under which Illinois became the 21st state in 1818:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17, 2006 as CONSTITUTION DAY in Illinois in tribute to the enduring greatness of the United States Constitution.

Issued by the Governor September 08, 2006.
Filed by the Secretary of State September 08, 2006.

2006-312
KIDS DAY AMERICA/INTERNATIONAL

WHEREAS, a child’s welfare is the foremost concern of every parent in and around the world; and

WHEREAS, for that reason, Kids Day America/International was established by Chiropractors to educate families and communities throughout
the world about social issues that concern children’s welfare, including health, safety, and the environment. Chiropractors achieve that by addressing drug and health issues, bicycle and fire safety, recycling, and many other important topics; and

WHEREAS, additionally, with the help and support of thousands of local dentists, county sheriff and police personnel, and photographers who all volunteer their time, every child that attends Kids Day has the opportunity to create and complete a Child Safety ID Card; and

WHEREAS, to date, more than 2,000 communities, and nearly 3 million children and their parents, have participated in this event; and

WHEREAS, this year, the 12th annual Kids Day event will be hosted on September 16, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 16, 2006 as KIDS DAY AMERICA/INTERNATIONAL in Illinois in support of the commendable campaign by Kids Day and the Walton Clinic to protect our children so they can grow and succeed as all parents dream.

Issued by the Governor September 12, 2006.

Filed by the Secretary of State September 12, 2006.

2006-313
BLOOD COLLECTORS WEEK

WHEREAS, approximately four million patients in the United States receive blood transfusions every year, and roughly 38,000 units of blood are required in hospitals and emergency treatment facilities on any given day; and

WHEREAS, unfortunately, blood donations often fall short of demand. While approximately eight million volunteers donate blood every year, just one trauma patient can use more than 100 units of blood, and donated blood has a shelf life of only 42 days; and

WHEREAS, less than 5 percent of the eligible population actually donates blood, and community blood centers rely 100 percent on donations from volunteer donors in order to maintain a safe and viable blood supply; and

WHEREAS, even if volunteers donated blood regularly, donors can give only one unit of blood every eight weeks. Consequently, there is a
continual need to recruit more donors; and

WHEREAS, each year, members of the Illinois Coalition of Community Blood Centers collect more than 570,000 blood donations to care for patients in 175 hospitals in 71 Illinois counties; and

WHEREAS, the Coalition’s nearly 1,500 blood collection professionals in Illinois are the responsible stewards of this blood supply:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 17-23, 2006 as BLOOD COLLECTORS WEEK in Illinois, and encourage all eligible donors to open their hearts this month by giving blood and to pay tribute to those among us who spend each day dedicated to ensuring an adequate blood supply.

Issued by the Governor September 12, 2006.

Filed by the Secretary of State September 12, 2006.

2006-314

OPERATION SNOWBALL MONTH

WHEREAS, Operation Snowball is a program that encourages kids to stay substance-free by providing them with interactive group sessions; and

WHEREAS, over 50,000 kids participate in Operation Snowball, which is partnered with the Illinois Alcoholism and Drug Dependence Association. Operation Snowball currently has 140 chapters and is continually expanding; and

WHEREAS, the program focuses on prevention messages that aim primarily at the high school age because many students of this age understand the idea behind prevention. Group learning sessions present facts about drug and alcohol use and help students to develop their own ideas about substances before they are faced with situations in their future lives; and

WHEREAS, Operation Snowball is continually expanding to include people of all ages into their program by creating Snowflakes for junior high students and Snowflurries for elementary students. These programs teach kids the importance of living a substance-free lifestyle at an early age. There is also Segues for college students and Blizzards for families, helping to serve as role models for the younger children; and

WHEREAS, Operation Snowball gives young adults the opportunity to enhance their leadership skills as well as maintain their substance-free
lifestyle by mentoring younger children and motivating them to live by the same standards:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as OPERATION SNOWBALL MONTH and encourage all youth and young adults to maintain a healthy, substance-free lifestyle.

Issued by the Governor September 12, 2006.
Filed by the Secretary of State September 12, 2006.

2006-315
WORLD’S LARGEST ICE CREAM SOCIAL DAY

WHEREAS, the Make-A-Wish Foundation was established in 1980 when they helped a little boy named Chris Greicius realize his heartfelt wish to become a police officer; and

WHEREAS, Cold Stone Creamery and the Make-A-Wish Foundation have partnered in a large-scale fund-raising effort, the World’s Largest Ice Cream Social, that will give a free serving of ice cream to anyone that makes a donation toward the Make-A-Wish Foundation; and

WHEREAS, for the past four years, the partnership of Cold Stone Creamery and the Make-A-Wish Foundation has raised a total of $1.8 million dollars, which has resulted in hundreds of wishes being granted across the country; and

WHEREAS, throughout their 25 years of existence, the Make-A-Wish Foundation has continued to fulfill their noble mission with the motto, “We grant the wishes of children with life-threatening medical conditions to enrich the human experience with hope, strength, and joy”; and

WHEREAS, there is a network of more than 25,000 volunteers giving their time to the Make-A-Wish Foundation in an effort to serve children with life-threatening conditions. Among many other functions, the volunteers serve as wish granters, fund raisers, and special events assistants; and

WHEREAS, more than 127,000 children worldwide have been able to experience their wishes because of the many efforts put forth by the volunteers of the Make-A-Wish Foundation; and

WHEREAS, the State of Illinois is pleased to join the Cold Stone Creamery and the Make-A-Wish Foundation, as they host “World’s Largest
Ice Cream Social” on September 28, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 28, 2006 as WORLD’S LARGEST ICE CREAM SOCIAL DAY in Illinois, and encourage all citizens to visit one of the 1,400 Cold Stone Creamery locations to help support the wonderful efforts put forth by the Make-A-Wish Foundation.

Issued by the Governor September 13, 2006.
Filed by the Secretary of State September 13, 2006.

2006-316
PORK MONTH

WHEREAS, each year the Illinois pork industry contributes more than $1.9 billion to the economy and provides nearly 18,500 jobs. Illinois currently ranks 4th among all states in pork production, producing 1.73 billion pounds of pork annually; and

WHEREAS, great strides have been made in the pork industry through innovative advancements in genetics, production and management, resulting in an economical and nutritious product for today's consumers. The Illinois Pork Producers Association is recognized for their support in research advancing the quality of pork production and products, educating the public on issues effecting the pork industry and promoting pork in all markets; and

WHEREAS, Illinois Pork Producers provide leadership to all those in agriculture as true stewards of the land, striving to preserve those resources they rely on for their livelihood:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as PORK MONTH in Illinois, and join in celebrating the many successes of Illinois Pork Producers in this state.

Issued by the Governor September 15, 2006.
Filed by the Secretary of State September 15, 2006.

2006-317
THE MONTH OF THE YOUNG ADOLESCENT

WHEREAS, the early years of adolescence are usually some of the most difficult in our lives; and
WHEREAS, during early adolescence, we undergo extensive mental and physical changes that often create behavioral problems; and

WHEREAS, common characteristics of social behavior include irritability, mood swings, depression, and combativeness; and

WHEREAS, by raising awareness, we can help young adolescents and others avoid the pitfalls that only aggravate those and other behavioral problems that develop during the sensitive, yet formative years of early adolescence; and

WHEREAS, while early adolescence can be a time of great trial, it is also a period of tremendous growth. The mistakes made then can be valuable lessons learned that lead to maturity; and

WHEREAS, as part of an effort to raise awareness, the National and Illinois Associations of Middle-Level Schools annually observes October as The Month of the Young Adolescent:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as THE MONTH OF THE YOUNG ADOLESCENT in Illinois, and join the National and Illinois Associations of Middle-Level Schools in promoting education about early adolescence.

Issued by the Governor September 15, 2006.
Filed by the Secretary of State September 15, 2006.

2006-318
CHIROPRACTIC HEALTH CARE MONTH

WHEREAS, every year, more than 30 million Americans throughout the country, including 2 million in Illinois, visit chiropractors, who locate and help correct joint and spinal problems; and

WHEREAS, the U.S. Bureau of Labor Statistics reports that work-related illnesses and musculoskeletal injuries surpassed 4.2 million incidents in 2004, accounting for 32 percent of all injuries requiring employees to take days off from work at an estimated cost of more than $150 billion a year in worker’s compensation costs; and

WHEREAS, chiropractic physicians have long stressed that exercise, good posture, and balanced nutrition are essential to proper growth, development, and health maintenance; and
WHEREAS, Illinois chiropractic physicians are dedicated to protecting and promoting patient rights, the practice of chiropractic medicine, and fostering the growth of chiropractic through ongoing training and a commitment to safe and ethical practice; and

WHEREAS, this October, chiropractic organizations will sponsor events for chiropractors to meet and learn about the best techniques and practices in the profession today:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as CHIROPRACTIC HEALTHCARE MONTH in Illinois to raise awareness about chiropractic care, and to promote chiropractors as an important part of the health and well-being of citizens.

Issued by the Governor September 15, 2006.
Filed by the Secretary of State September 15, 2006.

2006-319
NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK

WHEREAS, the week of November 12-18, 2006 has been declared National Elevator Escalator Safety Awareness Week; and
WHEREAS, the purpose of this week is to increase public awareness of the safe and proper use of elevators, escalators, and moving walkways; and
WHEREAS, the goal of this week is to reduce avoidable accidents through education and awareness; and
WHEREAS, the elevator industry greatly contributes to the quality of life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 12-18, 2006 as NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK in Illinois.

Issued by the Governor September 18, 2006.
Filed by the Secretary of State September 18, 2006.
WHEREAS, domestic violence is a serious prevalent social problem in Illinois that not only negatively affects the victim, but also affects the victim’s family, friends, and community at large. The violence knows no boundaries. It exists in all neighborhoods, in all cities in Illinois. It has no racial barriers, no economic barriers, and no social barriers; and

WHEREAS, domestic violence is more than the occasional family dispute. Of all female murder victims, over 60% are killed by their husbands or partners. Approximately 1,700 domestic violence homicides occur every year in the U.S.; and

WHEREAS, in Illinois alone, there are approximately 125,000 domestic crimes each year; and

WHEREAS, healthcare expenses from domestic violence total about $4.1 billion annually; and

WHEREAS, businesses forfeit at least $5.8 billion annually in lost wages due to sick leave, non-productivity and absenteeism related to domestic violence; and

WHEREAS, a workplace study of the incidence of domestic violence indicated that about 15% of all employees had been physically abused in the last year; and

WHEREAS, the Illinois Department of Human Services funds 66 multi-service domestic violence programs throughout the state offering at no cost to the victim 24-hour crisis hotlines, counseling and advocacy, legal assistance, children’s services and shelter and supports services to perpetrators to reduce and prevent violence; and

WHEREAS, the Illinois Department of Human Services is dedicated to assisting Illinois residents in living free from domestic violence, promoting prevention and working in partnership with communities in advancing equality, dignity and respect for all; and

WHEREAS, October has been designated as Domestic Violence Awareness Month; and

WHEREAS, domestic violence services providers have planned special awareness and prevention activities for October in an effort to educate Illinois residents:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as DOMESTIC VIOLENCE AWARENESS MONTH in Illinois, and encourage all citizens of the state to observe this month by becoming aware of the tragedy of domestic violence, and supporting the efforts and activities of the Illinois Department of Human Services and domestic violence service providers to prevent domestic violence.

Issued by the Governor September 18, 2006.

Filed by the Secretary of State September 18, 2006.

2006-321
PUBLIC LANDS DAY

WHEREAS, state treasures such as Lake Michigan, the Cahokia Mountains, and the Great Mississippi River ought to be preserved and protected for all of us, our children, and future generations to share and enjoy; and

WHEREAS, for that reason, Americans throughout the country will team up to celebrate Public Lands Day on September 30; and

WHEREAS, this innovative event attracts volunteers of all ages to give their time restoring and enhancing America’s federal, state, and local public lands, including forests, lakes, parks, recreation areas, refuges, and wildlife habitats; and

WHEREAS, the National Environmental Education and Training Foundation works with local, state, and federal land management agencies to coordinate Public Lands Day; and

WHEREAS, this year, it is anticipated that more than 100,000 Americans will volunteer and more than $12 million in needed improvements will be completed at over 1,000 sites throughout the country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 30, 2006 as PUBLIC LANDS DAY in Illinois in support of the worthy efforts to preserve and protect the beauty and splendor of nature, which we share with all living creatures and life-forms.

Issued by the Governor September 18, 2006.

Filed by the Secretary of State September 18, 2006.
2006-322
COMMUNITY AND ECONOMIC DEVELOPMENT ASSOCIATION OF COOK COUNTY (CEDA) DAY

WHEREAS, Community and Economic Development Association of Cook County, Inc. (CEDA) is a direct response to address the causes and conditions of poverty in suburban Cook County given impetus by the passage of the Economic Opportunity Act of 1964 by the U.S. Congress; and
WHEREAS, the organizational structure, mission, and purpose of CEDA qualified to be officially recognized and designated under the federal statute as a Community Action Agency; and
WHEREAS, organized exclusively for charitable purposes, CEDA is a non-profit corporation and a not-for-profit community development agency serving the Cook County area that consists of over 732 square miles; and
WHEREAS, CEDA designs and delivers locally-based programs that build self-reliance, and works in partnership with business and government; and
WHEREAS, also, CEDA offers education, advocacy, direct services, and proudly participates in the efforts of local residents to change conditions that adversely affect their communities; and
WHEREAS, CEDA provides social services to meet basic human needs, and are advocates for an adequate supply of low and moderate-cost housing, increased job opportunities, and the development of economic resources; and
WHEREAS, this year, CEDA marks the 40th anniversary of their creation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 26, 2006 as COMMUNITY AND ECONOMIC DEVELOPMENT ASSOCIATION OF COOK COUNTY (CEDA) DAY in Illinois, and encourage all citizens to join in the challenge of promoting and supporting economic development.

Issued by the Governor September 20, 2006.
Filed by the Secretary of State September 20, 2006.
2006-323
DOWN SYNDROME AWARENESS MONTH

WHEREAS, approximately one in every 733 children are born with Down syndrome, representing approximately 5,000 births per year in the United States; and

WHEREAS, while research and early intervention have resulted in dramatic improvements in the lifespan and potential of those who are affected, more investigation is needed into the causes and treatment of Down syndrome; and

WHEREAS, people with Down syndrome possess a wide range of abilities, and are active participants in educational, occupational, social, and recreational circles of the community; and

WHEREAS, developed by the National Down Syndrome Society in 1995, the Buddy Walk is an annual event in cities across Illinois and the nation celebrating the accomplishments of children and adults with Down syndrome; and

WHEREAS, DS Support has supported families who have children with disabilities, and special healthcare needs for 6 years in Illinois and desires to increase the support network and support groups of those with Down syndrome across our state; and

WHEREAS, the goal of the Buddy Walk is to promote increased understanding and acceptance of people with Down syndrome, while raising funds for scientific research into the causes and treatment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as DOWN SYNDROME AWARENESS MONTH in Illinois, and encourage all citizens to work together to promote awareness of Down syndrome and to celebrate the accomplishments of these individuals and their families.

Issued by the Governor September 20, 2006.
Filed by the Secretary of State September 20, 2006.

2006-324
SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH

WHEREAS, Sudden Infant Death Syndrome (SIDS) is the leading
cause of death for infants between 30 days and one-year-old. Approximately 2,500 infants die from SIDS every year; and

WHEREAS, SIDS is the unexpected death of an infant under the age of one that remains unexplained after a complete examination is performed, including an autopsy, death scene examination, and review of clinical history; and

WHEREAS, most victims of SIDS are younger than 6 months. Furthermore, Native-American infants are at the greatest risk, while African-American infants are the second greatest at-risk group; and

WHEREAS, although there is no scientific explanation for SIDS, many scientists agree that it is triggered when infants sleep on their stomachs; and

WHEREAS, for that reason, the Back to Sleep campaign was launched in 1994 to encourage laying infants to be placed on their backs; and

WHEREAS, according to the National Institutes of Health, the death rate of SIDS has declined more than 40 percent since the inception of this campaign. However, SIDS is still the leading cause of death among young infants between 30 days and one-year-old:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH in Illinois to raise awareness about Sudden Infant Death Syndrome, and to encourage risk-reducing precautions so that no parent will have to endure the tragedy of their child dying of SIDS.

Issued by the Governor September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-325
PREMATURITY AWARENESS MONTH

WHEREAS, from birth to one-year-old, prematurity is the leading cause of death among babies in the United States; and those that do survive are susceptible to lifelong disabilities such as chronic lung disease, blindness, and cerebral palsy. Prematurity also costs families and communities billions of dollars every year in care and treatment; and

WHEREAS, sadly, the number of premature births has risen approximately 27 percent nationally over the last two decades. Today, nearly
500,000 babies are prematurely born in the United State every year; and
WHEREAS, of them, there are more than 23,300, or about one out of eight premature births in the State of Illinois. Clearly, prematurity is a significant and alarming problem; and
WHEREAS, in response, the March of Dimes is leading a national campaign to save babies from premature birth by funding research to find the causes and by aiding local programs that provide assistance to families with babies that are prematurely born; and
WHEREAS, this November, the March of Dimes will coordinate activities throughout the country with help from many local healthcare professionals and government agencies and departments to call attention to premature birth and to offer hope to families affected by it:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as PREMATURITY AWARENESS MONTH in Illinois in support of the worthy efforts by the March of Dimes to prevent and raise awareness of this problem that plagues so many babies, families, and communities.

Issued by the Governor September 20, 2006.
Filed by the Secretary of State September 20, 2006.

2006-326
EARTH SCIENCE WEEK

WHEREAS, the earth sciences, especially geology, are integral to finding, developing, and conserving the water, mineral, and energy resources needed for modern society; and
WHEREAS, the earth sciences provide the basis for preparing for and mitigating the effects of natural hazards such as floods, landslides, earthquakes, volcanic eruptions, sinkholes, and coastal erosion; and
WHEREAS, the earth sciences are crucial to our understanding of environmental and ecological issues ranging from air and water quality to waste disposal; and
WHEREAS, knowledge about geological factors regarding earth resources, hazards, and the environment are vital to land management and land use decisions at local, state, regional, national, international, and global levels; and
WHEREAS, study of the earth sciences contributes critically important information to our understanding of the natural world; and
WHEREAS, Earth Science Week is an opportunity to seek a greater understanding and appreciation of the value of Earth Science research and its application and relevance to our daily lives, as well as for science teachers at all levels throughout the State of Illinois to undertake lessons and activities with their students directed toward the study of Earth Science:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 8 – 14, 2006 as EARTH SCIENCE WEEK in Illinois.

Issued by the Governor September 20, 2006.
Filed by the Secretary of State September 20, 2006.

2006-327
GEORGE AND LORRAINE SHADID DAY

WHEREAS, George P. Shadid was born in Clinton, Iowa on May 15, 1929; and
WHEREAS, Lorraine K. Unes was born in Peoria, Illinois on April 30, 1931; and
WHEREAS, on May 30, 1953, George and Lorraine married and together they had two children: Jim and George, Jr.; and
WHEREAS, George P. Shadid has served notably in many roles; he was sworn in as a police officer in the Peoria City Police Department in 1953; was promoted to Sergeant in 1966, and to the rank of Lieutenant in 1969; in 1974, Shadid was placed on the City of Peoria Captain eligibility list; and
WHEREAS, in 1976, George P. Shadid was elected to the office of Peoria County Sheriff, a 2-year term, completing that of a deceased Sheriff, and was re-elected to consecutive 4-year terms in 1978, 1982, 1986 and 1990; and
WHEREAS, George P. Shadid was appointed Illinois State Senator of the 46th District on May 13, 1993, filling a vacancy; he was elected to serve a 2-year term in 1994, re-elected to a 2-year term in 1996, a 4-year term in 1998, and a 4-year term in 2002; and
WHEREAS, throughout these many years of service, Lorraine has been a devoted and supportive wife and mother of their two children; and
WHEREAS, George and Lorraine Shadid have earned the respect and admiration of this state for their devotion to the community and to their family and friends. They are indeed deserving of this special honor:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 3, 2006 as GEORGE AND LORRAINE SHADID DAY in Illinois, and encourage all citizens to pay tribute to George and Lorraine Shadid for their many contributions to the State of Illinois and its citizens.

Issued by the Governor September 21, 2006.
Filed by the Secretary of State September 21, 2006.

2006-328
DYSLEXIA AWARENESS MONTH

WHEREAS, millions of Americans throughout the country, including the State of Illinois, have dyslexia, which is a language-based neurological disorder that affects their ability to read, write, and spell proficiently; and

WHEREAS, dyslexia occurs among all groups regardless of age, ethnicity, race, socio-economic background, and sex. Furthermore, the disorder is not related to one’s level of intelligence or desire to learn; and

WHEREAS, although the degree of dyslexia varies from person to person, both children and adults can overcome the disorder with proper diagnosis and treatment. Today, many dedicated professionals work in homes and schools to help those with dyslexia; and

WHEREAS, the International Dyslexia Association is also dedicated to helping those with dyslexia. They and their state branches, including the Illinois Branch, promote literacy through research, education, and advocacy; and

WHEREAS, last year, state branches of the International Dyslexia Association offered more than 50 free and successful events about dyslexia to educators, parents, and the public during Dyslexia Awareness Month, which they plan to repeat again this October:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as DYSLEXIA AWARENESS MONTH in support of the campaign by the International Dyslexia Association and their state branches to raise awareness about this disorder.
and to help those afflicted with it.

Issued by the Governor September 21, 2006.
Filed by the Secretary of State September 21, 2006.

2006-329
BREAST CANCER AWARENESS MONTH AND
MAMMOGRAPHY DAY

WHEREAS, October 2006 marks the 22nd year of the National Breast Cancer Awareness Month campaign to educate women about breast cancer, especially concerning early detection through mammography; and
WHEREAS, in 2006, approximately 8,350 of the 212,920 women in the United States diagnosed with breast cancer will be Illinois residents; and
WHEREAS, breast cancer is the most common cancer in women and is second only to lung cancer as the leading cause of cancer death; and
WHEREAS, mammography screenings are a woman’s best chance for detecting breast cancer early and, when coupled with new treatment options, can significantly improve a woman’s chances of survival; and
WHEREAS, expansion of the Illinois Breast and Cervical Cancer Program (IBCCP), which took effect Sept. 1, 2006, will allow 3,000 additional women to be screened and 400 additional women to be treated this year through the Healthcare Benefits for Persons with Breast or Cervical Cancer Act; and
WHEREAS, since 1993, the United States has recognized the third Friday in October as National Mammography Day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as BREAST CANCER AWARENESS MONTH and October 20, 2006 as MAMMOGRAPHY DAY in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor September 21, 2006.
Filed by the Secretary of State September 21, 2006.
WHEREAS, in 1931, Chester Gould sold the “Dick Tracy” comic strip to the New York Daily News Syndicate, after submitting strips for a decade. The first Sunday strip ran on October 4th, and the first daily strip a week later; and

WHEREAS, since that time, Dick Tracy, set right here in Chicago, Illinois, has reached success as a cartoon strip, radio show, novel, film serial, comic book, animated series, and as 5 feature films, while also serving as a tip-guide for readers to prevent crimes in their neighborhoods; and

WHEREAS, in his cutting-edge comic strip, Gould delivered a no-nonsense police detective who was ready, willing and able to take on the bad guys. Although his innovative crime-fighting techniques and futuristic gadgetry, including the famous two-way wrist radio, were groundbreaking, Dick Tracy’s true appeal was found in his stalwart integrity and uncompromising valor. The variety of villains that Dick Tracy battled was also a key part to the strip’s timeless appeal, such as the vicious assassin, Flattop, to the traitorous Pruneface, and the sly and cunning spy known as “The Brow”; and

WHEREAS, in 1977, Chester Gould retired, and Max Allan Collins took over as writer on Dick Tracy, joined by artist Rick Fletcher, Gould’s assistant. Sadly, in 1983, Rick Fletcher passed away, and the Dick Tracy creator, Chester Gould, two years later in 1985. With Max Collins continuing as writer, Richard “Dick” Locher assumed the artist role with the responsibility of illustrating Dick Tracy in 1983, the same year he was awarded the Pulitzer Prize. Michael Kilian, veteran Chicago Tribune reporter/columnist and suspense novelist, served as the strip writer from 1993 to 2005, and when he passed away Dick Locher, who lives in Chicago, Illinois and has worked for the Chicago Tribune since 1973, took over as both writer and artist; and

WHEREAS, the Chester Gould-Dick Tracy Museum opened in 1991 in Woodstock, Illinois, which was the long-time home of creator Chester Gould; and

WHEREAS, in 1959 and 1977, the Dick Tracy strip won the Reuben award from the National Cartoonists Society; and
WHEREAS, this year, Dick Tracy became the spokescharacter for the Illinois State Tourism Board, Dick Locher was honored by the National Cartoonists Society with the Silver T-Square award for lifetime achievement, and Dick Tracy celebrates his 75th anniversary since the first strip ran on October 4, 1931. To celebrate, the Tribune Media Services will be hosting a Dick Tracy 75th anniversary Kick-off celebration on October 2, 2006 in Campbell Hall at Tribune Tower:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 4, 2006 as DICK TRACY DAY in Illinois in recognition of an enduring and memorable comic strip.

Issued by the Governor September 21, 2006.
Filed by the Secretary of State September 21, 2006.

2006-331

INTERNATIONAL HISPANIC/LATINO MENTAL HEALTH WEEK

WHEREAS, in 1992, the International Hispanic/Latino Mental Health Week Campaign was created in response to the lack of resources and information available for Spanish-speaking residents suffering from mental health problems and substance abuse. Latinos are identified as a high-risk group for depression, anxiety, and substance abuse; and

WHEREAS, the campaign features workshops and lectures for community residents and professionals, free mental health screenings, and informational brochures and videos about behavioral health issues; and

WHEREAS, the Latino Family Institute, in collaboration with the Illinois Department of Human Services, Chicago Public Schools/Office of Specialized Services, community providers, and community residents, donate time, space, and services to make the campaign a success; and

WHEREAS, the campaign strives to increase awareness, knowledge, and skills on mental health and substance abuse treatment needs of Hispanic/Latinos, to increase access to bicultural and bilingual treatment since existing studies about language skills of mental health professionals found there are few Spanish-speaking and Latino providers, and to increase the competence in the treatment of Hispanic/Latinos through lectures and workshops; and
WHEREAS, the 2006 International Hispanic/Latino Mental Health Week Campaign will begin October 1st and conclude on October 7th, 2006.  
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as INTERNATIONAL HISPANIC/LATINO MENTAL HEALTH WEEK in Illinois, and encourage all citizens to unite to improve the quality of life for people in Illinois suffering from mental health problems and substance abuse.  
Issued by the Governor September 21, 2006.  
Filed by the Secretary of State September 21, 2006.  

2006-332  
4-H WEEK  

WHEREAS, in the late 1890’s and early 1900’s, 4-H programs began to form across the United States to provide the youth of our country with a strong agricultural education; and  
WHEREAS, throughout the years, the overall objectives of 4-H have remained the same: the development of youth as individuals and as responsible and productive citizens; and  
WHEREAS, the 4-H program makes an effort to complement the formal education, experiences, and skills that young people have already acquired through their homes, schools, and religious organizations, with action-oriented and practical educational experiences; and  
WHEREAS, more than 25,000 caring, nurturing adults work together with 4-H youth in family and community environments to create real life learning laboratories that help youth practice skills they need today, and will continue to use in the future; and  
WHEREAS, today, 4-H is the largest youth organization in the State of Illinois, challenging nearly 300,000 Illinois youth and adults with unique “hands on” learning each year:  
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as 4-H WEEK in Illinois, and urge the citizens of Illinois to salute the rich traditions of Illinois 4-H club work, and the outstanding accomplishments of Illinois 4-H members and leaders.  
Issued by the Governor September 22, 2006.
SONOGRAPHER AWARENESS MONTH

WHEREAS, sonographers are a critical part of the medical community, performing vital work each day to benefit patients and medical professionals; and

WHEREAS, the first use of ultrasound as a diagnostic tool was in 1942 during a study of brain tissue. Today, sonographers use ultrasound technology to collect images of internal organs and fetuses for the purpose of diagnosing a variety of diseases and conditions; and

WHEREAS, sonography was officially declared a healthcare profession in 1973, and in 1975, it became mandatory for all sonographers to be certified in their profession; and

WHEREAS, there are over 45,000 certified sonographers in the United States, 1,800 of which work in the state of Illinois; and

WHEREAS, Illinois continues to be a purveyor of advances in ultrasound technology. With these advances, the healthcare industry will continue to make great strides in the diagnosing and treating of patients:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as SONOGRAPHER AWARENESS MONTH in Illinois, and encourage all citizens to recognize the important role that these healthcare professionals play in the world of patient care.

Issued by the Governor September 22, 2006.
Filed by the Secretary of State September 22, 2006.

WEEK OF THE CLASSROOM TEACHER

WHEREAS, the education of our children is critical to their future success. For that reason, teaching is one of the most important professions; and

WHEREAS, throughout Illinois, we entrust the care of our children to thousands of classroom teachers who work with parents and administrators
to ensure that each child learns the skills they need to succeed; and

WHEREAS, that is not easy when there are many distractions. In addition to contending with personal and family problems that have always accompanied children, classroom teachers now have to compete with technology such as cell phones, computers, and television; and

WHEREAS, indeed, it is more difficult to engage children in the classroom today than ever. Consequently, teachers must work harder than ever to educate children; and

WHEREAS, in acknowledgment and recognition of their outstanding service, the Association for Childhood Education International annually designates a week in honor of classroom teachers; and

WHEREAS, this year, the Week of the Classroom Teacher will begin October 1:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as WEEK OF THE CLASSROOM TEACHER in Illinois, and join the Association for Childhood Education International in honoring and thanking classroom teachers for their commitment and dedication to teaching our children.

Issued by the Governor September 22, 2006.

Filed by the Secretary of State September 22, 2006.

2006-335
CHICAGO INTERNATIONAL CHILDREN’S FILM FESTIVAL DAYS

WHEREAS, 2006 marks the 23rd annual Chicago International Children’s Film Festival (CICFF); and

WHEREAS, CICFF is a project of Facets Multi-Media, a nonprofit organization dedicated to the exhibition and distribution of foreign, independent, and classic films; and

WHEREAS, Facets Muti-Media has received support for CICFF and other children’s programs from over 50 corporations and businesses, national and international organizations, and print and broadcast media; and

WHEREAS, although they only receive about 700 entries, CICFF operates a dynamic market for domestic and foreign buyers, distributors, and festival programmers, as well as representatives from over 20 international
media organizations; and
WHEREAS, additionally, CICFF is the only children’s film festival to be named by the Academy of Motion Picture Arts and Sciences as an Academy Qualifying Festival; and
WHEREAS, this year, CICFF will be held from October 19 to October 29, and more than 24,000 Chicago children, adults, and educators are expected to attend the screenings, in addition to more than 150 celebrities and filmmakers from around the world:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 19 - October 29, 2006 as CHICAGO INTERNATIONAL CHILDREN’S FILM FESTIVAL DAYS in Illinois in celebration of the Chicago International Children’s Film Festival, which has become an annual tradition anticipated by citizens from all around the state.
Issued by the Governor September 22, 2006.
Filed by the Secretary of State September 22, 2006

2006-336
COMCAST CARES DAY

WHEREAS, in 1997, Comcast started Philadelphia Cares Day as a small local partnership in the corporate headquarters’ hometown, but has now grown into a nationwide company initiative involving more than 30,000 Comcast employees who will partner with local organizations on community service projects throughout the country; and
WHEREAS, since its inception, Comcast employees, their families, and friends have contributed more than 405,000 hours and supported hundreds of community initiatives; and
WHEREAS, in Illinois, more than 2,500 Comcast employees, along with their families and friends, will participate in 18 community service projects in the Chicagoland area; and
WHEREAS, among many events, company-wide day of service projects will involve food drives, blood drives, collection of school supplies, and cleaning and maintenance of some of Illinois’ beautiful scenic landscape; and
WHEREAS, in 2001, Comcast received the cable industry's Golden Beacon Award acknowledging Comcast Cares Day for its widespread and
positive impact on the communities they serve; and

WHEREAS, the State of Illinois is proud to join with Comcast as they mark the 4th Annual Comcast Cares Day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 7, 2006 as COMCAST CARES DAY in Illinois in recognition of all the volunteers involved in this effort to make a positive impact on the well-being of others, and the well-being of this state as a whole.

Issued by the Governor September 26, 2006.
Filed by the Secretary of State September 26, 2006.

2006-337
GREEK ORTHODOX LADIES PHILOPTOCHOS DAY

WHEREAS, founded in 1931 as a charitable arm of the Greek Orthodox Archdiocese in America, the Greek Orthodox Ladies Philoptochos Society provides assistance and support to those individuals and families in our communities that need it the most; and

WHEREAS, through a variety of fundraising efforts, and through partnerships with other charitable endeavors across the country, the Society brings hope and joy into the lives of countless people each year; and

WHEREAS, the Ladies Philoptochos Society, whose name is derived from the Greek word meaning “friend of the poor,” accepts completely tax-deductible donations with 99 percent of those donations going directly toward helping families and individuals; and

WHEREAS, the organization is comprised of more than 25,000 members in more than 500 chapters nationwide, making them the largest Christian women’s organization in America; and

WHEREAS, in addition to their philanthropic efforts, the Ladies Philoptochos Society is also committed to preserving and perpetuating Orthodox Christian concepts and the Orthodox Christian Family, and through them, promoting the Greek Orthodox faith and traditions; and

WHEREAS, the State of Illinois is proud of the efforts of our local chapters of the Ladies Philoptochos Society, including the Metropolis of Chicago Chapter, who is holding a Grand Celebration event on Sunday, November 5 to commemorate the Society’s 75th anniversary; and
WHEREAS, this anniversary celebration gives all members the opportunity to reflect back upon their 75 years of philanthropy, and look toward the future with plans for even greater success in the years to come:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 5, 2006 as GREEK ORTHODOX LADIES PHILOPTOCHOS SOCIETY DAY in Illinois, in honor of the organization’s 75th anniversary and their outstanding contributions to our communities.

Issued by the Governor September 21, 2006.
Filed by the Secretary of State September 27, 2006.

2006-338
NATIONAL CYBER SECURITY AWARENESS MONTH

WHEREAS, today, the Internet provides access to a wealth of information and services throughout the world; but

WHEREAS, despite the many wonderful advantages and benefits of the Internet, it also poses many significant dangers and threats. The Internet is used by many predators to prey on our children and steal our identity; and

WHEREAS, that is why we must take great precautions when using the Internet. By using web browser privacy features and common sense practices, we can minimize the risks and help protect our children and ourselves; and

WHEREAS, National Cyber Security Awareness Month was launched for the purpose of encouraging and empowering Americans, businesses, government, and schools to improve their Internet security; and

WHEREAS, the Multi-State Information Sharing and Analysis Center (MS-ISAC), the National Cyber Security Alliance (NCSA), and the United States Department of Homeland Security will promote National Cyber Security Awareness Month once again this October:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as NATIONAL CYBER SECURITY AWARENESS MONTH in support of the campaign by MS-ISAC, NCSA, and Homeland Security to raise awareness about Internet security.

Issued by the Governor September 27, 2006.
WHEREAS, Anaia’s Breast Cancer Awareness Program (ABCAP), named for the late Anaia Bedford, has the goal of ensuring that the underserved communities are aware of the importance of getting properly screened for the early detection of breast cancer; and

WHEREAS, Anaia Bedford lost her long battle with breast cancer in April of 2004. By the time she was properly diagnosed with the disease, she was already in Stage II, and if she and her family had been better informed about the disease early on, her life may have been saved; and

WHEREAS, after Anaia’s passing, her husband Ken created ABCAP, and held the first annual Breast Cancer Awareness Concert & Dance in August 2005 at the beautiful indoor/outdoor Galleria Marchetti in Chicago. It was an event that highlighted the importance of getting mammograms, ultrasound and even MRIs to detect breast cancer in its early stages; and

WHEREAS, this year, the 3rd Annual Breast Cancer Awareness Gala and Tribute will again be held at the Galleria Marchetti on Friday, September 29, 2006. Guests will include: Angela Winbush, Phil Perry, Glenn Jones, jazz sax man Ray Silkman, and Actress Vivica Fox, who will appear as the Keynote Speaker at the Health Fair on Saturday, September 30, 2006. There will also be free mammogram testing on site, a breast cancer survivor’s forum, health and fitness experts, live music and entertainment, and other exhibits; and

WHEREAS, the State of Illinois joins ABCAP in their important mission, and proudly supports this entertaining and educational weekend that will undoubtedly go a long way toward creating awareness of breast cancer and the importance of early detection:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 29 and 30, 2006 as ANAIA’S BREAST CANCER AWARENESS PROGRAM DAYS in Illinois.

Issued by the Governor September 27, 2006.

Filed by the Secretary of State September 27, 2006.
2006-340
RAOUL WALLENBERG DAY

WHEREAS, the International Raoul Wallenberg Foundation is a non-profit organization with a mission to promote peace among nations and to honor all those who were heroes of the holocaust; and
WHEREAS, the organization carries the name of the Swedish diplomat, Raoul Wallenberg, who saved tens of thousands of Jews in Hungary during World War II before his disappearance at the hands of Soviet troops in 1945; and
WHEREAS, in 1944, Raoul Wallenberg was chosen to lead a mission to rescue the two hundred thousand Jews of Budapest after the Nazi invasion of Hungary in March of that year; and
WHEREAS, Raoul Wallenberg succeeded in issuing thousands of “protective” passports and, with the aid of three hundred volunteers, established thirty-two “safe houses” within Hungary that harbored 15-20,000 Jews under the protection of the Swedish Legation; and
WHEREAS, Raoul Wallenberg visited Soviet military headquarters on January 17, 1945, where he was subsequently arrested and detained at the Lyublyanka prison in Moscow, never to be seen again; and
WHEREAS, Raoul Wallenberg is an honorary citizen of the United States, Canada, Israel, and the city of Budapest:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 5, 2006 as RAOUL WALLENBERG DAY in Illinois in memory of this noble and heroic man.

Issued by the Governor October 02, 2006.
Filed by the Secretary of State October 03, 2006.

2006-341
MENTAL ILLNESS AWARENESS WEEK

WHEREAS, severe mental illnesses such as schizophrenia, bipolar disorder, major depression, obsessive-compulsive disorder, severe anxiety disorders, borderline personality disorder, and post-traumatic stress disorders affect one in every five families annually; and
WHEREAS, severe mental illnesses are more common than cancer,
diabetes, and heart diseases and are the number one reason for hospital admissions nationwide; and

WHEREAS, severe mental illnesses have been scientifically proven to be highly treatable illnesses of the brain; and

WHEREAS, scientific research is producing tremendous breakthroughs in the understanding of mental illnesses, resulting in more effective treatments that allow people to reclaim full and productive lives; and

WHEREAS, severe mental illnesses continue to be shrouded in stigma and discrimination from societal prejudice causing those who are affected to be cast as second-class citizens:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as MENTAL ILLNESS AWARENESS WEEK in Illinois, and encourage all citizens to increase public awareness of severe mental illness.

Issued by the Governor October 02, 2006.
Filed by the Secretary of State October 03, 2006.

2006-342

ENERGY STAR CHANGE A LIGHT, CHANGE THE WORLD DAY

WHEREAS, energy efficiency is important to our State, because it saves consumers and businesses money, and helps protect the environment, because it lessens greenhouse gas emissions and reduces air pollution; and

WHEREAS, along with all the nation’s Governors, my administration is committed to maintaining secure, safe, and affordable energy resources for citizens of our State; and

WHEREAS, by taking the ‘ENERGY STAR Change a Light Pledge’ – Illinois citizens have the opportunity to both save energy and help to voluntarily reduce greenhouse gas emissions by switching to energy efficient lighting products in their homes; and

WHEREAS, if every household in Illinois pledges to replace one light bulb with an ENERGY STAR certified compact fluorescent bulb, the change would save more than $31 million in energy costs and prevent more than 513 million pounds of greenhouse gas emissions, equivalent to taking nearly
47,000 cars off the road; and

WHEREAS, Illinois is proud to join this nationwide effort, celebrating this day – ENERGY STAR Change a Light Day – to promote energy efficiency and environmental stewardship in every household, by changing a single light:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby accept this Pledge and proclaim October 4, 2006 as ENERGY STAR CHANGE A LIGHT, CHANGE THE WORLD DAY in Illinois to encourage all Illinoisans to make this important change.

Issued by the Governor October 02, 2006.
Filed by the Secretary of State October 03, 2006.

2006-343
PARTNERSHIP WALK DAY

WHEREAS, citizens in Illinois and across the country expect certain basic rights, such as quality education, adequate living conditions, and a safe, healthy environment. Many in other parts of the world can only dream of having such rights; and

WHEREAS, the Aga Khan Development Network is a group of private, international, non-denominational agencies dedicated to fostering long-term socio-economic development in impoverished regions of Asia and Africa; and

WHEREAS, Aga Khan Foundation U.S.A. (AKF USA), an agency of the Aga Khan Development Network, sponsors the Partnership Walk in major cities across the U.S. to promote awareness about alleviating global poverty and to raise financial support for development projects that promote self-reliance; and

WHEREAS, on the 25th Anniversary of AKF USA and the 11th Anniversary of Partnership Walk, this year’s theme “Diversity is Strength” highlights the Foundation’s long-term commitment to cultural diversity and the value of pluralistic society:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 29, 2006 as PARTNERSHIP WALK DAY in Illinois to recognize the goodwill of the Aga Khan Development Network and to encourage others to join Aga Khan Foundation U.S.A. in
their mission of ensuring everyone the same basic rights that the citizens of this state enjoy and expect.

Issued by the Governor October 03, 2006.
Filed by the Secretary of State October 03, 2006.

**2006-344 CONGRATULATIONS TO ASHRAE**

WHEREAS, American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) seeks to advance through research, standards writing, publishing, and continuing education in the arts and sciences of heating, ventilation, air conditioning, and refrigeration (HVAC&R) in order to serve humanity and promote a sustainable world; and

WHEREAS, on July 19, 1906, a meeting of the young group’s board of governors made the first-ever request to the society to amend the by-laws to permit local affiliates, and for the headquarters to be located in Chicago, Illinois. A motion was made and carried; ASHRAE now has 172 local chapters with 55,000 members in the U.S. and 23 foreign countries; and

WHEREAS, founded in 1907, the Illinois Chapter has grown to be the largest chapter in ASHRAE with nearly 1,000 members; and

WHEREAS, Illinois Chapter members include design and consulting engineers, manufacturers, distributors, and installers of indoor comfort and air quality systems in buildings. Student chapters from seven area colleges and universities are also represented within the chapter; and

WHEREAS, this year, the Illinois Chapter of the American Society of Heating, Refrigerating, and Air-Conditioning Engineers is celebrating one hundred years as a local chapter:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby congratulate the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) on celebrating 100 years of outstanding contributions to local communities and our great State.

Issued by the Governor October 03, 2006.
Filed by the Secretary of State October 03, 2006.
WHEREAS, people with disabilities represent a largely untapped workforce of dedicated, qualified, valuable employees; and
WHEREAS, people with disabilities are leaders in major businesses and corporations throughout the state of Illinois; and
WHEREAS, Illinoisans with disabilities have an unemployment rate of nearly 70 percent, even though 7 out of 10 unemployed working-age citizens with disabilities indicate that they would prefer to work; and
WHEREAS, most citizens with disabilities in Illinois live in poverty at a rate roughly three times the state average; and
WHEREAS, Illinois is home to over five hundred local and statewide Corporate Business Partners who have partnered with the Division of Rehabilitation Services to assist Illinois residents with disabilities in attaining stable employment that leads to economic self-sufficiency; and
WHEREAS, there are numerous tax credits and deductions for Illinois employers to hire and provide accommodations to qualified workers with disabilities; and
WHEREAS, the Illinois Department of Human Services' Division of Rehabilitation Services (DRS) helped more than 4,950 individuals find quality employment last year alone. They also helped increase the average earnings of successfully employed customers; found more customers jobs that included health insurance as a benefit; reduced the time it takes to achieve employment; and expanded vocational services to customers with the most significant disabilities; and
WHEREAS, Illinois' Health Benefits for Workers with Disabilities (HBWD) initiative helps people with disabilities return to work with full Medicaid healthcare benefits <http://www.hbwdillinois.com/coverage.html>; and
WHEREAS, the Department has a goal of promoting full time employment and reduced reliance on government benefits such as social security disability payments; and
WHEREAS, National Disability Employment Awareness Month began in 1945 by President Harry S. Truman as "National Employ the Physically Handicapped Week." In 1988, Congress expanded the week to a
PROCLAMATIONS

month and renamed it National Disability Employment Awareness Month; and

WHEREAS, DRS will be holding numerous statewide events during the month to promote the employment of citizens with disabilities and to thank employers who have excelled in employing workers with disabilities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH in Illinois, and reaffirm the commitment of my administration to helping those with disabilities.

Issued by the Governor October 03, 2006.
Filed by the Secretary of State October 03, 2006.

2006-346
NATIONAL CASE MANAGEMENT WEEK

WHEREAS, the Case Management Society of America (CMSA) is an international, non-profit, multi-disciplinary, and professional organization dedicated to the support and advancement of the case management profession. Since its inception, CMSA has been at the forefront of setting professional standards for the industry; and

WHEREAS, case management is a collaborative process of assessment, planning, facilitation, and advocacy for options and services to meet an individual’s health needs through communication and available resources to promote quality, cost-effective outcomes; and

WHEREAS, founded in 1990, CMSA now has over 9,000 members and 70 affiliated and pending chapters; and

WHEREAS, this year, from October 8-14, 2006, there will be a weeklong celebration that serves to recognize case managers, to educate the public about case management, and to increase recognition of the significant contribution of case managers to quality healthcare for the patient, healthcare provider, and payer:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 8-14, 2006 as NATIONAL CASE MANAGEMENT WEEK in Illinois.

Issued by the Governor October 04, 2006.
Filed by the Secretary of State October 05, 2006.
2006-347
LIGHTS ON AFTER SCHOOL DAY

WHEREAS, the education of our children is critically important to their future success. The skills they learn and develop today will prepare them for their careers tomorrow; and

WHEREAS, that is why it is critically important that children have access to all the resources they need to succeed. Head Start and afterschool programs are just two terrific opportunities available for improving the academic achievement of students; and

WHEREAS, in addition to supporting their education, afterschool programs also keep our children off the streets and out of trouble. In Illinois, nearly 65 percent of parents with school-age children work outside their home; and more than 14 million students in the United States have no place to go after school; and

WHEREAS, thanks to afterschool programs, many parents do not have to worry about where their children are, who they are associating with, and what they are doing. Indeed, by providing students a safe and healthy environment for them to learn and helping working parents, afterschool programs strengthen our communities; and

WHEREAS, on October 12, communities all across Illinois will celebrate Lights on Afterschool, a nationwide event organized each year to recognize afterschool programs and promote their benefits:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 12, 2006 as LIGHTS ON AFTERSCHOOL DAY in support of afterschool programs, which are essential and vital to so many children, parents, and communities in our state.

Issued by the Governor October 04, 2006.
Filed by the Secretary of State October 05, 2006.

2006-348
PARALEGAL DAY

WHEREAS, paralegals provide essential and vital legal support for many organizations, including law firms, corporate legal departments, and government offices; and
WHEREAS, to meet the increasing demands for legal services in the United States, the skilled work of paralegals will grow in importance and significance for the operation of American organizations and the application of American law. According to the United States Bureau of Labor Statistics, the paralegal profession will experience greater than average growth through the year 2012; and

WHEREAS, created in 1972, the Illinois Paralegal Association represents more than 1,500 paralegals in our state. The association is one of the oldest and largest statewide organizations that supports paralegals; and

WHEREAS, the purpose of the Illinois Paralegal Association is to promote the paralegal profession and communication among paralegals, the legal community, and civic and professional organizations, as well as encourage the continuing education of paralegals:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 12, 2006 as PARALEGAL DAY in Illinois as the Illinois Paralegal Association meets for an annual conference, and to commend paralegals in our state for their contributions to our communities.

Issued by the Governor October 04, 2006.
Filed by the Secretary of State October 05, 2006.

2006-349

NATIONAL ACTION WEEK

WHEREAS, the burden of musculoskeletal (bone and joint) disorders such as arthritis, back pain, childhood musculoskeletal conditions, osteoporosis, and major limb trauma, pose a significant and increasing burden on American citizens; and

WHEREAS, patients suffering from musculoskeletal conditions, as well as the healthcare professionals who care for them, including orthopaedic surgeons, rheumatologists, physiatrists, physical therapists, chiropractors, osteopaths, athletic trainers, nurses, occupational therapists, and medical and patient health associations are joining together to advance the understanding and treatment of musculoskeletal disorders through prevention, education, and research; and

WHEREAS, musculoskeletal conditions adversely affect the
occupational and social lives of millions of people, and one in every seven Americans, costing billions of dollars in treatments and lost productivity; and

WHEREAS, the more the public learns about prevention activities the more likely they will be to prevent a musculoskeletal disorder; and

WHEREAS, the more patients with a musculoskeletal condition learn about treatment options the better able they are to work with their healthcare professional in determining the best course of action:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 12-20, 2006 as NATIONAL ACTION WEEK in Illinois, and encourage all citizens to promote awareness about musculoskeletal conditions, to learn more about prevention activities, and help those affected by a bone and joint disorder learn more about treatment options.

Issued by the Governor October 04, 2006.
Filed by the Secretary of State October 05, 2006.

2006-350
CELEBRATE CHICAGO DAY

WHEREAS, since 1972, the Jefferson Awards for Public Service have been a non-partisan foundation dedicated to civic engagement and public service, and on October 9, 2006 they will be celebrating its first annual Celebrate America Day; and

WHEREAS, the ideal of public service and community service is vital to the success of our democracy; and

WHEREAS, it is vitally important that the tradition of neighbors helping neighbors gets passed on to the next generation of young Americans; and

WHEREAS, the Jefferson Awards for Public Service were created in 1972 by Jacqueline Kennedy Onassis, Senator Robert Taft, Jr., and Sam Beard to establish a Nobel Prize for people who have made outstanding contributions to public and community service; and

WHEREAS, the Jefferson Awards are presented on two levels: national and local. National award recipients represent a "Who's Who" of outstanding Americans. On the local level, Jefferson Awards recipients are ordinary people who do extraordinary things without expectation of
recognition or reward; and

WHEREAS, as many cities across the nation are holding celebrations as part of the larger Celebrate America Day, the Jefferson Awards for Public Service will be holding an event, Celebrate Chicago Day, in Chicago, Illinois to encourage and honor local recipients for their achievements and contributions to the Chicago area and the entire State of Illinois; and

WHEREAS, the State of Illinois is proud to join the Jefferson Awards for Public Service as they recognize and honor these amazing individuals in Chicago, Illinois on October 9, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 9, 2006 as CELEBRATE CHICAGO DAY in Illinois.

Issued by the Governor October 05, 2006.
Filed by the Secretary of State October 05, 2006.

2006-351
NATIONAL MARTIAL ARTS DAY

WHEREAS, martial arts teach and instill important and valuable skills and lessons not only for self-defense, but also for self-confidence, self-control, and self-discipline; and

WHEREAS, these skills and lessons are the basis and foundation for good character and future success in all aspects of life such as social relationships and career choices; and

WHEREAS, in addition to personal development and enrichment, martial arts also provide a healthy emotional outlet for relieving stress and a safe social environment for children; and

WHEREAS, this year, the National Association of Professional Martial Artists and Project Action Foundation will celebrate October 14 as National Martial Arts Day to promote the positive benefits of martial arts; and

WHEREAS, martial arts schools throughout the United States, including the State of Illinois, will also sponsor charitable fundraisers, parties, performances, open houses, and other activities to mark the occasion:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 14, 2006 as NATIONAL MARTIAL
ARTS DAY in Illinois to join the National Association of Professional Martial Artists and Project Action Foundation in recognizing martial arts.

Issued by the Governor October 05, 2006.
Filed by the Secretary of State October 05, 2006.

2006-352
ONE CHURCH ONE SCHOOL COMMUNITY PARTNERSHIP DAYS

WHEREAS, all children are extremely impressionable, which is why our encouragement and support is critically important for their growth and development; and

WHEREAS, without our encouragement and support, children are unlikely to succeed in school and become productive and valuable members of the community. That is why we are all responsible for their care; and

WHEREAS, One Church One School is a community partnership program based in Chicago that believes we must work together for our children’s welfare. Since 1992, they have taken a comprehensive approach to child development; and

WHEREAS, members and participants of One Church One School have formed child-centered community partnerships that support issues such as education and non-violence in schools; and

WHEREAS, this year, One Church One School will host a two day conference in Oak Lawn from October 15-21 that is expected to draw between 300 and 500 students, parents, and community leaders. The 11th Annual Partnership Conference will include student seminars, plenary sessions, and dynamic workshops:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 15-21, 2006 as ONE CHURCH ONE SCHOOL COMMUNITY PARTNERSHIP DAYS in Illinois in support of their comprehensive approach to child development, and to promote the encouragement and support of all children.

Issued by the Governor October 05, 2006.
Filed by the Secretary of State October 05, 2006.
WHEREAS, every day, millions of parents throughout the United States, including the State of Illinois, send their children off to schools for an education; and

WHEREAS, while parents should not have to worry about the safety and security of their children, events such as Columbine and other recent violent acts dramatically demonstrate that dangers and threats to them are real. Consequently, our first priority is to ensure that they are not exposed to violence; and

WHEREAS, there are other menaces to our children at schools, including bullying, drugs, and theft. Accordingly, it is also our responsibility to ensure that our children are safe and secure from these and other threats and dangers; and

WHEREAS, it is not the responsibility of our educational institutions alone to address these serious issues. The safety and security of our children also depends on the active collaboration and cooperation of law enforcement and government; and

WHEREAS, only by working together can we avert violence, end bullying, minimize the proliferation of drugs, reduce theft, and resolve other problems. That is why I urge our educators, law enforcement authorities, and government leaders to collectively assess the dangers and threats to our children and then develop and implement plans and procedures to deal with them:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 15-21, 2006 as ILLINOIS’ SAFE SCHOOLS WEEK to promote efforts to protect our children so that no parent has to worry about their well-being while they are learning.

Issued by the Governor October 06, 2006.
Filed by the Secretary of State October 06, 2006.

WHEREAS, young people will be the stewards of our communities,
nation, and world in critical times, and the present and future well-being of our society requires an involved, caring citizenry with good character; and

WHEREAS, concerns about the character training of children have taken on a new sense of urgency as violence by and against youth threatens the physical and psychological well-being of the nation; and

WHEREAS, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups; and

WHEREAS, the character of a nation is only as strong as the character of its individual citizens, and the public good benefits when young people learn that good character counts in personal relationships, in school, and in the workplace; and

WHEREAS, scholars and educators agree that people do not automatically develop good character and, therefore, conscientious efforts must be made by youth-influencing institutions and individuals to help young people develop the essential traits and characteristics that comprise good character; and

WHEREAS, character development is, first and foremost, an obligation of families, though efforts by faith communities, schools, and youth, civic, and human service organizations also play a very important role in supporting family efforts by fostering and promoting good character; and

WHEREAS, in July 1992, the Aspen Declaration was written by an eminent group of educators, youth leaders, and ethics scholars for the purpose of articulating a coherent framework for character education appropriate to a diverse and pluralistic society; and

WHEREAS, the Aspen Declaration states that “effective character education is based on core ethical values which form the foundation of democratic society” – trustworthiness, respect, responsibility, fairness, caring, and citizenship – and these “Six Pillars of Character” transcend cultural, religious, and socioeconomic differences; and

WHEREAS, the Aspen Declaration states that “The character and conduct of our youth reflect the character and conduct of society; therefore, every adult has the responsibility to teach and model the core ethical values and every social institution has the responsibility to promote the development of good character”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim October 15-21, 2006 as CHARACTER COUNTS! WEEK in Illinois, and encourage all citizens to model these traits of good character in an ongoing commitment to promote character development and ethical behavior in the youth of our community.

Issued by the Governor October 06, 2006.
Filed by the Secretary of State October 06, 2006.

2006-355
NATIONAL PRIMARY CARE WEEK

WHEREAS, launched in 1999, National Primary Care Week was created in response to the healthcare shortage in America, as well as in recognition and promotion of careers in primary care; and

WHEREAS, primary care is first-contact, comprehensive care provided to people with a wide range of health concerns, and can encompass various medical specialties such as family medicine, internal medicine, pediatrics, obstetrics and gynecology, psychiatry, and many others; and

WHEREAS, the United States Department of Health and Human Services Bureau of Health Professions has reported a shortage of healthcare professionals in more than 150 areas in just the State of Illinois. Consequently, a staggering number of Americans cannot receive the medical care they need even if they can afford it; and

WHEREAS, primary care physicians, also known as general practitioners, often offer the most cost-effective healthcare choices to patients. Furthermore, there are many career opportunities for primary care physicians throughout Illinois; and

WHEREAS, this year, the theme of National Primary Care Week is “Addressing Health Disparities: Healing the Nation”: 

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 15-21, 2006 as NATIONAL PRIMARY CARE WEEK in Illinois in support and encouragement of primary care careers and the collaboration of healthcare professionals, which is vital to the care and well-being of all citizens in this state.

Issued by the Governor October 06, 2006.
Filed by the Secretary of State October 06, 2006.
WHEREAS, Maestro Ruggiero Ricci is a legendary violin master and a native son of Chicago, Illinois. Maestro Ricci was born in 1918 and has been performing in front of audiences since the age of 9; and

WHEREAS, Maestro Ricci is making a rare appearance in Chicago as a guest of the Stadivari Society of Chicago and the Ars Viva Symphony Orchestra of Illinois. Ricci was noted as the virtuoso violinist of all violinists. He has recorded pieces that no one else ever has; as they were so technically difficult that they were regarded as unplayable; and

WHEREAS, with the largest discography in the history of his art, Maestro Ricci has played over 6,000 concerts in 65 countries; and

WHEREAS, Ruggiero Ricci worked with Henry Ford in Dearborn, Michigan assembling the distinguished violin collection for the Henry Ford Museum; and

WHEREAS, in Illinois, Maestro Ricci made his debut in 1931 at the age of 13 to a sold out crowd at Orchestra Hall. At the age of 14 he not only performed for Albert Einstein, but gave him a violin lesson. He gave his first White House performance at the invitation of President Franklin D. Roosevelt. His final public concert was given in 2003 at the Smithsonian Institute, at which time he donated one of his concert violins to the Institute and it is now in the Smithsonian’s rare instrument collection; and

WHEREAS, Maestro Ruggiero Ricci is being publicly honored at the opening concert of the Ars Viva Symphony Orchestra on October 22, 2006 at 7:30 PM at the North Shore Center for the Performing Arts in Skokie, Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 21, 2006 as RUGGIERO RICCI DAY in Illinois.

Issued by the Governor October 10, 2006.

Filed by the Secretary of State October 13, 2006.
2006-357
NATIONAL FIRE PREVENTION WEEK

WHEREAS, the State of Illinois is committed to ensuring the safety and security of all those living and visiting our state; and
WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and
WHEREAS, the nonprofit National Fire Protection Association (NFPA) has documented through its research that cooking is the leading cause of home fires. One out of three home fires begins in the kitchen – more than any other place in the home; and
WHEREAS, Illinois’ first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and
WHEREAS, using proper care when cooking will have a positive effect on the home fire problem; and
WHEREAS, each cooking fire that is prevented throughout Illinois is an opportunity to prevent painful injury and costly property damage; and
WHEREAS, the 2006 Fire Prevention Week theme, “Prevent Cooking Fires: Watch What You Heat,” effectively serves to remind us all of the simple actions we can take to stay safer from fire during Fire Prevention Week and year-round:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 8-14, 2006 as NATIONAL FIRE PREVENTION WEEK in Illinois, and encourage all citizens to support the many public safety activities and efforts of Illinois’ fire and emergency services.

Issued by the Governor October 10, 2006.
Filed by the Secretary of State October 13, 2006.

2006-358
INFECTION PREVENTION WEEK

WHEREAS, protecting the health of Americans includes providing every citizen with access to safe and effective health care; and
WHEREAS, infection Prevention and Control Professionals are
devoted to patient and health care worker safety and are committed to reducing the risk and occurrence of health care-associated infections; and

WHEREAS, the prevention of health care-associated infections is instrumental in achieving this goal; and

WHEREAS, every year more than 800 million Americans visit their physicians and more than 33 million are admitted to hospitals, with many undergoing medical procedures that have a risk of infectious complications; and

WHEREAS, health care-associated infections increase morbidity and mortality and add a significant financial burden to the cost of health care; and

WHEREAS, the Association for Professionals in Infection Control and Epidemiology (APIC), representing more than 11,000 Infection Prevention and Control Professionals, sponsors International Infection Prevention and Control Week with this year’s theme being, “International Infection Prevention Week: It’s In Your Hands”:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 16-22, 2006 as INFECTION PREVENTION WEEK in Illinois, and encourage all citizens to join in this worthy effort to prevent healthcare-associated infections.

Issued by the Governor October 10, 2006.
Filed by the Secretary of State October 13, 2006.

2006-359
CAREERS IN CONSTRUCTION WEEK

WHEREAS, National Careers in Construction Week is an annual week designated to increase public awareness and appreciation of the construction professional and the entire construction workforce; and

WHEREAS, during this week, employers, trade associations, and schools are encouraged to conduct job fairs, panel discussions, and local community events to inform students of the vast employment opportunities in construction; and

WHEREAS, the construction industry is one of our nation’s largest industries, employing 7.2 million individuals in the US alone and the number of wage and salary jobs in the construction industry is expected to grow about 15 percent through the year 2012; and
WHEREAS, the construction industry must fill 240,000 jobs each year just to meet the growing workforce demand; and
WHEREAS, we are pleased to honor the construction craft professional and the critical role they play in the development of our state; and
WHEREAS, the National Center for Construction Education and Research was created by the construction industry to standardize training and enhance the industry image by promoting the hard work and dedication of our nation’s craft professionals; and
WHEREAS, the National Center for Construction Education and Research is supported by thirty-two national associations and their state chapters, representing more than 150,000 contractor employers; and
WHEREAS, through this unprecedented partnership, the construction industry is leading the way in providing young people career opportunities while increasing the quality of the future workforce:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 16-20, 2006 as CAREERS IN CONSTRUCTION WEEK in Illinois.

Issued by the Governor October 10, 2006.
Filed by the Secretary of State October 13, 2006.

2006-360
METROPOLITAN ASIAN FAMILY SERVICES DAY

WHEREAS, Metropolitan Asian Family Services, Universal Metro Asian Services, is a multicultural, multilingual community based not-for-profit organization; and
WHEREAS, Metropolitan Asian Family Services serves as a multipurpose community center, offering life-saving and life-affirming supportive services to elderly people who have immigrated from India, Pakistan, Bangladesh, and Eastern European countries; and
WHEREAS, Metropolitan Asian Family Services offers service providers who speak each client’s language and understand each client’s social, cultural, national, and ethnic roots; and
WHEREAS, the agency serves as a “mutual translator,” conveying an understanding of immigrant clients to the larger community and interpreting
the new community to the elderly immigrant; and
WHEREAS, the agency provides a wide range of important services, including Community Care, meals, personal-care tasks, adult day-care, translation, transportation, health and fitness, citizenship preparation, senior drop-in center, and socialization; and
WHEREAS, under the leadership of President Santosh Kumar, these offices are now located in Chicago, Niles, Roselle, and Lombard to better serve the people:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 17, 2006 as METROPOLITAN ASIAN FAMILY SERVICES DAY in Illinois, and encourage all citizens to follow its model of devoted service to our fellow Illinoisans.
Issued by the Governor October 13, 2006.
Filed by the Secretary of State October 13, 2006.

2006-361
RESIDENTIAL CONSTRUCTION EMPLOYERS COUNCIL DAY

WHEREAS, in 1996, George K. Newman, Robert Rosner, Joshua A. Muss, and George Arquilla, Jr., formed the Residential Construction Employers Council (RCEC) to organize a new Carpenters Collective Bargaining Unit for the residential construction industry; and
WHEREAS, the RCEC promotes managerial interests through a collective voice in determining wage rates and working conditions for the residential building industry; and
WHEREAS, the RCEC promotes the residential building industry within the 28 counties of the Council’s geographical jurisdiction of the Midwest region in Illinois; and
WHEREAS, the RCEC works directly with the Chicago Regional District Council of Carpenters to establish cooperation between home building contractors, subcontractors, and the union in areas of mutual benefit; RCEC also works with OSHA on issues affecting the home building industry; and
WHEREAS, the RCEC established comprehensive programs for the benefit of its members and the industry at large including the Risk Management Association of RCEC, the RCEC Safety Program, the
University Scholarship Program, the Tuition Reimbursement Program, the University Intern Program, the Construction Management Certification Program, Home Mortgage Programs, Compensation and Benefits Survey, the Residential Production Council (RPC) and topical seminars, as well as many other programs; and

WHEREAS, the RCEC provides these services to Broker Builder Members and Employer Members who build homes to shelter area families and to promote the stability of the construction industry for the betterment of Chicago and the surrounding communities; and

WHEREAS, the RCEC is commemorating its 40th anniversary of labor relations and management services to the residential construction industry on October 19, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 19, 2006 as RESIDENTIAL CONSTRUCTION EMPLOYERS COUNCIL DAY in Illinois.

Issued by the Governor October 13, 2006.
Filed by the Secretary of State October 13, 2006.

2006-362
NORTH SHORE CENTER FOR THE PERFORMING ARTS

WHEREAS, the North Shore Center for the Performing Arts in Skokie, Illinois (NSCPAS) was constructed in 1996 with the financial support of the State of Illinois and the Village of Skokie; and

WHEREAS, three resident performing companies, Centre East, Inc., Northlight Theatre, and the Skokie Valley Symphony Orchestra call the NSCPAS home; and

WHEREAS, nearly 1.3 million people have attended events at the NSCPAS since it opened; and

WHEREAS, more than 3,700 music, dance, theater, and comedy performances have been presented since it opened; and

WHEREAS, each year, approximately 25,000 school-age children participate in performances, classes, and theater camps at the NSCPAS; and

WHEREAS, in 1996, The Daniel F. and Ada L. Rice Foundation established an endowment fund at the NSCPAS that continues to provide financial support for youth performances; and
WHEREAS, in 2006, the State of Illinois awarded the NSCPAS a $350,000 grant for further capital improvements to the facility; and
WHEREAS, on November 4th and 5th, 2006, the NSCPAS celebrates its tenth anniversary with performances by its three resident companies and a free community open house sponsored by The Daniel F. and Ada L. Rice Foundation:
THerefore, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize the North Shore Center for the Performing Arts in Skokie as they celebrate their 10th year anniversary.
Issued by the Governor October 13, 2006.
Filed by the Secretary of State October 13, 2006.

2006-363
AFRICAN AMERICAN WOMEN EVOLVING DAYS

WHEREAS, in 1966, African American Women Evolving (AAWE) was established to help Black women and girls become better informed about their reproductive health and collectively affect social change; and
WHEREAS, AAWE distributes information to women and girls to expose myths and misinformation about various health issues that can affect women from menstruation to menopause. Information includes family planning, preventing HIV/AIDS and other reproductive tract infections (RTI’s), infertility, prenatal care, infant and maternal mortality, breast care, and more; and
WHEREAS, they also teach, educate, train, inspire, and motivate women and girls to become pro-active in their lives so they can reach their fullest potential; and
WHEREAS, since 2003, a weekend has been devoted to promoting the health and wellness of Black women, families, and their communities; and
WHEREAS, from October 27th to 28th, 2006, the AAWE will be holding the 4th Black Women Loving the Mind, Body, & Spirit™ Health Symposium at Malcolm X College in Chicago, Illinois:
THerefore, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 27-28, 2006 as AFRICAN AMERICAN WOMEN EVOLVING DAYS in Illinois.
WHEREAS, respiratory diseases are a major health problem in the United States. Unfortunately, the causes of some respiratory diseases are unknown, and many have no known cure; and

WHEREAS, despite that, appropriate therapy can often slow the progress of respiratory disease, relieve symptoms, reduce the extent of permanent lung damage and respiratory disability, and avert or delay the onset of life-threatening complications; and

WHEREAS, today, there are educational programs for patients and their families, as well as a variety of treatments for respiratory disease such as the administration of life-supporting oxygen, drug therapy, and lung rehabilitation; and

WHEREAS, to inform the public about the respiratory care profession and promote lung health, the American Association for Respiratory Care and their affiliate organizations, including the Illinois Society for Respiratory Care, annually sponsors Respiratory Care Week the last week in October; and

WHEREAS, respiratory therapy centers throughout the country participate by hosting educational screenings, programs, and fundraisers for asthma camps for kids, patients in need of assistance, and other worthy causes; and

WHEREAS, legislation to grant Illinois Respiratory Care Practitioners full licensure status became effective January 1, 2006; and

WHEREAS, this year, the American Association and Illinois Society for Respiratory Care will observe Respiratory Care Week from October 22-28:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 22-28, 2006 as RESPIRATORY CARE WEEK in Illinois in support of the notable efforts by the American Association and Illinois Society for Respiratory Care to raise awareness about respiratory diseases that affect the lives of many citizens of our State.

Issued by the Governor October 16, 2006.
2006-365

CHRONIC OBSTRUCTIVE PULMONARY DISEASE AWARENESS MONTH

WHEREAS, Chronic Obstructive Pulmonary Disease (COPD) is the fourth leading cause of death in the United States. In 2001 alone, there were more than 12 million diagnosed cases of COPD in adults over the age of 25; and

WHEREAS, COPD encompasses a group of lung diseases that cause blockages to airflow and breathing-related problems, including chronic bronchitis, emphysema, and some extreme cases of asthma; and

WHEREAS, COPD has a variety of causes, but the primary source of the disease is cigarette smoking. Most COPD patients are smokers or former smokers, however, breathing other irritants on a regular basis such as air pollution or chemical fumes can also trigger the disease; and

WHEREAS, COPD causes the loss of elasticity and swelling of airways, as well as the erosion of air sac walls. Consequently, these problems obstruct airflow in and out of the lungs and the supply of oxygen to the body; and

WHEREAS, unfortunately, there is no treatment for COPD. Damage done to the airways is irreversible, but avoiding cigarette smoke, air pollution, and chemical fumes is the best way a COPD patient can minimize their risk; and

WHEREAS, this year, a number of organizations committed and dedicated to addressing COPD will raise awareness about the disease in November:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as CHRONIC OBSTRUCTIVE PULMONARY DISEASE AWARENESS MONTH in Illinois to call attention to the devastating problem of COPD, and in support of efforts by organizations to combat this terrible disease that affects so many people in this country and our state.

Issued by the Governor October 16, 2006.

Filed by the Secretary of State October 18, 2006.
WHEREAS, approximately 310,000 children younger than the age of 6 are lead poisoned across the nation each year, and Illinois identified approximately 7,600 lead poisoned children in 2005; and

WHEREAS, Illinois passed the Lead Poisoning Prevention Act in 1973 to set mandatory screening and reporting requirements; and

WHEREAS, Illinois established the Lead Poisoning Prevention Program in the Illinois Department of Public Health to monitor the identification and treatment of lead poisoned children; and

WHEREAS, Illinois data indicates a decline in the number of lead poisoned children younger than the age of 6 from 23.1 percent in 1996 to 3.7 percent in 2005; and

WHEREAS, Illinois amended the Lead Poisoning Prevention Act in 2006, establishing new guidelines to further expand on lead poisoning prevention efforts in the state; and

WHEREAS, the major source of lead exposure among American children still remains lead-based paint banned in 1978 and lead-contaminated dust found in the nearly 1.1 million deteriorating housing units in Illinois; and

WHEREAS, lead poisoning can affect nearly every system in the body, causing learning disabilities, shortened attention span, behavioral problems and, in extreme instances, seizure, coma and even death; and

WHEREAS, lead poisoning can affect any family regardless of race, socioeconomic status and education, and is preventable; and

WHEREAS, Illinois is pleased to join with healthcare professionals, agencies and their delegates in observance of National Lead Poisoning Prevention Week, in an effort to increase awareness and promote prevention of lead poisoning in children:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 22-28, 2006, as CHILDHOOD LEAD POISONING PREVENTION WEEK in Illinois and encourage all citizens to recognize the prevalence of lead poisoning in our society and to join in working toward eradicating this unfortunate and preventable condition.

Issued by the Governor October 16, 2006.

Filed by the Secretary of State October 18, 2006.
WHEREAS, gun violence is an evil that continues to pervade our society, taking thousands of lives per year, destroying families, and casting a dark shadow over our communities; and

WHEREAS, since taking office in 2003, my administration has fought hard to keep guns off our streets and out of the hands of violent offenders. Our initiatives have included closing the “gun show loophole” which requires gun dealers who are not federally licensed to request background checks from the Illinois State Police before they can deal at gun shows, imposing harsher prison sentences for those convicted of gun crimes, and creating an elite gun trafficking police unit to stop the flow of crime guns into Illinois; and

WHEREAS, the State of Illinois will never rest in its efforts to protect our citizens from senseless gun violence; and

WHEREAS, in 1996, United States Senator Bill Bradley, along with eighty-three Senators of both parties, successfully sponsored the passage of a bipartisan Senate Resolution calling for A Day of National Concern About Young People and Gun Violence. In support of this, students across the country were given the opportunity to make a voluntary promise that they “will never bring a gun to school, never use a gun to settle a dispute, and use their influence with friends to keep them from using a gun to settle disputes.” More than ten million young people nationwide have participated in this program since its inception; and

WHEREAS, this year, to commemorate the Annual National Day of Concern’s Student Pledge, radio station WBBM-FM (B96) in Chicago is holding a special broadcast on Wednesday, October 18, that will include prominent community leaders, celebrities, and education professionals engaged in discussion and debate surrounding this critical topic. In addition, schools all throughout the nation will be holding their own events to commemorate this annual observance and create awareness of gun violence among adults and children alike, and what we can all do to make our neighborhoods better and safer now, and for future generations; and

WHEREAS, Illinois is proud to join in this important observance, and
in supporting the efforts of all those involved in organizing National Day of Concern events here in Illinois, and across the country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 18, 2006 as STUDENT PLEDGE AGAINST GUN VIOLENCE - NATIONAL DAY OF CONCERN in Illinois, and encourage all citizens to become better informed about gun violence, and join in the ongoing mission of keeping our streets safe and crime free.

Issued by the Governor October 17, 2006.
Filed by the Secretary of State October 18, 2006.

2006-368
CHICAGO BAPTIST INSTITUTE DAY

WHEREAS, the Chicago Baptist Institute is a Christian Education College accredited by the Accrediting Commission International, affiliated with the Association for Biblical Higher Education; and
WHEREAS, Chicago Baptist Institute was organized in 1934, under the united sponsorship of the Chicago Baptist Association, the American Baptist Publication Society, the American Baptist Home Mission, and Black Baptist pastors and churches of Chicago; and
WHEREAS, the school will celebrate its Silver Anniversary in a Gala Benefit Banquet on October 23rd, 2006 at 7:00 p.m. to be held at the Condesa del Mar Banquet facility in Alsip, Illinois; and
WHEREAS, the keynote speaker of the evening will be the internationally-renowned Rev. Dr. William J. Shaw, President of the National Baptist Convention USA and the Pastor of White Rock Baptist Church in Philadelphia, Pennsylvania; and
WHEREAS, at the banquet, Dr. Lena M. Saunders and Rev. Dr. Joseph B. Felker will be honored for their outstanding service to their communities and to the Chicago Baptist Institute; and
WHEREAS, Dr. Lena M. Saunders will be honored for her outstanding service on the Board of Trustees since 1991. She has served as chair of the Annual Benefit Banquet for the past 15 years. In this role, she has ensured that the Banquet is carried out with a level of excellence and distinction; and
WHEREAS, Rev. Felker was elected and is serving in his 10th year as Chairman of the Board of Trustees for the Chicago Baptist Institute. He has spearheaded issues concerning barber education, built the Greater New Era District Association from less than 50 churches to over 100 churches, completed the building of the Mt. Carmel Church, added a million dollar educational building, and has presided over the expansion of the Chicago Baptist Institute where the student population has significantly increased; and
WHEREAS, the Galore Benefit Banquet serves as a wonderful celebration of the accomplishments of Dr. Lena M. Saunders and Rev. Dr. Joseph B. Felker, and will be held on October 23, 2006 in Alsip, Illinois:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 23, 2006 as CHICAGO BAPTIST INSTITUTE DAY in Illinois.
Issued by the Governor October 17, 2006.
Filed by the Secretary of State October 18, 2006.

2006-369
HUNGARIAN FREEDOM DAY

WHEREAS, on October 23, 1956, the Hungarian Revolution began with Hungarians joining together in a peaceful call for democracy and an end to the Soviet-dominated Hungarian communist government; and
WHEREAS, peaceful protestors were fired upon by the Hungarian Security Police killing hundreds and triggering the bloody fight for freedom and democracy and the first tear in the Iron Curtain; and
WHEREAS, the Hungarian Freedom Fighters, students and workers, men, women and children, who rose up against impossible odds and risked their lives to take part in their noble fight for freedom and democracy, were able to establish a revolutionary government that released political prisoners (including major church leaders), took steps to establish a multi-party democracy, called for the withdrawal of all Soviet troops from Hungary, announced Hungary’s withdrawal from the Warsaw Pact, and requested United Nations assistance in establishing Hungarian neutrality; and
WHEREAS, the Soviet Union launched a massive military counteroffensive against the revolt, sending tens of thousands of additional troops from the Soviet Union and launched air strikes, artillery
bombardments and coordinated tank-infantry actions involving some 6,000 tanks which, remarkably, the outnumbered and under-equipped Hungarian Army and Hungarian Freedom Fighters resisted for several days; and

WHEREAS, more than 200,000 Hungarians fled their country in the aftermath of the Soviet suppression of the Hungarian uprising, and over 47,000 of these people eventually were able to settle in the United States where they have contributed greatly to the intellectual strength, cultural diversity and the economic might of this country; and

WHEREAS, the Hungarians in 1989 dismantled the Iron Curtain and permitted East Germans safe passage to the West, actions that led to the fall of the Berlin Wall; and

WHEREAS, on October 23, 1989, the Republic of Hungary proclaimed its independence, and in 1990 the Hungarian Parliament officially designated October 23 as a Hungarian national holiday, indicating that the legacy of the 1956 Revolution continues to inspire Hungarians to this day; and

WHEREAS, on March 12, 1999, the Government of Hungary, reflecting the will of the Hungarian people, formally acceded to the North Atlantic Treaty and became a member of NATO and on May 1, 2004, Hungary became a full member of the European Union:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 23, 2006 as HUNGARIAN FREEDOM DAY in Illinois in recognition of the 50th Anniversary of the 1956 Hungarian Revolution.

Issued by the Governor October 17, 2006.
Filed by the Secretary of State October 18, 2006.

2006-370
SOUTH SIDE HELP CENTER 70'S BASH DAY

WHEREAS, the South Side Help Center is a not-for-profit social service agency established in 1987 that serves the entire city of Chicago and its suburbs; and

WHEREAS, the mission of the South Side Help Center is to provide community residents with prevention and intervention services to empower them with life-saving information and develop social interaction skills of
youth through positive and constructive activities; and

WHEREAS, the South Side Help Center is committed to preparing children, teens, and young adults to make positive health and life choices by providing a plethora of free services that address specific, critical risks of inner-city youths; and

WHEREAS, the South Side Help Center has provided numerous programs such as: substance abuse prevention, HIV/AIDS education and risk prevention, mentoring, case management, and mental health; and

WHEREAS, the South Side Help Center will hold its 3rd Annual 70’s Bash at the New Martinique Complex in Burbank, Illinois on November 10, 2006:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 10, 2006 as SOUTH SIDE HELP CENTER 70’S BASH DAY in Illinois, and encourage the people of Illinois to recognize the difficulties that many families go through and offer their support in prolonging a service that is fundamental to the healthy growth of humanity.

Issued by the Governor October 18, 2006.
Filed by the Secretary of State October 18, 2006.

2006-371
UNITED NATIONS DAY

WHEREAS, the United Nations was founded in 1945, and the anniversary of its founding is observed each year on October 24; and

WHEREAS, one of the principal mandates of the United Nations – “To achieve international cooperation in solving problems of an economic, social, cultural, or humanitarian character” – remains as valid today as when those words were written into the Charter more than a half century ago; and

WHEREAS, in September of 2000, 189 countries, including the United States, agreed on the Millennium Development Goals; and

WHEREAS, the fifth of the Millennium Development Goals focuses on the reduction of maternal mortality, and seeks to reduce by three quarters the ratio of women dying in childbirth by 2015; and

WHEREAS, poor maternal health and mortality has a permanent and lasting affect on future generations; and
WHEREAS, the United States is a champion of women’s rights both here and abroad, most recently in its work in Afghanistan and Iraq; and

WHEREAS, the United States must continue to work with the United Nations and UN agencies in order to provide a coordinated, multilateral effort in both assessing the current problem of maternal health and well-being and determining the strategies and mechanisms best suited to reduce maternal mortality and improve women’s health; and

WHEREAS, in Illinois, my administration has worked tirelessly to increase and improve health care for more and more women. Since we took office, we have created the Illinois Healthy Women program to provide health care to women who otherwise would go without. To date, the program has served more than 100,000 women. The Kaiser Foundation has ranked Illinois the best state in the nation for providing health care to people who need it; and

WHEREAS, the United Nations Association of the United States of America (UNA-USA), in cooperation with other organizations, has declared “Maternal Health and Well-Being” as its theme for the 2006 United Nations Day commemorations:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 24, 2006 as UNITED NATIONS DAY in Illinois, and encourage all citizens to join in all activities related to this day.

Issued by the Governor October 18, 2006.
Filed by the Secretary of State October 18, 2006.

2006-372

SICKLE CELL DISEASE ASSOCIATION OF ILLINOIS

WHEREAS, one in 12 African-Americans carries the sickle cell trait, and the disease is also found in descendants from the Mediterranean, Caribbean, South India, and North African areas; and

WHEREAS, the Sickle Cell Disease Association of Illinois (SCDAI) was founded by Howard D. Anderson in 1971 as the Midwest Association for Sickle Cell Anemia to act as an advocate to the legislative body for improved health care and services for sickle cell patients; and

WHEREAS, the Sickle Cell Disease Association of Illinois held its
first Sickle Cell Conference for health care professionals in September of 1972, and has continued the instructive and ever-growing event annually; and
WHEREAS, the Sickle Cell Disease Association of Illinois began a Bike-A-Thon in 1974 that has now expanded into the Walk-Jog-Bike-A-Thon, becoming one of Chicago’s longest standing outdoor fundraisers that attracts over 75,000 participants and raises more than $1,750,000; and
WHEREAS, in 2002, the SCDAI formed a partnership with the Illinois Department of Public Health to carry out the Newborn Screening Program, which established a formal process of protocol to contact Illinois parents of newborns testing positive for sickle disease and trait; and
WHEREAS, the SCDAI’s main concern is for the children; thus, in 1983 the agency established the Bright Horizons Summer Camp for youth, ages 7-18, who suffer from the disease. Also, SCDAI provides college scholarships for high school students; and
WHEREAS, since its inception, the SCDAI has been steadfast in touching thousands of lives and providing support, counseling, referrals, education, and literature in an effort to eradicate a disease that plagues more than 5,000 Illinois residents and whose trait is carried by hundreds of thousands more:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby recognize the Sickle Cell Disease Association of Illinois as they celebrate their 35th year anniversary.

Issued by the Governor October 18, 2006.
Filed by the Secretary of State October 18, 2006.

2006-373
ADOPTION AWARENESS MONTH

WHEREAS, adoption is a rewarding and enriching experience for individuals and couples who want to provide children with a stable, loving family environment; and
WHEREAS, Illinois is recognized as a national leader in finding permanent homes for waiting children, placing more than 47,000 foster children into adoptive and subsidized guardianship homes since 1997; and
WHEREAS, largely because of its success in adoption recruitment, Illinois has become the first state in the nation to support more children in
permanent adoption guardianship placements than in substitute care; and

WHEREAS, the Illinois Department of Children and Family Services, the Child Care Association of Illinois, the Adoption Information Center of Illinois, the Illinois Adoption Advisory Council, the Illinois Foster and Adoptive Parent Association, the Chicago Bar Association, and the many Illinois child welfare agencies and adoptive parent groups all encourage families to consider adopting a child in need of a home; and

WHEREAS, hundreds of children in Illinois are still awaiting adoption:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as ADOPTION AWARENESS MONTH in Illinois, and encourage all families to consider adopting a child into their family.

Issued by the Governor October 23, 2006.
Filed by the Secretary of State October 25, 2006.

2006-374
ASSISTIVE TECHNOLOGY AWARENESS MONTH

WHEREAS, Illinoisans with disabilities of all ages often need assistive technology devices and services to live independently and productively, as well as to participate fully in the affairs of their communities; and

WHEREAS, assistive technology devices and services allow people to work, attend school, participate in leisure and recreational activities, and live in the community of their choice; and

WHEREAS, an assistive technology device is any item, piece of equipment or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities or older adults; and

WHEREAS, assistive technology services are defined as any service that directly assists an individual in the selection, acquisition, or use of an assistive technology device; and

WHEREAS, assistive technology devices and services are not luxury items, but necessities for people with disabilities and older adults; these tools empower people to control their lives and their futures; and
WHEREAS, Illinois is a leader in the development and implementation of assistive technology programs for its citizens with disabilities and older adults:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as ASSISTIVE TECHNOLOGY AWARENESS MONTH in Illinois, and encourage all residents of Illinois to recognize the importance of assistive technology and to become aware of the many ways in which assistive technology contributes to the health, happiness, and independence of our family, friends, and neighbors.

Issued by the Governor October 23, 2006.
Filed by the Secretary of State October 25, 2006.

2006-375
MAKE A DIFFERENCE DAY

WHEREAS, we have the power to save lives and considerably improve the quality of life of others, and there are many ways we can make a difference; and

WHEREAS, just by donating pop tops and recycling, we help amputees get economical and affordable artificial limbs, and reduce environmental waste so that our children have a safer and healthier habitat to play and grow in; and

WHEREAS, there are also many wonderful activities and events committed and dedicated to helping others, including Make A Difference Day. Last year on that day, more than 3 million Americans gave their time and support for thousands of projects in hundreds of towns throughout the country; and

WHEREAS, in Illinois alone, thousands of citizens, civic organizations, companies, religious groups, and schools contributed to projects such as the collection and delivery of supplies to needy students and food and clothing drives for homeless shelters; and

WHEREAS, created by USA WEEKEND Magazine, Make A Difference Day has grown into a substantial vehicle for volunteerism and community service. This year, the 16th Annual Make A Difference Day will be held on October 28:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim October 28, 2006 as MAKE A DIFFERENCE DAY in Illinois in support of this marvelous day for helping others, and to encourage citizens of our state to make a difference.

Issued by the Governor October 23, 2006.
Filed by the Secretary of State October 25, 2006.

2006-376
LUNG CANCER AWARENESS MONTH

WHEREAS, lung cancer is the leading cause of cancer death in the United States. This year alone, lung cancer will claim the lives of more than 163,000 Americans, including 6,790 from the State of Illinois; and

WHEREAS, lung cancer takes the lives of more Americans than breast, prostate, colon, liver, and kidney cancers combined. Clearly, lung cancer is a serious health issue; and

WHEREAS, despite that, there is currently no standard screening for lung cancer; and

WHEREAS, sadly, 70 percent of lung cancer patients are diagnosed in a late stage with only a 15 percent five-year survival rate. However, with early and regular checkups and exams, lung cancer can be diagnosed in an early stage when the chance of survival is as high as 85 percent; and

WHEREAS, this year, the Lung Cancer Alliance, a national patient advocacy group for lung cancer, and other organizations throughout the country will raise awareness about the disease this November:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as LUNG CANCER AWARENESS MONTH in Illinois to call attention to the devastating problem of lung cancer, and in support of efforts by organizations such as the Lung Cancer Alliance to combat this terrible disease that affects so many families in our state.

Issued by the Governor October 24, 2006.
Filed by the Secretary of State October 25, 2006.
WHEREAS, founded in 1975, the United Hellenic American Congress serves as the umbrella and unifying organization for Hellenic Americans; organizing functions on local, regional and national levels to promote Hellenic heritage and culture; safeguarding the human and religious rights of Hellenes in the Diaspora; enhancing relations between the United States, Greece and Cyprus; and improving communications and unity between Greek-Americans and their fellow Americans; and

WHEREAS, originally formed in response to the invasion of Cyprus, the United Hellenic American Congress was organized to fight for the rule of law, justice and equality to protect Hellenic ideals and culture. Since that time, they have grown and evolved into a full service civic, educational and cultural organization dedicated to championing Hellenic-American causes; and

WHEREAS, this year, the United Hellenic American Congress is celebrating its 31st Anniversary, and will commemorate this milestone as part of its Annual Banquet, being held on Saturday, November 11, at the Ritz Carlton Hotel in Chicago; and

WHEREAS, during this celebration, the United Hellenic American Congress will honor Greek-American bankers, who have: contributed significantly to both national and international banking communities; represented the financial industry with honor and integrity; and encompassed all of the positive traits of Hellenism and American virtue; and

WHEREAS, the State of Illinois is proud to join the United Hellenic American Congress in commemorating their 31 year commitment to the Hellenic American communities, and in honoring the accomplishments of the leading Greek-American bankers in the Chicago metropolitan community for their dedication to their Hellenic heritage, and for upholding both Hellenic and American principals:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 11, 2006 as UNITED HELLENIC AMERICAN CONGRESS DAY in Illinois, and congratulate and commend this organization on the occasion of their 31st Anniversary.

Issued by the Governor October 25, 2006.
WHEREAS, international education is critical for our future welfare. By studying, learning, and exchanging experiences, we develop a greater appreciation and respect for other people and their cultures, and breakdown barriers to understanding and cooperation, which are vital to peace and prosperity; and

WHEREAS, foreign student exchange programs are just one wonderful opportunity to learn about other people and cultures. Approximately 600,000 international students study in the United States every year; and

WHEREAS, International Education Week is from November 13-17, and the United States Departments of State and Education are teaming up to promote similar efforts during that week that enrich our comprehension of international education; and

WHEREAS, international education and exchange include thousands of programs, public, and private, campus-based and national, that promote the sharing of ideas and experiences across borders. These include study abroad programs, citizen and scholarly exchanges, foreign students on U.S. Campuses, area and foreign language studies, and global approaches to U.S. education; and

WHEREAS, we live in an increasingly interconnected world and improving global literacy among our citizens contributes significantly to our nation’s foreign policy, economic competitiveness, and national security; and

WHEREAS, this year’s theme, “International Education: Engaging in Global Partnerships and Opportunities,” presents a golden opportunity to focus on what it takes to create new partnerships and seize new opportunities in the 21st century:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 13-17, 2006 as INTERNATIONAL EDUCATION WEEK in Illinois, and join the campaign by the United States Departments of State and Education to encourage international education.

Issued by the Governor October 27, 2006.
2006-379

ART EXPLORING INDIVIDUALS LIVING WITH MENTAL ILLNESS MONTHS

WHEREAS, the Neumann Association is hosting an art exhibit on mental illness, “Abstract Mind Mural: Art Exploring Individuals Living with Mental Illness” at the Chicago O’Hare International Airport from October to December, 2006; and

WHEREAS, the Neumann Association is a Chicago-based not-for-profit organization that serves people with mental illness and developmental disabilities, and created the mural in collaboration with the Aldo Castillo Arts Foundation, which provides art education and programming by highlighting diverse cultures and international artists; and

WHEREAS, according to the National Institute of Mental health, nearly 58 million adults in the U.S. – more than one in four – suffer from a diagnosable mental disorder in a given year. This includes such conditions as depression, anxiety, bipolar disorder, and schizophrenia. Mental disorders are the leading cause of disability in the U.S. for people aged 15-44; and

WHEREAS, professional artists from more than 20 countries collaborated with amateur artists from Chicago living with a mental illness in order to capture the tremendous impact that these disorders can have on these individuals, demonstrating that art is a powerful healing tool; and

WHEREAS, the Mural includes 60 pieces by professional artists, as well as art by clients of the Neumann Association who are living with chronic and severe mental illness. The professional art is displayed alongside that of the people living with mental illness to signify the importance of keeping people with mental illness connected with the rest of society:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October through December, 2006 as ART EXPLORING INDIVIDUALS LIVING WITH MENTAL ILLNESS MONTHS in Illinois.

Issued by the Governor October 27, 2006.

Filed by the Secretary of State October 30, 2006.
WHEREAS, throughout the country, school psychologists work diligently in our schools and school district offices to improve learning and behavior strategies among students, and to enhance classroom management and parenting skills; and

WHEREAS, sound psychological principles are integral to instruction and learning, social and emotional development, prevention and early intervention, and supporting culturally diverse student populations; and

WHEREAS, school psychologists demonstrate their ability to meet the varying needs of students through a wide-range of approaches such as consultation, assessment, intervention, prevention, and education; and

WHEREAS, children’s mental health is directly linked to their learning and development; and

WHEREAS, meeting children’s mental health needs is a wise investment because prevention/earlier intervention are more cost effective than remediation, incarceration, or lost productivity; and

WHEREAS, school psychologists are specially trained to deliver a continuum of mental health services and academic supports within the school setting; and

WHEREAS, school psychologists facilitate collaboration and help parents and educators identify and reduce risk factors, create effective and caring schools, access needed community resources, and implement research-driven prevention and intervention strategies; and

WHEREAS, the Illinois School Psychologists Association, an affiliate of the National Association of School Psychologists, is a not-for-profit professional association representing school psychologists in the State of Illinois. This year, they will recognize school psychologists in our state for their valuable service during the second week in November:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 6-10, 2006 as SCHOOL PSYCHOLOGY AWARENESS WEEK in Illinois, and commend school psychologists for their outstanding dedication to furthering the education and emotional well-being of our children.

Issued by the Governor October 27, 2006.
2006-381
REVEREND DR. JOHNNIE COLEMON DAY

WHEREAS, in 1956, Reverend Dr. Johnnie Colemon founded Christ Universal Temple, where she still serves as minister today; and
WHEREAS, Christ Universal Temple is a teaching ministry geared toward helping change man’s thoughts about God. Christ Universal Temple teaches the fatherhood of God and the brotherhood of man, and recognizes that all people are children of God and all humanity is one family; and
WHEREAS, today, Christ Universal Temple serves more than 20,000 members, with about 4,000 gathering every Sunday and throughout the week; and
WHEREAS, Reverend Colemon’s other organizations include the Universal Foundation for Better Living, the Johnnie Colemon Institute, and the Johnnie Colemon Academy; and
WHEREAS, this year, Christ Universal Temple celebrates 50 years of nondenominational teaching, and on this amazing milestone occasion, congregants, friends, and family will gather to honor Reverend Colemon for her hard work, wonderful accomplishments, and strong commitment to serving the Christ Universal Temple community:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 29, 2006 as REVEREND DR. JOHNNIE COLEMON DAY in Illinois.

Issued by the Governor October 27, 2006.
Filed by the Secretary of State October 30, 2006.

2006-382
NATIONAL FAMILY WEEK

WHEREAS, families are important for our health and well-being. They bring us joy and pleasure in moments of triumph, as well as comfort and solace during times of tragedy; and
WHEREAS, families are also the base and foundation of every community. Consequently, the success of our communities depends upon the
strength of families; and
   WHEREAS, for that reason, it is in the interest of everyone to promote and support families. By doing so, we can improve the communities we all live and work in; and
   WHEREAS, Thanksgiving is a special time of year we spend with our families. Since 1968, that week has been commemorated as National Family Week; and
   WHEREAS, with the assistance and resources of organizations such as the Alliance for Children and Families and its local member agency, the Child Care Association of Illinois, as well as the 32nd Degree Scottish Rite Masons, we can help families of all shapes and sizes create a better future for all of Illinois; and
   WHEREAS, this year, Thanksgiving falls on November 23, and National Family Week is from November 19-25:
   THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 19-25, 2006 as NATIONAL FAMILY WEEK in Illinois to recognize the importance of families, and in support of efforts by organizations such as the Child Care Association of Illinois and the 32nd Degree Scottish Rite Masons to promote family unity.
   Issued by the Governor October 30, 2006.
   Filed by the Secretary of State October 30, 2006.

2006-383
AMERICAN ASSOCIATION OF UNIVERSITY WOMEN DAY

   WHEREAS, the future of our nation’s productivity and competitiveness in the global workplace depends on the success of boys and girls – our future men and women; and
   WHEREAS, throughout history, women have been discriminated against in education, the workplace, and society as a whole; and
   WHEREAS, the American Association of University Women opens doors for women and girls and influences public debate on critical social issues such as education, civil rights, and workplace equity; and
   WHEREAS, the American Association of University Women promotes excellence in academia for women through the improvement of schools, communities, and fields of work for the benefit of all; and
WHEREAS, the American Association of University Women is one of the oldest existing organizations dedicated to promoting education and equity for women and girls; and

WHEREAS, the American Association of University Women celebrates its 125th anniversary this year from its inception on November 28, 1881; and

WHEREAS, AAUW Illinois, Inc. advances the American Association of University Women’s 125-year legacy of leadership on behalf of women and girls in Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 28, 2006 as AMERICAN ASSOCIATION OF UNIVERSITY WOMEN DAY in Illinois, and encourage all citizens to recognize the value of education and equitable society, and the laudable work of the American Association of University Women to that end.

Issued by the Governor October 30, 2006.
Filed by the Secretary of State October 30, 2006.

2006-384
DIABETES AWARENESS MONTH

WHEREAS, diabetes has reached epidemic proportions in the United States. In Illinois alone, more than 567,756 adults (age 18 and older) have diagnosed diabetes. An estimated additional 3 million people are at increased risk for developing diabetes due to age, obesity, and sedentary lifestyle. About one in every 400 to 600 children and adolescents has type 1 diabetes and an undetermined number of youth may have or are at risk for type 2 diabetes; and

WHEREAS, type 2 diabetes can be prevented in those at high risk by changes in lifestyle with improved diet, increased physical activity, and/or modest weight loss; and

WHEREAS, in Illinois, diabetes both type 2 and type 1 account for nearly $7.3 billion in total direct healthcare and indirect costs every year. It is estimated that the direct medical care costs per person per year with diabetes is 4.3 times higher than the person without diabetes. Studies estimate that a one percent reduction in A1c values can reduce total healthcare costs
for a patient with type 2 diabetes by up to $950 per year; and

WHEREAS, numerous studies support that people with diabetes can prevent or delay the progression of complications by practicing goal-oriented management of blood glucose, lipids and blood pressure, receiving diabetes self-management education, ensuring proper food intake and physical activity to help achieve target values, maintaining a healthy body weight, and receiving recommended eye and foot examinations; and

WHEREAS, blood pressure control reduces the risk of cardiovascular disease among persons with diabetes by 33% to 50% and the risk of microvascular complications (eye, kidney, and nerve diseases) by approximately 33%, detection and treatment diabetic eye disease can reduce the development of severe vision loss by an estimated 50% to 60%, detection and treatment early diabetic kidney disease can reduce the decline in kidney function by 30% to 70%, improved control of blood lipids can reduce cardiovascular complications by 20% to 50%, and comprehensive foot care programs can reduce amputation rates by 45% to 85%:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as DIABETES AWARENESS MONTH in Illinois.

Issued by the Governor October 31, 2006.
Filed by the Secretary of State November 02, 2006.

2006-385

VETERANS DAY AT LEO HIGH SCHOOL

WHEREAS, throughout American history, countless men and women have risked their lives to defend liberty; and

WHEREAS, from Bunker Hill, Gettysburg, and D-Day, to Yorktown, Appomattox, and V-J Day, millions of Americans have bravely and courageously preserved and protected our freedom; and

WHEREAS, today, there are more than 1,000,000 veterans living in Illinois. The Illinois Department of Veterans’ Affairs was created to serve their needs, as well as the needs of their families and loved ones; and

WHEREAS, that is the least we can do to honor our veterans for their devotion to duty and service. Originally a remembrance of those who fought in the First World War, Armistice Day was renamed Veterans Day in 1954
by President Eisenhower so that we would always remember the sacrifices
and contributions of veterans from all American wars; and

WHEREAS, our veterans have kept our country safe and free, and
Veterans Day is an excellent opportunity to celebrate all the past
achievements of these valiant men and women to whom we are deeply
indebted; and

WHEREAS, to celebrate Veterans Day, a program at Leo High
School in Chicago will honor veterans from Illinois and the contributions
they have made on November 3:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim November 3, 2006 as VETERANS DAY AT
LEO HIGH SCHOOL in Illinois in recognition of the school’s commitment
to honoring our nation’s past and present heroes.

Issued by the Governor October 31, 2006.
Filed by the Secretary of State November 02, 2006.

2006-386
CHILDREN’S BOOK WEEK

WHEREAS, although we frequently hear that “reading is
fundamental,” the true meaning of that phrase is often taken for granted; and
WHEREAS, in recent years, literacy rates in the United States have
been decreasing, and an increasingly greater number of students are failing
to pass basic reading proficiency exams; and
WHEREAS, reading is important because it helps us develop
comprehension and critical-thinking skills that are essential and vital in all
professions; and
WHEREAS, in addition to the utility of reading, books allow us to
immerse and project ourselves in other fascinating cultures, historical
periods, and imaginative worlds; and
WHEREAS, for those reasons, the Children’s Book Council annually
promotes Children’s Book Week as part of their campaign to encourage
reading among children; and
WHEREAS, this year, the Children’s Book Council will celebrate the
87th anniversary of Children’s Book Week from November 13 to 19:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim November 13-19, 2006 as CHILDREN'S BOOK WEEK in Illinois in support of the worthy efforts by the Children’s Book Council to introduce children to the world of books and, in so doing, help ensure their future success.

Issued by the Governor November 01, 2006.
Filed by the Secretary of State November 02, 2006.

2006-387
VETERANS' DAY

WHEREAS, through the generations, America's men and women in uniform have defeated tyrants, liberated continents, and set a standard of courage and idealism for the entire world; and
WHEREAS, to protect the Nation they love, our veterans stepped forward when America needed them most. In answering history's call with honor, decency, and resolve, our veterans have shown the power of liberty and earned the respect and admiration of a grateful Nation; and
WHEREAS, all of America's veterans have placed our Nation's security before their own lives, creating a debt that we can never fully repay. Our veterans represent the best of America, and they deserve the best America can give them; and
WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and
WHEREAS, this Veterans Day, we give thanks to those who have served freedom's cause; we salute the members of our Armed Forces who are confronting our adversaries abroad; and we honor the men and women who left America's shores but did not live to be thanked as veterans. They will always be remembered by our country:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 11, 2006 as VETERANS’ DAY in Illinois, and encourage all Americans to recognize the valor and sacrifice of our veterans through ceremonies and prayers.

Issued by the Governor November 06, 2006.
Filed by the Secretary of State November 09, 2006.
2006-388
SLOVENIAN CULTURAL CENTER DAY

WHEREAS, thousands of people of Slovenian heritage have chosen Illinois as their home and have contributed much to the progress and development of the State; and
WHEREAS, the Slovenian Cultural Center in Lemont, Illinois is a non-profit organization with over 600 members; and
WHEREAS, the Slovenian Cultural Center is celebrating its 11th anniversary by setting aside time to enhance cultural awareness and to encourage Slovenian Americans of all ages to work together toward common goals; and
WHEREAS, the Slovenian Cultural Center includes all age groups, provides educational programs strengthening cultural and spiritual roots, sponsors workshops, organizes youth activities, and offers cultural events in the arts; and
WHEREAS, Slovenian-Americans living in Illinois, joined in spirit by Slovenian-Americans living nationwide, and by numerous persons with a mien toward Slovenian traditions and values, will celebrate the 11th anniversary of the founding of the Slovenian Cultural Center in Lemont, Illinois, on November 12, 2006:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 12, 2006 as SLOVENIAN CULTURAL CENTER DAY in Illinois, and encourage all citizens to join in celebration of the rich Slovenian culture and heritage.
Issued by the Governor November 06, 2006.
Filed by the Secretary of State November 09, 2006.

2006-389
NATIONAL GEOGRAPHIC INFORMATION SYSTEM DAY

WHEREAS, Geographic Information System (GIS) technology is a growing industry used around the world to help solve problems in such areas as environmental protection, pollution, health care, land use, natural resources, conservation, business efficiency, education, and social inequities; and
WHEREAS, people benefit from GIS technology when they use an automated teller machine, pull a map off the Internet, call emergency services such as 911, or have a pizza delivered; and

WHEREAS, GIS is an important part of geography awareness; and

WHEREAS, this year, the National Geographic Society is holding the eighth annual global GIS Day on November 15, 2006; and

WHEREAS, the principal sponsors of this year’s event are the National Geographic Society, Association of American Geographers, University Consortium for Geographic Information Science, the Library of Congress, the U.S. Geological Survey, Sun Microsystems, Hewlett-Packard, and ESRI; and

WHEREAS, GIS Day is part of the National Geographic Society’s exciting initiative, “Geography Action! Geography Action!” with the focus and theme this year as African in 3-D: Demographics, Diversity, Discovery:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 15, 2006 as NATIONAL GEOGRAPHIC INFORMATION SYSTEM DAY in Illinois, and encourage all citizens to participate in GIS Day activities.

Issued by the Governor November 06, 2006.

Filed by the Secretary of State November 09, 2006.

2006-390

MARINE CORPS BIRTHDAY

WHEREAS, since its creation on November 10, 1775, the United States Marine Corps has protected our citizens and guarded our freedoms; and

WHEREAS, through their superb skills in carrying out integrated land, sea, and air operations, the officers and enlisted men and women of the United States Marine Corps have earned the respect and gratitude of all Americans; and

WHEREAS, as our country has established a position of world leadership, the Marines have proven themselves dedicated professionals willing to defend lives and protect the rights we value as Americans; and

WHEREAS, the 2006 observance of the Marine Corps Birthday calls attention to the courageous deeds of Marines across Illinois and the nation
while honoring the legacy of valor and distinction exhibited by the members of the United States Marine Corps throughout its history:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim and recognize November 10, 2006 as the Marine Corps Birthday and encourage all Illinoisans to thank the brave men and women who serve and have served as United States Marines.

Issued by the Governor November 08, 2006.
Filed by the Secretary of State November 09, 2006.

2006-391
POLISH-AMERICAN HERITAGE MONTH

WHEREAS, October is a national observance focusing on the many contributions of Polish-Americans to the fields of science, medicine, business, law, industry, public service, education, and the arts; and
WHEREAS, during this month, more than one million Illinois residents of Polish descent celebrate their heritage of love of democracy, humanitarianism, and appreciation of the arts and education; and
WHEREAS, with Chicago boasting the largest Polish population of any city outside of Poland, it is fitting that we take the time to recognize the amazing contributions that Polish-Americans have made to our State; and
WHEREAS, the Polish American Congress, Illinois Division, salutes Polish-Americans at the 37th Annual Heritage Award Gala Celebration bestowing the prestigious 2006 Heritage Award to Mr. Wallace Ozog, President of the Polish Roman Catholic Union of America. Additional awards will be presented to Rev. Michael Osuch of Saint Hyacinth Basilica, Rev. Pawel Bandurski of Holy Trinity Mission Church, Charlie Wojciechowski of Channel 5, Lew Kuczynski, Esq of the Polish American Congress, and Commander Ralph Price of the Chicago Police Department; and
WHEREAS, the State of Illinois is proud to join with the Polish-American community in celebrating this month with the opening of the “Roads to Freedom-to Europe through Solidarity” exhibition at the St. Hyacinth Basilica. The exhibition commemorates the 25th Anniversary of the Solidarity Movement - the movement that marked the beginning of the end of the Communist system in Eastern Europe and the former Soviet Union:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of
Illinois, do hereby proclaim October 2006 as POLISH-AMERICAN HERITAGE MONTH in Illinois, and encourage all citizens to join their fellow citizens of Polish descent in observance of this month.

Issued by the Governor November 09, 2006.
Filed by the Secretary of State November 09, 2006.

2006-392
PARAPROFESSIONALS AND SCHOOL RELATED PERSONNEL DAY

WHEREAS, there are more than 100,000 individuals employed by school districts, colleges and universities across Illinois as Paraprofessional and School Related Personnel such as office employees, custodians, maintenance workers, bus drivers, bus aides, paraeducators, cafeteria workers, school nurses, personal care aides, groundskeepers, secretaries, bookkeepers, clerks, library/media assistants, mechanics, security, computer lab assistants, technical support, special education assistants and other job titles; and

WHEREAS, Paraprofessionals and School Related Personnel in Illinois provide quality services and play indispensable roles in the education of our students in our public schools; and

WHEREAS, across Illinois, Paraprofessionals and School Related Personnel transport students to schools; keep our schools safe, clean, and well-maintained; operate our school offices efficiently and keep records properly; serve nutritious meals; and provide quality instructional assistance; and

WHEREAS, school support personnel use their knowledge and skills to make sure students get the most out of every school day and our schools could not operate without them; and

WHEREAS, Paraprofessional and School Related Personnel in our schools are important contributors in the effort to maintain a safe environment for both students and staff and play a central role in responding to any threat to the smooth and safe operation of our state’s educational facilities; and

WHEREAS, Illinois is proud to join in this important observance, and in supporting the invaluable role Paraprofessional and School Related
Personnel play throughout Illinois in providing quality services that enable students to learn in a positive, safe, and supportive environment; and

WHEREAS, Illinois is proud to acknowledge Paraprofessional and School Related Personnel as equal and essential partners in the education process:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim the third Wednesday of November in 2006 and each subsequent year as PARAPROFESSIONALS AND SCHOOL RELATED PERSONNEL DAY in Illinois, to recognize the many great services Paraprofessionals and School Related Personnel provide to students, staff, and public schools throughout the State of Illinois.

Issued by the Governor November 13, 2006.
Filed by the Secretary of State November 17, 2006.

2006-393

ARGONNE NATIONAL LABORATORY DAY

WHEREAS, Argonne National Laboratory was created as a logical extension of the Metallurgical Laboratory at the University of Chicago, which so materially contributed to America's victory in World War II; and

WHEREAS, the Laboratory is today a world-recognized leader in scientific research and development; and

WHEREAS, scientific and technological research at the Laboratory has led to significant advances in energy, health and biotechnology, materials and chemistry, climate and weather, environmental technology, computing and information, high-energy and nuclear physics, and nuclear non-proliferation; and

WHEREAS, the Laboratory has played and continues to play a significant role in the emergence of the State of Illinois as a national center for science and technology; and

WHEREAS, the Laboratory enthusiastically cooperates with existing and new Illinois companies, believing that strengthening Illinois' technological base will create new jobs here and improve every citizen's quality of life; and

WHEREAS, the Laboratory also conducts joint research with and opens its facilities to researchers from Illinois' major universities; and
WHEREAS, Argonne National Laboratory this year marks its 60th anniversary of service to the State of Illinois and to the nation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 28, 2006 as ARGONNE NATIONAL LABORATORY DAY in Illinois.

Issued by the Governor November 15, 2006.
Filed by the Secretary of State November 17, 2006.

2006-394
ENTREPRENEURSHIP WEEK

WHEREAS, entrepreneurship is vital to Illinois’ growth and prosperity; and

WHEREAS, most of the new jobs created throughout the United States in the past decade have come from the creative efforts of entrepreneurs and small businesses; and

WHEREAS, more than 70 percent of young Americans envision starting a business or doing something entrepreneurial as adults; and

WHEREAS, since taking office in 2003, my administration has made an unprecedented commitment to nurturing our entrepreneurs, opening up 19 entrepreneurship centers throughout Illinois to turn promising ideas into promising companies and new jobs; and

WHEREAS, over the past four years, we have invested more than $47 million through the Illinois Entrepreneurship Network that has helped small companies generate almost $2.2 billion in government contracts and international sales and secure almost $429 million in financing; and

WHEREAS, a broad coalition of partner organizations in Illinois and throughout the United States is actively engaged in enhancing entrepreneurial opportunities through collaboration and cooperation with the national Consortium for Entrepreneurship Education; and

WHEREAS, encouraging youth to be excited about entrepreneurship and working to expand the knowledge, skills and attitudes of Illinois’ youth and adults to be successful entrepreneurs are crucial to the long-term growth of local communities, Illinois and the United States; and

WHEREAS, Illinois’ Career and Technical Student Organizations offer an array of programs, activities and competitive events focused on
entrepreneurship; and

WHEREAS, the United States House of Representatives resolved to recognize the first annual National Entrepreneurship Week commencing on February 24, 2007; and

WHEREAS, National Entrepreneurship Week provides an opportunity to focus on the innovative ways in which entrepreneurship education can bring together the core academic, technical and problem solving skills essential for future entrepreneurs and successful workers in future workplaces:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 24 through March 3, 2007 as ENTREPRENEURSHIP WEEK in Illinois.

Issued by the Governor November 20, 2006.

Filed by the Secretary of State November 22, 2006.

2006-395

GREEK WOMEN’S UNIVERSITY CLUB DAY

WHEREAS, the Greek Women’s University Club was founded February 21, 1931, with the objectives of rewarding excellence in education and fostering Greek heritage; and

WHEREAS, the club was the first Hellenic organization to provide funds for Cooley’s Anemia Research and to support the social services of the Hellenic Foundation; and

WHEREAS, the Greek Women’s University Club has contributed to the Modern Greek Studies Program at the University of Illinois in Chicago; has sponsored art exhibits, lectures, and concerts; and has honored outstanding personalities of Greek heritage; and

WHEREAS, since its inception, the Greek Women’s University Club has presented annual scholarships to select women. In addition, the club recently started giving monetary awards to young men and women in annual music competitions; and

WHEREAS, club members have achieved recognition in a number of professions, including business, banking, and education; and

WHEREAS, the Greek Women’s University Club will be celebrating its 75th anniversary on November 26, 2006 at the Crystal Palace in Park
Ridge, Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 26, 2006 as GREEK WOMEN’S UNIVERSITY CLUB DAY in Illinois in recognition of their 75th anniversary.

Issued by the Governor November 21, 2006.
Filed by the Secretary of State November 22, 2006.

2006-396
CARBON MONOXIDE DETECTOR AWARENESS WEEK

WHEREAS, carbon monoxide is an odorless, tasteless, invisible gas that is produced when fossil fuels, such as natural gas, gasoline, wood, coal, propane, oil and methane, are burned incompletely; and

WHEREAS, in the home, heating and cooking equipment that burn fossil fuels are potential sources of carbon monoxide, while vehicles or generators running in an attached garage can also cause dangerous levels of the gas; and

WHEREAS, exposure to elevated levels of carbon monoxide can produce symptoms similar to influenza, food poisoning or other illnesses, including dizziness, nausea, headache, coughing, irregular heartbeat, and pale skin with cherry red lips and ear tips; and

WHEREAS, approximately 200 people die each year in the United States from carbon monoxide poisoning, and thousands more are sickened by exposure to the gas; and

WHEREAS, these deaths and illnesses can be prevented when homes and apartments are equipped with working carbon monoxide detectors, which alert residents to the presence of dangerous levels of carbon monoxide gas; and

WHEREAS, the Illinois General Assembly approved and I signed into law this spring the Carbon Monoxide Alarm Detector Act, which requires, beginning January 1, 2007, for all homes and apartments that use fossil fuels or have an attached garage to have an approved, operating carbon monoxide detector installed within 15 feet of any sleeping area; and

WHEREAS, the Office of the State Fire Marshal is working with local fire departments throughout the state to increase public awareness of the
new law and how carbon monoxide detectors can save lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 4-10, 2006 as CARBON MONOXIDE DETECTOR AWARENESS WEEK in Illinois. During this week I urge all the citizens of Illinois to learn more about the dangers of carbon monoxide poisoning and ensure that their homes are equipped with working carbon monoxide detectors by January 1, 2007.

Issued by the Governor November 27, 2006.
Filed by the Secretary of State November 29, 2006.

2006-397
VIETNAMESE ASSOCIATION OF ILLINOIS DAY

WHEREAS, in 1976, the Vietnamese Association of Illinois (VAI) was established in Chicago as a not-for-profit, community based organization created by and for Vietnamese people; and

WHEREAS, VAI provides support and assistance to thousands of refugees and immigrants from Vietnam and other nations annually in various programs including: job counseling and placement, vocational training, ESL/Literacy, small business development, citizenship education, women’s health education, and comprehensive elderly and youth services; and

WHEREAS, the VAI aims to promote, support, and implement a variety of social services, educational activities, and cultural programs in the Vietnamese community and to encourage the spirit of mutual assistance and self-sufficiency among Vietnamese Americans; and

WHEREAS, this year, on December 2, 2006, the Vietnamese Association of Illinois will be holdings its Annual Fundraising Dinner celebrating with the theme: “30 Years: Remembering the Past, Preparing for Our Future” at the White Eagle Banquet Hall in Niles, Illinois:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 2, 2006 as VIETNAMESE ASSOCIATION OF ILLINOIS DAY in Illinois.

Issued by the Governor November 27, 2006.
Filed by the Secretary of State November 29, 2006.
**2006-398**

**NATIONAL PEARL HARBOR REMEMBRANCE DAY**

WHEREAS, on the morning of December 7, 1941, America was attacked without warning at Pearl Harbor, Hawaii, by the air and naval forces of Imperial Japan; and

WHEREAS, more than 2,400 people perished and another 1,100 were wounded, triggering our entry into World War II; and

WHEREAS, today, we honor those killed 65 years ago and those who survived to fight on other fronts in the four succeeding years of the war; and

WHEREAS, the attack on Pearl Harbor fired the American spirit with a determination that freedom would not fall to tyranny; and the United States and its allies fought to victory, preserving a world in which democracy could grow; and

WHEREAS, we are grateful for the service of the brave men and women of the United States Military who were there at Pearl Harbor that tragic day in history, and honor them by pledging to do our best to secure for our children, our grandchildren, and all of posterity the continuing blessings of liberty:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 7, 2006 as NATIONAL PEARL HARBOR REMEMBRANCE DAY in Illinois, and encourage all citizens to observe this solemn occasion with appropriate ceremonies and with reverence.

Issued by the Governor November 28, 2006.

Filed by the Secretary of State November 29, 2006.

**2006-399**

**METH PREVENTION DAY**

WHEREAS, methamphetamine, or meth, is one of the biggest threats to our rural communities and the families who live in them; and

WHEREAS, meth is a powerful stimulant that affects the central nervous system, and is derived from ephedrine or pseudoephedrine, commonly used in cold medicine; and
WHEREAS, chronic abuse of meth can lead to psychotic behavior, characterized by intense paranoia, hallucinations, and out-of-control rages that can be coupled with extremely violent behavior; and

WHEREAS, the Illinois Department of Corrections (IDOC) reports that approximately 800 offenders in the Department have been incarcerated for meth related crimes; and

WHEREAS, in FY04, Illinois had 490 inmates in prison for meth-related offenses. In FY05, that number jumped to 541 meth-related inmates. Many more inmates may be currently incarcerated for violent or property crimes that were related to a meth addiction; and

WHEREAS, over two years, my administration will create two Meth Units, one at Southwestern Illinois Correctional Center (SWICC) and one at Sheridan. This year, we will create a 200 bed Meth Unit at the 667 bed Southwestern Illinois Correctional Center and make the entire prison another fully dedicated drug prison and reentry program in the model of Sheridan. Next year, we will expand the Sheridan Correctional Center from 950 offenders to its full capacity of 1300 offenders, with 200 of those spaces to be used for another Meth Unit; and

WHEREAS, my administration has charged the IDOC to develop a cutting-edge new model for the nation that will reduce recidivism among meth-addicted offenders, and will be launched at SWICC and then added to Sheridan; and

WHEREAS, inmates at Southwestern and Sheridan will participate in integrated programs including drug treatment, vocational training, education, and closely supervised community reentry; and

WHEREAS, in order to break the cycle of crime and addiction, these Meth Units will enable meth-addicted prisoners to receive treatment, counseling, and job training. Thus, these prisoners will have a better chance of leaving prison without the drug addiction that threatens their lives and our communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 30, 2006 as METH PREVENTION DAY in Illinois.

Issued by the Governor November 28, 2006.

Filed by the Secretary of State November 29, 2006.
WHEREAS, on November 30, 2006, Senator Miguel del Valle of the 2nd District is retiring from his 20-year career in the Illinois Senate and will become the first Latino to serve as the City Clerk of the City of Chicago; and

WHEREAS, Senator Miguel del Valle has led an honorable and distinguished career in public service. He has served on the Illinois Democratic State Central Committee, as the Unit Director of Barreto Boys and Girls Club, as the Executive Director of Association House, and as a full-time State Senator since 1987; and

WHEREAS, born on July 24, 1951 in Puerto Rico, Senator del Valle grew up in the West Town and Humboldt Park areas of Chicago. He graduated from Tuley High School (now Roberto Clemente High School) in 1969 and went on to Northeastern Illinois University, where he earned his Bachelor’s degree in Secondary Education and his Master’s degree in Counseling; and

WHEREAS, as the first Latino elected to the Illinois Senate, Senator del Valle was also the first Latino to serve as Assistant Majority Leader in the Illinois Senate, where he has been an outspoken advocate for Latino representation in all levels and branches of government. His leadership in redistricting cases in 1981, 1992, and 2001 led to the creation of Latino majority districts on the City, County, and State levels; and

WHEREAS, as a leading advocate for enhancing the education of all our youth, Senator del Valle was the first to champion the free school breakfast and lunch programs in Illinois schools and he continues to be a strong proponent of providing comprehensive health coverage for every child in Illinois; and

WHEREAS, Senator del Valle is the founder of the Illinois Association of Hispanic State Employees (IAHSE). He also co-founded numerous other Latino organizations, including the Illinois Legislative Latino Caucus, of which he is a co-chair; the Illinois Latino Advisory Council on Higher Education (ILACHE); the Alliance of Latinos and Jews; the Illinois Hispanic Democratic Council (IHDC); and he developed the annual Department of Children and Family Services Hispanic Families Conference; and
WHEREAS, the State of Illinois congratulates Senator Miguel del Valle on his 20-year career in the Illinois Senate, and wishes him well in his new role with the City of Chicago and in all his future endeavors:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 30, 2006 as MIGUEL DEL VALLE DAY in Illinois, and thank Senator del Valle for his dedicated service in the Illinois Senate.

Issued by the Governor November 29, 2006.
Filed by the Secretary of State November 29, 2006.

2006-401
ILLINOIS FAMILY BUSINESS OF THE YEAR DAY

WHEREAS, the 2006 Illinois Family Business of the Year Awards will be given out by the Loyola University Chicago Family Business Center and Harris; and

WHEREAS, the Loyola University Chicago Family Business Center is an internationally recognized pioneer and leader in family business program development and research, serving as a resource to family businesses in the Chicago region and throughout the nation. The Family Business Center businesses employ over 50,000 workers and exceed $20 billion dollars in annual sales; and

WHEREAS, family-owned businesses account for more than half of the nation’s total employment, new job creation, and gross domestic product. Illinois is second in the United States in both longevity and revenue size of its family businesses; and

WHEREAS, since 1994, these awards have honored family firms throughout Illinois who have excelled in both business and balancing family responsibilities; and

WHEREAS, there are awards in five categories: small (companies with fewer than 50 employees), medium (50 to 250), large (more than 250), Community Service, and Century Award; and

WHEREAS, in addition to business success, those recognized will have demonstrated positive family/business linkage, multi-generational family business involvement, contributions to industry and community, and innovative business practices and strategies. Any family-owned business
headquartered in Illinois is eligible to win; and
WHEREAS, the Loyola University Chicago’s Family Business Center will hold its 13th Annual Awards Program on December 7, 2006, sponsored by Harris, at the Four Seasons Hotel – Chicago:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 7, 2006 as ILLINOIS FAMILY BUSINESS OF THE YEAR DAY in Illinois, and encourage all citizens to recognize the importance of family-owned businesses in this state and across the country.
Issued by the Governor November 29, 2006.
Filed by the Secretary of State November 29, 2006.

2006-402
2006 GENERAL ELECTION STATEWIDE OFFICERS

WHEREAS, On the 7th day of November, 2006, an election was held in the State of Illinois for the election of the following officers, to-wit:
One (1) Governor for the full term of four years.
One (1) Lieutenant Governor for the full term of four years.
One (1) Attorney General for the full term of four years.
One (1) Secretary of State for the full term of four years.
One (1) Comptroller for the full term of four years.
One (1) Treasurer for the full term of four years.
WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 1st day of December, 2006, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

GOVERNOR
Rod R. Blagojevich
LIEUTENANT GOVERNOR
Pat Quinn
ATTORNEY GENERAL
Lisa Madigan
SECRETARY OF STATE
Jesse White
NOW, THEREFORE, I, ROD R. BLAGOJEVICH, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor December 01, 2006.
Filed by the Secretary of State December 04, 2006.

2006 GENERAL ELECTION U.S. CONGRESS AND SENATORS AND REPRESENTATIVES IN THE GENERAL ASSEMBLY

WHEREAS, On the 7th day of November, 2006, an election was held in the State of Illinois for the election of the following officers, to-wit:

Nineteen (19) Representatives in Congress, to-wit: One (1) Representative in Congress from each of the nineteen (19) Congressional Districts of the State for the full term of two years.

Nineteen (19) State Senators, t-wit: One (1) State Senator from the 3rd, 6th, 9th, 12th, 15th, 18th, 21st, 24th, 27th, 30th, 33rd, 36th, 39th, 42nd, 45th, 48th, 51st, 54th and 57th Legislative District for the full term of two years.

Twenty (20) State Senators, to-wit: One (1) State Senator from the 1st, 4th, 7th, 10th, 13th, 16th, 19th, 22nd, 25th, 28th, 31st, 34th, 37th, 40th, 43rd, 46th, 49th, 52nd, 55th and 58th Legislative District for the full term of four years.

One Hundred Eighteen (118) Representatives in the General Assembly, to-wit: One (1) Representative from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this 1st day of December, 2006, canvass the same, and as a result of such canvass, did declare elected the following named persons to the
following named offices.
REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE
OF ILLINOIS IN THE 110th CONGRESS OF THE UNITED STATES
FIRST CONGRESSIONAL DISTRICT
    Bobby L. Rush
SECOND CONGRESSIONAL DISTRICT
    Jesse L. Jackson Jr.
THIRD CONGRESSIONAL DISTRICT
    Daniel William Lipinski
FOURTH CONGRESSIONAL DISTRICT
    Luis V. Gutierrez
FIFTH CONGRESSIONAL DISTRICT
    Rahm Emanuel
SIXTH CONGRESSIONAL DISTRICT
    Peter J. Roskam
SEVENTH CONGRESSIONAL DISTRICT
    Danny K. Davis
EIGHTH CONGRESSIONAL DISTRICT
    Melissa Bean
NINTH CONGRESSIONAL DISTRICT
    Janice D Schakowsky
TENTH CONGRESSIONAL DISTRICT
    Mark Steven Kirk
ELEVENTH CONGRESSIONAL DISTRICT
    Gerald C. “Jerry” Weller
TWELFTH CONGRESSIONAL DISTRICT
    Jerry F. Costello
THIRTEENTH CONGRESSIONAL DISTRICT
    Judy Biggert
FOURTEENTH CONGRESSIONAL DISTRICT
    J. Dennis Hastert
FIFTEENTH CONGRESSIONAL DISTRICT
    Timothy V. Johnson
SIXTEENTH CONGRESSIONAL DISTRICT
    Donald A. Manzullo
SEVENTEENTH CONGRESSIONAL DISTRICT
Phil Hare
EIGHTEENTH CONGRESSIONAL DISTRICT
Ray LaHood
NINETEENTH CONGRESSIONAL DISTRICT
John M. Shimkus
STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE
OF ILLINOIS IN THE 95th GENERAL ASSEMBLY OF THE STATE
FIRST LEGISLATIVE DISTRICT
Antonio "Tony" Munoz
THIRD LEGISLATIVE DISTRICT
Mattie Hunter
FOURTH LEGISLATIVE DISTRICT
Kimberly A. Lightford
SIXTH LEGISLATIVE DISTRICT
John J. Cullerton
SEVENTH LEGISLATIVE DISTRICT
Carol Ronen
NINTH LEGISLATIVE DISTRICT
Jeffrey M. Schoenberg
TENTH LEGISLATIVE DISTRICT
James A. DeLeo
TWELFTH LEGISLATIVE DISTRICT
Martin A. Sandoval
THIRTEENTH LEGISLATIVE DISTRICT
Kwame Raoul
FIFTEENTH LEGISLATIVE DISTRICT
James T. Meeks
SIXTEENTH LEGISLATIVE DISTRICT
Jacqueline "Jacqui" Y. Collins
EIGHTEENTH LEGISLATIVE DISTRICT
Edward D. Maloney
NINETEENTH LEGISLATIVE DISTRICT
M. Maggie Crotty
TWENTY-FIRST LEGISLATIVE DISTRICT
Dan Cronin
TWENTY-SECOND LEGISLATIVE DISTRICT
Michael Noland  
TWENTY-FOURTH LEGISLATIVE DISTRICT
Kirk W. Dillard
TWENTY-FIFTH LEGISLATIVE DISTRICT
Chris Lauzen
TWENTY-SEVENTH LEGISLATIVE DISTRICT
Matt Murphy
TWENTY-EIGHTH LEGISLATIVE DISTRICT
John J. Millner
THIRTIETH LEGISLATIVE DISTRICT
Terry Link
THIRTY-FIRST LEGISLATIVE DISTRICT
Michael Bond
THIRTY-THIRD LEGISLATIVE DISTRICT
Dan Kotowski
THIRTY-FOURTH LEGISLATIVE DISTRICT
Dave Syverson
THIRTY-SIXTH LEGISLATIVE DISTRICT
Mike Jacobs
THIRTY-SEVENTH LEGISLATIVE DISTRICT
Dale E. Risinger
THIRTY-NINTH LEGISLATIVE DISTRICT
Don Harmon
FOURTIETH LEGISLATIVE DISTRICT
Debbie DeFrancesco Halvorson
FORTY-SECOND LEGISLATIVE DISTRICT
Linda Holmes
FORTY-THIRD LEGISLATIVE DISTRICT
Arthur "A.J." Wilhelmi
FORTY-FIFTH LEGISLATIVE DISTRICT
Todd W. Sieben
FORTY-SIXTH LEGISLATIVE DISTRICT
David Koehler
FORTY-EIGHTH LEGISLATIVE DISTRICT
Randall M. "Randy" Hultgren
FORTY-NINTH LEGISLATIVE DISTRICT
Deanna Demuzio  
FIFTY-FIRST LEGISLATIVE DISTRICT  
Frank Watson  
FIFTY-SECOND LEGISLATIVE DISTRICT  
Michael W. Frerichs  
FIFTY-FOURTH LEGISLATIVE DISTRICT  
John O. Jones  
FIFTY-FIFTH LEGISLATIVE DISTRICT  
Dale A. Righter  
FIFTY-SEVENTH LEGISLATIVE DISTRICT  
James F. Clayborne, Jr. II  
FIFTY-EIGHTH LEGISLATIVE DISTRICT  
David Luechtefeld  

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS IN THE 95th GENERAL ASSEMBLY OF THE STATE  
FIRST REPRESENTATIVE DISTRICT  
Susana Mendoza  
SECOND REPRESENTATIVE DISTRICT  
Edward J. Acevedo  
THIRD REPRESENTATIVE DISTRICT  
William “Willie” Delgado  
FOURTH REPRESENTATIVE DISTRICT  
Cynthia Soto  
FIFTH REPRESENTATIVE DISTRICT  
Kenneth “Ken” Dunkin  
SIXTH REPRESENTATIVE DISTRICT  
Esther Golar  
SEVENTH REPRESENTATIVE DISTRICT  
Karen A. Yarbrough  
EIGHTH REPRESENTATIVE DISTRICT  
La Shawn K. Ford  
NINTH REPRESENTATIVE DISTRICT  
Arthur L. Turner  
TENTH REPRESENTATIVE DISTRICT  
Annazette R. Collins  
ELEVENTH REPRESENTATIVE DISTRICT
John A. Fritchey  
TWELFTH REPRESENTATIVE DISTRICT
Sara Feigenholtz

THIRTEENTH REPRESENTATIVE DISTRICT
Gregory Harris

FOURTEENTH REPRESENTATIVE DISTRICT
Harry Osterman

FIFTEENTH REPRESENTATIVE DISTRICT
John C. D’Amico

SIXTEENTH REPRESENTATIVE DISTRICT
Lou Lang

SEVENTEENTH REPRESENTATIVE DISTRICT
Elizabeth Coulson

EIGHTEENTH REPRESENTATIVE DISTRICT
Julie Hamos

NINETEENTH REPRESENTATIVE DISTRICT
Joseph M. Lyons

TWENTIETH REPRESENTATIVE DISTRICT
Michael P. McAuliffe

TWENTY-FIRST REPRESENTATIVE DISTRICT
Robert S. Molaro

TWENTY-SECOND REPRESENTATIVE DISTRICT
Michael J. Madigan

TWENTY-THIRD REPRESENTATIVE DISTRICT
Daniel J. Burke

TWENTY-FOURTH REPRESENTATIVE DISTRICT
Elizabeth “Lisa” Hernandez

TWENTY-FIFTH REPRESENTATIVE DISTRICT
Barbara Flynn Currie

TWENTY-SIXTH REPRESENTATIVE DISTRICT
Elga L. Jeffries

TWENTY-SEVENTH REPRESENTATIVE DISTRICT
Monique D. Davis

TWENTY-EIGHTH REPRESENTATIVE DISTRICT
Robert “Bob” Rita

TWENTY-NINTH REPRESENTATIVE DISTRICT
David E. Miller
THIRTIETH REPRESENTATIVE DISTRICT
William “Will” Davis
THIRTY-FIRST REPRESENTATIVE DISTRICT
Mary E. Flowers
THIRTY-SECOND REPRESENTATIVE DISTRICT
Milton “Milt” Patterson
THIRTY-THIRD REPRESENTATIVE DISTRICT
Marlow H. Colvin
THIRTY-FOURTH REPRESENTATIVE DISTRICT
Constance A. “Connie” Howard
THIRTY-FIFTH REPRESENTATIVE DISTRICT
Kevin Carey Joyce
THIRTY-SIXTH REPRESENTATIVE DISTRICT
James D. Brosnahan
THIRTY-SEVENTH REPRESENTATIVE DISTRICT
Kevin A. McCarthy
THIRTY-EIGHTH REPRESENTATIVE DISTRICT
Robin Kelly
THIRTY-NINTH REPRESENTATIVE DISTRICT
Maria Antonia “Toni” Berrios
FORTIETH REPRESENTATIVE DISTRICT
Richard T. Bradley
FORTY-FIRST REPRESENTATIVE DISTRICT
Robert A. “Bob” Biggins
FORTY-SECOND REPRESENTATIVE DISTRICT
Sandra M. Pihos
FORTY-THIRD REPRESENTATIVE DISTRICT
Ruth Munson
FORTY-FOURTH REPRESENTATIVE DISTRICT
Fred Crespo
FORTY-FIFTH REPRESENTATIVE DISTRICT
Franco Coladipietro
FORTY-SIXTH REPRESENTATIVE DISTRICT
Dennis M. Reboletti
FORTY-SEVENTH REPRESENTATIVE DISTRICT
Patricia R. “Patti” Bellock
FORTY-EIGHTH REPRESENTATIVE DISTRICT
James H. “Jim” Meyer
FORTY-NINTH REPRESENTATIVE DISTRICT
Timothy L. Schmitz
FIFTIETH REPRESENTATIVE DISTRICT
Patricia Reid Lindner
FIFTY-FIRST REPRESENTATIVE DISTRICT
Ed Sullivan, Jr.
FIFTY-SECOND REPRESENTATIVE DISTRICT
Mark H. Beaubien, Jr.
FIFTY-THIRD REPRESENTATIVE DISTRICT
Sidney H. Mathias
FIFTY-FOURTH REPRESENTATIVE DISTRICT
Suzanne “Suzie” Bassi
FIFTY-FIFTH REPRESENTATIVE DISTRICT
Randy Ramey
FIFTY-SIXTH REPRESENTATIVE DISTRICT
Paul Froehlich
FIFTY-SEVENTH REPRESENTATIVE DISTRICT
Elaine Nekritz
FIFTY-EIGHTH REPRESENTATIVE DISTRICT
Karen May
FIFTY-NINTH REPRESENTATIVE DISTRICT
Kathleen A. Ryg
SIXTIETH REPRESENTATIVE DISTRICT
Eddie Washington
SIXTY-FIRST REPRESENTATIVE DISTRICT
JoAnn D. Osmond
SIXTY-SECOND REPRESENTATIVE DISTRICT
Sandy Cole
SIXTY-THIRD REPRESENTATIVE DISTRICT
Jack D. Franks
SIXTY-FOURTH REPRESENTATIVE DISTRICT
Michael W. Tryon
SIXTY-FIFTH REPRESENTATIVE DISTRICT
Rosemary Mulligan
SIXTY-SIXTH REPRESENTATIVE DISTRICT
Carolyn H. Krause
SIXTY-SEVENTH REPRESENTATIVE DISTRICT
Charles E. “Chuck” Jefferson
SIXTY-EIGHTH REPRESENTATIVE DISTRICT
Dave Winters
SIXTY-NINTH REPRESENTATIVE DISTRICT
Ronald A. Wait
SEVENTIETH REPRESENTATIVE DISTRICT
Robert W. Pritchard
SEVENTY-FIRST REPRESENTATIVE DISTRICT
Mike Boland
SEVENTY-SECOND REPRESENTATIVE DISTRICT
Patrick Verschoore
SEVENTY-THIRD REPRESENTATIVE DISTRICT
David R. Leitch
SEVENTY-FOURTH REPRESENTATIVE DISTRICT
Donald L. Moffitt
SEVENTY-FIFTH REPRESENTATIVE DISTRICT
Careen M. Gordon
SEVENTY-SIXTH REPRESENTATIVE DISTRICT
Frank J. Mautino
SEVENTY-SEVENTH REPRESENTATIVE DISTRICT
Angelo "Skip" Saviano
SEVENTY-EIGHTH REPRESENTATIVE DISTRICT
Deborah L. Graham
SEVENTY-NINTH REPRESENTATIVE DISTRICT
Lisa M. Dugan
EIGHTIETH REPRESENTATIVE DISTRICT
George Scully
EIGHTY-FIRST REPRESENTATIVE DISTRICT
Renée Kosel
EIGHTY-SECOND REPRESENTATIVE DISTRICT
Jim Durkin
EIGHTY-THIRD REPRESENTATIVE DISTRICT
Linda Chapa LaVia
EIGHTY-FOURTH REPRESENTATIVE DISTRICT
  Tom Cross
EIGHTY-FIFTH REPRESENTATIVE DISTRICT
  Brent Hassert
EIGHTY-SIXTH REPRESENTATIVE DISTRICT
  Jack McGuire
EIGHTY-SEVENTH REPRESENTATIVE DISTRICT
  Bill Mitchell
EIGHTY-EIGHTH REPRESENTATIVE DISTRICT
  Dan Brady
EIGHTY-NINTH REPRESENTATIVE DISTRICT
  Jim Sacia
NINETYIETH REPRESENTATIVE DISTRICT
  Jerry L. Mitchell
NINETY-FIRST REPRESENTATIVE DISTRICT
  Michael K. Smith
NINETY-SECOND REPRESENTATIVE DISTRICT
  Aaron Schock
NINETY-THIRD REPRESENTATIVE DISTRICT
  Jil Tracy
NINETY-FOURTH REPRESENTATIVE DISTRICT
  Richard P. “Rich” Myers
NINETY-FIFTH REPRESENTATIVE DISTRICT
  Mike Fortner
NINETY-SIXTH REPRESENTATIVE DISTRICT
  Joe Dunn
NINETY-SEVENTH REPRESENTATIVE DISTRICT
  Jim Watson
NINETY-EIGHTH REPRESENTATIVE DISTRICT
  Gary Hannig
NINETY-NINTH REPRESENTATIVE DISTRICT
  Raymond Poe
ONE HUNDREDTH REPRESENTATIVE DISTRICT
  Rich Brauer
ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT
Bob Flider  
ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT  
Ron Stephens
ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT
Naomi D. Jakobsson
ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT
William B. “Bill” Black
ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT
Shane Cultra
ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT
Keith P. Sommer
ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT
Kurt M. Granberg
ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT
David B. Reis
ONE HUNDRED AND NINTH REPRESENTATIVE DISTRICT
Roger L. Eddy
ONE HUNDRED AND TENTH REPRESENTATIVE DISTRICT
Chapin Rose
ONE HUNDRED AND ELEVENTH REPRESENTATIVE DISTRICT
Daniel V. Beiser
ONE HUNDRED AND TWELFTH REPRESENTATIVE DISTRICT
Jay C. Hoffman
ONE HUNDRED AND THIRTEENTH REPRESENTATIVE DISTRICT
Thomas “Tom” Holbrook
ONE HUNDRED AND FOURTEENTH REPRESENTATIVE DISTRICT
Wyvetter H. Younge
ONE HUNDRED AND FIFTEENTH REPRESENTATIVE DISTRICT
Mike Bost
ONE HUNDRED AND SIXTEENTH REPRESENTATIVE DISTRICT
Dan Reitz
ONE HUNDRED AND SEVENTEENTH REPRESENTATIVE DISTRICT
John Bradley
ONE HUNDRED AND EIGHTEENTH REPRESENTATIVE DISTRICT
Brandon W. Phelps

NOW, THEREFORE, I ROD R. BLAGOJEVICH, Governor of the
State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor December 01, 2006.
Filed by the Secretary of State December 04, 2006.

2006-404
2006 GENERAL ELECTION REGIONAL SUPERINTENDENT OF SCHOOLS

WHEREAS, On the 7th day of November, 2006, an election was held in the State of Illinois for the election of the following officers, to-wit:

Twenty-eight (28) Regional Superintendents of Schools, to-wit: One (1) Regional Superintendent of Schools from the Adams and Pike Region; Alexander, Johnson, Massac, Pulaski and Union Region; Bond, Effingham and Fayette Region; Boone and Winnebago Region; Brown, Cass, Morgan and Scott Region; Bureau, Henry and Stark Region; Calhoun, Greene, Jersey and Macoupin Region; Carroll, JoDaviess and Stephenson Region; Champaign and Ford Region; Christian and Montgomery Region; Clark, Coles, Cumberland, Douglas, Edgar, Moultrie and Shelby Region; Clay, Crawford, Jasper, Lawrence and Richland Region; Clinton, Marion and Washington Region; DeWitt, Livingston and McLean Region; Edwards, Gallatin, Hardin, Pope, Saline, Wabash, Wayne and White Region; Franklin and Williamson Region; Fulton and Schuyler Region; Grundy and Kendall Region; Hamilton and Jefferson Region; Hancock and McDonough Region; Henderson, Mercer and Warren Region; Iroquois and Kankakee Region; Jackson and Perry Region; Lee and Ogle Region; Logan, Mason and Menard Region; Macon and Piatt Region; Marshall, Putnam and Woodford Region; Monroe and Randolph Region; for the full term of four years.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 1st day of December, 2006, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

REGIONAL SUPERINTENDENT OF SCHOOLS
ADAMS AND PIKE
PROCLAMATIONS

Raymond A. Scheiter
ALEXANDER, JOHNSON, MASSAC, PULASKI AND UNION
    Janet Ulrich
BOND, EFFINGHAM AND FAYETTE
    Mark A. Drone
BOONE AND WINNEBAGO
    Richard L. Fairgrieves
BROWN, CASS, MORGAN AND SCOTT
    Stephen Breese
BUREAU, HENRY AND STARK
    Bruce Dennison
CALHOUN, GREENE, JERSEY AND MACOUPIN
    Larry Pfeiffer
CARROLL, JODAVIESS AND STEPHENSON
    Marie Stiefel
CHAMPAIGN AND FORD
    Jane E. Quinlan
CHRISTIAN AND MONTGOMERY
    Greg Springer
CLARK, COLES, CUMBERLAND, DOUGLAS, EDGAR, MOULTRIE
    AND SHELBY
    John McNary
CLAY, CRAWFORD, JASPER, LAWRENCE AND RICHLAND
    Carol S. Steinman
CLINTON, MARION AND WASHINGTON
    Keri Garrett
DeWITT, LIVINGSTON AND McLEAN
    G. Lawrence Daghe
EDWARDS, GALLATIN, HARDIN, POPE, SALINE, WABASH,
    WAYNE AND WHITE
    Lawrence D. "Larry" Fillingim
FRANKLIN AND WILLIAMSON
    Matt Donkin
FULTON AND SCHUYLER
    Louise Bassett
GRUNDY AND KENDALL
NOW, THEREFORE, I, ROD R. BLAGOJEVICH, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor December 01, 2006.
Filed by the Secretary of State December 04, 2006.

2006-405
2006 GENERAL ELECTION JUDGES

WHEREAS, On the 7th day of November, 2006, an election was held in the State of Illinois for the election of the following judges, to-wit:

Appellate Court Judges to fill the vacancy of the Honorable Neil F. Hartigan, to fill the vacancy of the Honorable Allen Hartman, First Judicial District; to fill the vacancy of the Honorable Kent F. Slater, Third Judicial
District; to fill the vacancy of the Honorable Gordon E. Maag, Fifth Judicial District.

Circuit Court Judges to fill the vacancy of the Honorable Edward R. Burr, to fill the vacancy of the Honorable Aaron Jaffe, to fill the vacancy of the Honorable John E. Morrissey, to fill the vacancy of the Honorable Stuart Allen Nudelman, to fill the vacancy of the Honorable Stephen A. Schiller, to fill the vacancy of the Honorable Charles M. Travis, Cook County Judicial Circuit.

Circuit Court Judges to fill the vacancy of the Honorable Wilbur E. Crooks, to fill the vacancy of the Honorable Elliott Muse, Jr., First Subcircuit; to fill additional judgeship A, Second Subcircuit; to fill the vacancy of the Honorable Cyril J. Watson, Third Subcircuit; to fill the vacancy of the Honorable Llwellyn L. Greene-Thapedi, Fifth Subcircuit; to fill the vacancy of the Honorable James J. Jorzak, to fill additional judgeship A, Sixth Subcircuit; to fill additional judgeship A, Seventh Subcircuit; to fill the vacancy of the Honorable Francis Golniewicz, Tenth Subcircuit; to fill additional judgeship A, Eleventh Subcircuit; to fill the vacancy of the Honorable John K. Madden, to fill the vacancy of the Honorable Richard A. Siebel, to fill additional judgeship A, Twelfth Subcircuit; to fill the vacancy of the Honorable Janice L. Bierman, Thirteenth Subcircuit; to fill the vacancy of the Honorable Thomas E. Nowinski, Fifteenth Subcircuit, Cook County Judicial Circuit.

Circuit Court Judges to fill the vacancy of the Honorable Paul S. Murphy, First Judicial Circuit; to fill the vacancy of the Honorable George W. Timberlake, to fill the vacancy of the Honorable David M. Correll, Crawford County, Second Judicial Circuit; to fill the vacancy of the Honorable George J. Moran, to fill the vacancy of the Honorable Phillip Kardis, Madison County, Third Judicial Circuit; to fill the vacancy of the Honorable Steven P. Seymour, Effingham County, to fill the vacancy of the Honorable Michael Ross Weber, Jasper County, Fourth Judicial Circuit; to fill the vacancy of the Honorable Thomas J. Fahey, Vermilion County, Fifth Judicial Circuit; to fill the vacancy of the Honorable John G. Townsend, Champaign County, to fill the vacancy of the Honorable Frank W. Lincoln, Douglas County, Sixth Judicial Circuit; to fill the vacancy of the Honorable Thomas G. Russell, Jersey County, to fill the vacancy of the Honorable Joseph P. Koval, Macoupin County, to fill the vacancy of the Honorable
Donald M. Cadagin, Sangamon County, Seventh Judicial Circuit; to fill the vacancy of the Honorable Dennis K. Cashman, Eighth Judicial Circuit; to fill the vacancy of the Honorable Chellis Eugene Taylor, Fulton County, to fill additional judgeship A, Fulton County, to fill the vacancy of the Honorable Harry Bulkeley, Knox County, to fill the vacancy of the Honorable Ronald C. Tenold, Warren County, Ninth Judicial Circuit; to fill the vacancy of the Honorable J. Peter Ault, Tazewell County, Tenth Judicial Circuit; to fill the vacancy of the Honorable Ronald C. Dozier, McLean County, Eleventh Judicial Circuit; to fill additional judgeship A, First Subcircuit, Twelfth Judicial Circuit; to fill the vacancy of the Honorable James T. Teros, Rock Island County, to fill the vacancy of the Honorable Timothy J. Slavin, Whiteside County, Fourteenth Judicial Circuit; to fill the vacancy of the Honorable Charles R. Hartman, Fifteenth Judicial Circuit; to fill the vacancy of the Honorable Gene L. Nottolini, Sixteenth Judicial Circuit; to fill the vacancy of the Honorable Richard W. Vidal, Seventeenth Judicial Circuit; to fill additional judgeship A, Nineteenth Judicial Circuit; to fill the vacancy of the Honorable James K. Donovan, to fill the vacancy of the Honorable Jerry D. Flynn, Randolph County, to fill the vacancy of the Honorable Lloyd A. Cueto, St. Clair County, Twentieth Judicial Circuit; to fill additional judgeship A, to fill additional judgeship A, First Subcircuit, to fill additional judgeship A, Second Subcircuit, Twenty-Second Judicial Circuit.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 1st day of December, 2006, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**APPELLATE COURT JUDGES**

**FIRST JUDICIAL DISTRICT**

(To fill the vacancy of the Honorable Neil F. Hartigan)

Michael James Murphy

(To fill the vacancy of the Honorable Allen Hartman)

Joy Virginia Cunningham

**THIRD JUDICIAL DISTRICT**

(To fill the vacancy of the Honorable Kent F. Slater)

Vicki R. Wright
(To fill the vacancy of the Honorable Gordon E. Maag)
Bruce Stewart
JUDGES OF THE CIRCUIT COURT
COOK COUNTY JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Edward R. Burr)
Aurelia Marie Pucinski
(To fill the vacancy of the Honorable Aaron Jaffe)
Michael J. Howlett, Jr.
(To fill the vacancy of the Honorable John E. Morrissey)
Mike McHale
(To fill the vacancy of the Honorable Stuart Allen Nudelman)
James Patrick Murphy
(To fill the vacancy of the Honorable Stephen A. Schiller)
Pamela E. Hill Veal
(To fill the vacancy of the Honorable Charles M. Travis)
Patrick W. "Pat" O'Brien
FIRST SUBCIRCUIT
(To fill the vacancy of the Honorable Wilbur E. Crooks)
Carl Anthony Walker
(To fill the vacancy of the Honorable Elliott Muse, Jr.)
Orville E. Hambright
SECOND SUBCIRCUIT
(To fill additional judgeship A)
Michael "Mike" Stuttley
THIRD SUBCIRCUIT
(To fill the vacancy of the Honorable Cyril J. Watson)
Thomas W. Murphy
FIFTH SUBCIRCUIT
(To fill the vacancy of the Honorable Llwellyn L. Greene-Thapedi)
Diane M. Shelley
SIXTH SUBCIRCUIT
(To fill the vacancy of the Honorable James J. Jorzak)
Ramon Ocasio III
(SEventh SUBCIRCUIT
(To fill additional judgeship A)
Gloria Chevere
SEVENTH SUBCIRCUIT
(To fill additional judgeship A)
   Carol M. Howard
   TENTH SUBCIRCUIT
(To fill the vacancy of the Honorable Francis Golniewicz)
   James Michael McGing
   ELEVENTH SUBCIRCUIT
(To fill additional judgeship A)
   Mary Colleen Roberts
   TWELFTH SUBCIRCUIT
(To fill the vacancy of the Honorable John K. Madden)
   Mary Katherine Rochford
(To fill the vacancy of the Honorable Richard A. Siebel)
   Grace G. Dickler
(To fill additional judgeship A)
   Ellen L. Flannigan
   THIRTEENTH SUBCIRCUIT
(To fill the vacancy of the Honorable Janice L. Bierman)
   Jill C. Marisie
   FIFTEENTH SUBCIRCUIT
(To fill the vacancy of the Honorable Thomas E. Nowinski)
   Daniel Patrick Brennan
   FIRST JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Paul S. Murphy)
   Brad K. Bleyer
   SECOND JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable George W. Timberlake)
   Melissa A. Drew
(To fill the vacancy of the Honorable David M. Correll)
   CRAWFORD COUNTY
   Christopher L. Weber
   THIRD JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable George J. Moran)
   Barbara L. Crowder
(To fill the vacancy of the Honorable Phillip Kardis)
   MADISON COUNTY
   David A. Hylla
FOURTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Steven P. Seymour)
EFFINGHAM COUNTY
   Kimberly G. Koester
(To fill the vacancy of the Honorable Michael Ross Weber)
JASPER COUNTY
   Daniel E. Hartigan
FIFTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Thomas J. Fahey)
VERMILION COUNTY
   Nancy S. Fahey
SIXTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable John G. Townsend)
CHAMPAIGN COUNTY
   Jeffrey B. "Jeff" Ford
(To fill the vacancy of the Honorable Frank W. Lincoln)
DOUGLAS COUNTY
   Michael G. Carroll
SEVENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Thomas G. Russell)
JERSEY COUNTY
   Eric Pistorius
(To fill the vacancy of the Honorable Joseph P. Koval)
MACOUPIN COUNTY
   Kenneth R. Deihl
(To fill the vacancy of the Honorable Donald M. Cadagin)
SANGAMON COUNTY
   John Belz
EIGHTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Dennis K. Cashman)
   William O. Mays, Jr.
NINTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Chellis Eugene Taylor)
FULTON COUNTY
   Edward R. Danner
(To fill additional judgeship A)
FULTON COUNTY
William "Bill" Davis
(To fill the vacancy of the Honorable Harry Bulkeley)

KNOX COUNTY
Scott Shipplett
(To fill the vacancy of the Honorable Ronald C. Tenold)

WARREN COUNTY
Gregory K. McClintock
TENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable J. Peter Ault)

TAZEWELL COUNTY
Paul Gilfillan
ELEVENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Ronald C. Dozier)

MCLEAN COUNTY
Kevin P. Fitzgerald
TWELFTH JUDICIAL CIRCUIT
FIRST SUBCIRCUIT
(To fill additional judgeship A)
Edward Petka

FOURTEENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable James T. Teros)

ROCK ISLAND COUNTY
F. Michael Meersman
(To fill the vacancy of the Honorable Timothy J. Slavin)

WHITESIDE COUNTY
Stanley B. Steines
FIFTEENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Charles R. Hartman)
Michael P. Bald

SIXTEENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Gene L. Nottolini)
Thomas E. Mueller

SEVENTEENTH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable Richard W. Vidal)
Ed Prochaska
NINETEENTH JUDICIAL CIRCUIT
(To fill additional judgeship A)
John T. Phillips

TWENTIETH JUDICIAL CIRCUIT
(To fill the vacancy of the Honorable James K. Donovan)
Patrick M. Young
(To fill the vacancy of the Honorable Jerry D. Flynn)
RANDOLPH COUNTY
William A. Schuwerk, Jr.
(To fill the vacancy of the Honorable Lloyd A. Cueto)
ST. CLAIR COUNTY
Lloyd A. Cueto

TWENTY-SECOND JUDICIAL CIRCUIT
(To fill additional judgeship A)
Michael J. Chmiel
FIRST SUBCIRCUIT
(To fill additional judgeship A)
Charles P. Weech
SECOND SUBCIRCUIT
(To fill additional judgeship A)
Joseph P. Condon

NOW, THEREFORE, I, ROD R. BLAGOJEVICH, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor December 01, 2006
Filed by the Secretary of State December 04, 2006.

2006-406
2006 GENERAL ELECTION RETENTION JUDGES

WHEREAS, On the 7th day of November, 2006, an election was held in the State of Illinois for the retention of the following judges, to-wit:
Appellate Court Judges from the First and Fourth Judicial Districts;
Circuit Court Judges from the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth,
Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Cook County Judicial Circuits.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 1st day of December, 2006, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

RETENTION
JUDGE OF THE APPELLATE COURT
FIRST JUDICIAL DISTRICT
Patrick J. Quinn
Leslie Elaine South
FOURTH JUDICIAL DISTRICT
James A. Knecht
JUDGES OF THE CIRCUIT COURT
FIRST JUDICIAL CIRCUIT
Terry J. Foster
Ronald R. Eckiss
Mark H. Clarke
Mark M. Boie
SECOND JUDICIAL CIRCUIT
Thomas H. Sutton
James M. Wexstten
THIRD JUDICIAL CIRCUIT
Charles Romani
Ann E. Callis
John Knight
FOURTH JUDICIAL CIRCUIT
David Sauer
Ron Spears
John Coady
Kathleen Moran
Sherri L. E. Tungate
FIFTH JUDICIAL CIRCUIT
Craig H. DeArmond
SIXTH JUDICIAL CIRCUIT
John K. Greanias
Stephen H. Peters
Dan L. Flannell
Ted Paine
Michael Q. Jones

SEVENTH JUDICIAL CIRCUIT
Patrick Kelley
Leslie J. Graves

EIGHTH JUDICIAL CIRCUIT
David K. Slocum

TENTH JUDICIAL CIRCUIT
John A. Barra
Stuart P. Borden

ELEVENTH JUDICIAL CIRCUIT
Elizabeth A. Robb

TWELFTH JUDICIAL CIRCUIT
Daniel J. Rozak

THIRTEENTH JUDICIAL CIRCUIT
Cynthia M. Raccuglia

FOURTEENTH JUDICIAL CIRCUIT
Jeffrey W. O'Connor
Larry S. Vandersnick
Mark A. Vandewiele

FIFTEENTH JUDICIAL CIRCUIT
Stephen C. Pemberton

SIXTEENTH JUDICIAL CIRCUIT
Philip L. DiMarzio
R. Peter Grometer
Donald C. Hudson

SEVENTEENTH JUDICIAL CIRCUIT
Frederick J. Kapala
Timothy R. Gill

EIGHTEENTH JUDICIAL CIRCUIT
Ann B. Jorgensen

NINETEENTH JUDICIAL CIRCUIT
Dave Hall
Maureen P. McIntyre
TWENTIETH JUDICIAL CIRCUIT
    Milton S. Wharton
    Jan Fiss
TWENTY-FIRST JUDICIAL CIRCUIT
    Kendall O. Wenzelman
COOK COUNTY JUDICIAL CIRCUIT
    Warren D. Wolfson
    Carole Kamin Bellows
    Alan J. Greiman
    Barbara J. Disko
    Kathy M. Flanagan
    Ronald C. Riley
    Moshe Jacobius
    Stuart F. Lubin
    Marvin P. Luckman
    Henry Richard Simmons, Jr.
    Raymond Funderburk
    Stuart E. Palmer
    Martin S. Agran
    Patricia Banks
    Ronald F. Bartkowicz
    Robert Lopez Cepero
    James F. Henry
    Garritt E. Howard
    Joseph G. Kazmierski, Jr.
    Colleen McSweeney Moore
    Ralph Reyna
    Joseph J. Urso
    E. Kenneth Wright, Jr.
    Edward R. Jordan
    Cynthia Brim
    Rodney Hughes Brooks
    Thomas R. Chiola
    Claudia Grace Conlon
    Maureen Elizabeth Connors
Christopher Donnelly
James D. Egan
Margaret O'Mara Frossard
Catherine Marie Haberkorn
   Marsha D. Hayes
   Robert J. Kowalski
Lisa Ruble Murphy
   Marya Nega
Edward P. O'Brien
Thomas Paul Panichi
Lee Stuart Preston
   Daniel A. Riley
Drella C. Savage
Lon William Shultz
Victoria A. Stewart
   Bill Taylor
Lawrence "Larry" Terrell
Amanda S. Toney
   James M. Varga
Richard F. Walsh
Camille E. Willis
   Marcia Maras
James R. Epstein
   Peter Flynn
Paul A. Karkula
Michael T. Healy
Francis Joseph Dolan
   P. Scott Neville, Jr.
Maura Slattery Boyle
Mary Margaret Brosnahan
   Matthew E. Coghlan
Loretta Eadie-Daniels
Donna Phelps Felton
Joyce Marie Murphy Gorman
   Anthony A. Iosco
Marcella Carmen Lipinski
Joan Margaret O'Brien  
Thomas David Roti  
Colleen F. Sheehan  
John Steele  

NOW, THEREFORE, I, ROD R. BLAGOJEVICH, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.  

Issued by the Governor December 01, 2006.  
Filed by the Secretary of State December 04, 2006.  

2006-407  
DISASTER AREA - STATE OF ILLINOIS  

A severe winter storm involving sleet, freezing rain, heavy snow, high winds and single digit temperatures beginning on November 30, 2006, has resulted in record or near-record snowfall in several counties, and extraordinary ice formation on roads, electric power distribution systems, trees and other structures in many other counties in the State of Illinois. The pre-winter storm has impacted the State from the St. Louis Metro East area through Central Illinois and into Northern Illinois. The impact of the storm has been power outages to hundreds of thousands of households and businesses, requiring the need for emergency measures to protect public health and safety throughout the stricken area. State and local emergency workers along with private organizations continue to work around the clock to restore power, provide shelter and maintain emergency services.  

In the interest of aiding the people in the State of Illinois and the local governments responsible for ensuring public health and safety, I hereby declare that a disaster emergency exists in the State of Illinois, pursuant to the provisions of the Illinois Emergency Agency Act, 20 ILCS 3305/7. I specifically declare the following counties as disaster areas due to record or near-record snowfall and/or extraordinary ice formation: Adams, Bond, Boone, Brown, Bureau, Calhoun, Cass, Champaign, Christian, DeKalb, DeWitt, Fulton, Greene, Hancock, Henry, Jersey, Kendall, Knox, LaSalle, Lee, Livingston, Logan, Macon, Macoupin, Madison, Marshall, Mason, McLean, McDonough, McHenry, Menard, Morgan, Monroe, Montgomery,
Ogle, Peoria, Piatt, Pike, Putnam, Sangamon, Schuyler, Scott, Shelby, St. Clair, Stark, Stephenson, Tazewell, Winnebago and Woodford.

This gubernatorial proclamation of disaster will assist the Illinois Emergency Management Agency in coordinating State resources, including the Illinois National Guard, to support the local governments in their disaster response and recovery efforts. This proclamation will also make possible a request for federal assistance for those counties experiencing a record snowfall and those counties most severely affected by the extraordinary ice causing an overwhelming impact on their ability to protect public safety.

Issued by the Governor December 05, 2006.
Filed by the Secretary of State December 05, 2006.

2006-408
NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH

WHEREAS, driving under the influence of mind-altering drugs is a grave problem that destroys individual lives, rips families apart, and strains local communities; and

WHEREAS, last year, 1,361 men, women, and children in Illinois were killed in automobile accidents; and

WHEREAS, alcohol-related automobile accidents accounted for 43 percent of all traffic-related deaths in Illinois during 2005; and

WHEREAS, driving under the influence of alcohol and drugs also causes staggering economic costs. Billions of dollars are spent for property damage and healthcare every year as a direct result of alcohol- and drug-related automobile accidents; and

WHEREAS, today, the terrible consequences of driving under the influence of mind-altering drugs is widely acknowledged, and the government and private sector are actively engaged in campaigns to address the problem; and

WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for alcohol-impaired driving. Consequently, communities and organizations all across our state and throughout the country are joined with the “You Drink & Drive. You Lose.” and other campaigns promoting responsible driving throughout the month:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 2006 as NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH in Illinois, and urge all citizens to drive responsibly so that no one else becomes a victim of drunk or drugged driving.

Issued by the Governor December 05, 2006.
Filed by the Secretary of State December 06, 2006.

2006-409
CHILDHOOD CANCER AWARENESS WEEK

WHEREAS, more than 13,000 children and adolescents are diagnosed with cancer every year in the United States and Illinois. That is the equivalent of two average size classrooms diagnosed each school day; and
WHEREAS, leukemias, tumors of the brain and nervous system, the lymphatic system, and kidneys, bones and muscles, are the most common childhood cancers; and
WHEREAS, collectively, the cancers of children, adolescents, and young adults to age 20 are the sixth most common cancers in the United States; and
WHEREAS, sadly, cancer claims the lives of more children than any other disease, including asthma, diabetes, cystic fibrosis, and AIDS combined; but
WHEREAS, less than 10 percent of children diagnosed with cancer were cured in the 1950s; fortunately, nearly 80 percent of childhood cancer patients become long-term survivors today if they are referred to established childhood cancer treatment and research centers; and
WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment. Through their Magical Caps for Kids program, these organizations distributes thousands of beautifully hand-made caps and decorated baseball caps to children who want to protect their heads following the trauma of chemotherapy, surgery, bone marrow transplants, or radiation treatment; and
WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor nationwide Courageous Kid Recognition Award
Ceremonies and hospital celebrations in honor of children’s determination and bravery to fight the battle against childhood cancer:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 11-18, 2006 as CHILDHOOD CANCER AWARENESS WEEK in Illinois to raise awareness about childhood cancer, and to encourage citizens of the State to support the worthy efforts of the American Cancer Fund for Children and Kids Cancer Connection.

Issued by the Governor December 05, 2006.
File by the Secretary of State December 06, 2006.

2006-410
NATIONAL GUARD DAY

WHEREAS, the National Guard has a long and proud tradition of support to our nation dating back 370 years to its beginnings as colonial militia during the founding of America; and

WHEREAS, the Army National Guard was formed on December 13, 1636, when the Massachusetts Bay Colony organized three militia regiments to defend against the growing threat of the Pequot Indians; and

WHEREAS, militiamen of the Illinois National Guard have proudly served in every major United States military conflict from its service on the frontier during the Revolutionary War period, to the Black Hawk and Civil wars to operations Noble Eagle, Enduring Freedom and Iraqi Freedom today; and

WHEREAS, in the largest and swiftest response to a domestic disaster in history, the Illinois National Guard deployed approximately 1,200 troops in support of the Gulf states following Hurricane Katrina in 2005. Today, more than 8,400 Illinois Army National Guard Soldiers and 3,700 Illinois Air National Guard personnel have served in harm’s way in Iraq and Afghanistan; and

WHEREAS, the State of Illinois is very proud to recognize the historic and honorable longevity of the National Guard, which is continually providing trained and equipped units, protecting life and property of the citizens of Illinois and ready to defend the United States and its interests all over the globe:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 13, 2006 as NATIONAL GUARD DAY in Illinois in recognition of its 370th birthday.

Issued by the Governor December 12, 2006.
Filed by the Secretary of State December 13, 2006.

2006-411
MONTESSORI EDUCATION WEEK

WHEREAS, based on her observations of children and the manner by which they learn, Dr. Maria Montessori developed an innovative philosophy of education in the early 1900’s that continues to influence learning across the State of Illinois and throughout the nation; and

WHEREAS, as a system of education for children from birth through the age of eighteen, the Montessori program uses materials, techniques, and observations that support the students’ natural development, encourage their learning, independence, and self-confidence, and advance the principles of peace through responsible citizenship; and

WHEREAS, the Montessori Method includes developmental teaching, one-to-one lessons, and the promotion of respect among the children and peace to humankind; and

WHEREAS, the State of Illinois is proud to recognize Montessori Education as it celebrates its 100 year anniversary:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 25 – March 3, 2007 as MONTESSORI EDUCATION WEEK in Illinois, and encourage all citizens to recognize the valuable education that Montessori schools provide to students in our great State.

Issued by the Governor December 12, 2006.
Filed by the Secretary of State December 13, 2006.

2006-412
KOREAN AMERICAN DAY

WHEREAS, on January 13, 1903, a group of 102 men, women, and children arrived on the shores of Honolulu, Hawaii, after a long journey on
the S.S. Gaelic across the Pacific Ocean from Korea. Like many immigrants to this country, these Koreans came to America in search of a better life; and

WHEREAS, there are now approximately 2 million Korean Americans living throughout the United States; and

WHEREAS, today, our country benefits from the contributions that Korean Americans have made to our business, church, and academic communities. According to the 2000 United States Census, Korean Americans own and operate 135,571 businesses across this nation. These businesses have gross sales of 16 billion dollars annually and employ 333,649 individuals with an annual payroll of 5.8 billion dollars; and

WHEREAS, other contributions by Korean Americans include the first successful operation for Coronary Artery Disease, the development of the nectarine, and a four-time Olympic gold medalist. They have also excelled in engineering, architecture, medicine, acting, singing, sculpture, and writing; and

WHEREAS, the Keumsil Cultural Society has a mission to promote cultural exchanges and mutual understanding between cultures, thus allowing increased interaction between the Korean American community and the general American community; and

WHEREAS, the Keumsil Cultural Society will be sponsoring a Korean American Day Celebration ceremony cultural event on January 12th at the Daley Plaza. The event is co-sponsored by the City of Chicago Office of Special Events and The White Initiative on Asian Americans and Pacific Islanders:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 13, 2007 as KOREAN AMERICAN DAY in Illinois, and encourage all citizens to recognize the impact that Korean Americans have on our country, while taking the opportunity to learn about their rich heritage.

Issued by the Governor December 13, 2006.
Filed by the Secretary of State December 13, 2006.

2006-413

HUMAN RIGHTS WEEK

WHEREAS, in 1948, the United Nations General Assembly
adopted the Universal Declaration of Human Rights on December 10th, and the international community commemorates that day of each year as Human Rights Day; and

WHEREAS, since 1948, the Universal Declaration has been translated into more than 200 languages and remains one of the best known and most often cited human rights documents in the world. Over the years, the Declaration has been used in the defense and advancement of people’s rights. Its principles have been enshrined in and continue to inspire national legislation and the constitutions of many newly independent states; and

WHEREAS, in this nation and across the world, equality is one of the basic principles that we use to guide and improve understanding of and respect for one another. Although our nation’s history is wrought with shameful acts and deeds, it is also filled with wonderful moments of hope and triumph such as the abolition of slavery, the nineteenth amendment that guaranteed all women the right to vote, and the Civil Rights Acts of 1964 and 1965; and

WHEREAS, here in Illinois, we have progressively expanded human rights, and in 1979, we passed a comprehensive human rights act to prohibit discrimination in employment, housing, credit transactions, and public accommodations based on age, citizenship, ethnicity, gender, race, disability and religion. Last year, we took an important step forward by amending the Illinois Human Rights Act to include sexual orientation; and

WHEREAS, across the nation, December 10th is recognized as Human Rights Day, but in Illinois we recognize the entire week, December 11th to December 15th; and

WHEREAS, the Illinois Department of Human Rights (IDHR) will commemorate Human Rights Week with a photo exhibit in the James R. Thompson Center Atrium entitled “The Chicago Freedom Movement,” featuring photos by award winning photographer Bernard Kleina. The exhibit, which is provided by Hope Fair Housing Center, commemorates the 40th anniversary of Dr. King’s struggle for fair housing and civil rights in Chicago and includes vivid images of Dr. King, Coretta Scott-King, and many others; and

WHEREAS, IDHR’s Institute for Training and Development is also offering various trainings and seminars throughout the week on
various topics, including Sexual Orientation and the Human Rights Act, Diversity Awareness Training, Americans with Disabilities Act Training, Race, Discrimination and Housing in Chicago, and Sexual Harassment Prevention Training:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 11-15, 2006 as HUMAN RIGHTS WEEK in Illinois to observe and commemorate the signing of the Universal Declaration by continuing to embrace the principles set forth in that document, as well as recognize the great achievements of Dr. Martin Luther King and so many others that worked to advance human rights in this state and across the nation and globe.

Issued by the Governor December 13, 2006.
Filed by the Secretary of State December 13, 2006.

2006-414
CRIME STOPPERS OF LAKE COUNTY MONTH

WHEREAS, Crime Stoppers of Lake County was formed in 1983 and is a community program comprised of concerned citizens who work closely with police authorities, the news media, and the public in the fight against crime in Lake County and surrounding communities; and

WHEREAS, Crime Stoppers does that by offering cash rewards to anyone who provides information that leads to the arrest of felony crime offenders or the capture of felony fugitives. Informants always remain anonymous, and cash rewards are funded primarily by private contributions; and

WHEREAS, thanks to Crime Stoppers, there have been more than 4,900 criminal arrests throughout Lake County, Northern Illinois, and Wisconsin since the program’s inception in 1983. Altogether, more than $19 million worth of contraband and stolen property has been seized; and

WHEREAS, the success of Crime Stoppers would not be possible without the support of everyone in the community. Consequently, Crime Stoppers also promotes the importance of reporting suspicious behavior and criminal activity; and

WHEREAS, to support their wonderful mission, Crime Stoppers of Lake County will raise money and sponsor events designed to raise
awareness during the month of January:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2007 as CRIME STOPPERS OF LAKE COUNTY MONTH in Illinois in recognition of their terrific program, and encourage all citizens to help keep their communities safe and free of crime.

Issued by the Governor December 20, 2006.
Filed by the Secretary of State December 26, 2006.

2006-415
CERVICAL CANCER AWARENESS MONTH

WHEREAS, January is recognized as Cervical Cancer Awareness Month, an observance that promotes education about cervical cancer screenings, treatment, and causes; and

WHEREAS, in 2007, an estimated 640 Illinois women will be diagnosed with cervical cancer, and an estimated 200 Illinois women will die from the disease; and

WHEREAS, most deaths from cervical cancer could be avoided if women had regular checkups with the Pap test. If detected early, cervical cancer is nearly 100 percent curable; and

WHEREAS, by working together and supporting events such as the Cervical Cancer Awareness Month, we can educate women about the importance of cervical cancer screening; and

WHEREAS, public and private organizations within the state of Illinois and local and state government agencies are encouraged to observe the month of January of 2007 as Cervical Cancer Awareness Month in Illinois, by emphasizing and supporting a public awareness program on the importance of women’s health issues, specifically, cervical health:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2007 as CERVICAL CANCER AWARENESS MONTH in Illinois, and encourage all citizens to join in the continued fight against this disease.

Issued by the Governor December 20, 2006.
Filed by the Secretary of State December 26, 2006.
2006-416
REVEREND LEROY SMITH, JR.

WHEREAS, the Jesus Cares Outreach center was started in 1984 with two couples ministering to people on the streets of Decatur, Illinois with hot beverages and prayer; and

WHEREAS, Reverend Leroy Smith, Jr. is the current leader of the Jesus Cares Outreach center. Under his leadership, many donations of cash and property have allowed the center to expand in order to help people in their time of need; and

WHEREAS, today, Jesus Cares Outreach serves community members on Decatur’s near north side through church services, school-age programming, homeless shelters, and classes at Richland Community College. They also have a plan for an art and music program for youth and an education and job training program for prison parolees; and

WHEREAS, among many other programs and achievements, Rev. Smith has been working with youth in crime, drug, and gang prevention programs which have been very successful in the Decatur and Springfield areas for many years; and

WHEREAS, due to the care and dedication of Reverend Leroy Smith, Jr., the Jesus Cares Outreach has been able to improve communities and make them safer for the people who live in them:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor and commend Reverend Leroy Smith, Jr. for his work through the Jesus Cares Outreach street ministry.

Issued by the Governor December 22, 2006.
Filed by the Secretary of State December 26, 2006.

2006-417
DR. DAVID L. CHICOINE

WHEREAS, Dr. David L. Chicoine has dedicated 35 years of service to the University of Illinois, and at the end of the year, he will be leaving U of I to begin his new position as President of South Dakota State University; and

WHEREAS, Dr. Chicoine is originally from South Dakota, where
he graduated from South Dakota State University with a Bachelor of Science degree, and received a Master of Science degree from the University of Delaware and a Master of Arts from Western Illinois University. He then went on to earn his Ph.D. from the University of Illinois; and

WHEREAS, Dr. Chicoine has served the University of Illinois as an advisor in the University of Illinois Extension for Western Illinois, professor of agricultural economics and professor in the Institute of Government and Public Affairs, department head, then dean in the College of Agricultural, Consumer, and Environmental Sciences at the University of Illinois at Urbana-Champaign, as the University’s Vice President for Technology and Economic Development, and as the interim Vice President for Academic Affairs; and

WHEREAS, among his many different duties, most recently Dr. Chicoine has been the University’s senior officer and advisor to the President and the Board on technology commercialization and economic development issues and initiatives, including intellectual property management and start-up businesses and other matters of technology transfer, and business and economic development; and

WHEREAS, in the State of Illinois, Dr. Chicoine has served on many different commissions and groups, consulting and advising on issues such as taxes, farmland property tax assessment, and other public finance and rural economic issues with members of the Illinois General Assembly, business organizations, taxpayer groups, and public agencies; and

WHEREAS, Dr. Chicoine is married to Marcia, and together they will move back to South Dakota in 2007 and begin their new roles as President and First Lady at their alma mater, South Dakota State University:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor and recognize David L. Chicoine for his 35 years of service to the University of Illinois and to this great State, and wish him continued success in his future endeavors.

Issued by the Governor December 22, 2006.

Filed by the Secretary of State December 26, 2006.
WHEREAS, the Honorable Gerald Ford, 38th President of the United States of America, passed away on December 26, 2006 at the age of 93; and

WHEREAS, Gerald Rudolph Ford was born on July 14, 1913 in Omaha, Nebraska. He attended high school in Grand Rapids, Michigan and went on to major in economics and political science at the University of Michigan, where he also played on the football team. He later attended Yale Law, and in 1941, he graduated in the top 25 percent of his class; and

WHEREAS, upon graduating law school, Ford answered his call to duty after the attack on Pearl Harbor and served honorably for his country during World War II; and

WHEREAS, following his return from the War, Ford became active in politics, and was elected to the United States House of Representatives in 1948 by a wide margin. He served in the House of Representatives from 1949 to 1973, being reelected 12 times; and

WHEREAS, in 1973, President Richard Nixon chose Ford to become his vice president after Spiro Agnew resigned from the office, and then on August 9, 1974, he took the oath of office as President of the United States after the resignation of Nixon; and

WHEREAS, among President Ford’s notable accomplishments while in office, he held the first White House Summit on economy, helping to curb inflation and allowing businesses to run more freely by reducing taxes. In the foreign affairs arena, Ford worked hard to ensure that the United States continued to hold power after the collapse of Cambodia and South Vietnam, and was instrumental in the arms negotiations with Soviet leaders, and

WHEREAS, in 1976, President Ford won the Republication nomination for the Presidency but lost in the general election to Jimmy Carter, and

WHEREAS, after leaving office, Ford continued to participate in the political process and spoke across the country on various issues. Meanwhile, Mrs. Betty Ford opened the Betty Ford Center in 1982, which helps men and women recover from alcoholism and other drug related
problems. In 1999, President and Mrs. Ford were awarded the Congressional Gold Medal for dedicated public service and outstanding humanitarian contributions, and

WHEREAS, President Ford is remembered for his great character and integrity, and for restoring the public’s trust in the Office of the President. His passing will be mourned not only by his surviving family, but by people all throughout this great country and across the globe. Illinois is humbled to join in celebrating the life of this compassionate and dedicated public servant:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor the life and death of PRESIDENT GERALD R. FORD, and order the flag of the United States of America to fly at half-staff at all state facilities from December 27 until his day of interment.

Issued by the Governor December 27, 2006.
Filed by the Secretary of State December 27, 2006.

2006-418 (REVISED)
PRESIDENT GERALD R. FORD

WHEREAS, the Honorable Gerald Ford, 38th President of the United States of America, passed away on December 26, 2006 at the age of 93; and

WHEREAS, Gerald Rudolph Ford was born on July 14, 1913 in Omaha, Nebraska. He attended high school in Grand Rapids, Michigan and went on to major in economics and political science at the University of Michigan, where he also played on the football team. He later attended Yale Law, and in 1941, he graduated in the top 25 percent of his class; and

WHEREAS, upon graduating law school, Ford answered his call to duty after the attack on Pearl Harbor and served honorably for his country during World War II; and

WHEREAS, following his return from the War, Ford became active in politics, and was elected to the United States House of Representatives in 1948 by a wide margin. He served in the House of Representatives from 1949 to 1973, being reelected 12 times; and

WHEREAS, in 1973, President Richard Nixon chose Ford to become his vice president after Spiro Agnew resigned from the office, and
then on August 9, 1974, he took the oath of office as President of the United States after the resignation of Nixon; and

WHEREAS, among President Ford’s notable accomplishments while in office, he held the first White House Summit on economy, helping to curb inflation and allowing businesses to run more freely by reducing taxes. In the foreign affairs arena, Ford worked hard to ensure that the United States continued to hold power after the collapse of Cambodia and South Vietnam, and was instrumental in the arms negotiations with Soviet leaders, and

WHEREAS, in 1976, President Ford won the Republication nomination for the Presidency but lost in the general election to Jimmy Carter, and

WHEREAS, after leaving office, Ford continued to participate in the political process and spoke across the country on various issues. Meanwhile, Mrs. Betty Ford opened the Betty Ford Center in 1982, which helps men and women recover from alcoholism and other drug related problems. In 1999, President and Mrs. Ford were awarded the Congressional Gold Medal for dedicated public service and outstanding humanitarian contributions, and

WHEREAS, President Ford is remembered for his great character and integrity, and for restoring the public’s trust in the Office of the President. His passing will be mourned not only by his surviving family, but by people all throughout this great country and across the globe. Illinois is humbled to join in celebrating the life of this compassionate and dedicated public servant:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor the life and death of PRESIDENT GERALD R. FORD, and order the flag of the United States of America to fly at half-staff at all state facilities for a period of thirty days from the day of his death.

Issued by the Governor December 27, 2006.
Filed by the Secretary of State December 27, 2006.
WHEREAS, veteran broadcaster Paul Brian’s “Drive Chicago” focuses on the local, national and international automotive scene, featuring industry news and newsmakers, product reviews and, of course, a flurry of questions from listeners wanting to get the straight story about the automotive industry; and

WHEREAS, after starting on WMAQ and then airing Saturdays with Jake Hartford on WLS Radio for the past 6 years, Brian’s show was recognized in 1998 and 1999 as the nation’s best automotive program by the International Automotive Media Association; and

WHEREAS, Brian recognizes that in the Chicago area alone, new car sales account for more than $16.5 billion in gross sales which leads to countless questions about the automotive field that he addresses in an informative and entertaining manner; and

WHEREAS, Brian has served as communications director and spokesman for the Chicago Automobile Trade Association and producer of the mammoth annual Chicago Auto Show at McCormick Place for the past seven years; and

WHEREAS, in that capacity, Brian is responsible for coordinating thousands of domestic and international media who arrive to view the nation’s largest auto exposition. He is also the recipient of two “Emmy” awards from the Academy of Television Arts and Science for his production of television specials featuring the Chicago Auto Show; and

WHEREAS, Brian’s history in the automotive industry includes a three-year stint managing the Alfa Romeo Indy Car Team based in Milan, Italy, with drivers Danny Sullivan, Roberto Guerrero and Al Unser, Sr.; and

WHEREAS, Brian has been called the “John Madden of Indy Cars” and performs track announcing duties for the Milwaukee, Elkhart Lake, Houston, St. Louis and Chicago events in the CART Championship Circuit;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 30, 2006 as PAUL BRIAN DAY in Illinois in recognition of Paul Brian’s dedicated commitment for the past
10 years to the safety and well-being of the automotive consumers and people of Illinois.

Issued by the Governor December 28, 2006.

Filed by the Secretary of State December 28, 2006.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB3062</td>
<td>0754</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB2774</td>
<td>0956</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB2917</td>
<td>1076</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.17</td>
<td>SB2608</td>
<td>1075</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.18</td>
<td>SB2608</td>
<td>1075</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.18</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.18</td>
<td>SB3062</td>
<td>0754</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 80/4.19a</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/4.26</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 80/4.27</td>
<td>SB2917</td>
<td>1076</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 80/4.27</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 80/4.27</td>
<td>SB2774</td>
<td>0956</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 80/4.27</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 80/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 100/5-30</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 100/5-45</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 100/5-46.2</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 120/1.02</td>
<td>SB0585</td>
<td>1058</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 120/2</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 120/2.01</td>
<td>SB0585</td>
<td>1058</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 120/2.05</td>
<td>SB0585</td>
<td>1058</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 120/2.06</td>
<td>SB0585</td>
<td>1058</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 120/7</td>
<td>SB0585</td>
<td>1058</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 140/7</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 140/7</td>
<td>SB2358</td>
<td>0953</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 140/7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 220/3.1</td>
<td>SB3046</td>
<td>1007</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 220/7.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/2</td>
<td>HB4079</td>
<td>0860</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/3</td>
<td>HB4079</td>
<td>0860</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/6.10</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/10</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/10</td>
<td>HB4079</td>
<td>0860</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/11</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/13.1</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 375/15</td>
<td>HB4079</td>
<td>0860</td>
</tr>
<tr>
<td>5</td>
<td>5 ILCS 410/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 490/115</td>
<td>HB5243</td>
<td>0796</td>
</tr>
<tr>
<td>5</td>
<td>+ 5 ILCS 585/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>+ 10 ILCS 5/1-9</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>+ 10 ILCS 5/1A-35</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/4-50</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/5-50</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/6-100</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/7-10.2</td>
<td>HB4173</td>
<td>1090</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/7-17</td>
<td>HB4173</td>
<td>1090</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/7-60</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/8-8.1</td>
<td>HB4173</td>
<td>1090</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/9-9.5</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/10-5.1</td>
<td>HB4173</td>
<td>1090</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/13-1</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/13-2</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/14-3.1</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/16-3</td>
<td>HB4173</td>
<td>1090</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/17-9</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/18-5</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/18A-15</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-2.1</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-4</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-8</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>- 10 ILCS 5/19-9</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-12.2</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-13</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19-15</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>+ 10 ILCS 5/19-20</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>+ 10 ILCS 5/19A-21</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19A-25.5</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19A-35</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19A-50</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>- 10 ILCS 5/19A-55</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/19A-60</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-2</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-2.1</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-2.2</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-2.3</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-4</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-8</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>- 10 ILCS 5/20-9</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/20-15</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>+ 10 ILCS 5/20-20</td>
<td>SB1445</td>
<td>1000</td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24-1</td>
<td>SB1445</td>
<td>1000</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>10 ILCS 5/24A-9 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24A-10 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24A-10.1 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24A-15 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24A-16 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24B-9 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24B-10 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24B-10.1 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24B-15 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24B-16 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24C-9 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24C-12 SB2340</td>
<td>1073</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24C-13 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24C-15 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/24C-16 SB1445</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>10 ILCS 5/28-2 SB2795</td>
<td>1019</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>15 ILCS 20/50-5 SB2674</td>
<td>1108</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>15 ILCS 20/50-15 SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 305/17 SB2252</td>
<td>0811</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 305/19 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 330/3 SB3086</td>
<td>1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 335/14D SB2283</td>
<td>0892</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 405/9.02 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 405/19 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 405/21 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 405/22.2 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15   + 15 ILCS 425/2 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 5/5-330 SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 5/5-530 SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 5/5-675 SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 5/5-680 SB3086</td>
<td>1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 10/3 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 10/5-30 SB2448</td>
<td>0954</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 10/5-40 SB2899</td>
<td>0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 301/10-5 SB2199</td>
<td>1033</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 301/10-10 SB2199</td>
<td>1033</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 301/10-15 SB2199</td>
<td>1033</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 301/10-40 SB2199</td>
<td>1033</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20   + 20 ILCS 301/10-45 SB2199</td>
<td>1033</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.   - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>20 ILCS 301/10-50</td>
<td>SB2199</td>
<td>1033</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 301/15-10</td>
<td>SB2199</td>
<td>1033</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 405/405-130</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 405/405-295</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 405/405-300</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 405/405-500</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 415/8a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/5</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/5c</td>
<td>HB4135</td>
<td>0943</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 505/5.30</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/7</td>
<td>HB4242</td>
<td>0880</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 505/7.5</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/25</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/34.10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 505/35.1</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 520/1-15</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-105</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-112</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-332</td>
<td>SB0619</td>
<td>1030</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 605/605-347</td>
<td>HB4313</td>
<td>0751</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-360</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-415</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 605/605-430</td>
<td>HB4461</td>
<td>0970</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 605/605-430</td>
<td>SB2931</td>
<td>1006</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 605/605-812</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-855</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 605/605-865</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 605/605-907</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 608/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 608/9/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 611/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 615/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 615/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 620/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 620/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 625/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 625/2</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 630/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 630/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 630/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 630/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 655/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>20 ILCS 655/12-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 660/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 662/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 665/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 665/4b</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 685/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 685/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 685/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 687/6-3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 687/6-4</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 687/6-6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 688/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 689/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 689/20</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 690/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 692/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 700/1003</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 701/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 705/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 710/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 715/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 715/5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 801/1-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 801/80-20</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 801/80-25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 801/80-30</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 801/80-35</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 805/805-435</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 830/2-1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 835/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 835/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 840/1</td>
<td>SB0626</td>
<td>1042</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 860/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 860/2a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1005/1005-47</td>
<td>SB2449</td>
<td>0786</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1105/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1105/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/3.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/3.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>20 ILCS 1110/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1110/11</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1115/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-1</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-5</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-10</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-15</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-20</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-25</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1128/5-30</td>
<td>SB2952</td>
<td>0961</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1305/1-25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 1305/10-50</td>
<td>SB2328</td>
<td>1043</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1305/80-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1510/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/3</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/4</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/5</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/7.1</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/7.6</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/7.11</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/9</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10.1</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10.1a</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10.2</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10.6</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/10.7</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/12</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/13</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/14</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/14.3</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/19</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/21</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1605/24</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1705/7.3</td>
<td>SB2491</td>
<td>0934</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 1705/15f</td>
<td>SB2254</td>
<td>0812</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1705/18.4</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>- 20 ILCS 1705/50a</td>
<td>SB2223</td>
<td>0868</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 1805/15</td>
<td>HB4729</td>
<td>0842</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>20 ILCS 1825/3</td>
<td>SB2726</td>
<td>0844</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 1920/2.14</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2105/2105-400</td>
<td>SB2921</td>
<td>0733</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2310/2310-315</td>
<td>HB4302</td>
<td>0909</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2310/2310-342</td>
<td>HB5245</td>
<td>0832</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2310/2310-391</td>
<td>SB2728</td>
<td>0769</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2310/2310-600</td>
<td>HB5330</td>
<td>0865</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2310/2310-625</td>
<td>SB2921</td>
<td>0733</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2405/13</td>
<td>HB5343</td>
<td>0887</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2435/55</td>
<td>SB2782</td>
<td>0852</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2435/59</td>
<td>SB2763</td>
<td>0851</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2605/2605-37</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2605/2605-45</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2605/2605-327</td>
<td>SB0622</td>
<td>0837</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2613/10</td>
<td>SB2870</td>
<td>1005</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2630/4</td>
<td>HB4222</td>
<td>0988</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-255</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-285</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-405</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-435</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-435</td>
<td>HB5220</td>
<td>0807</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 2705/2705-440</td>
<td>HB5220</td>
<td>0807</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2705/2705-565</td>
<td>SB0613</td>
<td>1045</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2715/30</td>
<td>SB2368</td>
<td>0997</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2715/35</td>
<td>SB2368</td>
<td>0997</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2715/40</td>
<td>SB2368</td>
<td>0997</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2715/90</td>
<td>SB2368</td>
<td>0997</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 2715/99</td>
<td>SB2368</td>
<td>0997</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3010/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3010/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>- 20 ILCS 3105/9.04</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3105/9.08a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 3105/9.08c</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3105/10.09-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3105/10.09-5</td>
<td>SB2868</td>
<td>0815</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>20 ILCS 3110/3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3110/4</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3110/5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3110/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3110/5.2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3110/9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3125/10</td>
<td>SB2868</td>
<td>0815</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3305/4</td>
<td>HB4804</td>
<td>1081</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3305/10</td>
<td>SB2921</td>
<td>0733</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3405/20</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3501/825-13</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3501/825-85</td>
<td>SB0623</td>
<td>0829</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3501/845-5</td>
<td>SB1625</td>
<td>1068</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3501/845-75</td>
<td>SB2951</td>
<td>0960</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3520/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3820/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3915/4.5</td>
<td>SB0176</td>
<td>0835</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3918/35</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3930/7</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3930/9</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3948/50</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3953/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3953/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3958/10</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3958/15</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3958/20</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3958/25</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3960/12</td>
<td>SB2436</td>
<td>0983</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3960/13</td>
<td>SB2436</td>
<td>0983</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3960/19.6</td>
<td>SB2436</td>
<td>0983</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3965/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3965/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3965/4.5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3966/15-30</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3966/15-35</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3967/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3968/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3970/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3990/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 3990/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4003/</td>
<td>SB2360</td>
<td>0996</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4003/1</td>
<td>SB2360</td>
<td>0996</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>+ 20 ILCS 4003/5</td>
<td>SB2360</td>
<td>0996</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4003/10</td>
<td>SB2360</td>
<td>0996</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4003/15</td>
<td>SB2360</td>
<td>0996</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4003/20</td>
<td>SB2360</td>
<td>0996</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4010/2004</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4010/2004.5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4020/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>20 ILCS 4020/12</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4024/</td>
<td>HB4298</td>
<td>0989</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4024/1</td>
<td>HB4298</td>
<td>0989</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4024/5</td>
<td>HB4298</td>
<td>0989</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4024/10</td>
<td>HB4298</td>
<td>0989</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4024/99</td>
<td>HB4298</td>
<td>0989</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/1</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/5</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/10</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/15</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/20</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/25</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/30</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/35</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/90</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>20</td>
<td>+ 20 ILCS 4055/99</td>
<td>SB2483</td>
<td>0788</td>
</tr>
<tr>
<td>25</td>
<td>25 ILCS 50/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>25</td>
<td>25 ILCS 75/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>25</td>
<td>25 ILCS 75/40</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>25</td>
<td>25 ILCS 75/40</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/5.158</td>
<td>SB0626</td>
<td>1042</td>
</tr>
<tr>
<td>30</td>
<td>- 30 ILCS 105/5.344</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>- 30 ILCS 105/5.482</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/5.569</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB2328</td>
<td>1043</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB0623</td>
<td>0829</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB2191</td>
<td>0929</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB2302</td>
<td>0775</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.663</td>
<td>SB1001</td>
<td>0797</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/5.664</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6b-3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6p-5</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-10</td>
<td>SB0626</td>
<td>1042</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6x-27</td>
<td>SB2827</td>
<td>0958</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-32</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-39</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-54</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-63</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-64</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/6z-67</td>
<td>SB0176</td>
<td>0835</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.3</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.16c</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.22</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.23</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.25c</td>
<td>SB0626</td>
<td>1042</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.43</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.44</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.44</td>
<td>SB0626</td>
<td>1042</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/8.45</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8.55</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8a</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8g</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8g</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8h</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8h</td>
<td>SB0014</td>
<td>0774</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8h</td>
<td>HB1918</td>
<td>0804</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8h</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/8j</td>
<td>SB0014</td>
<td>0774</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 105/8n</td>
<td>SB0014</td>
<td>0774</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/9.03</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/9.04</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 105/13.2</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 122/10</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 122/15</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 122/20</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 122/25</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 255/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 330/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 330/12</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>30 ILCS 330/13</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 330/14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 330/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 345/7.5</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 355/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 355/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 355/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 390/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 390/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 415/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 420/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 420/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 425/13</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 430/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 430/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 430/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 435/25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 440/3</td>
<td>SB0490</td>
<td>1083</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 440/4</td>
<td>SB0490</td>
<td>1083</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 500/15-25</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 500/20-155</td>
<td>SB2159</td>
<td>0978</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 500/25-75</td>
<td>HB4137</td>
<td>1079</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 500/45-67</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 500/45-70</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 500/50-14.5</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 540/3-2</td>
<td>HB5260</td>
<td>0972</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 540/7</td>
<td>HB5260</td>
<td>0972</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 575/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 605/7b</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 605/7c</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 605/7.6</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 605/8.3</td>
<td>SB1959</td>
<td>1107</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 710/2-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 710/2-3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 710/2-4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 720/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 720/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 725/1.2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 730/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/8-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/9-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/9-4.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>30 ILCS 750/9-5.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/9-11</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/10-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 750/11-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 755/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 755/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 755/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 780/5-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 780/5-30</td>
<td>HB3650</td>
<td>0734</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 780/5-45</td>
<td>HB3650</td>
<td>0734</td>
</tr>
<tr>
<td>30</td>
<td>30 ILCS 805/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2898</td>
<td>0792</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>HB4789</td>
<td>0794</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2455</td>
<td>0933</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>HB4317</td>
<td>0856</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>HB4463</td>
<td>0834</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB2569</td>
<td>0823</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>HB4960</td>
<td>0806</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB0036</td>
<td>1111</td>
</tr>
<tr>
<td>30</td>
<td>+ 30 ILCS 805/8.30</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/201</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/203</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/203</td>
<td>SB2582</td>
<td>0789</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/203</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/203</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/211</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 5/216</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 5/217</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/502</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/506.5</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 5/507EE</td>
<td>HB0542</td>
<td>0876</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 5/507MM</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/509</td>
<td>HB0542</td>
<td>0876</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/510</td>
<td>HB0542</td>
<td>0876</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/901</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/902</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/905</td>
<td>SB0230</td>
<td>0836</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/911</td>
<td>SB0230</td>
<td>0836</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
| Ch. | ILCS | Bill No. | PA 94-
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>35 ILCS 5/917</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 5/1301</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 10/5-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 10/5-25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 10/5-45</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/1</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/5</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/10</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/15</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/20</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/25</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 11/99</td>
<td>SB2885</td>
<td>0966</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 15/10</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 15/40</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 15/45</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 15/90</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/2</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/3-5</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/3-55</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/9</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/9</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/12</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 105/12</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/3-5</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/3-45</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/9</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/9</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/12</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 110/12</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 115/3-5</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 115/9</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 115/12</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 115/12</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1d</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1f</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1i</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1j.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1k</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/1o</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>- 35 ILCS 120/1p</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/2-5</td>
<td>SB2709</td>
<td>1002</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>+ 35 ILCS 120/2-6</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 120/2-54</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/3</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/5j</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/5l</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 120/11</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 130/2</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 130/10b</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 130/21</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 135/20</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 135/26</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 135/27</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 143/10-58</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 173/5-10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/10-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/10-152</td>
<td>SB2709</td>
<td>1002</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/10-245</td>
<td>SB2185</td>
<td>1086</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/A. 10 Div. 14</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/10-365</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/10-370</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/10-375</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/10-380</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/A. 10 Div. 15</td>
<td>SB2185</td>
<td>1086</td>
</tr>
<tr>
<td>35</td>
<td>+ 35 ILCS 200/10-390</td>
<td>SB2185</td>
<td>1086</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/15-143</td>
<td>SB2185</td>
<td>1086</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/15-170</td>
<td>HB4789</td>
<td>0794</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/15-172</td>
<td>HB4789</td>
<td>0794</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/15-185</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/16-70</td>
<td>SB0680</td>
<td>1031</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-125</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-165</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-165</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-170</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-185</td>
<td>SB0702</td>
<td>0974</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-185</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-185</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-185</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-190</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-190.5</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-205</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/18-230</td>
<td>SB1682</td>
<td>0976</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/21-205</td>
<td>HB4362</td>
<td>0922</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/22-55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>35 ILCS 200/22-95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/29-10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/29-15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 200/31-15</td>
<td>SB2241</td>
<td>0785</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 250/20</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/1.16</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/8</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/13a.3</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/13a.4</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/13a.5</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/13a.6</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/15</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 505/16</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 510/3</td>
<td>SB0385</td>
<td>0742</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 610/11</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 615/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 615/11</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 620/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 620/11</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 630/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 630/15</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 635/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 636/5-7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 640/2-3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>35</td>
<td>35 ILCS 640/2-4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/2-124</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/4-108</td>
<td>HB4317</td>
<td>0856</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/4-108.5</td>
<td>HB4317</td>
<td>0856</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/4-118</td>
<td>SB2740</td>
<td>0859</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/7-132</td>
<td>SB0789</td>
<td>1046</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-103.05</td>
<td>SB0036</td>
<td>1111</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-104</td>
<td>SB0036</td>
<td>1111</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-108.3</td>
<td>SB0049</td>
<td>1057</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-108.4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-108.6</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-131</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/14-134</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/15-125</td>
<td>SB2356</td>
<td>0982</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/15-155</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/15-155</td>
<td>SB0049</td>
<td>1057</td>
</tr>
<tr>
<td>+</td>
<td>40 ILCS 5/15-167.4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/15-168.1</td>
<td>SB0049</td>
<td>1057</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>40 ILCS 5/16-106</td>
<td>SB0036</td>
<td>1111</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-118</td>
<td>HB5331</td>
<td>0914</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-128</td>
<td>SB0049</td>
<td>1057</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-158</td>
<td>SB0049</td>
<td>1057</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-158</td>
<td>SB0036</td>
<td>1111</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-158</td>
<td>SB1977</td>
<td>0839</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/16-169.1</td>
<td>SB0049</td>
<td>1057</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/17-106.1</td>
<td>HB4541</td>
<td>0912</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/17-130</td>
<td>SB1856</td>
<td>1105</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/17-133</td>
<td>SB0036</td>
<td>1111</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/17-154</td>
<td>SB1856</td>
<td>1105</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/17-156.1</td>
<td>SB1856</td>
<td>1105</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/18-131</td>
<td>SB1977</td>
<td>0839</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/20-109</td>
<td>HB4463</td>
<td>0834</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>40 ILCS 5/22-101</td>
<td>SB1977</td>
<td>0839</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>+ 40 ILCS 5/22-103</td>
<td>SB1977</td>
<td>0839</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>+ 40 ILCS 15/1.7</td>
<td>SB1977</td>
<td>0839</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 30/4</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 35/42</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/1</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/5</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/10</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/15</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/20</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/25</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/30</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/35</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/40</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/45</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 78/50</td>
<td>HB4344</td>
<td>1077</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>+ 45 ILCS 110/1.5</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 15/1</td>
<td>SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 20/3</td>
<td>SB2477</td>
<td>1071</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 20/14</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 20/14.3</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 30/6.4a</td>
<td>SB3086</td>
<td>1055</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 320/5</td>
<td>SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 320/12</td>
<td>SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 330/2</td>
<td>SB2899</td>
<td>0793</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 505/3</td>
<td>HB5260</td>
<td>0972</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 505/9</td>
<td>HB5260</td>
<td>0972</td>
<td></td>
</tr>
</tbody>
</table>

*+ indicates new ILCS entry.*  
*- indicates repealed ILCS entry.*
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>50 ILCS 510/5</td>
<td>SB1453</td>
<td>1097</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 515/3</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 515/4</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 515/5</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 515/10</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 605/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 605/4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 605/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/1</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/5</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/10</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/15</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/20</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/25</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/30</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/35</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/40</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/45</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/50</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/900</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/905</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/910</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/915</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 615/999</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 705/2</td>
<td>SB2243</td>
<td>0846</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/1</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/5</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/10</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/40</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/60</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 707/99</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 710/2</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 742/10</td>
<td>SB0827</td>
<td>0809</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 750/13</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/1</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/5</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/10</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/15</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/20</td>
<td>SB2137</td>
<td>0896</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
### Compiled Statutes Amended

+ indicates new ILCS entry. - indicates repealed ILCS entry.

<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/30</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/35</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/40</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/45</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/50</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/90</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/93</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/95</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>+ 50 ILCS 752/99</td>
<td>SB2137</td>
<td>0896</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 805/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>50</td>
<td>50 ILCS 805/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/3-3013</td>
<td>HB4971</td>
<td>0924</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 5/3-5046</td>
<td>SB2569</td>
<td>0823</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/3-6013</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/4-12001</td>
<td>SB0611</td>
<td>1104</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/4-12001.1</td>
<td>SB0611</td>
<td>1104</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-1006.5</td>
<td>HB5283</td>
<td>0781</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-1062.1</td>
<td>SB0843</td>
<td>0867</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-1071</td>
<td>HB4238</td>
<td>0819</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 5/5-1078.2</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-1101</td>
<td>SB2272</td>
<td>0980</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-1101</td>
<td>HB4527</td>
<td>0862</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 5/5-1128</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-12001.1</td>
<td>HB3183</td>
<td>0728</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 5/5-12012.1</td>
<td>SB0094</td>
<td>1027</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-15009</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-25012</td>
<td>SB2798</td>
<td>0791</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 5/5-30021</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>55</td>
<td>55 ILCS 85/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 85/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>55</td>
<td>+ 55 ILCS 90/62</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>60</td>
<td>+ 60 ILCS 1/85-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>60</td>
<td>60 ILCS 1/85-50</td>
<td>HB4196</td>
<td>0841</td>
</tr>
<tr>
<td>60</td>
<td>60 ILCS 1/100-10</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>60</td>
<td>+ 60 ILCS 1/110-50.1</td>
<td>SB0094</td>
<td>1027</td>
</tr>
<tr>
<td>60</td>
<td>60 ILCS 1/115-55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/1-2-1.2</td>
<td>HB4717</td>
<td>0740</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/3.1-30-5</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/3.1-30-20</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/7-1-1</td>
<td>SB0835</td>
<td>1065</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/8-11-1.2</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/8-11-2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>
## Compiled Statutes Amended

<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>65 ILCS 5/10-1-7</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/10-2.1-4</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/10-2.1-6</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/10-3-1</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-5-9</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 5/11-13-25</td>
<td>SB0094</td>
<td>1027</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-19-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-28-1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-31.1-14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-48.3-29</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-55-2</td>
<td>HB0874</td>
<td>0967</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-61-1a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 5/11-61-4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-63-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-65-3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-66-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-71-1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-71-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.2-9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>HB4793</td>
<td>0903</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>SB0837</td>
<td>0810</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>SB0819</td>
<td>0782</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>SB0838</td>
<td>0783</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>HB4369</td>
<td>0778</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>HB4895</td>
<td>1091</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-3</td>
<td>HB5475</td>
<td>1092</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-4</td>
<td>SB2348</td>
<td>1013</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>HB4369</td>
<td>0778</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>SB0838</td>
<td>0783</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>SB0819</td>
<td>0782</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>SB0837</td>
<td>0810</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>HB4793</td>
<td>0903</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>HB5475</td>
<td>1092</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-7</td>
<td>HB4895</td>
<td>1091</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.4-8a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-74.6-10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-75-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-92-3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-97-2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 5/11-102-15</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-103-3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
### Compiled Statutes Amended

<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>65 ILCS 5/11-117-12.2</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-119.1-7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-119.2-3</td>
<td>HB4349</td>
<td>0731</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-119.2-7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-123-4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 5/11-124-5</td>
<td>SB3046</td>
<td>1007</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-130-9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-135-6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-136-6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-139-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-141-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 5/11-147-1</td>
<td>SB2664</td>
<td>1106</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 20/21-19.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 100/3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 100/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 110/62</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/Art. 5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/Art. 10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-1</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-2</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 115/10-2</td>
<td>SB1892</td>
<td>1022</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-3</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-4</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 115/10-4</td>
<td>SB1892</td>
<td>1022</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5.1</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5.2</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5.3</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>65 ILCS 115/10-5.3</td>
<td>SB1892</td>
<td>1022</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5.4</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-5.4.1</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-6</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-8</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-9</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/10-10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/Art. 90</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/Art. 900</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/900-5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>65</td>
<td>+ 65 ILCS 115/900-10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
</tbody>
</table>

70  70 ILCS 5/9 | SB3086 | 1055 |
70  + 70 ILCS 5/9.05 | SB3086 | 1055 |

+ indicates new ILCS entry. - indicates repealed ILCS entry.
| Ch. | ILCS                      | Bill No. | PA 94-
|-----|---------------------------|----------|--------
| 70  | + 70 ILCS 10/4.5          | SB3086   | 1055   
| 70  | 70 ILCS 15/3              | SB3086   | 1055   
| 70  | + 70 ILCS 15/3.5          | SB3086   | 1055   
| 70  | 70 ILCS 200/2-20          | SB3086   | 1055   
| 70  | 70 ILCS 200/2-20          | SB3086   | 1055   
| 70  | 70 ILCS 200/10-15         | SB3086   | 1055   
| 70  | + 70 ILCS 200/10-15.5     | SB3086   | 1055   
| 70  | 70 ILCS 200/20-15         | SB3086   | 1055   
| 70  | + 70 ILCS 200/20-17       | SB3086   | 1055   
| 70  | 70 ILCS 200/75-20         | SB3086   | 1055   
| 70  | + 70 ILCS 200/75-22       | SB3086   | 1055   
| 70  | 70 ILCS 200/80-15         | SB3086   | 1055   
| 70  | + 70 ILCS 200/80-17       | SB3086   | 1055   
| 70  | 70 ILCS 200/125-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/125-17      | SB3086   | 1055   
| 70  | 70 ILCS 200/155-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/155-17      | SB3086   | 1055   
| 70  | + 70 ILCS 200/170-22      | SB3086   | 1055   
| 70  | 70 ILCS 200/185-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/185-17      | SB3086   | 1055   
| 70  | 70 ILCS 200/200-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/200-17      | SB3086   | 1055   
| 70  | 70 ILCS 200/205-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/205-17      | SB3086   | 1055   
| 70  | 70 ILCS 200/215-15        | SB3086   | 1055   
| 70  | + 70 ILCS 200/215-17      | SB3086   | 1055   
| 70  | 70 ILCS 200/255-20        | SB3086   | 1055   
| 70  | + 70 ILCS 200/255-22      | SB3086   | 1055   
| 70  | 70 ILCS 200/265-20        | SB3086   | 1055   
| 70  | + 70 ILCS 200/265-22      | SB3086   | 1055   
| 70  | 70 ILCS 200/280-20        | SB2631   | 0790   
| 70  | 70 ILCS 200/280-20        | SB3086   | 1055   
| 70  | + 70 ILCS 200/280-22      | SB3086   | 1055   
| 70  | 70 ILCS 210/5             | SB3086   | 1055   
| 70  | + 70 ILCS 210/5.3         | SB3086   | 1055   
| 70  | 70 ILCS 210/10.1          | SB2899   | 0793   
| 70  | 70 ILCS 210/13.1          | SB2899   | 0793   
| 70  | 70 ILCS 210/22.1          | SB2899   | 0793   
| 70  | + 70 ILCS 405/22.04a      | SB3086   | 1055   
| 70  | 70 ILCS 410/12            | SB3086   | 1055   
| 70  | + 70 ILCS 410/12e         | SB3086   | 1055   
| 70  | + 70 ILCS 503/            | HB5305   | 0908   

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/1</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/5</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/10</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/15</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/20</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/25</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/30</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/35</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/40</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/45</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/50</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 503/99</td>
<td>HB5305</td>
<td>0908</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/1</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/5</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/10</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/15</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/20</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/25</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/30</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/35</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/40</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/45</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/55</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/60</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/65</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/70</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 504/999</td>
<td>HB4147</td>
<td>0995</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 507/15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 507/17</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 510/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 510/19</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 515/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/1</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/5</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/10</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/15</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/20</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/25</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/30</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/35</td>
<td>SB0821</td>
<td>1093</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/40</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/45</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/50</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/900</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 516/999</td>
<td>SB0821</td>
<td>1093</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/Art. 5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-15</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-20</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-25</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-30</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-35</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-40</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-45</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-50</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-60</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-65</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-70</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/5-75</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/Art. 10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/Art. 90</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/Art. 900</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/900-5</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 519/900-10</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 520/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 520/4</td>
<td>SB0830</td>
<td>1096</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 520/5</td>
<td>SB0830</td>
<td>1096</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 520/8</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 520/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 525/2004</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 530/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 535/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 605/4-17.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 615/6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 615/7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 705/10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 705/10.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 705/16</td>
<td>HB4960</td>
<td>0806</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 805/3c</td>
<td>HB4286</td>
<td>0900</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 805/6.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>+ 70 ILCS 810/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 810/14</td>
<td>SB0841</td>
<td>0951</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 910/15.4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 910/16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 915/3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 915/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 915/9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 920/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 920/5.4</td>
<td>SB2654</td>
<td>1050</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 925/20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 925/22</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 925/85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/0/</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/1</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/5</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/10</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/15</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/20</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/25</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/30</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/35</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/40</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/45</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/50</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/55</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/60</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/65</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/70</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/75</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/80</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/85</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/90</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 930/905</td>
<td>SB0848</td>
<td>1036</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1005/7.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1105/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1205/8-1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1205/8-1.2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1205/11.1-3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1225/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1225/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1230/1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1230/1-b</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>70 ILCS 1250/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1250/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1290/1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1290/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1305/3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1310/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1310/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1505/15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1505/15.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1505/25.1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1505/26.3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1510/4.1</td>
<td>SB2871</td>
<td>0840</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1570/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1570/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1705/14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1705/35</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1705/36</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1705/37</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1710/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1710/14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1710/35</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1710/37</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1805/8</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1805/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1810/7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1810/7.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1815/13</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1815/13.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1820/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1820/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1825/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1825/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1825/14</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1825/15</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1825/16</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1825/18</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1830/14</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1830/14.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1835/6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1835/6.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1845/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1845/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>70 ILCS 1850/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1850/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1855/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1860/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1860/5.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1865/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1865/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1865/15</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1865/16</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1865/19</td>
<td>SB2713</td>
<td>1003</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1870/8</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1870/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1905/16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1905/16.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 1915/25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 1915/27</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2105/10a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2105/10b</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2205/15.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2205/18</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2305/8.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2305/15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2405/7.9</td>
<td>SB0318</td>
<td>1109</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/8</td>
<td>SB2664</td>
<td>1106</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2405/8.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/16.9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/16.10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/18</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/23.5</td>
<td>SB2664</td>
<td>1106</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2405/23.7</td>
<td>SB2664</td>
<td>1106</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2605/4</td>
<td>SB0185</td>
<td>1069</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2605/4.7</td>
<td>SB2255</td>
<td>1070</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2605/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2605/16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2605/301</td>
<td>HB4192</td>
<td>0777</td>
</tr>
<tr>
<td>70</td>
<td>+ 70 ILCS 2805/10.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/24</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/26i</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/26j</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/27</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/32k</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 2805/32i</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>+  70 ILCS 2905/2-7.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3010/10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3010/10.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3205/2012</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3205/12.1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3405/16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3405/16.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3605/8.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3610/5.01</td>
<td>HB2706</td>
<td>0776</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3610/5.4</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3615/2.13</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3615/2.13a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3615/4.02</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3615/4.02a</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3615/4.02b</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3615/4.04</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3615/4.13</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>70</td>
<td>70 ILCS 3705/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3705/12.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>70</td>
<td>+  70 ILCS 3715/6.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>75</td>
<td>+  75 ILCS 5/4-7.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>75</td>
<td>75 ILCS 16/15-5</td>
<td>HB4217</td>
<td>0899</td>
</tr>
<tr>
<td>75</td>
<td>75 ILCS 16/15-15</td>
<td>HB4217</td>
<td>0899</td>
</tr>
<tr>
<td>75</td>
<td>+  75 ILCS 16/30-55.82</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>75</td>
<td>75 ILCS 65/1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>75</td>
<td>+  75 ILCS 65/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/1A-6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/1B-21</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+  105 ILCS 5/1B-21</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.11b</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>+  105 ILCS 5/2-3.11d</td>
<td>SB2546</td>
<td>0935</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.12</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.25d</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.25e</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.25f</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.25e</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.35</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.37</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.38</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>-  105 ILCS 5/2-3.40</td>
<td>SB1856</td>
<td>1105</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.43</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.52</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/2-3.53a</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.54</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.55</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.55A</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.59</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.62</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.63</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.64</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/2-3.65a</td>
<td>SB0176</td>
<td>0835</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.67</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.68</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.71</td>
<td>SB1497</td>
<td>1054</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.72</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.80</td>
<td>HB4986</td>
<td>0855</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.82</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.85</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.88</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.90</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.91</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.92</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.100</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.101</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.106</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.110</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.113</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/2-3.114</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.131</td>
<td>SB0176</td>
<td>0835</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.136</td>
<td>SB2882</td>
<td>0894</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/2-3.137</td>
<td>HB5416</td>
<td>0973</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/3-12</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/3-14.21</td>
<td>HB5416</td>
<td>0973</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/5-1</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/5-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/5-17</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/5-32</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/7-02</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7-03</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/7-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/7-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/7-14</td>
<td>SB1856</td>
<td>1105</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/A. 7A</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-1</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-3</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-4</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-7</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-8</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-9</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-13</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7A-15</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/Art. 7C</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/7C-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/9-11.2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/9-12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/10-10.5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/10-16</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/10-16.5</td>
<td>HB4310</td>
<td>0881</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/10-16.7</td>
<td>HB4310</td>
<td>0881</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-17</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-20.2b</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-20.9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-20.16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-20.19c</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-20.25</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-21.9</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-21.9</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-21.12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-22.16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-22.17</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-22.19a</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-22.38a</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/10-23.8a</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/10-23.9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/Art. 11A</td>
<td>SB2795</td>
<td>1019</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-1</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-3</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-4</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-7</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-8</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-9</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-13</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-14</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-15</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-16</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11A-17</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/Art. 11B</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-1</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-3</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-4</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-7</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-8</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-9</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-13</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11B-14</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11C-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11C-9</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/Art. 11D</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-1</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-3</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-4</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-6</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-7</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-8</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-9</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/11D-9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-11</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-12</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/11D-13</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/Art. 11E</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-10</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-15</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-20</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-25</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-30</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-35</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-40</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-45</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-50</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-55</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-60</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-65</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-70</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-75</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-80</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-85</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-90</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-95</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-100</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-105</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-110</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-115</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-120</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-125</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-130</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/11E-135</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-2</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-4</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-7</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-8</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-10</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/13-36</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/14-1.09d</td>
<td>HB4987</td>
<td>0948</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14-1.10</td>
<td>HB4987</td>
<td>0948</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/14-3.02</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/14-3.03</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14-8.02</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14-8.02a</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14-8.02b</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/14-8.02c</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/14-8.02d</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14-12.01</td>
<td>SB2796</td>
<td>1100</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/14-12.02</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14C-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/14C-2.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/14C-8</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/15-31</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-2.2b</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-2.6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-2.11b</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-3.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-3.3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-8.01</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-9.01</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/17-9.02</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/17-13</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-8.05</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-8.05</td>
<td>SB0176</td>
<td>0835</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-8.05</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/18-8.2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-8.2</td>
<td>HB4365</td>
<td>0902</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/18-8.3</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/18-8.5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-8.5</td>
<td>HB4365</td>
<td>0902</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/18-8.7</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/18-10</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.    - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>105 ILCS 5/18-12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/18-17</td>
<td>HB5550</td>
<td>0927</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/19-1</td>
<td>SB0857</td>
<td>0952</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/19-1</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/19-1</td>
<td>SB0380</td>
<td>1078</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/20-2</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/21-2.1</td>
<td>SB2202</td>
<td>1034</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/21-2.1</td>
<td>SB0862</td>
<td>1110</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/21-5e</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/21-7.5</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/21-7.10</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/21-7.15</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/21-23</td>
<td>SB0859</td>
<td>0991</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/21-27</td>
<td>HB4308</td>
<td>0901</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/22-4</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/22-9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/22-26</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/22-30</td>
<td>SB2898</td>
<td>0792</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/22-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/24-19</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/24-20</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/24-22</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/24A-15</td>
<td>SB0860</td>
<td>1039</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/26-3a</td>
<td>HB1463</td>
<td>0916</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/27-1</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/27-6</td>
<td>SB2762</td>
<td>1098</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/27-9.1</td>
<td>SB2455</td>
<td>0933</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/27-12.1</td>
<td>SB2191</td>
<td>0929</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/27-16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/27-23.7</td>
<td>SB2630</td>
<td>0937</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/28-3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/29-5</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/29-17</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/29-18</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/30-6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/30-14.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/32-4.10a</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-4.5</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-18.5</td>
<td>SB2829</td>
<td>0875</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-18.5</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-18.15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 5/34-18.33</td>
<td>SB0860</td>
<td>1039</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-21.5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-22.8</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-42.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-42.2</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-54</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-56</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-72</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-73</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 5/34-74</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34-87</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/Art. 34B</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-2</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-4</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-7</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-8</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-10</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-13</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-14</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-15</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/34B-16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/Art. 35</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-6</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-7</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-8</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-9</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-10</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-11</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-12.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-13</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-14</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-15</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-16</td>
<td>SB1856</td>
<td>1105</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-18</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-19</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-20</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-21</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-22</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-23</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-24</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-25</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-26</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-27</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-28</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-29</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-30</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 5/35-31</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/1</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/5</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/10</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/25</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/30</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/65</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/75</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/80</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/85</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/90</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/92</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/500</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>+ 105 ILCS 60/999</td>
<td>HB4832</td>
<td>0904</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 110/3</td>
<td>SB2455</td>
<td>0933</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 125/2.5</td>
<td>SB2336</td>
<td>0981</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 125/4</td>
<td>SB2336</td>
<td>0981</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 126/15</td>
<td>SB2336</td>
<td>0981</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/0.1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/1</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/2</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/3</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 205/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/4</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>- 105 ILCS 205/5</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 205/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 410/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>105 ILCS 415/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 425/6</td>
<td>SB0861</td>
<td>1060</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 425/11</td>
<td>SB0861</td>
<td>1060</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 435/2.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>105</td>
<td>105 ILCS 555/5</td>
<td>SB2795</td>
<td>1019</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/1</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/5</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/10</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/15</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/20</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/25</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/30</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 48/35</td>
<td>SB2235</td>
<td>0979</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 57/10</td>
<td>SB0622</td>
<td>0837</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 57/25</td>
<td>SB0622</td>
<td>0837</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 62/3</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 62/4</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 62/5-10</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 62/5-25</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 62/10</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 62/15</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 62/20</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/1</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/5</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/10</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/15</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/90</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 122/99</td>
<td>SB2778</td>
<td>0957</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 205/2</td>
<td>SB2312</td>
<td>0905</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 205/3</td>
<td>SB2312</td>
<td>0905</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 205/4</td>
<td>SB2312</td>
<td>0905</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 205/9.12</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 205/9.25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 205/9.31</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 205/9.32</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 305/7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 305/7i</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 325/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 325/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 335/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>110</td>
<td>+ 110 ILCS 520/6.6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 525/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 615/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 660/5-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 661/6-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 665/10-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 666/11-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 670/15-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 671/16-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 675/20-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 675/20-115</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 676/21-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 680/25-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 681/26-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 685/30-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 686/31-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 690/35-42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 691/36-12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 710/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/1-3</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/1-4</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/2-12</td>
<td>SB1856</td>
<td>1105</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/2-23</td>
<td>HB5429</td>
<td>0890</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/3-36.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/5A-10</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/5A-25</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/5A-30</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/5A-35</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 805/5A-40</td>
<td>SB1827</td>
<td>1062</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 820/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 820/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 920/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 947/39</td>
<td>SB2225</td>
<td>1056</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 947/45</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 947/65.75</td>
<td>HB4406</td>
<td>0968</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 947/65.80</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 947/75</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/A</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/5-5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/5-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/5-15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/5-20</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/Art. 10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/10-5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/10-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/10-15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/10-20</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/Art. 15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-20</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-25</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/15-30</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/Art. 90</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/90-2</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/90-5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/90-8</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/90-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/90-15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/Art. 99</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>+ 110 ILCS 967/99-99</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 975/5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>110</td>
<td>110 ILCS 979/20</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 5/48.1</td>
<td>SB2763</td>
<td>0851</td>
</tr>
<tr>
<td>205</td>
<td>+ 205 ILCS 105/1-1.5</td>
<td>HB4345</td>
<td>0833</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 105/1-5</td>
<td>HB4345</td>
<td>0833</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 105/3-8</td>
<td>SB2763</td>
<td>0851</td>
</tr>
<tr>
<td>205</td>
<td>+ 205 ILCS 205/1001.5</td>
<td>HB4345</td>
<td>0833</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 205/1004</td>
<td>HB4345</td>
<td>0833</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 205/4013</td>
<td>SB2763</td>
<td>0851</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 305/10</td>
<td>SB2763</td>
<td>0851</td>
</tr>
<tr>
<td>205</td>
<td>205 ILCS 690/5</td>
<td>HB4736</td>
<td>0780</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 5/6.5</td>
<td>SB2238</td>
<td>0915</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 5/6.7</td>
<td>HB4370</td>
<td>0861</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 28/5</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 28/15</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 28/20</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 28/25</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 28/40</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 28/45</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 28/50</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>- 210 ILCS 28/85</td>
<td>SB2326</td>
<td>0931</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>210</td>
<td>- 210 ILCS 28/85</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 30/4</td>
<td>SB3010</td>
<td>0853</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 30/6</td>
<td>SB2782</td>
<td>0852</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 30/6.2</td>
<td>SB3010</td>
<td>0853</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 30/6.2</td>
<td>SB2491</td>
<td>0934</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/2-104.2</td>
<td>HB5330</td>
<td>0865</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/2-110</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/2-201.5</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 45/2-201.6</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/2-216</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 45/2-217</td>
<td>SB2170</td>
<td>1063</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/3-103</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>210</td>
<td>- 210 ILCS 45/3-202.3</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>- 210 ILCS 45/3-202.4</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 45/3-421</td>
<td>SB2695</td>
<td>0767</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 50/3.57</td>
<td>HB5330</td>
<td>0865</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 85/6.19</td>
<td>HB5330</td>
<td>0865</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 85/6.21</td>
<td>HB5245</td>
<td>0832</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 85/6.22</td>
<td>SB2170</td>
<td>1063</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 85/10.7</td>
<td>SB2238</td>
<td>0915</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/1</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/5</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/10</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/15</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/20</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/25</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/30</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/35</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/40</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/45</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/50</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/55</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/60</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/70</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/75</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/80</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 88/999</td>
<td>HB4999</td>
<td>0885</td>
</tr>
<tr>
<td>210</td>
<td>+ 210 ILCS 115/9.15</td>
<td>HB4342</td>
<td>1080</td>
</tr>
<tr>
<td>210</td>
<td>210 ILCS 115/21</td>
<td>HB4342</td>
<td>1080</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 5/224.05</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 5/229.4a</td>
<td>SB2917</td>
<td>1076</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>215</td>
<td>+ 215 ILCS 5/356z.8</td>
<td>SB2917</td>
<td>1076</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 5/367f</td>
<td>SB2375</td>
<td>0858</td>
</tr>
<tr>
<td>215</td>
<td>+ 215 ILCS 5/368f</td>
<td>SB0916</td>
<td>1037</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 5/370c</td>
<td>HB4202</td>
<td>0921</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 5/370c</td>
<td>HB4125</td>
<td>0906</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 105/7</td>
<td>SB0918</td>
<td>0737</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 105/8</td>
<td>SB0918</td>
<td>0737</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 125/5-3</td>
<td>HB4125</td>
<td>0906</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 125/5-3</td>
<td>SB2917</td>
<td>1076</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 134/30</td>
<td>HB5339</td>
<td>0866</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/2</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/3</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>+ 215 ILCS 155/4.1</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/5</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/6</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/7</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/8</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/9</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/10</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/11</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/12</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/13</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/14</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/14.1</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/15</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/16</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/17</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/18</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/19</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/20</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/21</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>+ 215 ILCS 155/21.1</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>+ 215 ILCS 155/21.2</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>+ 215 ILCS 155/21.3</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/22</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/23</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/24</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 155/25</td>
<td>SB2718</td>
<td>0893</td>
</tr>
<tr>
<td>215</td>
<td>215 ILCS 165/10</td>
<td>SB2917</td>
<td>1076</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/3-105</td>
<td>SB2807</td>
<td>0738</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/3-121</td>
<td>SB2807</td>
<td>0738</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>220</td>
<td>220 ILCS 5/4-101</td>
<td>HB4419</td>
<td>0735</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/7-213</td>
<td>SB3046</td>
<td>1007</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/8-201.5</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/8-306</td>
<td>HB5555</td>
<td>0950</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/8-403.1</td>
<td>SB0230</td>
<td>0836</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/8-509.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/9-222.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/9-222.1A</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/9-223</td>
<td>HB5555</td>
<td>0950</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/13-301.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/13-301.2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/15-401</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/16-101A</td>
<td>SB1705</td>
<td>0977</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/16-102</td>
<td>SB1705</td>
<td>0977</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/16-107</td>
<td>SB1705</td>
<td>0977</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/16-111.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 5/19-105</td>
<td>SB2807</td>
<td>0738</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/Art. XX</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/20-101</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/20-102</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/20-105</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/20-110</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 5/20-120</td>
<td>HB4977</td>
<td>1095</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 15/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>220</td>
<td>220 ILCS 30/13</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 30/13.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 55/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>220</td>
<td>+ 220 ILCS 65/4.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 10/5.1</td>
<td>HB4135</td>
<td>0943</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 10/5.4</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 10/8</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 10/15</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/2</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/3</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/7</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/13</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/15</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/15.4</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/16</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/16.1</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/16.5</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/17</td>
<td>SB2297</td>
<td>0870</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>225</td>
<td>225 ILCS 15/20</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/21.4</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/21.6</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/25</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/27</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 15/27.2</td>
<td>SB2297</td>
<td>0870</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 25/5</td>
<td>SB2395</td>
<td>1014</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 25/19.1</td>
<td>SB2395</td>
<td>1014</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 25/23</td>
<td>SB2395</td>
<td>1014</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 25/37</td>
<td>SB0279</td>
<td>1028</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 25/38.1</td>
<td>SB0279</td>
<td>1028</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 25/38.2</td>
<td>SB0279</td>
<td>1028</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 25/48</td>
<td>SB2395</td>
<td>1014</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 46/25</td>
<td>SB3018</td>
<td>1053</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 46/70</td>
<td>SB2326</td>
<td>0931</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 60/54.6</td>
<td>HB4370</td>
<td>0861</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 65/10-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 65/10-30</td>
<td>SB2372</td>
<td>0932</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 65/Tit. 17</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 65/17-5</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 65/17-10</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 65/17-15</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 65/17-20</td>
<td>SB0931</td>
<td>1020</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/3</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/4.5</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/5</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/6</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/7</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/8</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/9</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/10</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/11</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 80/11.5</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/12</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/13</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/14</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/15.1</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 80/15.2</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/16</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/17</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/19</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/20</td>
<td>SB2469</td>
<td>0787</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>225</td>
<td>225 ILCS 80/21</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/23</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/24</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/25</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.1</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.2</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.5</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.6</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.7</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.8</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.9</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.10</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.11</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.12</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.13</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.11</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.12</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/26.13</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 80/28</td>
<td>SB2469</td>
<td>0787</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 85/25</td>
<td>SB2578</td>
<td>0936</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 85/25</td>
<td>SB2578</td>
<td>0936</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 107/20</td>
<td>SB2345</td>
<td>0765</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 110/8.1</td>
<td>SB0205</td>
<td>1082</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 110/8.5</td>
<td>SB2286</td>
<td>0869</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 120/25</td>
<td>SB2909</td>
<td>0942</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 120/50</td>
<td>SB2909</td>
<td>0942</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 410/1-4</td>
<td>SB2511</td>
<td>0871</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 410/1-7</td>
<td>SB2511</td>
<td>0871</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 410/2-4</td>
<td>SB2511</td>
<td>0871</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 435/24</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 440/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/0.03</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/6.1</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/9.01</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 450/9.3</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/14.3</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/16</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/20.01</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/20.1</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 450/27</td>
<td>HB4726</td>
<td>0779</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 460/1</td>
<td>HB4315</td>
<td>0749</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 460/5</td>
<td>HB4315</td>
<td>0749</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 460/6</td>
<td>HB4315</td>
<td>0749</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 650/2</td>
<td>SB2841</td>
<td>1052</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 650/3</td>
<td>SB2841</td>
<td>1052</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.19</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.20</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.21</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.22</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.23</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/1.24</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/10.08</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/11.01</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/11.07</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/11.08</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/11.08</td>
<td>HB0822</td>
<td>1101</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/11.09</td>
<td>HB0822</td>
<td>1101</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/11.09</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/11.10</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/11.11</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/13.16</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/13.17</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/13.18</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/19.11</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/22.18</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/Art. 29</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/29.05</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/29.06</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/29.07</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 705/38.3</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/38.4</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 705/38.5</td>
<td>SB0929</td>
<td>1041</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 720/1.05</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/5</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/10</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/15</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>- 225 ILCS 728/25</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>+ 225 ILCS 728/27</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/30</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/35</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>225</td>
<td>225 ILCS 728/45</td>
<td>SB1989</td>
<td>1085</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 5/27</td>
<td>HB4377</td>
<td>0805</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 5/28.1</td>
<td>SB2277</td>
<td>0813</td>
</tr>
<tr>
<td>230</td>
<td>+ 230 ILCS 5/54.5</td>
<td>HB1918</td>
<td>0804</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 10/7</td>
<td>HB1918</td>
<td>0804</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 10/13</td>
<td>HB1918</td>
<td>0804</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>230</td>
<td>230 ILCS 10/13</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 10/23</td>
<td>HB1918</td>
<td>0804</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/2</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/4</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/5</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/5.1</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/6</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/7</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/8</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/10</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/11</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>230</td>
<td>230 ILCS 30/12</td>
<td>SB2998</td>
<td>0986</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/4-2</td>
<td>SB2587</td>
<td>0747</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-11</td>
<td>SB0505</td>
<td>1103</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-15</td>
<td>SB2454</td>
<td>1015</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-21</td>
<td>SB2356</td>
<td>0982</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-28</td>
<td>SB0948</td>
<td>1112</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-33</td>
<td>SB0946</td>
<td>1047</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/6-33</td>
<td>SB2505</td>
<td>0745</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/8-9</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>235</td>
<td>235 ILCS 5/12-1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/3-1</td>
<td>SB2195</td>
<td>0918</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5-2</td>
<td>SB2328</td>
<td>1043</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5-2.07</td>
<td>SB2308</td>
<td>0847</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5-5.4</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5-5.4</td>
<td>SB2487</td>
<td>0964</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5-5.22</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5A-2</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5A-8</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/5A-12.1</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/9A-3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/10-17.12</td>
<td>HB4788</td>
<td>0971</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/11-22</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/11-22a</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/11-22b</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/11-22c</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/12-4.25</td>
<td>SB0951</td>
<td>0975</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/12-4.36</td>
<td>SB1863</td>
<td>0838</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 5/12-4.103a</td>
<td>SB2328</td>
<td>1043</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/2</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/3</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>305</td>
<td>305 ILCS 20/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/4</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/8</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/13</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/13</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 20/13</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>305</td>
<td>+ 305 ILCS 20/15</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>+ 305 ILCS 20/17</td>
<td>SB2030</td>
<td>0817</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 22/5</td>
<td>SB2579</td>
<td>0773</td>
</tr>
<tr>
<td>305</td>
<td>305 ILCS 30/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 5/6.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 5/38</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 5/40</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 10/8.3b</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 10/8.13</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 10/9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 10/17</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/3a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/3b</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 20/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/9a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 20/10</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 30/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 35/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 35/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 65/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 65/8</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>310</td>
<td>310 ILCS 65/16</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/1</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/5</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/10</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/15</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/20</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/25</td>
<td>SB2290</td>
<td>0965</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/30</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/90</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>310</td>
<td>+ 310 ILCS 110/99</td>
<td>SB2290</td>
<td>0965</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 5/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 5/14</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>+ 315 ILCS 5/14.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 10/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>+ 315 ILCS 10/5.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>+ 315 ILCS 20/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 25/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>+ 315 ILCS 25/6.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>+ 315 ILCS 30/12.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/16</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/17</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/22</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>315</td>
<td>315 ILCS 30/31</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/2</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/3</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/3.5</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/4</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/5</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/8</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/9</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 20/13</td>
<td>HB4676</td>
<td>1064</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 25/4</td>
<td>HB4302</td>
<td>0909</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 30/2</td>
<td>HB4789</td>
<td>0794</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 35/50</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 35/60</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 42/25</td>
<td>SB2381</td>
<td>0766</td>
</tr>
<tr>
<td>320</td>
<td>320 ILCS 60/25</td>
<td>HB5301</td>
<td>0864</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 2/10</td>
<td>SB2913</td>
<td>0941</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 2/60</td>
<td>SB2913</td>
<td>0941</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 5/4</td>
<td>HB5375</td>
<td>0888</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 5/11.1</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 25/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>325</td>
<td>325 ILCS 40/6</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/1</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/3</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/5</td>
<td>SB0627</td>
<td>0816</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/10</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/15</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/20</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/25</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/30</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/35</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/40</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/45</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/50</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/85</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/90</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/95</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/97</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>330</td>
<td>+ 330 ILCS 125/99</td>
<td>SB0627</td>
<td>0816</td>
</tr>
<tr>
<td>405</td>
<td>405 ILCS 5/2-107</td>
<td>SB0998</td>
<td>1066</td>
</tr>
<tr>
<td>405</td>
<td>405 ILCS 5/2-107.1</td>
<td>SB0998</td>
<td>1066</td>
</tr>
<tr>
<td>405</td>
<td>+ 405 ILCS 5/2-107.3</td>
<td>SB0998</td>
<td>1066</td>
</tr>
<tr>
<td>405</td>
<td>405 ILCS 5/3-209</td>
<td>SB0998</td>
<td>1066</td>
</tr>
<tr>
<td>405</td>
<td>405 ILCS 80/10-5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>405</td>
<td>405 ILCS 90/35</td>
<td>SB2204</td>
<td>1012</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/2</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/3</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/4</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/5</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/6</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/6.01</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/6.3</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/7.1</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/8</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/9.2</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/9.3</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/9.4</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>410 ILCS 45/12</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/12.1</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 45/12.1</td>
<td>HB4853</td>
<td>0879</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/10</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/15</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/20</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/25</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/27</td>
<td>SB0927</td>
<td>1040</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
### Compiled Statutes Amended

<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/30</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/35</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/40</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/45</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/50</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/55</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/60</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/65</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/70</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/75</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/80</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/85</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/90</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/905</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 54/999</td>
<td>SB0927</td>
<td>1040</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 70/2</td>
<td>HB5300</td>
<td>0762</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 70/2.1</td>
<td>HB5300</td>
<td>0762</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 70/8.5</td>
<td>HB5300</td>
<td>0762</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 80/4.5</td>
<td>SB2465</td>
<td>0770</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 80/11</td>
<td>SB2400</td>
<td>0917</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 303/27</td>
<td>SB1001</td>
<td>0797</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 303/30</td>
<td>SB1001</td>
<td>0797</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 316/</td>
<td>SB2936</td>
<td>0959</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 316/1</td>
<td>SB2936</td>
<td>0959</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 316/5</td>
<td>SB2936</td>
<td>0959</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 316/99</td>
<td>SB2936</td>
<td>0959</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/5</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/10</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/15</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/20</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/25</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/30</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 335/35</td>
<td>HB4306</td>
<td>0910</td>
</tr>
<tr>
<td>410</td>
<td>+ 410 ILCS 620/3.14</td>
<td>SB2578</td>
<td>0936</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/3.180</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/3.330</td>
<td>HB4714</td>
<td>0824</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/3.350</td>
<td>SB1028</td>
<td>1048</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/6.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/13.6</td>
<td>HB1620</td>
<td>0849</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/21.6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/22.16b</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 5/22.23</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>415</td>
<td>415 ILCS 5/27</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/55</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/55.3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/55.7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/58.13</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/58.14</td>
<td>SB0017</td>
<td>1021</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/58.14</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 5/58.15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 15/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/2.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/3.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/6a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 20/7</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 55/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 60/14</td>
<td>HB4462</td>
<td>0758</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 80/2</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 95/6.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/1</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/3</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/5</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/10</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/15</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/20</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/25</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/30</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/35</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/40</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/45</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/50</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/55</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>+ 415 ILCS 97/99</td>
<td>HB5578</td>
<td>0732</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 105/8</td>
<td>HB4451</td>
<td>1044</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 110/2002.50</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/15</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/21</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/25</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/30</td>
<td>HB4137</td>
<td>1079</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/32</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>415</td>
<td>415 ILCS 120/40</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>415</td>
<td>415 ILCS 130/20</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>420</td>
<td>420 ILCS 35/1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>420</td>
<td>+ 420 ILCS 35/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/1</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/5</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/10</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/15</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/20</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/25</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/30</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 7/300</td>
<td>HB5348</td>
<td>0828</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/1</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/5</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/10</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/15</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/20</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/25</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/30</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/35</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/40</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/45</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/50</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/55</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/60</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/900</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>425</td>
<td>+ 425 ILCS 8/999</td>
<td>SB2302</td>
<td>0775</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 40/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/2a</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/2b</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/4</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/5</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/8</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/10</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/11</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>- 430 ILCS 75/14</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 75/15</td>
<td>SB3011</td>
<td>0748</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-2</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-3</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-4</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-6</td>
<td>HB4904</td>
<td>0801</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>430</td>
<td>430 ILCS 85/2-7</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-8</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-9</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-12</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-13</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-14</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-15</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>430 ILCS 85/2-18</td>
<td>HB4904</td>
<td>0801</td>
</tr>
<tr>
<td>430</td>
<td>+ 430 ILCS 135/1</td>
<td>HB5284</td>
<td>0741</td>
</tr>
<tr>
<td>430</td>
<td>+ 430 ILCS 135/5</td>
<td>HB5284</td>
<td>0741</td>
</tr>
<tr>
<td>430</td>
<td>+ 430 ILCS 135/10</td>
<td>HB5284</td>
<td>0741</td>
</tr>
<tr>
<td>430</td>
<td>+ 430 ILCS 135/15</td>
<td>HB5284</td>
<td>0741</td>
</tr>
<tr>
<td>430</td>
<td>+ 430 ILCS 135/20</td>
<td>HB5284</td>
<td>0741</td>
</tr>
<tr>
<td>505</td>
<td>505 ILCS 5/20.1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>505</td>
<td>505 ILCS 45/2b</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>505</td>
<td>505 ILCS 75/3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>510</td>
<td>510 ILCS 5/16</td>
<td>HB4238</td>
<td>0819</td>
</tr>
<tr>
<td>510</td>
<td>510 ILCS 5/26</td>
<td>HB4238</td>
<td>0819</td>
</tr>
<tr>
<td>515</td>
<td>+ 515 ILCS 5/1-147</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>520</td>
<td>+ 520 ILCS 5/1.9-2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>520</td>
<td>520 ILCS 5/2.11</td>
<td>SB2271</td>
<td>0753</td>
</tr>
<tr>
<td>520</td>
<td>520 ILCS 5/2.25</td>
<td>SB2810</td>
<td>0919</td>
</tr>
<tr>
<td>520</td>
<td>520 ILCS 5/2.33</td>
<td>SB2334</td>
<td>0764</td>
</tr>
<tr>
<td>520</td>
<td>520 ILCS 5/3.1</td>
<td>HB5407</td>
<td>1024</td>
</tr>
<tr>
<td>520</td>
<td>+ 520 ILCS 5/3.1-5</td>
<td>HB5407</td>
<td>1024</td>
</tr>
<tr>
<td>520</td>
<td>+ 520 ILCS 25/37</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>525</td>
<td>525 ILCS 15/6a</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>525</td>
<td>+ 525 ILCS 30/7.05a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>525</td>
<td>+ 525 ILCS 40/3.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>525</td>
<td>525 ILCS 50/5</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>605</td>
<td>+ 605 ILCS 5/4-501.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 5/6-130</td>
<td>HB4699</td>
<td>0884</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 5/6-309</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 5/10-302</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 5/10-602</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 5/10-702</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 10/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>+ 605 ILCS 10/9.7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>605 ILCS 30/4</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>605</td>
<td>+ 605 ILCS 115/16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>605</td>
<td>+ 605 ILCS 120/50</td>
<td>HB4451</td>
<td>1044</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>610</td>
<td>+ 610 ILCS 5/17.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>610</td>
<td>+ 610 ILCS 70/1.05 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>610</td>
<td>610 ILCS 80/2 SB2243 0846</td>
<td></td>
<td></td>
</tr>
<tr>
<td>610</td>
<td>+ 610 ILCS 115/2.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>615 ILCS 5/19 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>+ 615 ILCS 5/19.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>+ 615 ILCS 10/7.8a SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>+ 615 ILCS 15/7.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>+ 615 ILCS 30/9.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>+ 615 ILCS 45/10.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 5/34b SB2899 0793</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 5/74 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 5/74.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 25/33.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 40/2.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 40/3 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 45/7 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 45/7.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 50/31 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 50/31.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 52/20 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>+ 620 ILCS 55/5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>620</td>
<td>620 ILCS 65/15 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>- 625 ILCS 5/1-101.6 HB0708 0739</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>+ 625 ILCS 5/1-105.2 HB4835 0795</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>- 625 ILCS 5/1-105.5 HB4835 0795</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/2-105 SB2456 1001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>+ 625 ILCS 5/2-105.5 SB3086 1055</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/3-704 HB4657 0759</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/3-707 SB0624 1035</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/4-203 SB2233 0784</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/5-301 SB2233 0784</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-101 SB2962 0993</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-103.1 SB2230 0930</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-107 HB1463 0916</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-107 HB4768 0897</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-107.1 HB1463 0916</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>+ 625 ILCS 5/6-107.4 SB2230 0930</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-108 HB1463 0916</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-110 SB2230 0930</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-115 SB2962 0993</td>
<td></td>
<td></td>
</tr>
<tr>
<td>625</td>
<td>+ 625 ILCS 5/6-117.1 SB2283 0892</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>625</td>
<td>625 ILCS 5/6-118</td>
<td>SB0624</td>
<td>1035</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-201</td>
<td>SB2962</td>
<td>0993</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-201</td>
<td>HB1463</td>
<td>0916</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-204</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-206</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-206.1</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-301.2</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-306.5</td>
<td>HB4835</td>
<td>0795</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-507</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/6-514</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-208</td>
<td>HB4835</td>
<td>0795</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-208.3</td>
<td>HB4835</td>
<td>0795</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-208.3</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-605.1</td>
<td>SB2650</td>
<td>0814</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-605.3</td>
<td>SB0509</td>
<td>0808</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-612</td>
<td>HB4835</td>
<td>0795</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1201.1</td>
<td>SB2865</td>
<td>0771</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1201.5</td>
<td>SB2865</td>
<td>0771</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1301.3</td>
<td>SB2230</td>
<td>0930</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1419.01</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1419.02</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1419.03</td>
<td>SB3088</td>
<td>1074</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/11-1429</td>
<td>HB4782</td>
<td>0845</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/12-215</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/12-602.1</td>
<td>HB2497</td>
<td>0756</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/13C-15</td>
<td>SB2878</td>
<td>0848</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/13C-50</td>
<td>SB2878</td>
<td>0848</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/13C-55</td>
<td>SB2878</td>
<td>0848</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/13C-60</td>
<td>SB2878</td>
<td>0848</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/15-102</td>
<td>HB5506</td>
<td>0949</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/15-111</td>
<td>HB5274</td>
<td>0926</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/15-116</td>
<td>SB1086</td>
<td>0763</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/16-102</td>
<td>HB4717</td>
<td>0740</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/16-104c</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18a-404</td>
<td>HB4727</td>
<td>0895</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>625</td>
<td>625 ILCS 5/18b-101</td>
<td>HB0708</td>
<td>0739</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18b-105</td>
<td>HB0708</td>
<td>0739</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-1603</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-1604</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-4401</td>
<td>HB4728</td>
<td>0760</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-4603</td>
<td>HB4728</td>
<td>0760</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-7501</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 5/18c-7503</td>
<td>SB2489</td>
<td>0736</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 7/10</td>
<td>HB3126</td>
<td>0757</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 7/10</td>
<td>SB2650</td>
<td>0814</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 7/30</td>
<td>SB2650</td>
<td>0814</td>
</tr>
<tr>
<td>625</td>
<td>625 ILCS 7/30</td>
<td>HB3126</td>
<td>0757</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 35/2</td>
<td>SB1681</td>
<td>0727</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 35/2f-1</td>
<td>SB1681</td>
<td>0727</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 35/2f-2</td>
<td>SB1681</td>
<td>0727</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 35/2f-4</td>
<td>SB1681</td>
<td>0727</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 35/2f-5</td>
<td>SB1681</td>
<td>0727</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 105/27.3d</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 105/27.3d</td>
<td>SB2272</td>
<td>0980</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 105/27.5</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 105/27.6</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 405/3-1</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>705</td>
<td>705 ILCS 405/3-15</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>705</td>
<td>- 705 ILCS 405/3-33</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>705</td>
<td>+ 705 ILCS 405/3-33.5</td>
<td>SB2197</td>
<td>1011</td>
</tr>
<tr>
<td>715</td>
<td>715 ILCS 15/1</td>
<td>HB2734</td>
<td>0874</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/2-13</td>
<td>SB2243</td>
<td>0846</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/2-13</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/3-6</td>
<td>HB4606</td>
<td>0990</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/3-7</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/11-9.4</td>
<td>HB5249</td>
<td>0925</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/11-9.5</td>
<td>SB3018</td>
<td>1053</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/12-2.6</td>
<td>SB2156</td>
<td>0743</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/12-7</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/12-36</td>
<td>HB2946</td>
<td>0818</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-10</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/16G-13</td>
<td>HB4438</td>
<td>0969</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-15</td>
<td>HB4297</td>
<td>0827</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-15</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-21</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-21</td>
<td>HB4438</td>
<td>0969</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-25</td>
<td>SB2554</td>
<td>1008</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
### Compiled Statutes Amended

<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>720</td>
<td>720 ILCS 5/16G-30</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/16G-35</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/16G-40</td>
<td>SB2554</td>
<td>1008</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16H-1</td>
<td>HB4438</td>
<td>0969</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/16H-10</td>
<td>SB2617</td>
<td>0872</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/17-1</td>
<td>SB2617</td>
<td>0872</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/17-2</td>
<td>SB2680</td>
<td>0984</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/17-2</td>
<td>HB4121</td>
<td>0755</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/17-29</td>
<td>HB4688</td>
<td>0863</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/26-5</td>
<td>HB4711</td>
<td>0820</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/26-6</td>
<td>SB1144</td>
<td>0772</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/29B-1</td>
<td>SB2613</td>
<td>0955</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/31A-1.1</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/31A-1.2</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/32-5</td>
<td>SB2971</td>
<td>0985</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/32-5.1</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/32-5.1-1</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/32-5.2</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/32-5.2</td>
<td>SB2971</td>
<td>0985</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 5/32-5.4-1</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/32-5.5</td>
<td>HB5336</td>
<td>0730</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 5/36-1</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 550/12</td>
<td>SB2869</td>
<td>1004</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/201</td>
<td>HB4300</td>
<td>0800</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/201</td>
<td>SB2427</td>
<td>1087</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/206</td>
<td>SB2427</td>
<td>1087</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/206</td>
<td>HB4300</td>
<td>0800</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 570/218</td>
<td>HB4300</td>
<td>0800</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/218</td>
<td>SB2427</td>
<td>1087</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/312</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 570/505</td>
<td>SB2869</td>
<td>1004</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/15</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/20</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/25</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/30</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/45</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/55</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 646/56</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 646/85</td>
<td>SB2869</td>
<td>1004</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 648/5</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 648/10</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 648/15</td>
<td>SB2391</td>
<td>0830</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>720</td>
<td>720 ILCS 648/20</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 648/25</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>720 ILCS 648/35</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>720</td>
<td>+ 720 ILCS 648/60</td>
<td>SB2391</td>
<td>0830</td>
</tr>
<tr>
<td>725</td>
<td>725 ILCS 5/103-5</td>
<td>SB2684</td>
<td>1094</td>
</tr>
<tr>
<td>725</td>
<td>725 ILCS 5/107-4</td>
<td>SB2243</td>
<td>0846</td>
</tr>
<tr>
<td>725</td>
<td>+ 725 ILCS 5/110-5.1</td>
<td>HB4649</td>
<td>0878</td>
</tr>
<tr>
<td>725</td>
<td>725 ILCS 185/33</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>725</td>
<td>725 ILCS 207/5</td>
<td>SB2562</td>
<td>0746</td>
</tr>
<tr>
<td>725</td>
<td>+ 725 ILCS 207/9</td>
<td>SB2873</td>
<td>0992</td>
</tr>
<tr>
<td>725</td>
<td>725 ILCS 207/15</td>
<td>SB2873</td>
<td>0992</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-2-2</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-3-7</td>
<td>HB4222</td>
<td>0988</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-6-3</td>
<td>SB2320</td>
<td>0744</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-6-8</td>
<td>SB2320</td>
<td>0744</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-7-2a</td>
<td>HB4559</td>
<td>0913</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-7-6</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-12-2</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-12-5</td>
<td>SB2954</td>
<td>1017</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 5/3-14-4.5</td>
<td>HB4446</td>
<td>0946</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/3-14-6</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-4-3</td>
<td>SB2985</td>
<td>1018</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-4-3a</td>
<td>SB2985</td>
<td>1018</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-4-3a</td>
<td>HB5288</td>
<td>0761</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-5-3</td>
<td>SB0624</td>
<td>1035</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-5-3</td>
<td>SB2962</td>
<td>0993</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-5-3.2</td>
<td>HB4238</td>
<td>0819</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-5-5</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-5.5-5</td>
<td>SB1279</td>
<td>1067</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-6-1</td>
<td>SB1089</td>
<td>1009</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-8-4</td>
<td>SB2971</td>
<td>0985</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 5/5-8A-6</td>
<td>HB4222</td>
<td>0988</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-9-1</td>
<td>SB3076</td>
<td>0987</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 5/5-9-1.8</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 110/12</td>
<td>HB4785</td>
<td>0752</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 110/12</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 110/15</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 110/15.1</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 110/16.1</td>
<td>SB1145</td>
<td>1032</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 125/5</td>
<td>SB2684</td>
<td>1094</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 125/17</td>
<td>SB2967</td>
<td>0962</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/2</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/2</td>
<td>SB3018</td>
<td>1053</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>730</td>
<td>730 ILCS 150/3</td>
<td>SB3016</td>
<td>0994</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/8</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/8-5</td>
<td>HB4222</td>
<td>0988</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/9</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/10</td>
<td>HB4222</td>
<td>0988</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 150/12</td>
<td>HB4375</td>
<td>0911</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 152/</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 152/101</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 152/115</td>
<td>SB3016</td>
<td>0994</td>
</tr>
<tr>
<td>730</td>
<td>730 ILCS 152/120</td>
<td>SB3016</td>
<td>0994</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/5</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/10</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/11</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/15</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/20</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/25</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/30</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/35</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/40</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/45</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/50</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/55</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/60</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/65</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/70</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/75</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/80</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/85</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/86</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/90</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/95</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/100</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/105</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1005</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1010</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1015</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1020</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1025</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/1030</td>
<td>HB4193</td>
<td>0945</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 154/9999</td>
<td>HB4193</td>
<td>0945</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/1</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/5</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/10</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/15</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>730</td>
<td>+ 730 ILCS 180/99</td>
<td>SB2915</td>
<td>0831</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/2-1009A</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/Art. VII</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-101</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-102</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-102</td>
<td>SB3046</td>
<td>1007</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-102.1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.3</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.8</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.11</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.13</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.14</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.17</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.18</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.19</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.21</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.22</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.23</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.24</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.26</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.27</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.28</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.29</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.31</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.32</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.33</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.34</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.36</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.37</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.38</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.39</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.41</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.41a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.43</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.44</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.46</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.47</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.48</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.49</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.51</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.52</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.53</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.54</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.56</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.57</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.58</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.59</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.60</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.61</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.62</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.63</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.64</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.65</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.66</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.67</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.68</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.69</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.70</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.71</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.72</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.73</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.74</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.75</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.76</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.77</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.78</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.79</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.80</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.81</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.82</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.83</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.84</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.86</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.87</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.88</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.89</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.91</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.92</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.93</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.94</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.96</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.97</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.98</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.99</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.100</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.101</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.102</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.103</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.104</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.107</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.108</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.109</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.111</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.112</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.113</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 5/7-103.113</td>
<td>HB2151</td>
<td>0898</td>
</tr>
<tr>
<td>735</td>
<td>- 735 ILCS 5/7-103.114</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.116</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.117</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.118</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.119</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.120</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.121</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.122</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.123</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.124</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.139</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.140</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.141</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.142</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.143</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.144</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.145</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.146</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.147</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.148</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-103.149</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-104</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-106</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-107</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-108</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-109</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-111</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-112</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-113</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-114</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-116</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-117</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-118</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-119</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-120</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-121</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-122</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-123</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-124</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>735 ILCS 5/7-125</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-126</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-127</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-128</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/7-129</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/8-2006</td>
<td>SB2356</td>
<td>0982</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/13-202</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/13-225</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/15-1507</td>
<td>SB2570</td>
<td>1049</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 5/21-101</td>
<td>HB4179</td>
<td>0944</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/Art. 1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/1-1-1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/1-1-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/Art. 5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/5-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/Art. 10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-50</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-60</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-62</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-65</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-70</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-75</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-80</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-100</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/10-5-115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/Art. 15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 15, Pt. 1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-1-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>735 ILCS 30/15-5-15</td>
<td>SB0318</td>
<td>1109</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/15-5-50</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/20-5-50</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 25, Pt. 5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 25, Pt. 7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.3</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.6</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.8</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.9</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.11</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.12</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.13</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.14</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.16</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.17</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.18</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.19</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.21</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.22</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.23</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.24</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.26</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.27</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.28</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.29</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.31</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.32</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.33</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.34</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.36</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.37</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.38</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.39</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.41</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.41a</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.42</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.43</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.44</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.46</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.47</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.48</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.49</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.51</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.52</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.53</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.54</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.56</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.57</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.58</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.59</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.60</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.61</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.62</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.63</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.64</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.65</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.66</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.67</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.68</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.69</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.70</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.71</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.72</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.73</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.74</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.75</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.76</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.77</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.78</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.79</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.80</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.81</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.82</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.83</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.84</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.86</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.87</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.88</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.89</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.91</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.92</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.93</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.94</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.96</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.97</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.98</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.99</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.100</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.101</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.102</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.103</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.104</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.107</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.108</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.109</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.111</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.112</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.113</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.114</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.116</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.117</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.118</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.119</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.120</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.121</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.122</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.123</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.124</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.125</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.139</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.140</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.141</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.142</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.143</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.144</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.145</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.146</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.147</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.148</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/25-7-103.149</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/90-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/90-5-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/90-5-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/90-5-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/90-5-90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 95, Pt. 1</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-1-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-1-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 95, Pt. 5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-50</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-60</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-65</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-70</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-75</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-80</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-100</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-125</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-130</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-135</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-140</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-145</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-150</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-155</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-160</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-165</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-170</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-175</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-180</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-185</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-190</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-195</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-200</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-205</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-210</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-215</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-220</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-225</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-230</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-235</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-240</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-245</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-250</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-255</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-260</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-265</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-270</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-275</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-280</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-285</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-290</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-295</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-300</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-305</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-310</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-315</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-320</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-325</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-330</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-335</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-340</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-345</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-350</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-355</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-360</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-365</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-370</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-375</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-380</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-385</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-390</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-393</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-395</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-400</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-405</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-410</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-415</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-420</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-425</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-430</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-435</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-440</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-445</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-450</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-455</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-460</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-465</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-470</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-475</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-480</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-485</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-490</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-495</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-500</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-505</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-510</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-515</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-520</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-525</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-530</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-535</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-540</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-545</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-550</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-555</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-560</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-565</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-570</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-575</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-580</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-585</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-590</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-595</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-600</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-605</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-610</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-615</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-620</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-625</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-630</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-635</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-640</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-645</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-670</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-675</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-715</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-720</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-725</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-730</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-740</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-745</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-750</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-755</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-760</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-770</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-775</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-780</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-785</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-790</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-795</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-800</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-810</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-815</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-820</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-825</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-830</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-835</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-840</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-850</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-855</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-885</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-890</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-905</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-910</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-915</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-5-920</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/Art. 95, Pt. 10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-10</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-15</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-20</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-25</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-30</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-35</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-40</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-45</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-50</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-55</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-60</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-65</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-70</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-75</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-80</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-85</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-90</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-95</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-100</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-105</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-110</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-115</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-120</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-125</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-130</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-135</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-140</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-145</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-150</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-155</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-160</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-165</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-170</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-175</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-180</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-185</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-190</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-195</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-200</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-205</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-210</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-215</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-220</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-225</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-230</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-235</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-240</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-245</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.    - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-250</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-255</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-260</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-265</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-270</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-275</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-280</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-285</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-290</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-295</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-300</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-305</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-310</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-315</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-320</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-325</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-330</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-335</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-340</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-345</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-350</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-355</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-360</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-365</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-370</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-375</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-380</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-385</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-390</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-395</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-400</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-405</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/95-10-410</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/A 99</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>735</td>
<td>+ 735 ILCS 30/99-5-5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 24/</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 24/1</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 24/5</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 24/105</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 24/110</td>
<td>SB2737</td>
<td>1113</td>
</tr>
<tr>
<td>740</td>
<td>740 ILCS 45/2</td>
<td>HB4134</td>
<td>0877</td>
</tr>
<tr>
<td>740</td>
<td>740 ILCS 110/11</td>
<td>SB2782</td>
<td>0852</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>740</td>
<td>740 ILCS 110/11</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/1</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/5</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/10</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/15</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/20</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/25</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/30</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/35</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/40</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/45</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/55</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/80</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>+ 740 ILCS 128/99</td>
<td>HB1299</td>
<td>0998</td>
</tr>
<tr>
<td>740</td>
<td>740 ILCS 175/3</td>
<td>SB0630</td>
<td>1059</td>
</tr>
<tr>
<td>740</td>
<td>740 ILCS 175/6</td>
<td>SB2739</td>
<td>0940</td>
</tr>
<tr>
<td>745</td>
<td>+ 745 ILCS 49/67</td>
<td>SB2303</td>
<td>0825</td>
</tr>
<tr>
<td>745</td>
<td>745 ILCS 49/67</td>
<td>SB1195</td>
<td>1088</td>
</tr>
<tr>
<td>745</td>
<td>745 ILCS 49/70</td>
<td>SB2968</td>
<td>0826</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 5/505.2</td>
<td>HB4383</td>
<td>0923</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 5/508</td>
<td>SB2475</td>
<td>1016</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 5/607</td>
<td>HB4357</td>
<td>1026</td>
</tr>
<tr>
<td>750</td>
<td>+ 750 ILCS 45/6.5</td>
<td>SB2162</td>
<td>0928</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 5/501</td>
<td>SB2738</td>
<td>0939</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 50/12.1</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>750</td>
<td>750 ILCS 50/18.3a</td>
<td>HB4186</td>
<td>1010</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 40/65</td>
<td>HB5330</td>
<td>0865</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 45/2-7.5</td>
<td>SB2601</td>
<td>0850</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 45/2-9</td>
<td>SB2676</td>
<td>0938</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 45/3-4</td>
<td>SB2676</td>
<td>0938</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 50/5-20</td>
<td>HB5259</td>
<td>0920</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 50/5-45</td>
<td>HB5259</td>
<td>0920</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 50/6</td>
<td>SB2673</td>
<td>1051</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 50/10</td>
<td>SB2673</td>
<td>1051</td>
</tr>
<tr>
<td>755</td>
<td>755 ILCS 65/5</td>
<td>SB2673</td>
<td>1051</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 5/35c</td>
<td>HB4760</td>
<td>0821</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 77/70</td>
<td>SB0304</td>
<td>1029</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 230/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>765</td>
<td>+ 765 ILCS 230/2.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 505/1.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 605/9</td>
<td>SB2570</td>
<td>1049</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 605/18.4</td>
<td>SB2165</td>
<td>0729</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 605/27</td>
<td>HB5267</td>
<td>0886</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/1</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/5</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/10</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/15</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/20</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/25</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/30</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 750/35</td>
<td>HB4715</td>
<td>1038</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 910/15</td>
<td>HB4519</td>
<td>0883</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/1</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/5</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/10</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/15</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/20</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/25</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/30</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/35</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/40</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/45</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/50</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/55</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/60</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/65</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/300</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>+ 765 ILCS 940/999</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>765</td>
<td>765 ILCS 1005/2</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>775</td>
<td>775 ILCS 5/1-103</td>
<td>HB4822</td>
<td>0803</td>
</tr>
<tr>
<td>775</td>
<td>775 ILCS 5/2-105</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>775</td>
<td>775 ILCS 5/7A-102</td>
<td>HB4829</td>
<td>0857</td>
</tr>
<tr>
<td>775</td>
<td>775 ILCS 5/7B-102</td>
<td>HB4829</td>
<td>0857</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 5/2.35</td>
<td>SB2772</td>
<td>1099</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 5/6.15</td>
<td>HB5376</td>
<td>0889</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 5/8.75</td>
<td>HB5376</td>
<td>0889</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 5/11.70</td>
<td>HB5376</td>
<td>0889</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 5/12.56</td>
<td>HB5376</td>
<td>0889</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>805</td>
<td>+ 805 ILCS 25/2.05</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 30/7</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>805</td>
<td>+ 805 ILCS 30/7.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 105/103.05</td>
<td>SB2807</td>
<td>0738</td>
</tr>
<tr>
<td>805</td>
<td>805 ILCS 105/108.21</td>
<td>SB2772</td>
<td>1099</td>
</tr>
<tr>
<td>805</td>
<td>+ 805 ILCS 120/9.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>805</td>
<td>+ 805 ILCS 320/16.5</td>
<td>SB3086</td>
<td>1055</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 205/4.05</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 355/1</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 370/4</td>
<td>SB2716</td>
<td>0873</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 440/2.8</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 440/6</td>
<td>SB2899</td>
<td>0793</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 505/2Z</td>
<td>SB2349</td>
<td>0822</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 505/2MM</td>
<td>SB2310</td>
<td>0799</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 505/2XX</td>
<td>HB4712</td>
<td>0854</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 505/2XX</td>
<td>HB4719</td>
<td>0999</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 530/10</td>
<td>HB4449</td>
<td>0947</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 530/12</td>
<td>HB4449</td>
<td>0947</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 530/25</td>
<td>HB4449</td>
<td>0947</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 530/30</td>
<td>HB4449</td>
<td>0947</td>
</tr>
<tr>
<td>815</td>
<td>+ 815 ILCS 633/20</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 636/37</td>
<td>HB4703</td>
<td>0802</td>
</tr>
<tr>
<td>815</td>
<td>815 ILCS 710/6</td>
<td>HB4425</td>
<td>0882</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/3</td>
<td>SB2339</td>
<td>1025</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/4</td>
<td>SB1268</td>
<td>1072</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/4</td>
<td>HB3752</td>
<td>1102</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/6</td>
<td>SB1268</td>
<td>1072</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/7</td>
<td>SB2339</td>
<td>1025</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 105/12</td>
<td>SB2339</td>
<td>1025</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 115/2</td>
<td>SB2339</td>
<td>1025</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 115/14</td>
<td>SB2339</td>
<td>1025</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 130/2</td>
<td>SB2872</td>
<td>0750</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 130/5</td>
<td>SB2399</td>
<td>1023</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 149/10</td>
<td>SB1269</td>
<td>1084</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 305/4</td>
<td>SB1977</td>
<td>0839</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 315/3</td>
<td>SB2726</td>
<td>0844</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 315/3</td>
<td>HB5251</td>
<td>0843</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 405/1900</td>
<td>HB4375</td>
<td>0911</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 405/2100</td>
<td>SB0490</td>
<td>1083</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 405/2101</td>
<td>SB0490</td>
<td>1083</td>
</tr>
<tr>
<td>820</td>
<td>+ 820 ILCS 405/2101.1</td>
<td>SB0490</td>
<td>1083</td>
</tr>
<tr>
<td>820</td>
<td>820 ILCS 405/2103</td>
<td>SB2899</td>
<td>0793</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry.  - indicates repealed ILCS entry.
<table>
<thead>
<tr>
<th>Ch.</th>
<th>ILCS</th>
<th>Bill No.</th>
<th>PA 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>820</td>
<td>+ 820 ILCS 405/2107</td>
<td>SB0490</td>
<td>1083</td>
</tr>
</tbody>
</table>

+ indicates new ILCS entry. - indicates repealed ILCS entry.
TOPIC HEADINGS

ADMINISTRATIVE PROCEDURE
AERONAUTICS AND AIR TRANSPORTATION
AGING
AGRICULTURE
ALTERNATIVE DISPUTE RESOLUTION
    see: labor relations
ANIMALS, FISH, AND WILDLIFE
ANTITRUST
    see: civil law
APPROPRIATIONS
ATHLETICS
    see: sports
BANKING AND FINANCIAL REGULATION
BOARDS AND COMMISSIONS
BUSINESS ORGANIZATIONS
BUSINESS TRANSACTIONS
CEMETERIES
CHILDREN
CIVIC CENTERS
    see: special districts
CIVIL ADMINISTRATIVE CODE
    see: executive branch of state government
    see: executive officers of state government
CIVIL IMMUNITIES
    see: civil law
CIVIL LAW
CIVIL LIABILITIES
COMMERCIAL CODE
COMPUTER TECHNOLOGY
    see: technology
CONSERVATION AND NATURAL RESOURCES
CONSTITUTION
CONSUMER PROTECTION
CONTROLLED SUBSTANCES AND LIQUOR REGULATION
CORRECTIONS
    see: criminal law
COUNTIES
    see: local government
COURTS AND THE JUDICIARY
CRIMINAL LAW
CRIMINAL PROCEDURE
    see: criminal law

See topic headings on page 6351
TOPIC HEADINGS – Continued

DEPARTMENTS OF STATE GOVERNMENT
  see: executive branch of state government
DISABLED PERSONS
ECONOMIC DEVELOPMENT
EDUCATION
ELECTIONS
EMERGENCY SERVICES AND PERSONNEL
EMPLOYMENT
ENTERPRISE ZONES
  see: economic development
ENVIRONMENT AND ENERGY
ESTATES
ETHICS
EXECUTIVE BRANCH OF STATE GOVERNMENT
EXECUTIVE OFFICERS OF STATE GOVERNMENT
EXECUTIVE ORDERS
FAIRS
FAMILIES
FINANCE
FIRE SAFETY
FIREARMS
FOREST PRESERVES
  see: special districts
FUELS
FOOD
GAMING
GANGS
GENERAL ASSEMBLY
  see: legislature
HEALTH CARE
HEALTH FACILITIES
  see: health care
HIGHER EDUCATION
HISTORIC PRESERVATION
HOUSING
HUMAN RIGHTS
HUMAN SERVICES
INFORMATION - MEETINGS - RECORDS
INSURANCE
INTERSTATE COMPACTS
LABOR RELATIONS
LAW ENFORCEMENT

See topic headings on page 6351
TOPIC HEADINGS – Continued

LEGISLATURE
LIBRARIES
LIENS
LOCAL GOVERNMENT
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES Act - See:
   SPECIAL DISTRICTS
MILITARY AFFAIRS
   see: veterans and the military
MOBILE HOMES
MUNICIPALITIES
   see: local government
NEW ACTS
NUCLEAR SAFETY
OFFICERS AND EMPLOYEES
PARKS AND PARK DISTRICTS
PENSIONS
PORT DISTRICTS
   see: special districts
PROFESSIONS AND OCCUPATIONS
PROPERTY
PUBLIC AID
   see: human services
PUBLIC HEALTH AND SAFETY
REPEALED ACTS
RESOLUTIONS - COMMISSIONS, COMMITTEES AND BOARDS
RESOLUTIONS - CONGRATULATORY
RESOLUTIONS - GENERAL ASSEMBLY
RESOLUTIONS - MEMORIALS
RESOLUTIONS - SUBSTANTIVE
REVENUE - EXCISE TAXES
   see: taxation
REVENUE - INCOME TAXES
REVENUE - OCCUPATION AND USE TAXES
REVENUE - PROPERTY TAXES
SANITARY DISTRICTS
   see: special districts
SCHOOLS
SPECIAL DISTRICTS
SPORTS
STATE DESIGNATIONS
   see: state government
STATE GOVERNMENT

See topic headings on page 6351
TOPIC HEADINGS – Continued

STATUTES
TAXATION
TECHNOLOGY
TERRORISM
TOBACCO PRODUCTS
TOWNSHIPS
   see: local government
TRADE AND TOURISM
TRANSPORTATION AND MOTOR VEHICLES
TRUSTS AND FIDUCIARIES
UNIFORM LAWS
URBAN REVITALIZATION
UTILITIES
VICTIMS AND WITNESSES
VETERANS AND MILITARY
WAREHOUSES
WATERWAYS
WEAPONS
WILDLIFE
   see: animals, fish, and wildlife
ADMINISTRATIVE PROCEDURE
Administrative Procedure Act
emergency rules during FY2007, 94-0838
FY2006 budget implementation, 94-1066

AERONAUTICS AND AIR TRANSPORTATION
O'Hare Modernization Act
power of eminent domain for the acquisition of property, 94-1055

AGING
Aging, Illinois Act on the
care services vendors
administrative and employee wage and benefits cost split, 94-1066
Extended Community Care Options pilot program, 94-0766
All-Inclusive Care for the Elderly Act
definitions
frail elderly, 94-1066
PACE, 94-1066
Community Senior Services and Resources Act
grants, 94-0864
Elder Abuse and Neglect Act
clearinghouse, State agencies report all confirmed cases, 94-1064
consequences for failure to report, 94-1064
domestic living situation, defines, 94-1064
mandated reporters, 94-1064
Older Adult Services Act
Older Adult Services Advisory Committee, 94-0766
Senior Citizens Assessment Freeze Homestead Exemption, 94-0794

ALTERNATIVE DISPUTE RESOLUTION
Health Care Arbitration Act - See: LABOR RELATIONS
Labor Arbitration Services Act - See: LABOR RELATIONS
Not-For-Profit Dispute Resolution Center Act, Illinois - See: LABOR RELATIONS
See: LABOR RELATIONS

ANIMALS, FISH, AND WILDLIFE
Animal Control Act
dangerous dogs
serious physical injury to a person, 94-0819
Wildlife Code
apprentice hunter program, 94-1024
Bonus Deer Permit program, 94-0919
hunting dog, not allowed on others property without permission, 94-0764
licenses and permits
Apprentice Hunter Permit, 94-1024
deer hunting, 94-0919
either-sex permit, 94-0919
technical, 94-1024, 94-0753

See topic headings on page 6351
ANIMALS, FISH, AND WILDLIFE-Cont
wild turkey hunting, no charger permits, 94-0753

ANTITRUST
See: CIVIL LAW

APPROPRIATIONS
General Assembly, 94-0798

ATHLETICS
See: SPORTS

BANKING AND FINANCIAL REGULATION
Banking Act, Illinois
customer information disclosure
during law enforcement investigation, 94-0851
vacancy arising between shareholders' meetings, bank director may fill, 94-0742
Check Printer and Check Number Act
financial institution; definition, 94-0780
Credit Union Act, Illinois
customer information disclosure
during law enforcement investigation, 94-0851
Savings and Loan Act of 1985, Illinois
customer information disclosure
during law enforcement investigation, 94-0851
references to Office or Commissioner of Banks and Real Estate, 94-0833
Savings Bank Act
customer information disclosure
during law enforcement investigation, 94-0851
references to Office or Commissioner of Banks and Real Estate, 94-0833

BOARDS AND COMMISSIONS
Arts Council Act
arts and foreign language education grant program, 94-0835
Building Commission Act, Illinois
adopting a new building code or amending an existing building code, 94-0810
Capital Development Board Act
energy efficiency code that incorporates International Energy Conservation
Commission's Standards, 94-0815
reports; racial, ethnic, and gender data for workers on public works projects, 94-1023

BUSINESS ORGANIZATIONS
Business Corporation Act of 1983
fair value, 94-0889
General Not For Profit Corporation Act of 1986
natural gas cooperative, 94-0738
open Board meetings, 94-1099
Limited Liability Company Act
operating agreement; powers and duties, 94-0889
BUSINESS ORGANIZATIONS-Cont
NEW ACTS
   Business Location Efficiency Incentive Act, 94-0966

BUSINESS TRANSACTIONS
Automotive Collision Repair Act
   compliance, 94-0784
Consumer Fraud and Deceptive Business Practices Act
   credit reports; identity theft; credit applications, 94-0799
   emergency or non-emergency transportation of a patient by an ambulance service
   provider; statements, 94-1063
   identity theft, 94-1022
   performing groups; deceptive affiliation, 94-0854
   work-at-home solicitations, 94-0999
Interest Act
   rates
      service members, 94-0802
NEW ACTS
   Mortgage Rescue Fraud Act, 94-0822
Personal Information Protection Act
   personal information obtained resulting in a breach of the security of the system data,
      94-0947

CEMETERIES
Cemetery Care Act - See: TRUSTS AND FIDUCIARIES
Cemetery Protection Act - See: PROPERTY
Crematory Regulation Act - See: PUBLIC HEALTH AND SAFETY
Funeral or Burial Funds Act, Illinois - See: PROFESSIONS AND OCCUPATIONS
Grave and Cemetery Restoration Act - See: LOCAL GOVERNMENT
Pre-Need Cemetery Sales Act, Illinois - See: BUSINESS TRANSACTIONS
Public Graveyards Act - See: LOCAL GOVERNMENT

CHILDREN
Abandoned Newborn Infant Protection Act
   defines newborn infant, 94-0941
Abused and Neglected Child Reporting Act
   disclosure
      patient information, 94-1010
   persons required to report
      school board members, 94-0888
      school personnel, 94-0888
Child Care Act of 1969
   adoption services
      disclosure of records, 94-1010
   foster care
      disclosure of records, 94-1010

See topic headings on page 6351
CHILDREN-Cont
  licensure, 94-0943
Children and Family Services Act
  licensure of direct child welfare service employees by DCFS, 94-0943
  notice of post-adoption reunion services, 94-1010
placement
  disclosure of records, 94-1010
  relative placements, 94-0880
Foster Parent Law
  disclosure of records, 94-1010
NEW ACTS
  Violent Offender Against Youth Registration Act, 94-0945
Perinatal HIV Prevention Act
  reporting, 94-0910
CIVIC CENTERS
See: SPECIAL DISTRICTS
CIVIL ADMINISTRATIVE CODE
See: EXECUTIVE BRANCH OF STATE GOVERNMENT
See: EXECUTIVE OFFICERS OF STATE GOVERNMENT
CIVIL IMMUNITIES
Local Governmental and Governmental Employees Tort Immunity Act - See: CIVIL LAW
See: CIVIL LAW
CIVIL LAW
Code of Civil Procedure
  condemnation of sewage collection and treatment works owned by a public utility, 94-1106
  copying fees, available on website, 94-0982
  eminent domain
    blighted property, 94-1055
    Municipal Joint Action Water Agency, 94-1007
    quick-take: Mt.Vernon, 94-0898
    Sanitary District of Decatur, 94-1109
  name change; past criminal convictions, 94-0944
  notice of judicial sale, 94-1049
  technical, 94-0898
Good Samaritan Act
  emergency care, first aid, exempts, 94-1088
  energy assistance fund transfers, 94-0773
  immunity against criminal liability
    physicians, 94-0826
    immunity for damages, licensed first aid, 94-0825
    technical, 94-1088
Recreational Use of Land and Water Areas Act

See topic headings on page 6351
CIVIL LAW-Cont
  technical, 94-0874
Whistleblower Reward and Protection Act
  civil penalty, 94-1059

CIVIL LIABILITIES
See: CIVIL LAW

COMPUTER TECHNOLOGY
See: TECHNOLOGY

CONSERVATION AND NATURAL RESOURCES
Coal Mining Act
  mine rescues, 94-1101, 94-1041
  SCSR devices, 94-1101
Cook County Forest Preserve District Act
  contracts; competitive bidding, 94-0951
  technical, 94-0951
  vacant land agreement; allowable, 94-0967
Downstate Forest Preserve District Act
  commissioners
    compensation, 94-0900
  re-enact P.A. 88-669, 94-1074
  vacant land agreement; allowable, 94-0967
Illinois Petroleum Education and Marketing Act, 94-1085

NEW ACTS
  Mississippi River Coordinating Council Act, 94-0996

CONSUMER PROTECTION
Bottled Water Act - See: BUSINESS TRANSACTIONS
Consumer Fraud and Deceptive Business Practices Act, 94-0822, 94-1103
Consumer Installment Loan Act - See: BANKING AND FINANCIAL REGULATION
Electronic Mail Act - See: BUSINESS TRANSACTIONS
Equipment Fair Dealership Law, Illinois - See: BUSINESS TRANSACTIONS
Genetic Information Privacy Act - See: PUBLIC HEALTH AND SAFETY
Mobile Telecommunications Sourcing Conformity Act - See: TAXATION

NEW ACTS
  Fair Patient Billing Act, 94-0885
  Mortgage Rescue Fraud Act, 94-0822
  Viatical and Life Settlements Act of 2005, 94-1103

Telephone Solicitations Act - See: BUSINESS TRANSACTIONS

CONTROLLED SUBSTANCES AND LIQUOR REGULATION
Alcoholism and Other Drug Dependency Act
  Interagency Alcoholism and Other Drug Dependency Board, repeals, 94-1033

Controlled Subst. Act, Illinois
  conveyances forfeited, must be used to enforce drug laws, 94-1004
  dextromethorphan, 94-0800
CONTROLLED SUBSTANCES AND LIQUOR REGULATION-Cont

Schedule II controlled substances, 94-1087

Liquor Control Act of 1934

liability limits, available on website, 94-0982
licenses
happy hour sales; multiple bottles, 94-1112
sale near churches, schools, and hospitals, 94-1103
sale near schools, 94-1103

Liquor Control Commission
commissioner, 94-0747
re-enact P.A. 88-669, 94-1074
sales, delivery, possession
Abraham Lincoln Presidential Library and Museum, 94-1015
Historic Sites and Preservation Division of the Historic Preservation Agency, 94-1015
liquid machines, 94-0745
sealed bottles of wine purchased and opened at a restaurant, 94-1047
technical, 94-1047, 94-1112

NEW ACTS
Alcohol Without Liquid Device Act, 94-0745
Methamphetamine Manufacturer Registry Act, 94-0831

CORRECTIONS
Drug Court Treatment Act - See: CRIMINAL LAW
See: CRIMINAL LAW
Sex Offender and Child Murderer Community Notification Law - See: CRIMINAL LAW
Sex Offender Registration Act - See: CRIMINAL LAW

COUNTIES
See: LOCAL GOVERNMENT

COURTS AND THE JUDICIARY
Circuit Courts Act
additional judgeships, appointments, vacancies, subcircuit conversions, 94-0727
Circuit Court Clerk Operation and Administrative Fund, 94-0980

Clerks of Courts Act
fees
traffic violations, 94-1009

Juvenile Court Act of 1987
delinquent minors (Art. 5)
trunacy intervention services, 94-1011

NEW ACTS
Court Grandparent Awareness Training Act, 94-0727

CRIMINAL LAW
Code of Criminal Procedure of 1963
bail
bail revocation, 94-1094

See topic headings on page 6351
CRIMINAL LAW-Cont

violent crimes against family/household members, 94-0878
forensic testing not available at conviction, 94-1113
rail carrier; police force, 94-0846
County Jail Act
reimbursement for medical costs if prisoner, 94-1094, 94-0962
Crime Victims Compensation Act
crime of violence; hate crime, 94-0877
Criminal Code of 1961
contraband in penal institutions; violent video games, 94-0955
controlled substance offense, 94-0743
deception
false personation; Purple Heart recipient, 94-0755
identity theft, 94-0827
minority contract, 94-0863
disorderly conduct
funeral or memorial service, 94-0772
dog fighting, 94-0820
eavesdropping
exempt: public officer or public employee, including a peace officer, 94-1087
facilitating identity theft, creates offense, 94-0969
federal government employee impersonation, 94-0985
felony conviction; pet ownership, 94-0818
Financial Crime Law, Ill.
currency exchange, 94-0872
Identity Theft Law, 94-1008
Interstate Sex Offender Task Force Act, 94-0989
money laundering
contraband; penal institution, 94-0955
peace officer, defined, 94-0730
rail carrier; police force, 94-0846
robbery
withdraws, takes, or transfers funds from the financial account of another, 94-1094
sex offenders
day care facilities, 94-0925
loitering near school or public park, 94-0925
sex offenses
victims; extended limitation; report, 94-0990
sexual conduct with person with disability, creates offense, 94-1053
solicitation, conspiracy and attempt
Solicitation for Charities Act; prohibited titles, 94-0984
technical, 94-0818, 94-0772, 94-1032, 94-0955
unlawful force or threats to obtain information or a confession, 94-1113

See topic headings on page 6351
CRIMINAL LAW-Cont

Gender Violence Act
technical, 94-1061

Methamphetamine Control and Community Protection Act
methamphetamine trafficking
creates offense, 94-0830

NEW ACTS

Alcohol Without Liquid Device Act, 94-0745
Civil Rights Act of 2006, 94-1113
Methamphetamine Manufacturer Registry Act, 94-0831
Predator Accountability Act, 94-0998
Racial Profiling Prevention and Data Oversight Act, 94-0997
Violent Offender Against Youth Registration Act, 94-0945

Probation and Probation Officers Act
commitment level, 94-1032
deaths in licensed long-term care facilities; report to Coroner, 94-0752
Redeploy Illinois Program, 94-1032

Sex Offender Community Notification Law
sex offender database, 94-0994

Sex Offender Management Board Act
interstate movement of registered sex offenders, 94-0989

Sex Offender Registration Act
databases, 94-0911
offenders
petition; no longer being classified as a sexual predator, 94-0988
registration requirements, 94-0994

Sexually Violent Persons Commitment Act
indecent solicitation of a child, 94-0746
notification of release, 94-0992
technical, 94-0992

Unified Code of Corrections, 94-1009
(GED) certificate, 94-0744
commissary goods, 94-0913
DNA database; reports, 94-0761
DOC-financial and property administration
half-way houses, 94-0946
DOC-institutions, facilities, programs
good conduct-educational credits, 94-0744
pre-release job preparation program for inmates, 94-1067
DOC-parole and after-care
sex offenders; supervision; electronic monitoring device, 94-0988
driving an uninsured motor vehicle, 94-0763
identification card, valid for 60 days, 94-0744
sentencing

See topic headings on page 6351
CRIMINAL LAW-Cont
conviction for a sex offense; revocation of drivers license, 94-0993
extended sentence; animal assault of law enforcement officer, 94-0819
Sex Offender Registration Act
DNA analysis, 94-1018
violations, 94-1018
traffic offense; additional $1 for Law Enforcement Camera Grant Fund, 94-0987
traffic violations
driving an uninsured motor vehicle, 94-1035

CRIMINAL PROCEDURE
See: CRIMINAL LAW

DEPARTMENTS OF STATE GOVERNMENT
See: EXECUTIVE BRANCH OF STATE GOVERNMENT

DISABLED PERSONS
Abuse of Adults with Disabilities Intervention Act - See: HUMAN SERVICES
Bureau for the Blind Act - See: HUMAN SERVICES
Disabled Persons Rehabilitation Act - See: HUMAN SERVICES
electric personal assistive mobility devices - See: TRANSPORTATION AND MOTOR VEHICLES
Guardianship and Advocacy Act - See: BOARDS AND COMMISSIONS
Guide Dog Access Act - See: CRIMINAL LAW
Home for Disabled Soldiers Land Cession Act -- See: VETERANS AND THE MILITARY
White Cane Law - See: HUMAN RIGHTS

ECONOMIC DEVELOPMENT
Illinois Economic Opportunity Act
energy assistance fund transfers, 94-0773
NEW ACTS
Central Illinois Economic Development Authority Act, 94-0995
Chanute-Rantoul National Aviation Center Redevelopment Commission, 94-0908
Opportunity Fund Act, Illinois, 94-0774
Southern Illinois Economic Development Authority Act, 94-1068, 94-1021
Quad Cities Regional Economic Development Authority Act
Authority
outstanding bonds and notes, 94-0839
SW Illinois Development Authority Act
territorial jurisdiction
Bond County, 94-1096
Clinton County, 94-1096

EDUCATION
Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 - See:
PROFESSIONS AND OCCUPATIONS
Conservation Education Act - See: SCHOOLS

See topic headings on page 6351
EDUCATION-Cont
Critical Health Problems and Comprehensive Health Education Act - See: SCHOOLS
NEW ACTS
  Community Education Act, 94-0904
  Nurse Educator Assistance Act, 94-1020
School Code - See: SCHOOLS
School Construction Law - See: SCHOOLS
ELECTIONS
Election Code
  ballots
    absentee ballots, 94-1090
    optical scan technology voting systems, 94-1090
  court-ordered recounts in contested elections, 94-1000
  early voting
    early and grace period voting, 94-1000
  election authority
    fractional cumulative votes; electronic voting, 94-1073
  local canvassing boards, 94-1000
  name change, 94-1090
State Board of Elections
  certificate of the results of the election; transmit by electronic means, 94-1000
  early and grace period voting, 94-1000
  voting machines and systems
    destroy programs if no contest of election, 94-1073
    equipment tests, 94-1073
EMERGENCY SERVICES AND PERSONNEL
Emergency Management Agency Act, Illinois
  emergency plan; pets, 94-1081
Emergency Telephone System Act
  maximum monthly surcharge; increases, 94-0817
NEW ACTS
  Volunteer Emergency Worker Higher Education Protection Act, 94-0957
EMPLOYMENT
Day and Temporary Labor Services Act
  third party employers, temporary laborers, 94-1102
Employee Benefit Contribution Act
  technical, 94-1072
Employee Blood Donation Leave Act, 94-1084
Line of Duty Compensation Act
  compensation; armed forces, 94-0844
  compensation; claims, 94-0843
Medical Care Savings Account Act of 2000
  technical, 94-1084

See topic headings on page 6351
EMPLOYMENT-Cont
Minimum Wage Law
   increases; annual adjustment, 94-1072
   punitive damages for underpayment of wages, 94-1025
   wages less than federal minimum, not allowed, 94-1102
Prevailing Wage Act
   certified payroll records, 94-1072, 94-1023
   public works
      all projects at leased facility property used for airport purposes, 94-0750
Right to Privacy in the Workplace Act
   technical, 94-1067
Unemployment Insurance Act
   sex offenders, 94-0911
   Special Programs Fund, 94-1083
Unemployment Insurance Trust Fund Financing Act
   Special Programs Fund, 94-1083
Workers' Compensation Act
   Employee Classification Act, 94-1023
ENTERPRISE ZONES
See: ECONOMIC DEVELOPMENT
ENVIRONMENT AND ENERGY
Energy Assistance Act
   energy assistance fund transfers, 94-0773
Environmental Protection Act
   "potential route" definitions, 94-0824
   closed loop heat pump wells using USP food grade propylene glycol or ethanol, 94-0824, 94-1048
   contaminant release, 94-0849
   pollution control facility
      facilities used for a recycling, reclamation, or reuse operations ; exempts, 94-1048
      technical, 94-0849
   used oil facilities, 94-0824
Litter Control Act
   littering penalties, 94-1044
Local Solid Waste Disposal Act
   technical, 94-1048
NEW ACTS
   Mississippi River Coordinating Council Act, 94-0996
Pesticide Act, Illinois
   restricted use pesticide; prohibits internet sale, 94-0758
ESTATES
Disposition of Remains Act
   designee, 94-1051
ESTATES-Cont
Health Care Surrogate Act
do-not-resuscitate forms, 94-0865
Illinois Anatomical Gift Act
organ donation, 94-0920
Organ Donation Request Act
organ preservation, 94-0920
Power of Attorney Act
elder abuse provider agency, records, 94-0850
property, 94-0938
EXECUTIVE BRANCH OF STATE GOVERNMENT
Civil Administrative Code
do-not-resuscitate forms, 94-0865
Department of Commerce and Economic Opportunity
energy-efficient appliances, requires creation of certification program, 94-0751
lifelong learning accounts, creates, 94-1006
Department of Employment Security Law
Employee Classification Act, 94-1023
Illinois Skills Match Program, 94-0786
Dept. of Aging
grants, programs, studies
adult day health services, 94-0954
adult day services, 94-0954
Dept. of Commerce and Economic Opportunity
Apprenticeship Program and Public Works Reporting Act; reports, 94-1023
grants, programs, studies
Energy Star Program, 94-0751
recruitment and training of masters-prepared nurses; nursing school faculty, 94-0970
high impact businesses, 94-1030
Illinois Enterprise Zone Act
gasification facilities, 94-1030
new electric generating facility, 94-1030
Dept. of Human Services
Illinois Steps for Attaining Higher Education through Academic Development
("Illinois Steps AHEAD") program, 94-1043
Dept. of Labor
Employee Classification Act, 94-1023
Dept. of Natural Resources
electric scooters in State parks, 94-1083
McHenry County, conveys land from to Spring Grove, 94-0768
State Parks Act
Adeline Jay Geo-Karis Illinois Beach State Park, 94-1042
technical, 94-1083, 94-1059

See topic headings on page 6351
EXECUTIVE BRANCH OF STATE GOVERNMENT-Cont

Dept. of Professional Regulation
powers and duties
    licensing requirements after the proclamation of a disaster, 94-0733

Dept. of Public Health
do-not-resuscitate forms, 94-0865
    grants, programs, studies
        prescription drug benefits counseling ; persons with HIV or AIDS, 94-0909
        meningitis, requires material for elementary & secondary schools, 94-0769
        umbilical cord blood donations, 94-0832

Dept. of Revenue
    annual tax liability; payments by electronic funds transfer, 94-0776
    Employee Classification Act, 94-1023

Dept. of State Police
    background checks; charitable organization employees and volunteers, 94-1059
    background checks; medical school, 94-0837

Dept. of Transportation
    grants, programs, studies
        North Chicago property study; 3- year option to purchase, 94-1045
        railroads, 94-0807
    reports; racial, ethnic, and gender data for workers on public works projects, 94-1023
    vacant land agreement, allowed, 94-0967

Illinois Finance Authority
    ambulance revolving loan program, 94-0829
    bond funding, 94-1068, 94-1021, 94-0839, 94-1093
    outstanding bonds, limits, 94-1068
    Riverdale Development Authority Act, 94-1093
    Southern Illinois Economic Development Authority; bonds, 94-1068, 94-1021

NEW ACTS
    Public Act 88-669, re-enacts Geographic Information Council Act, Illinois, 94-0961
    State Services Assurance Act, 94-1108

EXECUTIVE OFFICERS OF STATE GOVERNMENT

Attorney General
    technical, 94-0829, 94-0816

Comptroller
    Employee Classification Act, 94-1023
    technical, 94-1042

Governor
    Governor Succession Act
        technical, 94-1035

Secretary of State
    annual Secretary of State Antique Vehicle Show, 94-0811
    Identification Card Act, Illinois
        driver's license; usage of information on, 94-0892

See topic headings on page 6351
EXECUTIVE OFFICERS OF STATE GOVERNMENT-Cont
Secretary of State Antique Vehicle Show Fund, 94-0811
technical, 94-0837
State Treasurer
technical, 94-1030

FAMILIES
Adoption Act
Putative Father Registry fees, 94-1010
unfit parent, presumption of if 2 or more findings of abuse, 94-0939
Illinois Family Case Management Act
umbilical cord blood donations, 94-0832
Marriage and Dissolution of Marriage Act
custody and visitation, 94-1026
grandparent, great-grandparent, or sibling visitation, 94-1026
legal fees, removes one-year limit to file complaint, 94-1016
medical insurance; child, 94-0923

NEW ACTS
Court Grandparent Awareness Training Act, 94-0727
Parentage Act of 1984, Illinois
support
minimum payments, 94-1061
visitation
custody or visitation by sex offender prohibited, 94-0928

FINANCE
Bond Authorization Act
technical, 94-0839
Eliminate the Digital Divide Law
Community Technology Center Grant Program, 94-0734
Finance Authority Act, Illinois, 94-0960
Illinois Private Activity Bond Allocation Act
bonds, 94-0965

NEW FUNDS
Adeline Jay Geo-Karis Illinois Beach State Park, 94-1042
Hospital Fair Billing and Collection Practices Act Enforcement Fund, 94-0885
Law Enforcement Camera Grant Fund, 94-0987
Mid-America Medical District Income Fund, 94-1036
Opportunity Fund, Illinois, 94-0774
Prisoner Review Board Vehicle and Equipment Fund, 94-1009
Secretary of State Antique Vehicle Show Fund, 94-0811
Video Game Excise Tax Fund, 94-0817
Violent Offender Against Youth Registration Fund, 94-0945

Procurement Code, Illinois
contracts; pre-release job preparation program for inmates, 94-1067
documents relating to a contract; public, 94-0978
FINANCE-Cont
   Employee Classification Act, 94-1023
   flexible fuel vehicles, 94-1079
   Lead Poisoning Prevention Act; violations, 94-0879
   reverse auction period where bidders may lower, requires, 94-1097
State Auditing Act, Illinois
   authorizes audits of Illinois Opportunity Fund & Corporation, 94-0774
State Finance Act
   Ambulance Revolving Loan Fund, 94-0829
   Audit Expense Fund, transfers from various funds, 94-0958
   Employee Classification Fund, 94-1023
   energy assistance fund transfers, 94-0773
   Financial Literacy Fund, 94-0929
   fund transfers, 94-0982
   Gaining Early Awareness and Readiness for Undergraduate Programs Fund, 94-1043
   Horse Racing Equity Trust Fund, 94-0804
   Illinois African-American HIV/AIDS Response Fund, 94-0797
   Illinois Military Family Relief Fund, 94-0802
   National Guard and Naval Militia Grant Fund, 94-1020
   Petroleum Resource Resolving Fund, repeals, 94-1085
   SBE Federal Department of Agriculture Fund, 94-0835
   Supplemental Low-Income Energy Assistance Fund, 94-0817, 94-0773
   Tattoo and Body Piercing Establishment Registration Fund, 94-1040
   transfers from various funds
      exempts Off-Set Claims Fund, 94-0982
      Kaskaskia Commons Permanent Fund, 94-0982
      Supplemental Low-Income Energy Assistance Fund, 94-0817
State Mandates Act
   exempt, 94-0856, 94-0834, 94-0794, 94-0806, 94-0933, 94-0823, 94-0750, 94-0792,
      94-1055, 94-1111
State Prompt Payment Act
   invoice regulations, 94-0972
   late payment by contractor; interest, 94-0972
   payment within 60 days; proper bill or invoice; vendor correction period;, 94-0972
FIRE SAFETY
Fire Protection District Act
   disconnection; annexation, 94-0806
NEW ACTS
   Burn Injury Reporting Act, 94-0828
   Cigarette Fire Safety Standard Act, 94-0775
Volunteer Fire Protection Association Act
   absent from class due to duty, no penalty, 94-0957
FIREARMS

See topic headings on page 6351
FOOD
Meat and Poultry Inspection Act, 94-1052

FOREST PRESERVES
SEE: SPECIAL DISTRICTS

FUELS
Motor Fuels Standards Act
gasoline-oxygenate blends, quality, 94-0873

GAMING
Bingo License and Tax Act
civil penalties, 94-0986
game conduct, 94-0986
license; applicants, 94-0986
management restrictions, 94-0986
payments
  payment of taxes and fees, 94-0986
  recordkeeping, 94-0986
Charitable Games Act
civil penalties, 94-0986
licenses to conduct games, 94-0986
payments
  recordkeeping, 94-0986
taxes and fees, 94-0986
re-enacts Public Act 88-669, 94-0986
restrictions, 94-0986
Horse Racing Act of 1975, Illinois
  Horse Racing Equity Fund, 94-0804
  pari-mutuel tax, 94-0805
  museums and aquariums, redistributes money paid to, 94-0813
  payments
    Urbana Park District, 94-0813
Lottery Law, Illinois
  transfer of all powers, duties, rights, and responsibilities vested in the Department of
  the Lottery to the Department of Revenue, 94-0776
Pull Tabs and Jar Games Act, Illinois
civil penalties, 94-0986
licenses, 94-0986
payments
  recordkeeping, 94-0986
taxes and fees, 94-0986
Riverboat Gambling Act
technical, 94-0804

GANGS

GENERAL ASSEMBLY
See: LEGISLATURE
HEALTH CARE
Abused and Neglected Long Term Care Facility Residents Reporting Act
appeals process, persons accused of abuse or neglect, 94-0934
reports and investigations, 94-0853
Acupuncture Practice Act
technical, 94-1041
Ambulatory Surgical Treatment Center Act
circulating nurse, 94-0915
persons authorized to administer anesthesia services, 94-0861
Assisted Living and Shared Housing Act
medication technicians, 94-1101
Clinical Psychologist Licensing Act
Replaces "Department of Professional Regulation" with "Department of Financial and Professional Regulation", 94-0870
technical, 94-1020
Dental Practice Act, Illinois
census on dental services in state, 94-1014
licensing, 94-1014
deceased or incapacitated; replacements, 94-1028
education requirements, 94-1028
Emergency Medical Services (EMS) Act
do-not-resuscitate forms, 94-0865
provider's services for the transportation; influence; prohibits, 94-1063
Health Care Finance Reform Act, Illinois
ambulatory surgical treatment centers; claims or encounter data, 94-0838
Health Care Worker Background Check Act
Centers for Medicare and Medicaid Services (CMMS) grant, 94-0931
prohibition of employing, hiring, or retaining for work involving direct care for clients, patients, or residents of a health care facility persons who have been convicted of sexual misconduct, 94-1053
Health Care Workplace Violence Prevention Act
task force membership, 94-1012
Hospital Licensing Act, 94-0885
circulating nurse, 94-0915
do-not-resuscitate forms, 94-0865
patient transportation; written record, 94-1063
umbilical cord blood donation, 94-0832
Medical Practice Act of 1987
prosecution of a complaint, 94-1075
NEW ACTS
Fair Patient Billing Act, 94-0885
Hospital Fair Billing and Collection Practices Act, 94-0885
Nurse Educator Assistance Act, 94-1020
State Diabetes Commission Act, Illinois, 94-0788

See topic headings on page 6351
HEALTH CARE-Cont
Nursing and Advanced Practice Nursing Act
licensing
  applicants licensed in other countries, 94-0932
  medication technicians, 94-1101
Nursing Home Care Act
  case coordination unit; pending patient discharge, 94-0767
  deaths in licensed long-term care facilities, 94-0752
  do-not-resuscitate forms, 94-0865
  medication technicians, 94-1101
  patient transportation; written record, 94-1063
Optometric Practice Act of 1987
  changes references, 94-0787
  licensing and certification, 94-0787
Pharmacy Practice Act of 1987
  anti-epileptic drugs, notification and consent of prescriber and patient, 94-0936
Professional Counselor and Clinical Professional Counselor Licensing Act
  licensing
    exemptions; qualifications, 94-0765
Speech-Language Pathology and Audiology Practice Act
  licensure, 94-0869
  practice while license pending, 94-1082
Wholesale Drug Distribution Licensing Act
  license; receiving and renewing; pedigree papers, 94-0942

HEALTH FACILITIES
Abuse Prevention Review Team Act
  funding provided by fines, 94-0931
  technical, 94-1040
Illinois Health Facilities Planning Act
  inventories of certain skilled or intermediate care facilities, 94-0983
  non-clinical service area, 94-1066
  technical, 94-1066

NEW ACTS
  Fair Patient Billing Act, 94-0885
  Hospital Fair Billing and Collection Practices Act, 94-0885
  Nursing Home Care Act, 94-0931

HIGHER EDUCATION
Allied Health Care Professional Assistance Law
  technical, 94-1071
Board of Higher Education Act
  non-traditional student, adds to board, 94-0905
  remedial coursework required if needed, 94-1056
Grow Our Own Teacher Education Act

See topic headings on page 6351
HIGHER EDUCATION-Cont
changes name to Grow Your Own Teacher Act, 94-0979
definitions, 94-0979
loan forgiveness for service, 94-0979
Higher Education Student Assistance Act
grants
forensic science grant program, 94-1020
Illinois National Guard Grant Program, 94-1020
MAP, eligibility enrollment requirements, 94-1056
MAP, increases, 94-1056
raised by grandparents, 94-0968
Monetary Award Program, eligibility and regulations, 94-1056
Medical School Matriculant Criminal History Records Check Act, 94-0837
NEW ACTS
Nurse Educator Assistance Act, 94-1020
Volunteer Emergency Worker Higher Education Protection Act, 94-0957
Public Community College Act
mobile response workforce training pilot program, 94-0890
school energy savings contract, terms, 94-1062
technical, 94-0890
Public University Energy Conservation Act
develop and implement a comprehensive plan for energy conservation, 94-1062
U of I Hospital Act, 94-0885
HOUSING
NEW ACTS
Carbon Monoxide Alarm Detector Act, 94-0741
Comprehensive Housing Planning Act, 94-0965
Safe Homes Act, 94-1038
HUMAN RIGHTS
Human Rights Act, Illinois
discrimination; veteran status, 94-0803
real estate transactions
investigations, 94-0857
HUMAN SERVICES
Abuse of Adults with Disabilities Intervention Act
disclosure of investigative report, 94-0852
records during an investigation, may be subject to subpoena, 94-0851
Disabled Persons Rehabilitation Act
Student Compensation Account, 94-0887
Energy Assistance Act of 1989
Supplemental Low-Income Energy Assistance Fund
moneys from voluntary donations, 94-0817
NEW ACTS
Veterans' Health Insurance Program Act, 94-0816
INDEX 6374

HUMAN SERVICES-Cont
Public Aid Code, Illinois
   AABD eligibility, ineligible for SSI, 94-0918
   Assets for Independence Program, 94-1043
   child support arrearages, 94-0971
   emergency rulemaking, 94-0838
   insurance
      autism, 94-0906
Medicaid
   aged, blind, disabled, spend-down amount, 94-0847
   amendments and waivers to the State plans and Illinois waivers, 94-0838
   determining eligibility, 94-1043
   medical services; noncitizens, 94-1066
   Minimum Data Set, 94-0964
   nursing home expenditures, 94-1066
   nursing home rates, 94-0838
   payments, 94-1066
   pharmacy payments, 94-1066
   rates for nursing homes, 94-1066
   withhold payments, 94-0975
   nursing home inspections; repeals, 94-0838
   pilot program of home and community-based medical services for persons who are medically fragile and technology-dependent, 94-0838
   technical, 94-0975
INFORMATION - MEETINGS - RECORDS
Electronic Commerce Security Act
   electronic documents transferring or releasing interests in real estate, 94-1045
Freedom of Information Act
   Abuse Prevention Review Team Act, 94-0931
   exemptions
      capital litigation, applies until trial conclusion, 94-0953
   Viatical and Life Settlements Act of 2005, 94-1103
Open Meetings Act
   Abuse Prevention Review Team Act, 94-0931
   attendance by electronic means, 94-1058
   meetings, definition, quorum, 94-1058
   technical, 94-1058
INSURANCE
Children's Health Insurance Program Act
   health benefits waiver program; cost sharing requirements, 94-1066
   technical, 94-1037
Comprehensive Health Insurance Plan Act (CHIP)
   lifetime benefit, increases, 94-0737
   technical, 94-0737

See topic headings on page 6351
INSURANCE-Cont
Health Maintenance Organization Act
coverage
  autism, 94-0906
  multiple sclerosis, 94-1076
  preventative physical therapy, 94-1076
Insurance Code, Illinois
coverage
  autistic, developmentally disabled, or diagnosed with a developmental delay, 94-0906
  mental illness, 94-0921
  military service, 94-1037
  multiple sclerosis, 94-1076
  preventative physical therapy, 94-1076
  prohibiting the lapse or forfeiture of a life insurance policy; member of military, 94-0802
  firemen's continuance privilege, requires enforcement, 94-0858
Standard Non-forfeiture Law for Individual Deferred Annuities, 94-1076
technical, 94-1103
Managed Care Reform and Patient Rights Act
  hospitalization, enrollee physician services, 94-0866
NEW ACTS
  Veterans' Health Insurance Program Act, 94-0816
  Viatical and Life Settlements Act of 2005, 94-1103
Title Insurance Act
  application of act, 94-0893
  definitions, 94-0893
  records, 94-0893
Viatical Settlements Act
  repeals, 94-1103
Voluntary Health Services Plans Act
 coverage
  autism, 94-0906
  multiple sclerosis, 94-1076
  preventative physical therapy, 94-1076
INTERSTATE COMPACTS
LAW ENFORCEMENT
Criminal Identification Act
  official information; sexual offenders/predators, 94-0988
Criminal Justice Information Act, Illinois, 94-0896
NEW ACTS
  Law Enforcement Camera Grant Act, 94-0987
  Public Safety Agency Network Act, Illinois, 94-0896
State Police Radio Act

See topic headings on page 6351
INTERSTATE COMPACTS

LAW ENFORCEMENT-Cont
public safety radio interoperability entities, 94-1005

LIBRARIES
Public Library District Act of 1991
annexation ordinance, contiguous private property, 94-0899
technical, 94-0899

LIENS
Stallion and Jack Service Lien Act
technical, 94-0891

LOCAL GOVERNMENT
Counties Code
  adopting a new building code or amending an existing building code, 94-0810
  county boards, powers and duties
    county board of health, 94-0791
dogs running at large, 94-0819
fees and salaries
  drug court fees, 94-0980
  fee; judgement of guilty or grant of supervision; finance county mental health
  court, 94-0862
  sheriffs in third class counties; increase, 94-1104
insurance
  autism, 94-0906
officers and employees
  coroner; inquest, 94-0924
  deaths in licensed long-term care facilities; report to Coroner, 94-0752
  purchases of equipment, 94-1093
  technical rescue team, 94-0791
quitclaim deed, notification required, 94-0823
technical, 94-0728, 94-1093
truant; ordinances, 94-1011
vacant land agreement, allowable, 94-0967
watershed planning councils, 94-0867
zoning authority; AM broadcast towers and facilities, 94-0728

Fire Department Promotion Act
  promotion negotiations, 94-0809

Intergovernmental Cooperation Act
  Municipal Joint Action Water Agency, 94-1007

Local Government Energy Conservation Act
  school energy savings contracts, terms, 94-1062

Local Government Property Transfer Act
  technical, 94-0782

Municipal Code, Illinois
  actions presumed valid; subject to de novo; zoning, 94-1027

See topic headings on page 6351
LOCAL GOVERNMENT-Cont
  adopting a new building code or amending an existing building code, 94-0810
  annexed territory
    agreements, 94-1065
    federal wildlife refuge, 94-1065
  eminent domain, acquire water systems, 94-1007
  energy assistance fund transfers, 94-0773
  expansion of runways at Chicago Midway International Airport, 94-0750
  Illinois Joint Municipal Natural Gas Act, 94-0731
  insurance
    autism, 94-0906
  intermodal terminal facility area, 94-0781
  jurisdictional boundary line agreement, 94-1104
  license fees; vending machines, 94-0967
  local prosecution; DUI, 94-0740
  natural gas cooperative, 94-0738
  officers and employees
    auxiliary police officers, 94-0984
  redevelopment project, personal interest, 94-1013
  Tax Increment Allocation Redevelopment Act
    eminent domain; costs associated with relocation and displacement, 94-1055
    technical, 94-1065, 94-0810, 94-0783
  TIF (Tax Increment Allocation Redevelopment Act)
    Franklin Park, TIF project extended, 94-1092
    Granite City; TIF redevelopment project; extends, 94-0782
    Lombard, redevelopment project; extends, 94-0783
    Princeville, TIF redevelopment extends, 94-0778
    technical, 94-1091
    Village of Gardner; redevelopment project, 94-0810
    Village of Paw Paw; redevelopment project, 94-0903
    Village of South Holland; TIF redevelopment project; extends, 94-1091, 94-1093
    Village of Woodhull; TIF redevelopment project; extends, 94-1065
  truant; ordinances, 94-1011
  utility service; disconnection of service, prohibited active members of military, 94-0802
  vacant land agreement, allowable, 94-0967
  zoning; de novo judicial review; legislative decisions, 94-1027

NEW ACTS
  Central Illinois Economic Development Authority Act, 94-0995
  Local Government Facility Lease Act, 94-0750

Peace Officer Firearm Training Act
  auxiliary police officers, 94-0984

Police Training Act, Illinois
  rail carrier; police force, 94-0846
LOCAL GOVERNMENT-Cont
Public Officer Simultaneous Tenure Act
technical, 94-0809
Revised Cities and Villages Act of 1941
recounts, office of alderman in the City of Chicago, 94-1000
Township Code
demolition, repair, or enclosure of buildings, 94-0841
open space
petitions, 94-1045
technical, 94-1096
vacant land agreement, allowable, 94-0967
Volunteer Emergency Worker Job Protection Act
absent from class due to duty, no penalty, 94-0957
Wireless Emergency Telephone Safety Act
surcharges and taxes
maximum monthly surcharge; increases, 94-0817
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES Act - See:
SPECIAL DISTRICTS
MHDD Administrative Act
community-based residential program, 94-0837
disclosure of records, 94-0852
individualized behavioral support plan, 94-0812
interventions, 94-0812
nurse aide registry, findings of abuse or neglect; facility hiring restrictions; Inspector
General determinations, notice;, 94-0934
Omnibus Budget Reconciliation Act of 1987 compliance report, repeals, 94-0868
MHDD Code
technical, 94-0797, 94-1066
MHDD Confidentiality Act
disclosure
patient information, 94-1010
MILITARY AFFAIRS
See: VETERANS AND THE MILITARY
MOBILE HOMES
Mobile Home Landlord and Tenant Rights Act
fire protection, 94-1080
purchase a tenant's mobile home, 94-1080
rent and fees, 94-1080
Mobile Home Park Act
private water supply systems and hydrants for fire safety purposes, 94-1080
NEW ACTS
Safe Homes Act, 94-1038
MUNICIPALITIES
See: LOCAL GOVERNMENT

NEW ACTS

Alcohol Without Liquid Device Act, 94-0745
Apprenticeship Program and Public Works Reporting Act, 94-1023
  Burn Injury Reporting Act, 94-0828
Business Location Efficiency Incentive Act, 94-0966
  Carbon Monoxide Alarm Detector Act, 94-0741
Central Illinois Economic Development Authority Act, 94-0995
Chanute-Rantoul National Aviation Center Redevelopment Commission, 94-0908
Cigarette Fire Safety Standard Act, 94-0775
Civil Rights Act of 2006, 94-1113
Community Education Act, 94-0904
Comprehensive Housing Planning Act, 94-0965
Court Grandparent Awareness Training Act, 94-0727
  Eminent Domain Act, 94-1055
Employee Classification Act, 94-1023
  Fair Patient Billing Act, 94-0885
FY2006 Budget Implementation Act, 94-1066
FY2007 Budget Implementation (Education) Act, 94-0835
FY2007 Budget Implementation (Finance) Act, 94-0839
FY2007 Budget Implementation (Human Services) Act, 94-0838
FY2007 Budget Implementation (Revenue) Act, 94-0836
  Hospital Fair Billing and Collection Practices Act, 94-0885
  Integrated Telecommunications Outreach, Quality of Service, and Digital Literacy Act, 94-0734
  Internet Caller Identification Act, 94-0947
  Law Enforcement Camera Grant Act, 94-0987
Local Government Facility Lease Act, 94-0750
  Mercury Switch Removal Act, 94-0732, 94-1048
Methamphetamine Manufacturer Registry Act, 94-0831
Mid-America Medical District Act, 94-1036
Midwest Interstate Passenger Rail Compact Act, 94-1077
Mississippi River Coordinating Council Act, 94-0996
Mortgage Rescue Fraud Act, 94-0822
  Nurse Educator Assistance Act, 94-1020
  Opportunity Fund Act, Illinois, 94-0774
  Predator Accountability Act, 94-0998
Public Act 93-25; revisory, 94-0793
Public Safety Agency Network Act, Illinois, 94-0896
  Racial Profiling Prevention and Data Oversight Act, 94-0997
River Edge Redevelopment Zone Act, 94-1021
Riverdale Development Authority, 94-1093
Ryan White Fund Validation Act, 94-0959

See topic headings on page 6351
NEW ACTS-Cont
   Safe Homes Act, 94-1038
   Scavenger Sales Ethics Act, 94-0922
   Southern Illinois Economic Development Authority Act, 94-1068, 94-1021
   State Diabetes Commission Act, Illinois, 94-0788
   State Services Assurance Act, 94-1108
   Tattoo and Body Piercing Establishment Registration Act, 94-1040
   Viatical and Life Settlements Act of 2005, 94-1103
   Video Game Excise Tax Act, 94-0817
   Violent Offender Against Youth Registration Act, 94-0945
   Volunteer Emergency Worker Higher Education Protection Act, 94-0957

OFFICERS AND EMPLOYEES
Military Leave of Absence Act - See: VETERANS AND THE MILITARY
Personnel Code - See: STATE GOVERNMENT
Public Labor Relations Act - See: LABOR RELATIONS
Sick Leave Bank Act - See: EMPLOYMENT
State Employees Group Insurance Act of 1971 -- See: STATE GOVERNMENT
State Officers and Employees Money Disposition Act - See: FINANCE
Voluntary Payroll Deductions Act of 1983 - See: STATE GOVERNMENT

PARKS AND PARK DISTRICTS
Chicago Park District Working Cash Fund Act
   working cash funds, allows abolishment of, 94-0840

NEW ACTS
   Public Act 88-669, validates Illinois Research Park Authority Act, 94-0960
Park District Code
   vacant land agreement, allowable, 94-0967

PENSIONS
Illinois Pension Code
   effective rate of interest, 94-0982
   firefighter credit, establishes, 94-0856
   Retirement Systems Reciprocal Act
      pension credit, 94-0834
Pen Cd-04-Downstate Firefighters
   property tax for funding, 94-0859
Pen Cd-07-Illinois Municipal (IMRF)
   felony conviction of participant, prohibited from receiving benefits, 94-1057
   participation
      Illinois Medical District Commission, 94-1046
   retirement
      prohibition on return to service, application, 94-1111
Pen Cd-09-Cook County
   technical, 94-1046
Pen Cd-14-State Employees (SERS)
   Commission on Government Forecasting and Accountability; annual report, 94-1057

See topic headings on page 6351
PENSIONS—Cont
   participation
   labor organization employees representing State employees, 94-1111
   service credit
   layoff time, 94-1111
Pen Cd-15-State Universities (SURS)
   contributions
   employer contributions; excess salary, 94-1057
Pen Cd-16-Downstate Teachers
   contributions
   employer contributions, 94-1111
   employer contributions; excess salary, 94-1111, 94-1057
   employer contributions; sick leave, 94-1057
   participation
   officer or employee of a national teacher organization, 94-1111
   officer or employee of a statewide teacher organization, 94-1111
   retirement
   return to teaching, 94-0914
Pen Cd-17-Chicago Teachers
   contributions
   employer contributions, 94-1111
   definitions
   administrator, 94-0912
   service credit
   private school employment, 94-1111
PORT DISTRICTS
See: SPECIAL DISTRICTS
PROFESSIONS AND OCCUPATIONS
Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985
   license
   barber clinic teachers, 94-0871
   unlicensed individual; violations, 94-1082
Legal Advertising Rate Act, 94-0874
NEW ACTS
   Alcohol Without Liquid Device Act, 94-0745
   Carbon Monoxide Alarm Detector Act, 94-0741
   Cigarette Fire Safety Standard Act, 94-0775
   Hospital Fair Billing and Collection Practices Act, 94-0885
   Mercury Switch Removal Act, 94-0732, 94-1048
   Midwest Interstate Passenger Rail Compact Act, 94-1077
   Mortgage Rescue Fraud Act, 94-0822
   Nurse Educator Assistance Act, 94-1020
   Viatical and Life Settlements Act of 2005, 94-1103
   Video Game Excise Tax Act, 94-0817

See topic headings on page 6351
PROFESSIONS AND OCCUPATIONS-Cont
Notary Public Act
  chronological journal of acts, exempts military veterans and public safety personnel
  from fees, 94-1029
  misconduct, 94-1029
  surety bond, 94-1029
Public Accounting Act, Illinois
  Peer Review Administrator, 94-0779
  peer review program, 94-0779
Solicitation for Charity Act
  contribution collection agent, requires registration, 94-0749

PROPERTY
Condominium Property Act
  amendment of condominium instruments, 94-0886
  Board
    powers and duties, 94-0729
    religious practice accommodation, 94-0729
  fees pertaining to, 94-1049
  technical, 94-0886
Conveyances Act
  deed notorize; signatures, 94-0821
  conveyances, easements, transfers, exchanges
    Dept. of Natural Resources
      McHenry County; Spring Grove, 94-0768
      Oregon Park District, 94-0907
    Secretary of Transportation
      Village of Justice, 94-1089
Drilling Operations Act
  commercial crops, 94-1085
  technical, 94-1085
Land Trust Beneficial Interest Disclosure Act
  technical, 94-1089
Mortgage Escrow Account Act
  mortgage lender, 94-0883

NEW ACTS
  Safe Homes Act, 94-1038
  Scavenger Sales Ethics Act, 94-0922
Residential Real Property Disclosure Act
  predatory lending database pilot program, 94-1029

PUBLIC AID
See: HUMAN SERVICES

PUBLIC HEALTH AND SAFETY
Abuse Prevention Review Team Act
  deaths in licensed long-term care facilities; report to Coroner, 94-0752
PUBLIC HEALTH AND SAFETY-Cont
Boiler and Pressure Vessel Safety Act
   IEMA assumption of duties from Dept. of Nuclear Safety, 94-0748
   pressure vessels, 94-0748
Carnival and Amusement Rides Safety Act
   amusement ride inspectors, 94-0801
   Board, 94-0801
   safety matters, 94-0801
Clean Indoor Air Act, Illinois
   regulate smoking in public places, 94-0917
   student dormitory; prohibit smoking, 94-0770
Firearm Owners Identification Card Act
   FOID card
       fees; increases, 94-0919
Lead Poisoning Prevention Act
   CLEAN-WIN program, 94-0879
   lead bearing substance, 94-0879
NEW ACTS
   African-American HIV/AIDS Response Act, 94-0797
   Burn Injury Reporting Act, 94-0828
   Carbon Monoxide Alarm Detector Act, 94-0741
   Cigarette Fire Safety Standard Act, 94-0775
   Mercury Switch Removal Act, 94-0732, 94-1048
   Methamphetamine Manufacturer Registry Act, 94-0831
   Predator Accountability Act, 94-0998
   Ryan White Fund Validation Act, 94-0959
   State Diabetes Commission Act, Illinois, 94-0788
   Violent Offender Against Youth Registration Act, 94-0945
Sexual Assault Survivors Emergency Treatment Act
   hospital; emergency services plan, 94-0762
REPEALED ACTS
   Viatical Settlements Act, 94-1103
RESOLUTIONS - COMMISSIONS, COMMITTEES AND BOARDS
REVENUE - EXCISE TAXES
   See: TAXATION
REVENUE - INCOME TAXES
   See: TAXATION
REVENUE - OCCUPATION AND USE TAXES
   See: TAXATION
REVENUE - PROPERTY TAXES
   See: TAXATION
SANITARY DISTRICTS
   See: SPECIAL DISTRICTS
SCHOOLS
Childhood Hunger Relief Act
   breakfast incentive program, 94-0981
Critical Health Problems and Comprehensive Health Education Act
   sex education; Abandoned Newborn Infant Protection Act; responsible parenting, 94-0933
NEW ACTS
   Community Education Act, 94-0904
Private Business and Vocational Schools Act
   schedule of application and renewal fees; applicants for certificates of approval, 94-1060
School Breakfast and Lunch Program Act
   breakfast incentive program, 94-0981
School Code
   academic early warning and watch status, 94-1105
   bullying prevention program, 94-0937
   Center for Excellence in Teaching, 94-1105
Chicago/Cook County
   bonds; tax levy, 94-1105
   Bridge Note Statute, 94-1105
   budget; supplemental budget, 94-1105
   reports; financial structure, 94-1105
Children with Disabilities Article
   appeals, 94-1105
   identification, evaluation and placement of children; hearing and visually impaired, 94-1100
   impartial due process hearing; civil action, 94-1100
   preschool, 94-1105
   reimbursements, increases, 94-1054
   residential program placement; alcohol/controlled substance abuse, 94-1105
   school behavior analyst, 94-0948
   computer literacy grants, 94-1105
   courses of instruction / curriculum / programs
   adult education, 94-1105
   college preparatory, 94-1105
   community block home program, 94-1105
   financial literacy, 94-0929
   junior high school course report, 94-1105
   sex education; Abandoned Newborn Infant Protection Act; responsible parenting, 94-0933
   teen parent program, 94-1105
   debt limitation - bonds
   additional indebtedness, criteria, 94-0952
Departments

See topic headings on page 6351
SCHOOLS-Cont

Department Instructional Television and Radio Materials Development, 94-1105
Department of School District Organization, 94-1105
Department of Urban Education, 94-1105

Driver Education Act
  cancellation/refusal of license; failure to maintain school attendance, 94-0916

funding
  2007 transitional assistance payment, 94-0835
  arts and foreign language education grant program, 94-0835
  bonds; issuance, 94-1078
  Capital Assistance Program, 94-1105
  career compensation programs, 94-1105
  equipment, 94-1105
  Preschool for All Children, 94-1054
  scholarships, 94-1105
  St. aid-foundation level of support, 94-0835
  St. aid-increases levels, 94-0835
  St. aid-supp., cooperative high schools, 94-0902
  State Urban Education Partnership Grants, 94-1105
  tax levy, 94-1105

inspection and review of school facilities, 94-0973

insurance
  autism, 94-0906

mandate waivers
  modification, 94-0875

physical education waiver for special education support, 94-1098

pilot class size reduction grant program, 94-0894

school boards
  direct and assist the superintendent; administrative, 94-0881
  oath of office requirement, 94-0881
  orientation program; professional development program, 94-0881

school buildings
  building codes, 94-0875

school districts
  community unit districts, 94-0835
  dissolution and annexation, 94-1105
  formation of a new school district, 94-1019
  improvement plans, 94-0875
  secondary agricultural education program, 94-0855

school energy conservation and saving measures, 94-1062

social group work demonstration projects, 94-1105

special education, 94-1054

State Board of Education
  Illinois Teaching Excellence Program, 94-0901

See topic headings on page 6351
SCHOOLS-Cont
    institutions of higher education; teacher preparation, 94-0935
    new principal mentoring program, 94-1039
    textbooks; loan, 94-0927
student health
    allergy medication, student self-administration, 94-0792
    asthma medication, student self-administration, 94-0792
Teacher Certification Article
    early childhood certificate, student teaching, 94-1034
    sex offense conviction, 94-0991
teachers and administrators
    Alternative Teacher Certification Program, 94-1039
    certificates; suspension; revocation, 94-1105
    certification, simplify and streamline, 94-1078
    early childhood certificate, 94-1110
    enrollment incentive programs, 94-1105
    holidays, 94-0875
    teacher institutes, 94-1105
    training and assessment, 94-1105
    technical, 94-0973, 94-0835, 94-1105, 94-0952, 94-0991, 94-1039, 94-1060, 94-1110
    transportation
        loans, 94-1105
        reimbursement, 94-0875
        seat backs; seat belts, 94-1105
    vacant land agreement, allowable, 94-0967
    vocational education electives, required to offer, 94-1105
SPECIAL DISTRICTS
Civic Center Code
    Will County Metropolitan Exposition and Auditorium Authority, property sale, 94-0790
Heart of Illinois Regional Port District Act, 94-1109
Illinois Regional Port District Act
    technical, 94-1109
Joliet Regional Port District Act
    board members, 94-1003
Metropolitan Water Reclamation District Act
    Civil Service Board
        compensation; annual budget, 94-1069
        salary, increase, 94-1069
        enlarges district, 94-0777
        officers and employees
            examination of applicants, 94-1070
            technical, 94-0867
Mosquito Abatement District Act

See topic headings on page 6351
SPECIAL DISTRICTS-Cont
   technical, 94-1036
NEW ACTS
   Riverdale Development Authority Act, 94-1093
   Southern Illinois Economic Development Authority Act, 94-1021
Sanitary Dist., 1917 Act
   condemnation of sewage collection and treatment works owned by a public utility, 94-1106
   Sanitary District of Decatur, 94-1109
Tuberculosis Sanitarium District Act
   dissolves Suburban Cook County Tuberculosis Sanitarium District, 94-1050
Waukegan Port District Act
   Waukegan Port District Board, 94-1003

STATE DESIGNATIONS
See: STATE GOVERNMENT

STATE GOVERNMENT
NEW ACTS
   FY2007 Budget Implementation Act, 94-0839, 94-0836
   State Services Assurance Act, 94-1108
State Commemorative Dates Act
   Jane Addams Day, December 10, 94-0796
State Employees Group Insurance Act of 1971
   coverage
      autism, 94-0906
   participation
      child advocacy centers, 94-0860
State Facilities Closure Act
   application, 94-1107
State Property Control Act
   94-0896
STATUTES
Regulatory Sunset Act
   Boiler and Pressure Vessel Repairer Regulation Act, 94-0956
   changes repeal date, 94-0787
   Clinical Psychologist Licensing Act, changes repeal date, 94-0870
   Illinois Insurance Code; extends, 94-1076
   Illinois Petroleum Education and Marketing Act, 94-1085
   Medical Practice Act of 1987, extends repeal date, 94-1075
   Structural Pest Control Act, 94-0754
   sunset schedule, changes
      Illinois Dental Practice Act, 94-1028
revisories
   Public Act 88-669- re-enacts provisions, 94-1074
   Public Act 93-25; revisory, 94-0793
Statute on Statutes

See topic headings on page 6351
STATUTES-Cont
eminent domain; blighted area, 94-1055

TAXATION
Cigarette Tax Act
forfeited original packages of cigarettes or any forfeited cigarette vending devices,
may use in undercover capacity, 94-0776
re-enact P.A. 88-669, 94-1074
Cigarette Use Tax Act
forfeited original packages of cigarettes or any forfeited cigarette vending devices,
may use in undercover capacity, 94-0776
forfeited original packages of cigarettes or any forfeited cigarette vending devices;
sale, 94-0776
re-enact P.A. 88-669, 94-1074
Coin-Operated Amusement Device and Redemption Machine Tax Act
privilege tax decals, 94-0742
Film Production Services Tax Credit Act
labor expenditures, 94-0817
review of applications for accredited production certificates, 94-0817
Income Tax Act, Illinois
base income
modifications; federal bonus depreciation deductions, 94-0776
checkoffs
Energy Assistance Program Fund, 94-0773
HeartSaver AED Fund, 94-0876
Lead Poisoning Screening, Prevention, and Abatement Fund, 94-0879
deductions
interinsurer or reciprocal insurer to an attorney-in-fact, 94-0789
organ donation, 94-0836
energy assistance fund transfers, 94-0773
notices of decrease in net loss, 94-0836
refunds
limitations, 94-0836
technical, 94-0836
warrant directed to any agent commanding the agent to levy upon the property and
rights to property of a taxpayer within his jurisdiction the amount of tax not paid
under the applicable Act, 94-0776
withholding tax, 94-0776
Messages Tax Act
re-enact P.A. 88-669, 94-1074
Motor Fuel Tax Law
re-enact P.A. 88-669, 94-1074
NEW ACTS
FY2007 Budget Implementation (Revenue) Act, 94-0836
Scavenger Sales Ethics Act, 94-0922

See topic headings on page 6351
TAXATION-Cont
   Video Game Excise Tax Act, 94-0817
Postage Stamp Vending Machine Act, 94-0742
Property Tax Code
   assessment of vegetative filter strips, 94-1002
   assessment officials
      assessing certain low-cost housing projects, 94-1086
      income capitalization method, 94-1086
      supportive living facilities, 94-1086
   assessment; procedure for determination, 94-0974
   assessment; property that is owned by the United States, 94-0974
   exemptions
      homestead-senior citizens, 94-0794
      homestead-sr. cit. assessment freeze, 94-0794
      non-homestead exemption; fire protection districts, 94-1031
      property leased by municipality used for waste disposal or processing, 94-0750
PPV Leases, 94-0974
Property Tax Extension Limitation Law
   new property, 94-0974
   procedures that taxing districts must follow when seeking referendum approval, 94-0976
   technical, 94-1031
   re-enact P.A. 88-669, 94-1074
   tax sale and redemption rights, 94-0922
   technical, 94-0794, 94-0903, 94-1086, 94-0750, 94-0974
Public Utilities Revenue Act
   re-enact P.A. 88-669, 94-1074
Real Estate Transfer Tax Law
   transfer stamps, 94-0785
Retailers’ Occupation Tax Act
   exemptions
      application of exemption date, 94-1002
      intermodal terminal facility area, 94-0781
   re-enact P.A. 88-669, 94-1074
   warrant directed to any agent commanding the agent to levy upon the property and
   rights to property of a taxpayer within his jurisdiction the amount of tax not paid
   under the applicable Act, 94-0776
Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act
   Illinois Seniors and Disabled Drug Coverage Program
      Illinois AIDS Drug Assistance Program, 94-0909
      Medicare Part D coverage, 94-0909
Service Occupation Tax Act
   exemptions
See topic headings on page 6351
TAXATION-Cont
application of exemption date, 94-1002
intermodal terminal facility area, 94-0781
re-enact P.A. 88-669, 94-1074
Service Use Tax Act
exemptions
application of exemption date, 94-1002
intermodal terminal facility area, 94-0781
re-enact P.A. 88-669, 94-1074
Telecommunications Excise Tax Act
re-enact P.A. 88-669, 94-1074
Tobacco Products Tax Act of 1995
forfeited original packages of cigarettes or any forfeited cigarette vending devices,
may use in undercover capacity, 94-0776
Use Tax Act
exemptions
application of exemption date, 94-1002
intermodal terminal facility area, 94-0781
re-enact P.A. 88-669, 94-1074
technical, 94-0817
TECHNOLOGY
NEW ACTS
Integrated Telecommunications Outreach, Quality of Service, and Digital Literacy
Act, 94-0734
TERRORISM
TOBACCO PRODUCTS
NEW ACTS
Cigarette Fire Safety Standard Act, 94-0775
TOWNSHIPS
SEE: LOCAL GOVERNMENT
TRANSPORTATION AND MOTOR VEHICLES
Adopt-A-Highway Act, Illinois
litter collection groups, 94-1044
Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act
notification of violation by certified mail within 14 days, 94-0757, 94-0814
prosecution based upon evidence obtained through an automated traffic control
system, 94-0757, 94-0814
Highway Code, Illinois
technical, 94-0763, 94-0963
township and district roads
township roads, 94-0884
Local Mass Transit District Act
rate increase, 94-0776
Motor Vehicle Franchise Act
TRANSPORTATION AND MOTOR VEHICLES-Cont
   reimbursement; parts; warranty, 94-0882
Motor Vehicle Leasing Act, 94-0802
motor vehicle stops without lawful authority, 94-0730
NEW ACTS
   Midwest Interstate Passenger Rail Compact Act, 94-1077
   Racial Profiling Prevention and Data Oversight Act, 94-0997
Railroad Police Act
   rail carrier; police force, 94-0846
   technical, 94-0846
Regional Transportation Authority Act
   technical, 94-1092
Toll Highway Act
   technical, 94-1009
Vehicle Code, Illinois, 94-1009
   automated enforcement of railroad crossing violations systems, 94-0771
   Automotive Collision Repair Act
   repairers & rebuilders must show compliance, 94-0784
Commercial Transportation Law, Illinois
   ICC enforcement officers and investi-gator powers; safety inspection authority,
      94-0814
   interstate carrier registration, 94-0760
   concrete mixer trucks; weight, 94-0926
driving an uninsured motor vehicle, 94-0763, 94-1035
DUI: additional fines; law enforcement equipment, 94-0963
equipment
   signs prohibiting excessive noise, 94-0756
Federal Motor Carrier Safety Regulations
   revocation of license if in violation of act, 94-0759
Illinois Commerce Commission
   automated enforcement of railroad crossing violations, 94-0795
   insurance policies, bonds; coverage, 94-1035
   large vehicles, access to highways, 94-0739
   license, usage of information, 94-0892
   license-cancellation, suspension, revocation
   conviction for a sex offense, 94-0993
   failure to maintain school attendance, 94-0916
   license-issue, expiration, renewal
   instruction permits, 94-0897
   persons over 61; identity theft brochures, 94-1001
   persons under 18 of age, 94-0897
license; temporary issued when Secretary of State unable to issue standard, 94-0930
listing of all Class I, Class II, and Class III designated streets and highways, 94-0763
motor carrier safety regulations
TRANSPORTATION AND MOTOR VEHICLES-Cont

agricultural operations, agricultural commodities, farm supplies for agricultural purposes, and livestock, 94-0739
park zone; speed limits, 94-0808
permits
relocator operator or dispatcher; revocation, 94-0895
re-enact P.A. 88-669, 94-1074
special speed limits while passing schools or highway construction zones, permits, 94-0814
technical, 94-0757, 94-0949
terminal security, 94-0736
traffic stop statistical study
no ending date, 94-0997
transportation or possession of alcoholic liquor in a motor vehicle, 94-1047
Vehicle Emissions Inspection Law of 1995, 94-0848
weight and axle limits; idling, 94-0845
weight and axle limits; recreational vehicle, 94-0949

UNIFORM LAWS
Uniform Act for the Extradition of Persons of Unsound Mind - See: MENTAL HEALTH
Uniform Anatomical Gift Act - See: ESTATES
Uniform Arbitration Act - See: LABOR RELATIONS
Uniform Child Custody Jurisdiction Act (UCCJA) - See: FAMILIES
Uniform Commercial Code - See: COMMERCIAL CODE
Uniform Conviction Information Act, Illinois -- See: LAW ENFORCEMENT
Uniform Deceptive Trade Practices Act - See: BUSINESS TRANSACTIONS
Uniform Disposition of Unclaimed Property Act - See: PROPERTY
Uniform Interstate Family Support Act - See: FAMILIES
Uniform Partnership Act - See: BUSINESS ORGANIZATIONS
Uniform Peace Officers' Disciplinary Act - See: LOCAL GOVERNMENT
Uniform Rendition of Prisoners as Witnesses in Criminal Proceedings Act - See: CRIMINAL LAW

UTILITIES
Military Personnel Cellular Phone Contract Termination Act, 94-0802
Public Utilities Act
Commerce Commission
security policy, 94-0735
credit
solid waste energy facility, 94-0836
energy assistance fund transfers, 94-0773
Illinois Commerce Commission
service obligations of water and sewer utilities and remedies, 94-0950
natural gas cooperative, 94-0738
real-time pricing, 94-0977
retail electric competition, 94-1095

See topic headings on page 6351
UTILITIES-Cont
   sale of electricity, 94-0836
   utility service; military personnel, 94-0802
   water rates, 94-0950
   water utilities, 94-0950

VETERANS AND MILITARY
Military Code of Illinois
   Assistant Adjutant General, 94-0842

VETERANS AND MILITARY-Cont
   technical, 94-0842
National Guardsman' Compensation Act, 94-0844

NEW ACTS
   Veterans' Health Insurance Program Act, 94-0816

VICTIMS AND WITNESSES
NEW ACTS
   Safe Homes Act, 94-1038
   Whistleblower Reward and Protection Act
documentary material, copies allowable, 94-0940

WATERWAYS
NEW ACTS
   Mississippi River Coordinating Council Act, 94-0996

WEAPONS

WILDLIFE
See: ANIMALS, FISH, AND WILDLIFE
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Public Act 94-</th>
<th>Effective Date</th>
<th>Public Act 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/14/2006</td>
<td>0727</td>
<td>05/19/2006</td>
<td>0780</td>
</tr>
<tr>
<td>04/06/2006</td>
<td>0728</td>
<td>05/19/2006</td>
<td>0781</td>
</tr>
<tr>
<td>04/17/2006</td>
<td>0730</td>
<td>05/19/2006</td>
<td>0782</td>
</tr>
<tr>
<td>04/19/2006</td>
<td>0731</td>
<td>05/19/2006</td>
<td>0783</td>
</tr>
<tr>
<td>04/24/2006</td>
<td>0732</td>
<td>05/19/2006</td>
<td>0787</td>
</tr>
<tr>
<td>04/27/2006</td>
<td>0733</td>
<td>05/19/2006</td>
<td>0789</td>
</tr>
<tr>
<td>04/28/2006</td>
<td>0734</td>
<td>05/19/2006</td>
<td>0790</td>
</tr>
<tr>
<td>05/01/2006</td>
<td>0735</td>
<td>05/19/2006</td>
<td>0792</td>
</tr>
<tr>
<td>05/01/2006</td>
<td>0736</td>
<td>05/19/2006</td>
<td>0793</td>
</tr>
<tr>
<td>05/03/2006</td>
<td>0737</td>
<td>05/22/2006</td>
<td>0794</td>
</tr>
<tr>
<td>05/04/2006</td>
<td>0738</td>
<td>05/22/2006</td>
<td>0795</td>
</tr>
<tr>
<td>05/05/2006</td>
<td>0739</td>
<td>05/22/2006 *</td>
<td>0798</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0740</td>
<td>05/25/2006</td>
<td>0801</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0742</td>
<td>05/26/2006</td>
<td>0802</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0743</td>
<td>05/26/2006</td>
<td>0803</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0744</td>
<td>05/26/2006</td>
<td>0804</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0745</td>
<td>05/26/2006</td>
<td>0805</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0746</td>
<td>05/26/2006</td>
<td>0807</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0747</td>
<td>05/26/2006</td>
<td>0808</td>
</tr>
<tr>
<td>05/08/2006</td>
<td>0748</td>
<td>05/26/2006</td>
<td>0809</td>
</tr>
<tr>
<td>05/09/2006</td>
<td>0750</td>
<td>05/26/2006</td>
<td>0810</td>
</tr>
<tr>
<td>05/10/2006</td>
<td>0751</td>
<td>05/26/2006</td>
<td>0811</td>
</tr>
<tr>
<td>05/10/2006</td>
<td>0752</td>
<td>05/26/2006</td>
<td>0812</td>
</tr>
<tr>
<td>05/10/2006</td>
<td>0753</td>
<td>05/26/2006</td>
<td>0813</td>
</tr>
<tr>
<td>05/10/2006</td>
<td>0754</td>
<td>05/26/2006</td>
<td>0815</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0757</td>
<td>05/30/2006</td>
<td>0816</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0759</td>
<td>05/30/2006</td>
<td>0817</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0761</td>
<td>05/31/2006</td>
<td>0819</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0762</td>
<td>06/02/2006</td>
<td>0824</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0767</td>
<td>06/05/2006</td>
<td>0829</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0768</td>
<td>06/05/2006</td>
<td>0830</td>
</tr>
<tr>
<td>05/12/2006</td>
<td>0769</td>
<td>06/05/2006</td>
<td>0831</td>
</tr>
<tr>
<td>05/15/2006</td>
<td>0770</td>
<td>06/05/2006</td>
<td>0832</td>
</tr>
<tr>
<td>05/17/2006</td>
<td>0772</td>
<td>06/06/2006</td>
<td>0833</td>
</tr>
<tr>
<td>05/18/2006</td>
<td>0773</td>
<td>06/06/2006</td>
<td>0834</td>
</tr>
<tr>
<td>05/19/2006</td>
<td>0774</td>
<td>06/06/2006</td>
<td>0835</td>
</tr>
<tr>
<td>05/19/2006</td>
<td>0776</td>
<td>06/06/2006</td>
<td>0836</td>
</tr>
<tr>
<td>05/19/2006</td>
<td>0778</td>
<td>06/06/2006</td>
<td>0837</td>
</tr>
<tr>
<td>05/19/2006</td>
<td>0779</td>
<td>06/06/2006</td>
<td>0838</td>
</tr>
</tbody>
</table>

* - Generally effective this date, some sections other dates
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Public Act 94-</th>
<th>Effective Date</th>
<th>Public Act 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/06/2006</td>
<td>0839</td>
<td>06/20/2006</td>
<td>0893</td>
</tr>
<tr>
<td>06/06/2006</td>
<td>0840</td>
<td>06/22/2006</td>
<td>0897</td>
</tr>
<tr>
<td>06/07/2006</td>
<td>0841</td>
<td>06/22/2006</td>
<td>0898</td>
</tr>
<tr>
<td>06/08/2006</td>
<td>0843</td>
<td>06/22/2006</td>
<td>0899</td>
</tr>
<tr>
<td>06/08/2006</td>
<td>0844</td>
<td>06/22/2006</td>
<td>0900</td>
</tr>
<tr>
<td>06/09/2006</td>
<td>0848</td>
<td>06/22/2006</td>
<td>0901</td>
</tr>
<tr>
<td>06/12/2006</td>
<td>0849</td>
<td>06/22/2006</td>
<td>0903</td>
</tr>
<tr>
<td>06/13/2006</td>
<td>0850</td>
<td>06/22/2006</td>
<td>0904</td>
</tr>
<tr>
<td>06/13/2006</td>
<td>0851</td>
<td>06/23/2006</td>
<td>0907</td>
</tr>
<tr>
<td>06/13/2006</td>
<td>0852</td>
<td>06/23/2006</td>
<td>0908</td>
</tr>
<tr>
<td>06/13/2006</td>
<td>0853</td>
<td>06/23/2006</td>
<td>0909</td>
</tr>
<tr>
<td>06/15/2006</td>
<td>0856</td>
<td>06/23/2006</td>
<td>0910</td>
</tr>
<tr>
<td>06/15/2006</td>
<td>0857</td>
<td>06/23/2006</td>
<td>0911</td>
</tr>
<tr>
<td>06/15/2006</td>
<td>0858</td>
<td>06/23/2006</td>
<td>0912</td>
</tr>
<tr>
<td>06/15/2006</td>
<td>0859</td>
<td>06/23/2006</td>
<td>0913</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0860</td>
<td>06/23/2006</td>
<td>0914</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0861</td>
<td>06/26/2006</td>
<td>0917</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0862</td>
<td>06/26/2006</td>
<td>0918</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0863</td>
<td>06/26/2006</td>
<td>0919</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0864</td>
<td>06/26/2006</td>
<td>0921</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0865</td>
<td>06/26/2006</td>
<td>0925</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0866</td>
<td>06/26/2006</td>
<td>0928</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0867</td>
<td>06/26/2006</td>
<td>0929</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0868</td>
<td>06/26/2006</td>
<td>0930</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0869</td>
<td>06/26/2006</td>
<td>0931</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0870</td>
<td>06/26/2006</td>
<td>0933</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0871</td>
<td>06/26/2006</td>
<td>0934</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0872</td>
<td>06/26/2006</td>
<td>0935</td>
</tr>
<tr>
<td>06/16/2006</td>
<td>0873</td>
<td>06/26/2006</td>
<td>0936</td>
</tr>
<tr>
<td>06/19/2006</td>
<td>0876</td>
<td>06/26/2006</td>
<td>0937</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0879</td>
<td>06/26/2006</td>
<td>0941</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0881</td>
<td>06/27/2006</td>
<td>0945</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0882</td>
<td>06/27/2006</td>
<td>0947</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0884</td>
<td>06/27/2006</td>
<td>0950</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0886</td>
<td>06/27/2006</td>
<td>0951</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0887</td>
<td>06/27/2006</td>
<td>0952</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0888</td>
<td>06/27/2006</td>
<td>0953</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0890</td>
<td>06/27/2006</td>
<td>0954</td>
</tr>
<tr>
<td>06/20/2006</td>
<td>0891</td>
<td>06/27/2006</td>
<td>0955</td>
</tr>
</tbody>
</table>

* Generally effective this date, some sections other dates.
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Public Act 94-</th>
<th>Effective Date</th>
<th>Public Act 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/27/2006</td>
<td>0956</td>
<td>07/03/2006</td>
<td>1006</td>
</tr>
<tr>
<td>06/27/2006</td>
<td>0958</td>
<td>07/05/2006</td>
<td>1008</td>
</tr>
<tr>
<td>06/27/2006</td>
<td>0959</td>
<td>07/07/2006</td>
<td>1011</td>
</tr>
<tr>
<td>06/27/2006</td>
<td>0960</td>
<td>07/07/2006</td>
<td>1012</td>
</tr>
<tr>
<td>06/27/2006</td>
<td>0961</td>
<td>07/07/2006</td>
<td>1014</td>
</tr>
<tr>
<td>06/28/2006</td>
<td>0963</td>
<td>07/07/2006</td>
<td>1015</td>
</tr>
<tr>
<td>06/28/2006</td>
<td>0964</td>
<td>07/07/2006</td>
<td>1016</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0965</td>
<td>07/07/2006</td>
<td>1017</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0967</td>
<td>07/10/2006</td>
<td>1019</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0970</td>
<td>07/11/2006</td>
<td>1020</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0974</td>
<td>07/12/2006</td>
<td>1021</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0975</td>
<td>07/12/2006</td>
<td>1022</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0976</td>
<td>07/12/2006</td>
<td>1023</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0977</td>
<td>07/14/2006</td>
<td>1024</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0978</td>
<td>07/14/2006</td>
<td>1025</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0979</td>
<td>07/14/2006</td>
<td>1027</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0980</td>
<td>07/14/2006</td>
<td>1029</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0981</td>
<td>07/14/2006</td>
<td>1030</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0982</td>
<td>07/20/2006</td>
<td>1037</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0983</td>
<td>07/20/2006</td>
<td>1039</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0984</td>
<td>07/24/2006</td>
<td>1041</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0986</td>
<td>07/24/2006</td>
<td>1042</td>
</tr>
<tr>
<td>06/30/2006</td>
<td>0987</td>
<td>07/24/2006</td>
<td>1043</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0825</td>
<td>07/24/2006</td>
<td>1045</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0845</td>
<td>07/24/2006</td>
<td>1046</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0875</td>
<td>07/24/2006</td>
<td>1050</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0894</td>
<td>07/24/2006</td>
<td>1051</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0896</td>
<td>07/24/2006</td>
<td>1053</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0902</td>
<td>07/25/2006</td>
<td>1054</td>
</tr>
<tr>
<td>07/01/2006</td>
<td>0957</td>
<td>07/31/2006</td>
<td>1056</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>0989</td>
<td>07/31/2006</td>
<td>1057</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>0995</td>
<td>07/31/2006</td>
<td>1059</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>0998</td>
<td>07/31/2006</td>
<td>1060</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>0999</td>
<td>07/31/2006</td>
<td>1062</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>1000</td>
<td>08/01/2006</td>
<td>0880</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>1002</td>
<td>08/01/2006</td>
<td>1065</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>1003</td>
<td>08/01/2006</td>
<td>1066</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>1004</td>
<td>08/01/2006</td>
<td>1067</td>
</tr>
<tr>
<td>07/03/2006</td>
<td>1005</td>
<td>08/01/2006</td>
<td>1068</td>
</tr>
</tbody>
</table>

* - Generally effective this date, some sections other dates
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Public Act 94-</th>
<th>Effective Date</th>
<th>Public Act 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/01/2006</td>
<td>1010</td>
<td>01/01/2007</td>
<td>0846</td>
</tr>
<tr>
<td>11/01/2006</td>
<td>0788</td>
<td>01/01/2007</td>
<td>0847</td>
</tr>
<tr>
<td>11/29/2006</td>
<td>1069</td>
<td>01/01/2007</td>
<td>0854</td>
</tr>
<tr>
<td>11/29/2006</td>
<td>1070</td>
<td>01/01/2007</td>
<td>0855</td>
</tr>
<tr>
<td>12/26/2006</td>
<td>1073</td>
<td>01/01/2007</td>
<td>0874</td>
</tr>
<tr>
<td>12/26/2006</td>
<td>1074</td>
<td>01/01/2007</td>
<td>0877</td>
</tr>
<tr>
<td>12/29/2006</td>
<td>1075</td>
<td>01/01/2007</td>
<td>0878</td>
</tr>
<tr>
<td>12/29/2006</td>
<td>1076</td>
<td>01/01/2007</td>
<td>0883</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0729</td>
<td>01/01/2007</td>
<td>0885</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0741</td>
<td>01/01/2007</td>
<td>0889</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0749</td>
<td>01/01/2007</td>
<td>0892</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0755</td>
<td>01/01/2007</td>
<td>0895</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0756</td>
<td>01/01/2007</td>
<td>0905</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0758</td>
<td>01/01/2007</td>
<td>0906</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0760</td>
<td>01/01/2007</td>
<td>0915</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0763</td>
<td>01/01/2007</td>
<td>0920</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0764</td>
<td>01/01/2007</td>
<td>0922</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0765</td>
<td>01/01/2007</td>
<td>0923</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0766</td>
<td>01/01/2007</td>
<td>0924</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0771</td>
<td>01/01/2007</td>
<td>0926</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0777</td>
<td>01/01/2007</td>
<td>0927</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0784</td>
<td>01/01/2007</td>
<td>0932</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0785</td>
<td>01/01/2007</td>
<td>0938</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0791</td>
<td>01/01/2007</td>
<td>0939</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0796</td>
<td>01/01/2007</td>
<td>0940</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0797</td>
<td>01/01/2007</td>
<td>0942</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0799</td>
<td>01/01/2007</td>
<td>0943</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0800</td>
<td>01/01/2007</td>
<td>0944</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0806</td>
<td>01/01/2007</td>
<td>0946</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0814</td>
<td>01/01/2007</td>
<td>0948</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0818</td>
<td>01/01/2007</td>
<td>0949</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0820</td>
<td>01/01/2007</td>
<td>0962</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0821</td>
<td>01/01/2007</td>
<td>0966</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0822</td>
<td>01/01/2007</td>
<td>0968</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0823</td>
<td>01/01/2007</td>
<td>0969</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0826</td>
<td>01/01/2007</td>
<td>0971</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0827</td>
<td>01/01/2007</td>
<td>0973</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0828</td>
<td>01/01/2007</td>
<td>0985</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0842</td>
<td>01/01/2007</td>
<td>0988</td>
</tr>
</tbody>
</table>

* - Generally effective this date, some sections other dates.
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Public Act 94-</th>
<th>Effective Date</th>
<th>Public Act 94-</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/01/2007</td>
<td>0990</td>
<td>01/26/2007</td>
<td>1093</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0991</td>
<td>01/26/2007</td>
<td>1094</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0992</td>
<td>01/31/2007</td>
<td>1063</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0993</td>
<td>02/02/2007</td>
<td>1095</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0994</td>
<td>02/02/2007</td>
<td>1097</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>0996</td>
<td>02/02/2007</td>
<td>1098</td>
</tr>
<tr>
<td>01/01/2007 *</td>
<td>0997</td>
<td>02/02/2007</td>
<td>1099</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1001</td>
<td>02/02/2007</td>
<td>1100</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1007</td>
<td>02/09/2007</td>
<td>1101</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1009</td>
<td>02/09/2007</td>
<td>1103</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1013</td>
<td>02/09/2007</td>
<td>1106</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1018</td>
<td>02/16/2007</td>
<td>1107</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1026</td>
<td>02/16/2007</td>
<td>1108</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1028</td>
<td>02/23/2007</td>
<td>1109</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1031</td>
<td>02/23/2007</td>
<td>1110</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1032</td>
<td>02/27/2007</td>
<td>1111</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1034</td>
<td>02/27/2007</td>
<td>1112</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1036</td>
<td>06/01/2007</td>
<td>1077</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1038</td>
<td>06/01/2007</td>
<td>1079</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1044</td>
<td>06/01/2007</td>
<td>1080</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1047</td>
<td>06/01/2007</td>
<td>1081</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1048</td>
<td>06/01/2007</td>
<td>1084</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1049</td>
<td>06/01/2007</td>
<td>1090</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1052</td>
<td>06/01/2007</td>
<td>1096</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1055</td>
<td>06/01/2007</td>
<td>1104</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1058</td>
<td>06/01/2007</td>
<td>1105</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1061</td>
<td>07/01/2007</td>
<td>0786</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1064</td>
<td>07/01/2007</td>
<td>0916</td>
</tr>
<tr>
<td>01/01/2007</td>
<td>1071</td>
<td>07/01/2007</td>
<td>0972</td>
</tr>
<tr>
<td>01/09/2007</td>
<td>1078</td>
<td>07/01/2007</td>
<td>1033</td>
</tr>
<tr>
<td>01/19/2007</td>
<td>1082</td>
<td>07/01/2007</td>
<td>1035</td>
</tr>
<tr>
<td>01/19/2007</td>
<td>1083</td>
<td>07/01/2007</td>
<td>1040</td>
</tr>
<tr>
<td>01/19/2007</td>
<td>1085</td>
<td>07/01/2007</td>
<td>1072</td>
</tr>
<tr>
<td>01/19/2007</td>
<td>1086</td>
<td>07/01/2007</td>
<td>1102</td>
</tr>
<tr>
<td>01/19/2007</td>
<td>1087</td>
<td>01/01/2008</td>
<td>0775</td>
</tr>
<tr>
<td>01/25/2007</td>
<td>1088</td>
<td>01/01/2008</td>
<td>1113</td>
</tr>
<tr>
<td>01/26/2007</td>
<td>1089</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/26/2007</td>
<td>1091</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/26/2007</td>
<td>1092</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* - Generally effective this date, some sections other dates
State of Illinois                   )
                               ) ss.
United States of America, )

Office of the Secretary of State.

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that the foregoing Public Acts and Joint Resolutions of the Ninety-Fourth General Assembly of the State of Illinois and the Executive Orders and Proclamations of the Governor, are true and correct copies of the originals now on file in the office of the Secretary of State.

IN WITNESS WHEREOF, I hereto set my hand and affix the Great Seal of the State of Illinois, at the city of Springfield, this 14th day of March 2007.

(SEAL)

JESSE WHITE
Secretary of State